



City of Petersburg Virginia

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City Council Work Session

October 1, 2024
Petersburg Library
201 W. Washington Street
Petersburg, VA 23803
5:00 PM

City Council

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charles Cuthbert, Jr., Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor - Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

City Administration

John "March" Altman, Jr. - City Manager
Anthony Williams - City Attorney
Tangi R. Hill - City Clerk

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1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Public Comments**
 6. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. Minutes: (Pages 3-19)
 - July 30, 2024 Special Meeting
 - September 3, 2024 City Council Closed Session
 - September 17, 2024 City Council Closed Session
 - b. First Reading and Schedule a Public Hearing to Consider an Ordinance to Amend and Readopt Article 25, Supplementary Height, Area, Bulk, and Design Regulations, and Article 28, Changes and Amendments, as Set Forth in the Zoning Ordinance of the City of Petersburg Pertaining to Administrative Clarifications on Development of Contiguous Nonconforming Lots Under Common Ownership and Requirements for Public Notice (Pages 20-45)
 - c. First Reading and Schedule a Public Hearing for Consideration of an Ordinance to Amend and Re-Adopt the FY25 Petersburg City Public Schools Budget to Allocate Additional Funds for Food Service Upgrades, to Include Capital & Operational Improvements (Pages 46-50)
 - d. First Reading and Schedule a Public Hearing for Consideration of an Ordinance to Utilize the Budget Stabilization Fund to Fund Emergency Repairs (Pages 51-53)
 - e. First Reading and Schedule a Public Hearing for Consideration of Acceptance & Appropriation of Funding from the Virginia Department of Elections for the 2024 Election Equipment Grant (Pages 54-55)
 - f. First Reading and Schedule a Public Hearing for Consideration of a Resolution Authorizing the Issuance & Sale of General Obligation and Refunding Bonds of the City of Petersburg (Pages 56-71)
 - g. First Reading and Schedule a Public Hearing for Council to Resolve to Reallocate \$279,552.95 of CDBG-CV Funds for Critical Home Repair (Pages 72-76)

- h. First Reading and Schedule a Public Hearing on an Ordinance to Amend and Re-Adopt Section 21-2 of the Petersburg City Code Pertaining to the Petersburg Arts Commission (Pages 77-78)

7. Special Reports

- a. Update from Planning and Community Development Regarding Signs (Window, Poorly Maintained, Flashing Lights, and Sandwich Board), Housing Resources, and the Ice Machine at 1916 S Sycamore Street (Pages 79-101)

8. Monthly Reports

9. Finance and Budget Report

- a. Department of Finance Monthly Update (Pages 102-112)

10. Capital Projects Update

11. Utilities

12. Streets

13. Facilities

14. Economic Development

15. City Manager's Agenda

16. Business or Reports from the Clerk

17. Business or Reports from the City Attorney

18. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: **Minutes: (Pages 3-19)**
 - July 30, 2024 Special Meeting
 - September 3, 2024 City Council Closed Session
 - September 17, 2024 City Council Closed Session

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. July 30, 2024 Special Meeting Minutes
2. 09032024 Closed Session Minutes
3. September 17, 2024 Closed Session Minutes

The special meeting of the Petersburg City Council was held on Tuesday, July 30, 2024, at the Union Train Station, 103 River Street. Mayor Parham called the meeting to order at 5:03 p.m. The meeting was not recorded.

1. ROLL CALL

Present:

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

Absent:

Present from City Council Administration:

City Manager John March Altman, Jr
City Attorney Anthony Williams
City Clerk Tangi Hill

2. PRAYER

Vice Mayor Hill led the City Council meeting in the opening prayer.

3. PLEDGE OF ALLEGIANCE

Mayor Parham led the 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 the City Council members.

5. OFFICIAL PUBLIC HEARINGS

Public Hearing and Consideration of an Appeal by Victoria Glazer, Applicant and Owner of 104 Marshall Street, Tax Parcel 022260001, on the Decision of the Architectural Review Board (ARB) Regarding the Installation of a Fence Located Within the Poplar Lawn Historic District

BACKGROUND:

On June 12, 2024, the request to install a six-foot-tall wooden privacy fence at 104 Marshall Street was denied by the ARB due to conflicting with the zoning ordinance. Per the Zoning Ordinance Article 35, Section 13, those denied by the ARB may appeal to the City Council provided the request is filed within 30 days of the ARB's decision. The appeal request was filed via email on June 13, 2024.

RECOMMENDATION: Denial of the appeal per staff and ARB recommendation.

Naomi Siodmok, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Joe Patterson, 1 South Sycamore Street. Mr. Patterson, Chair of the ARB, stated that 10 years ago the ARB started approving 6 ft. fencing. He asked Council to approve pending conversation with Planning Department to discuss conflicts between historic guidelines and zoning ordinance.

Victoria Glazer, 104 Marshall Street. Ms. Glazer stated that she was the homeowner. She was not aware of the house being located in the historic district. They started putting up the fence in March/April, but once informed they stopped working on the fence.

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

Council Member Cuthbert asked Ms. Glazer the difference between the location and design of old and the new fence. Ms. Glazer responded that the new fence is 1ft. taller. The old fence was 5 ft. and the new one is 6 ft. Council Member Cuthbert asked Ms. Glazer if she could live with a 5ft fence. Ms. Glazer said that would be fine.

Council Member Smith Lee commented that the fence was 5ft but they want a 6ft fence. She noted that the fence across the street from the home is 7ft.

Council Member Jones stated that he did not have a problem approving the 6 ft. fence. He requested that it be added to the list of what is historic or not. He requested to add to the list of buildable lots.

Council Member Myers stated to remain with 5 ft. fence.

There was discussion among the City Council members.

Council Member Cuthbert made a motion to approve as proposed with the new fence no higher than the old one. Council Member Myers seconded the motion.

Vice Mayor Hill made a substitute motion to allow the 6 ft. fence. Council Member Jones seconded the substitute motion. The substitute motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Public Hearing and Consideration of an Ordinance to Approve Amendment and Readoption of Article 3, Definitions and Article 23, Supplementary Use Regulations, Special Uses Pertaining to Recreation Substance Retail Uses (2nd Reading)

BACKGROUND:

March 7, 2024 – staff discussed potential ordinance requirements for recreational substance retail facilities with the Planning Commission and were directed to initiate a public hearing for consideration of an ordinance amendment for consideration. April 4, 2024 – Planning Commission held a public hearing and recommended approval of 2024-ZTA- 02, which included definitions and use limitations for recreational substance retail uses. April 5, 2024 – HB 947 was signed by Virginia Governor, which limited the authority of the City to regulate the uses as initially desired. May 2, 2024 - The Planning Commission held a public hearing on a proposed text amendment which would make recreational substance retail facilities a by-right use in the B-1, B-2, and M-1 Districts if the facilities are located 1,000 linear feet from a day care center or school. The Planning Commission tabled the request and asked that the language be amended to require special use permits for recreational substance retail facilities in the B-1, B-2, and M-1 district. June 6, 2024 - The Planning Commission recommended approval of an amendment and

readoption of Article 3, Definitions and Article 23, Supplementary Use Regulations, Special Uses pertaining to recreational substance retail uses.

RECOMMENDATION: Planning Commission recommended approval of the text amendment on June 6, 2024.

Naomi Siodmok, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the City Council members.

Council Member Cuthbert asked about cigar lounges on Washington Street at old bus station. He asked if there was any concern with eliminating them in B-1 and B-2 zoning districts. Ms. Siodmok stated that the cigar shop was grandfathered.

Council Member Jones asked if the code addressed how many were allowed. He asked if marijuana and raw materials from hemp could be added.

Council Member Westbrook asked about adding edibles.

City Attorney Williams stating that staff can look at adjusting the ordinance and bringing it back at a subsequent meeting.

Council Member Cuthbert questioned massage being allowed only in M-1 zoning districts.

Council Member Cuthbert made a motion to adopt as presented with recreational substances retail (both off-site and on-site use) being allowed with an approved Special Use Permit in M-1, Light Industrial Zoning District only. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

24-ORD- _ AN ORDINANCE TO AMEND AND READOPT ARTICLE 3. – DEFINITIONS AND ARTICLE 23.-SUPPLEMENTARY USE REGULATIONS – SPECIAL USES, AS SET FORTH IN THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, TO DEFINE RECREATIONAL SUBSTANCE RETAIL USES AND REGUALTE THE ALLOWANCE OF SUCH USES WITHIN THE CITY

Council Member Jones that this item be returned to Council at their September meeting.

Public Hearing and Consideration of an Ordinance to Approve Adoption of Article 38, Site Plan Review, and Amendment and Readoption of Article 31, Permits, Plats, and Filing Fees as Set Forth in the Zoning Ordinance of the City of Petersburg Pertaining to Site Plan Review Standards and Fees (2nd Reading)

BACKGROUND: May 2, 2024 – Staff presented a discussion item covering the proposed changes and the Planning Commission moved to hold a public hearing on a potential text amendment.

RECOMMENDATION: Planning Commission recommended approval on June 6, 2024.

Naomi Siodmok, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the City Council members.

Vice Mayor Hill made a motion approve the adoption of Article 38, Site Plan Review, and Amendment and Readoption of Article 31, Permits, Plats, and Filing Fees as Set Forth in the Zoning Ordinance of the City of Petersburg to Codify Site Plan Review Standards and Clarify Fees. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

24-ORD-__ AN ORDINANCE TO APPROVE ADOPTING ARTICLE 38. – SITE PLAN REVIEW AND AMENDING AND READOPTING ARTICLE 31. – PERMITS, PLATS, AND FILING FEES AS SET FORTH IN THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, TO CODIFY SITE PLAN REVIEW STANDARDS AND CLARIFY FEES

Public Hearing and Consideration to Create & Transfer Initial Funding to the Budget Stabilization Fund (BSF) (2nd Reading)

BACKGROUND: The City of Petersburg Financial Policy Guidelines Section 5.2 states: “The City shall separately establish a Budget Stabilization Fund, which shall be considered a part of the City’s Committed Fund Balance. The Budget Stabilization Fund shall be used for unforeseen, emergency expenditures or unplanned, unforeseen declines in revenues. The Budget Stabilization Fund shall be initially established at an amount equal to 5% of General Fund Budgeted Revenues & Expenditures.”

RECOMMENDATION: Approve the ordinance to transfer funds from the Unassigned Fund Balance to the Budget Stabilization Fund (BSF).

Garry Cozier, Budget Manager, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mt. Vernon Street, stated that the proposal was great. She stated that the City Council needs to establish criteria/policies when appropriate to use.

Freda Greenhouse, 1814 (did not capture full address), asked what would be the criteria for emergencies.

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

There was discussion among the City Council members.

Council Member Jones asked what is considered an emergency.

City Manager Altman provided examples of emergencies. He noted that a definition of emergencies needs to be added.

Mr. Cozier stated that the policy does not state the criteria.

Mayor Parham stated that the Oak Hill and the Lafayette bridges are emergencies.

Council Member Cuthbert stated that one man's emergency is another man's inconvenience. He asked how the money will be invested. He asked if it would be in the LGIP.

Vice Mayor Hill made a motion approve the ordinance to establish a budget stabilization fund as outlined in the financial policy guidelines for the City of Petersburg with criteria of what consists of as an emergency. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

24-ORD-__ AN ORDINANCE TO ESTABLISH A BUDGET STABLIZATION FUND AS OUTLINED IN THE FINANCIAL POLICY GUIDELINES FOR THE CITY OF PETERSBURG

Council Member Cuthbert requested that the City Manager report to Council in September if the funds can be invested in the LGIP.

Mayor Parham requested that the City Manager report back to Council in September a quote to repair the Oak Hill Bridge.

Public Hearing and Consideration of an Ordinance to Adopt Section 2-193 of the Petersburg City Code Pertaining to Staff in the Office of the City Attorney (2nd Reading)

BACKGROUND:

Having qualified, competent, and experienced, and skilled legal staff with significant institutional knowledge is imperative to the ability of the Office of the City Attorney to defend, prosecute, pursue, and advise City Council and the City's Administration in legal matters affecting the operations of the City.

Internal transfers of staff within the Office of the City Attorney have a substantial impact on the Office due to the small number of personnel working in this office. With the most recent transfer, the Office will be left without any permanent staff other than the City Attorney himself. The City has spent funds training staff within the City Attorney's Office in order to perform the functions specific to the needs of the Office of the City Attorney and it is difficult if not impossible for the Office with only two staff positions, to compete with the salaries and other jobs available given the large number of vacancies that the City currently has.

As the City Attorney's Office seeks to fill both of its currently open positions, the City Attorney is requesting that Council favorably consider the attached Ordinance which will enable him to (1) ensure continuity of staff so that his Office does not simply serve as a training ground for other positions within the City's organization; (2) ensure continuity and longevity of service and that funds expended on training personnel are not wasted; (3) enable the development of career development opportunities for City Attorney staff; (4) enable the City Attorney to effectively structure the positions to best serve the needs of the Office; and (5) ensure that the positions are funded

sufficiently within appropriated funds in order to remain competitive with other positions both within and outside of the City.

RECOMMENDATION: Approve Ordinance as presented.

Anthony Williams, City Attorney, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mt. Vernon Street, stated that she strongly recommends not approving the ordinance presented.

Treska Wilson-Smith, 1151 Normandale Avenue East, spoke against Council approving the proposed ordinance.

Brittany Flowers, 3280 Denise Road, spoke against the proposed ordinance.

Gary Talley, 2323 Fort Rice, stated that accountability is needed and some independence.

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

There was discussion among the City Council members.

Council Member Jones stated that he can see both sides. He stated that the State code states that elected officials cannot work in the municipality for a year after leaving office.

Vice Mayor Hill state that the City of Petersburg is under the Council and Manager form of government. He would like to table this issue.

Mayor Parham called for a 15 minute recess due to flooding. Meeting recessed at 6:26 p.m.

Meeting reconvened at 6:47 p.m.

Further discussion was held among the City Council members.

Vice Mayor Hill made a motion to table the approval of this ordinance to amend the Petersburg City Code by incorporating section 2-193 of the City Code pertaining to City Attorney staff until the September 3, 2024 Closed Session. Council Member Smith-Lee seconded the motion. Council Member Jones made a substitute motion to approve with amendments. The substitute motion died for lack of a second. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: Jones; Abstain: N/A.

Public Hearing for the Consideration of an Appropriation Ordinance for the Virginia Office of Emergency Medical Services – Four-for-Life Grant, Carryover of Funds from FY 24 to FY 25 Budget for \$135,183.36 (2nd Reading)

BACKGROUND: The City of Petersburg Department of Fire, Rescue and Emergency Services received financial assistance through the Virginia Office of EMS to support EMS training and equipment as determined applicable by the Code of Virginia

RECOMMENDATION: The Council approve the ordinance for the Virginia Office of Emergency Medical Services – Four-for-Life funding in the amount of \$135,183.36 to the Department of Fire, Rescue, and Emergency Services’ FY25 budget.

City Manager March Altman gave a brief overview of the request.

Mayor Parham opened the public hearing

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the appropriation ordinance for the Virginia Office of Emergency Medical Services – Four-for-Life-Grant, Carryover of Funds from FY24 to FY25 Budget for \$135,183.36. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Public Hearing for the Consideration of an Appropriation to Carry Over the Virginia Department of Emergency Management – Radiological Emergency Preparedness Program Funding from FY24 to FY25 Budget (2nd Reading)

BACKGROUND: The City of Petersburg received annual funding from the Virginia Department of Emergency Management. These funds enhance Emergency Management and Operations during preparedness, response, mitigation, and recovery during significant incidents.

RECOMMENDATION: Recommend that Council approve an ordinance to carry over unspent funding from the Virginia Department of Emergency Management – Radiological Preparedness Program for \$2,723.53 to the Department of Fire, Rescue and Emergency Services FY 25 budget.

City Manager March Altman gave a brief overview of the request.

Mayor Parham opened the public hearing

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the appropriation ordinance to carry over the Virginia Department of Emergency Management – Radiological Emergency Preparedness Program Funding from FY24 to FY25 Budget for \$2,723.53. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Public Hearing on the Consideration of Appropriation for the Fiscal Year Commencing July 1, 2024, and ending on June 30, 2025, for Grant 521288-FY25-School Resource Officer Grants – SRO (2nd Reading)

BACKGROUND: The Petersburg Bureau of Police applied for and was awarded the School Resource Officer Grant. It will allow the addition of two School Resource Officers.

RECOMMENDATION: Recommended that the council accept the funds for the School Resource Officer Grant to be spent in the fiscal year.

Police Chief Travis Christian gave a brief overview of the request.

Mayor Parham opened the public hearing

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the City Council members.

Council Member Smith-Lee made a motion to approve the appropriation ordinance for the Fiscal Year commencing July 1, 2024 and ending June 30, 2025 for Grant 521288-FY-25 School Resource Officer Grants-SRO. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Public Hearing on the Consideration of Ordinance to Appropriate Funding for the Sports Training Facility (Fieldhouse) at Petersburg High School in the Amount of \$500,000.00 (2nd Reading)

BACKGROUND: Per the Memorandum of Agreement between the city, PCPS School Board, & the PHS Stadium Enhancement Committee, the City agreed to provide funds to the committee for the purpose of the Training facility project using the funds designated for future capital needs of PCPS.

RECOMMENDATION: Hold public hearing and approve ordinance to appropriate funds.

City Manager March Altman gave a brief overview of the request.

Mayor Parham opened the public hearing

Barb Rudolph, 1675 Mt. Vernon Street, spoke in favor of the appropriation but wanted to know more about the memorandum of understanding.

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

Mayor Parham and Council Member Myers stated that they would be abstaining from the vote because they service as ex-officio members of the committee.

Vice Mayor Hill made a motion to approve the ordinance to appropriate funding for the Sports Training Facility (Fieldhouse) at the Petersburg High School in the amount of \$500,000. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, Yes: Cuthbert, Jones, Westbrook, Smith-Lee, and Hill; no: N/A; Abstain: Myers and Parham.

6. UNFINISHED BUSINESS

Council did not consider any matters under unfinished business.

7. NEW BUSINESS

Council did not consider any matters under new business.

8. CLOSED SESSION

The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and Legal Consultation regarding the subject of actual or probable litigation and specific legal matters requiring the subject of actual or probable litigation and specific legal matters requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion regarding the legal requirements of Part II Chapter 86 Article II of the Petersburg City Code; Section 10-2-13 of the Petersburg Zoning Ordinance; and Petersburg Circuit Court Case No.: CL24-563; and §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance, assignment, and appointment of a specific public officer of the City of Petersburg; and §2.2-3711(A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition of real property for a public purpose and the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically including but not limited to the acquisition and disposition of real property.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Smith-Lee seconded the motion.

On roll call vote, voting yes: Cuthbert, Jones, Westbrook, Myers, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Council entered into Closed Session at 7:31 p.m.

CERTIFICATION

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mr. Mayor."

Vice Mayor Hill made a motion to return the City Council to open session and certify the purposes of the closed session. Council Member Westbrook seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; No: N/A; Abstain: N/A

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

City Council returned to open session at 8:40 p.m.

Council Member Cuthbert made a motion to add the approval of EC1 Med to the agenda. Council Member Myers seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; No: N/A; Abstain: N/A

Council Member Cuthbert made a motion to approve EC1 Med agreement. Vice Mayor Hill seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; No: N/A; Abstain: N/A

18. ADJOURNMENT:

The City Council adjourned at 8:42 p.m.

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 3, 2024, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:05 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/313896>.

1. ROLL CALL

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent:

Council Member Marlow Jones (Late)
Council Member Annette Smith-Lee (Late)

Present from City Administration:

City Manager John March Altman, Jr.
City Attorney Anthony Williams
City Clerk Tangi R. Hill

2. CLOSED SESSION

The purpose of this meeting is to convene in the closed session pursuant §2.2-3711(A)(7) and (8) of the Code of Virginia for the Purpose of Receiving Legal Advice and Status Update from the City Attorney and Legal Consultation Regarding the Subject of Actual or Probable Litigation and Specific Legal Matters Requiring the Provision of Legal Advice by the City Attorney, Specifically Including but not Limited to Discussion Regarding the Legal Requirements of an Existing Contract and a Proposed Contract; Section 10-2-13 of the Petersburg Zoning Ordinance; and Petersburg Circuit Court Case No.: CL24-563; and b. §2.2-3711(A)(1) of the Code of Virginia for the Purpose of Discussion Pertaining to Performance, Assignment, and Appointment of Specific Public Employees of the City of Petersburg, Specifically Including but not Limited to Discussion of the Performance, Assignment, and Appointment of a Specific Public Officer of the City of Petersburg; and c. §2.2-3711(A)(3) of the Code of Virginia for the Purpose of Discussion or Consideration of the Acquisition of Real Property for a Public Purpose and the Disposition of Publicly Held Real Property Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body, Specifically Including but not Limited to the Acquisition and Disposition of Real Property; and d. §2.2-3711(A)(29) of the Code of Virginia for the Purpose of Discussion of the Award of a Public Contract Involving the Expenditure of Public Funds, Including Interviews of Bidders or Offerors, and Discussion of the Terms or Scope of Such Contract, Where Discussion in an Open Session Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body; and e. §2.2-3711(A)28 of the Code of Virginia for the Purpose of Discussion of Information Subject to the Exclusion in Subdivision 11 of § 2.2-3705.6 by a Responsible Public Entity or an Affected Locality or Public Entity, as those Terms are Defined in §33.2-

1800, or any Independent Review Panel Appointed to Review Information and Advise the Responsible Public Entity Concerning Such Records.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion.

On roll call vote, voting yes: Cuthbert, Myers, Westbrook, Hill, and Parham; Absent: Jones and Smith-Lee; Abstain: N/A.

The motion carried on roll call vote.

Council entered into Closed Session at 3:07 p.m.

CERTIFICATION

Mr. Williams stated, “The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mr. Mayor.”

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

The motion carried on roll call vote.

On roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: N/A; Abstain: N/A

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

City Council returned to open session at 6:02 p.m.

Council Member Cuthbert made a motion to add the following motion to the agenda: a

motion to direct the City Manager to take all action necessary to initiate a Zoning Ordinance Text Amendment on behalf of City Council to rescind the provisions of the Petersburg Zoning Ordinance pertaining to zoning regulation of sandwich board signs; and to rescind the provisions of the Petersburg Zoning Ordinance pertaining to zoning permitting requirements for sheds of a size that are not regulated under the provisions of the Virginia Uniform Statewide Building Code. Council Member Jones seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmative.

The motion carried unanimously in the affirmative.

Council Member Cuthbert made a motion that Council directs the City Manager to take all actions necessary to initiate a Zoning Ordinance Text Amendment on behalf of City Council to rescind the provisions of the Petersburg zoning ordinance pertaining to zoning regulation of sandwich board signs; and to rescind the provisions of the Petersburg Zoning Ordinance pertaining to zoning permitting requirements for sheds of a size that are not regulated under the provisions of the Virginia Uniform Statewide Building Code. Vice Mayor Hill seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmative.

The motion carried unanimously in the affirmative.

5. **ADJOURNMENT:**

The City Council adjourned at 6:05 p.m.

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 17, 2024, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:04 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/315301>.

1. ROLL CALL

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent:

Council Member Marlow Jones (Late)
Council Member Annette Smith-Lee (Late)

Present from City Administration:

City Manager John March Altman, Jr.
City Attorney Anthony Williams
City Clerk Tangi R. Hill

2. CLOSED SESSION

The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(3) of the Code of Virginia for the purpose §2.2-3711(A)(7) and (8) of the Code of Virginia for the Purpose of Receiving Legal Advice and Status Update from the City Attorney and Legal Consultation Regarding the Subject of Actual or Probable Litigation and Specific Legal Matters Requiring the Provision of Legal Advice by the City Attorney, Specifically Including but Not Limited to Discussion Regarding SCC Rep. #24- 0491; and the requirements of §56-265.17 of the Code of Virginia; §28.2-1308 of the Code of Virginia; §15.2-505 of the Code of Virginia; 24.2-101 of the Code of Virginia; and 2-2.1 of the Petersburg City Charter; and §2.2-3711(A)(1) of the Code of Virginia for the Purpose of Discussion Pertaining to Performance, Assignment, and Appointment of Specific Public Employees of the City of Petersburg, Specifically Including but not Limited to Discussion of Performance, Assignment, and Appointment of a Specific Public Officer of the City of Petersburg; and §2.2-3711(A)(3) of the Code of Virginia for the Purpose of Discussion or Consideration of the Acquisition of Real Property for a Public Purpose and the Disposition of Publicly Held Real Property Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body, Specifically Including but not Limited to the Acquisition and Disposition of Real Property; and §2.2-3711(A)(29) of the Code of Virginia for the Purpose of Discussion of the Award of a Public Contract Involving the Expenditure of Public Funds, Including Interviews of Bidders or Offerors, and Discussion of the Terms or Scope of Such Contract, Where Discussion in an Open Session Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body; and §2.2-3711(A)28 of the Code of Virginia for the Purpose of Discussion of Information Subject to the Exclusion in Subdivision 11 of §2.2-3705.6 by a Responsible Public Entity or an Affected Locality or

Public Entity, as Those Terms are Defined in §33.2-1800, or Any Independent Review Panel Appointed to Review Information and Advise the Responsible Public Entity Concerning Such Records.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion.

On roll call vote, voting yes: Cuthbert, Westbrook, Myers, Hill, and Parham; no: N/A; Abstain: N/A.

Council entered into Closed Session.

Council Member Jones arrived.

Council Member Smith-Lee arrived.

CERTIFICATION

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mr. Mayor."

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

The motion was approved on roll call vote.

On roll call vote, voting Yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; No: N/A; Abstain: N/A

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

City Council returned to open session at 5:56 p.m.

OPEN SESSION

Mayor Parham entertained a motion to add a motion authorizing the City to accept the

IRF grant and proceed with further review and consideration of the draft development agreement presented by the Commonwealth on behalf of the VDC to the agenda tonight.

Vice Mayor Hill made a motion to add a motion authorizing the City to accept the IRF grant and proceed with further review and consideration of the draft development agreement presented by the Commonwealth on behalf of the VDC to the agenda tonight. Council Member Westbrook seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmation.

The motion carried on a unanimous vote in the affirmative.

Mayor Parham entertained a motion to authorize the City to accept the IRF grant and proceed with further review and consideration of the draft development agreement presented by the Commonwealth on behalf of the VDC.

Vice Mayor Hill made a motion to authorize the City to accept the IRF grant and proceed with further review and consideration of the draft development agreement presented by the Commonwealth on behalf of the VDC. Council Member Myers seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmation.

The motion carried on a unanimous vote in the affirmative.

Council Member Myers made a motion to add a resolution selecting the site for the new animal control shelter to the agenda. Council Member Westbrook seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmation.

The motion carried on a unanimous vote in the affirmative.

Council Member Myers made a motion to adopt the resolution selecting 1555 Flank Road as the site for the new animal control shelter. Vice Mayor Hill seconded the motion. There was no discussion on the motion. All members of Council present voted in the affirmative.

The motion carried on a unanimous vote in the affirmative.

3. ADJOURNMENT:

City Council adjourned at 5:59 p.m.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Naomi Siodmok

RE: **First Reading and Schedule a Public Hearing to Consider an Ordinance to Amend and Readopt Article 25, Supplementary Height, Area, Bulk, and Design Regulations, and Article 28, Changes and Amendments, as Set Forth in the Zoning Ordinance of the City of Petersburg Pertaining to Administrative Clarifications on Development of Contiguous Nonconforming Lots Under Common Ownership and Requirements for Public Notice (Pages 20-45)**

PURPOSE: To align notice requirements for zoning items with the State Code in Article 28 and to clarify code language in Article 25, Section 3.6 pertaining to the ability to develop single-family homes on non-conforming lots.

REASON: City Council raised concerns about how Article 25, Section 3.6 is interpreted at the June 18, 2024 meeting. Staff worked with the Planning Commission to also incorporate another Code clean-up related to advertising zoning items.

RECOMMENDATION: Staff Recommends Approval
 Planning Commission Recommends Denial

BACKGROUND: Upon the start of the new Planning Director, a public hearing going to the Planning Commission had to be readvertized due to signs not being posted in a manner timely to the zoning ordinance (within five days a petition for a rezoning is filed with the City). This text amendment changes the posting date, so all postings can be made at the same time (10 days prior to the Planning Commission hearing). Further edits are made to align the language with State Code requirements. This text amendment also addresses Code language concerns raised by Council in Article 25, Section 3.6 to clarify the applicability of developing a single-family home on a nonconforming lot.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 10/1/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 24-ZTA-06 Memo
2. Administrative Clarifications
3. Tracked Changes Combined
4. Contiguous Lot Interpretation Memo



City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

MEMORANDUM

DATE: October 15, 2024

TO: City Council

FROM: Planning and Community Development

RE: 2024-ZTA-06: Consideration of a resolution recommending amendment and readoption of Article 25, Supplementary Height, Area, Bulk, and Design Regulations, and Article 28, Changes and Amendments, as set forth in the Zoning Ordinance of the City of Petersburg pertaining to administrative clarifications on development of contiguous nonconforming lots under common ownership and requirements for public notice.

EXECUTIVE SUMMARY:

Planning Commission has advanced a potential code amendment for the Council's consideration. The goal of the amendment is to clarify several administrative policies and procedures pertaining to:

- 1) The buildability of contiguous nonconforming lots under common ownership
- 2) Requirements for providing public notice prior to hearings for changes and amendments to the Zoning Ordinance

CHRONOLOGY OF EVENTS:

1. July 11, 2024 – staff presented a discussion item covering the proposed changes and the Planning Commission moved to hold a public hearing on a potential text amendment.
2. September 5, 2024 - Planning Commission took action to recommend denial.

BACKGROUND:

Existing Article 25:

Article 25 of the Zoning Ordinance includes certain provisions that supplement the basic standards for things like building height, lot area and width, and setback requirements. Section

3.6 of this Article allows for the construction of a single-family dwelling on a lot that does not meet minimum area or width requirements if that lot is within a zoning district that allows residential uses and reads as follows:

*“Where an unimproved lot in a zoning district that allows residential use was of record prior to the application of zoning regulations and restrictions to the premises, and if such lot does not conform to the requirements of such regulations and restrictions as to the width of lots or lot area per family, the provisions of such lot area per family and lot width regulations and restrictions shall not prevent the owner of such lot from erecting a one-family dwelling or making other accessory improvements on the lot; provided such improvements conform in all other respects to the applicable zoning regulations and restrictions. **However, this section will not apply if the lot or lots in question were contiguous to another lot or lots of record owned by the same person at the time the more restrictive regulations became in force.**”*

The last sentence in the section seems to indicate the provision does not apply to lots that abutted each other whenever the most recent regulations on lot area and width came into effect if those lots were under the same ownership. If read and applied strictly, this standard is extremely difficult to enforce as it first requires a determination of when a particular regulation was adopted, followed by a determination of who owned a given property and all the properties abutting it at that time. It is also unclear whether this language applies to abutting lots that are currently under the same ownership.

Existing Article 28

Article 28 of the Zoning Ordinance lays out the procedures for informing the public of proposed changes and amendments to the ordinance, including applications for rezoning or special use permits. Certain requirements for public notice are mandated in the Code of Virginia Section 15.2-2204, including requirements to advertise public hearings in a newspaper of general circulation and, in the case of a rezoning or special use permit, to mail notices to owners of property abutting the property making a request. City Code includes similar provisions, but these do not match exactly with State Code.

City Code also has requirements for public notice beyond what is required by State Code. These include a requirement that an applicant for a rezoning or special use permit provide the City with a list of abutting properties and a requirement that an applicant post a physical sign to their property with information on a request. While these requirements exceed what the State requires, they are good practice for ensuring the public is made aware of public hearings.

Proposed Changes

- 1) Article 25, Section 3.6 would be amended to remove the rule prohibiting a single-family dwelling and other accessory improvements on nonconforming lots under common ownership formerly or presently. Please note these lots are nonconforming only in terms of area and width; they are still required to meet all other zoning regulations.

- 2) Article 28 would be amended to directly reference Code of Virginia Section 15.2-2204 requirements for advertising and mailing hearing notices; this would keep the City's policies up to date in case the State regulations are updated in the future.
- 3) Article 28 would also be amended to specify that the City is responsible for abutting property owner information and posting physical notices on properties requesting rezonings or special use permits. The timing of posting physical notices will also be adjusted to match when written notices are mailed.

COMPREHENSIVE PLAN CONSIDERATIONS:

While the proposed text amendment largely deals with procedural clarifications, it should be noted that one of the major goals identified in the Comprehensive Plan is "Working Together for Vibrant Neighborhoods and Housing for All." The plan goes on to recommend several housing strategies relating to increasing the housing stock within the city.

The proposed amendment to Article 25 only deals with single-family dwellings, but there are many lots in the city that do not conform to minimum area and width requirements which can be made buildable through Section 3.6 if the unclear and difficult-to-enforce language about lots under common ownership is removed.

RECOMMENDATION: Staff recommend approval of the proposed text amendment. Planning Commission recommend denial.

CITY COUNCIL
MEETING

OCTOBER 2024



2024-ZTA-06:

Public hearing and consideration of an ordinance amending and readopting Article 25, Supplementary Height, Area, Bulk, and Design Regulations, and Article 28, Changes and Amendments, as set forth in the Zoning Ordinance of the City of Petersburg pertaining to administrative clarifications on development of contiguous nonconforming lots under common ownership and requirements for public notice.

Background and Overview

- This text amendment looks at a few sections of the Zoning Ordinance that are out of date, out of line with State Code, and unclear/unenforceable.
- Components of Proposed Amendment:
 - Updates to Article 28, Changes and Amendments, to simplify public hearing advertising and notification procedures per State Code requirements.
 - Update to Article 25, Supplementary Height, Area, Bulk, and Design Regulations, to clarify buildability of non-conforming lots in residential districts.

Article 28 - Existing

- Sets process and requirements for changes to zoning ordinance, including rezonings.
- Specifies that public hearings must be advertised, notice must be sent to affected property owners, and signs with information on the request should be posted to properties under petition.
- Petitioner is required to provide adjoining owner information and maintain sign postings throughout process.
- Text aligns roughly, but not exactly, with State Code requirements.

Article 28 - Proposed

Advertising/Notice to Adjoining Properties:

- Explicitly tie our standards to Code of Virginia Section 15.2-2204, as amended
- Public hearings will be advertised twice prior to a hearing; notices sent to adjoining property owners via certified or first-class mail depending on number of parcels involved.
- Covers notices required to adjoining localities and military installations.

Sign Postings:

- Information on request to be posted at involved properties at least 10 days prior to first hearing, remain until case closed.

Article 25 - Existing

Section 3.6:

- Allows for the development of a single-family detached dwelling and accessory improvements on a lot that does not meet minimum width or area requirements if that lot is in a zoning district which allows residential uses.
- Final sentence reads **“However, this section will not apply if the lot or lots in question were contiguous to another lot or lots of record owned by the same person at the time the more restrictive regulations became in force.”**
- Intent is unclear; strict regulation would be difficult to determine/enforce. Would hinder lot development.

Article 25 - Proposed

- Delete sentence with unclear language, allowing to be built on non-conforming lots in districts that allow residential regardless present or former ownership.

725 Wilson Street – 40' wide



411 Shore Street – 39' x 90'



520 Shore Street – 42' x 104'



824 Rome Street – 40' x 150'
820 Romes Street – 48.5' x 145'



Key Changes

Article 28:

- Notice requirements in line with State Code, update automatically to remain so.
- City allowed to send first-class mailings for larger requests; cost savings.
- City is responsible for adjoining property owner information and for posting signs; signs are posted when notices go out, remain until Council votes.

Article 25:

- Unclear language and potential hurdle to increasing housing stock is removed.

Recommendations

- Staff - Approval
- Planning Commission – Denial – Concerned that removing the contiguous lot language may lead to demolition of existing lots for the sale of multiple nonconforming lots.

ARTICLE 25. SUPPLEMENTARY HEIGHT, AREA, BULK AND DESIGN REGULATIONS

Section 1. Purpose.

The regulations set forth in this section [article] qualify or supplement the district regulations appearing elsewhere in this ordinance.

Section 2. Modification of height regulations.

- (1) The height regulations as prescribed in this ordinance shall not apply to:
 - Belfries;
 - Chimneys;
 - Church spires;
 - Conveyors;
 - Cooling towers;
 - Elevator bulkheads;
 - Fire towers;
 - Flagpoles;
 - Monuments;
 - Ornamental towers and spires;
 - Smokestacks;
 - Stage towers or scenery lofts;
 - Water towers;
 - Tanks.
- (2) Public, semipublic, or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet, when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulation for the district in which the building is located.
- (3) Manufacturing buildings located in the "M-2" Heavy Industrial district, on land parcels at or exceeding one hundred fifty (150) acres and used for gravity assisted processing, may erect to a height not exceeding one hundred seventy-five (175) feet, when such buildings are set back from any other contiguous zoning district by at least one foot for each one foot of additional building height above the height regulations for the "M-2" Industrial District.

Section 3. Modification of area regulations.

3.1. *Yards generally.*

- (1) Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required yard only.

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- (2) Every part of a required yard shall be open to the sky, except as authorized by this article; and ordinary projections of sills, belt courses, window air conditioning units, chimneys, cornices and ornamental features, which may project to a distance not to exceed twenty-four (24) inches into a required yard.
- (3) Within a residence or office-apartment district, the least dimension of a yard upon which the principal entrances or exists of a multiple dwelling face shall be twenty (20) feet.
- (4) Where a lot is used for a commercial or industrial purpose more than one main building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
- (5) A bathroom not exceeding fifty (50) square feet in area may be constructed on the rear of an existing dwelling which does not have these sanitary facilities, provided the addition is at least ten (10) feet from the rear lot line and conforms to the side line requirements.
- (6) On residential lots having a width of less than fifty (50) feet and on record prior to November 20, 1947, there shall be a side yard on each side of a building having a width of not less than ten (10) percent of the average width of the lot; provided, however, that such side yard shall not be less than three (3) feet.
- (7) For housing projects involving the construction of several multiple-group dwellings on the same lot or parcel of land, in order to permit a more flexible placing of the buildings on the land and more desirable grouping of open spaces and such accessory facilities as recreation and parking areas, the following yard requirements shall apply:
 - (a) Front, side and rear yard requirements along the boundaries of the lot shall be in accordance with requirements previously established;
 - (b) Within the lot, minimum distances between main buildings, except Residential Town House Districts, shall be as follows:
 1. When buildings are front to front, not less than fifty (50) feet.
 2. When buildings are front to rear, not less than sixty (60) feet.
 3. When buildings are front to side, not less than fifty (50) feet.
 4. When buildings are side to side, rear to side, or rear to rear, not less than twenty (20) feet for one story buildings and not less than thirty (30) feet when one or both of the buildings are more than one story.

3.2. *Accessory buildings and structures.*

- (1) Except as herein provided, no accessory building shall project beyond a required yard line along any street.
- (2) Filling station pumps and pump islands may occupy the required yards; provided, however, that they are not less than fifteen (15) feet from the street lines.
- (3) One directional or name sign or sign advertising products sold on the premises may occupy required yards in a district where such sign is permitted by the use regulations of this ordinance; provided such sign is of not more than thirty (30) square feet in area, does not contain flashing, moving, or intermittent illumination; and provided the requirements of other city ordinances are complied with.
- (4) An ornamental fence or wall not more than three and one-half (3½) feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Ornamental fences or walls may project into or enclose other required yards, provided such fences and walls do not exceed a height of seven (7) feet.

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- (5) Accessory, open and uncovered swimming pools and home barbecue grills may occupy a required rear yard, provided they are not located closer than five (5) feet to the rear lot line not closer than three (3) feet to a side lot line.
- (6) Accessory buildings which are not a part of the main building, although connected by an open breezeway, may be constructed in a rear yard; provided, such accessory building does not occupy more than twenty-five (25) percent of the area of the required rear yard; and provided, it is not located closer than eight (8) feet to the rear lot line nor closer than three (3) feet to a side lot line.

3.3. *Front yards.*

- (1) Where an official line has been established by the adopted major arterial plan, for the future widening or opening of a street upon which a lot abuts, then the depth of a front or side yard shall be measured from such official line to the nearest line of the building.
- (2) On through lots, the required front yard shall be provided on each street.
- (3) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard of fifteen (15) feet on the side street; provided, however, that the buildable width of a lot of record at the time of passage of this ordinance shall not be reduced to less than thirty-two (32) feet.
- (4) Open unenclosed porches, platforms or paved terraces, open or covered by a roof or canopy, and which do not extend above the level of the first floor of the building, may extend or project into the front yard not more than six (6) feet.
- (5) Where twenty-five (25) percent or more of the street frontage, or where twenty-five (25) percent or more of the street frontage within four hundred (400) feet, of the property in question is improved with buildings that have a front yard (with variation of six (6) feet or less) that is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established; provided, however, that a depth of front yard of more than fifty (50) percent in excess of the depth of the required front yard in the district in which the lot is located shall not be required. Where forty (40) percent or more of the street frontage is improved with buildings that have no front yard, no front yard shall be required for the remainder of the street frontage.
- (6) All buildings hereinafter erected, or structurally altered so as to change the character of use of such building, shall observe the following setback requirements or the setbacks or front yard requirements set forth elsewhere in this ordinance, whichever is greater:
 - (a) Except as otherwise provided below, on Washington Street, the minimum setback shall be forty (40) feet, and on Sycamore Street south of Halifax Street, the minimum setback shall be forty-five (45) feet. (On Crater Road, between Graham Road and South Boulevard, the minimum setback on the west side shall be forty (40) feet and on the east side shall be ninety (90) feet for dwellings and sixty (60) feet for all other buildings.) On all other streets thirty (30) feet in width and less than sixty (60) feet in width the minimum setback shall be thirty (30) feet. The term "center line of the street" as used below, shall mean the center line which existed November 20, 1947.
 - (a-1) The minimum setback along U.S. Rout 301 (South Crater Road) from the Norfolk and Western Railway underpass south of Morton Avenue and to the Prince George County Line shall be one hundred (100) feet. The minimum setback along U.S. Route 460 (County Drive) from the Norfolk and Western Railway overpass, at the old corporate limits, to the Prince George County Line shall be one hundred (100) feet. The minimum setback along State Route 604 (Halifax Road) from its intersection with Boydton Plank Road south to the overpass over Interstate 85 shall be one hundred (100) feet; along the west side of Halifax Road from Interstate 85 south to Vaughan Road the minimum setback shall be one hundred forty-five (145) feet; along Halifax Road from Vaughan Road south to the Dinwiddie County Line the minimum setback shall be one hundred (100) feet. The minimum setback along State Route 142 (Boydton Plank Road) from its

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intersection with Halifax Road west to the Dinwiddie County Line shall be one hundred (100) feet. The minimum setback along State Route 632 (Wagner Road) from U.S. Route 301 east to U.S. Route 460 shall be one hundred (100) feet. The minimum setback along State Route 608 (Johnson Road) from the Norfolk and Western Railway overpass, at the old corporate limits, south to the Dinwiddie County Line south of Flank Road shall be one hundred (100) feet. The minimum setback along State Route 109 (Hickory Hill Road) from U.S. 460 east to Fort Lee shall be one hundred (100) feet.

The minimum setback along State Route 629 (Rives Road) from U.S. Route 301 east to the Prince George County Line shall be one hundred (100) feet. The minimum setback along State Route 613 (Squirrel Level Road) from Boydton Plank Road southwest to the Dinwiddie County Line shall be one hundred (100) feet. The minimum setback along Dupuy Road from Spring Street Southwest to Boydton Plank Road shall be eighty (80) feet. The minimum setback along State Route 613 (young's Road) from Brick House Run south to Boydton Plank Road shall be eighty (80) feet. The minimum setback along Flank Road from U.S. Route 301 west to State Route 604(Halifax Road) shall be one hundred fifty (150) feet. The minimum setback along Defense Road from Banister Road west to State Route 142 (Boydton Plank Road) shall be one hundred fifty (150) feet. The term "center line of the street," as used below in subsection (b), when referring to this paragraph shall mean the center line which existed January 1, 1972. Where there are two (2) center lines on a road, the center line referred to is a line running half way between and parallel to the two (2) existing center lines.

- (b) The minimum setback required herein shall be the minimum horizontal distance from the center line of the street to the main building, or any projection thereof. Where an existing building has less setback than provided herein, any building hereafter erected or structurally altered within twenty (20) feet of said existing building may observe the setback line established by the existing building provided that provision be made in the structure for the removal of that portion which extends beyond the setback line established herein, without damage to the balance of the structure, and that the owner of the building to be erected or structurally altered enter into agreement with the City of Petersburg, relieving the city of damage for the removal of that portion of the structure extending beyond the required setback line, when at such time the city acquires title to this portion of the property for street widening.
- (c) No setback of any building shall be required on the south side of East Tabb Street, between North Sycamore Street and Monroe Street.
- (d) Where the minimum setback required herein would require a front yard, the depth of which is greater than ten (10) percent of the average depth of a lot of record prior to November 20, 1947, or require a front yard on the side having the greater, and the front yard is not required by the district regulations, an application for a building permit, conforming to the provisions herein, shall be denied by the building inspector for a period of sixty (60) days. The building inspector shall immediately notify the council of such application for a permit, and unless the building inspector be notified by the clerk of the council within sixty (60) days of date of the application for permit, of the city's intention to purchase the land occupied by the setback required herein, the building inspector shall grant the permit.

3.4. *Side yards.*

- (1) Where dwelling units are erected above business and industrial structures in business and industrial districts, no side yards are required, except such side yard as may be required in the district regulations for a business or industrial building on the side of a lot adjoining a dwelling district.
- (2) For the purpose of the side yard regulations, a two-family dwelling or a multiple dwelling shall be considered as one building occupying one lot.

- (3) The minimum width of side yards for schools, libraries, churches, community houses and other public and semipublic buildings in residence districts shall be twenty-five (25) feet, except where a side yard is adjacent to a business, commercial or industrial district, in which case the width of that yard shall be as required in the chart of article 22, for the district in which the building is located.
- 3.5. *Rear yards.* Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues, may project into the required rear yard for a distance of not more than five (5) feet, but only where the same are so placed as not to obstruct light and ventilation.
- 3.6. *Lot area.* Lot area. Where an unimproved lot in a zoning district that allows residential use was of record prior to the application of zoning regulations and restrictions to the premises, and if such lot does not conform to the requirements of such regulations and restrictions as to the width of lots or lot area per family, the provisions of such lot area per family and lot width regulations and restrictions shall not prevent the owner of such lot from erecting a one-family dwelling or making other accessory improvements on the lot; provided such improvements conform in all other respects to the applicable zoning regulations and restrictions. ~~However, this section will not apply if the lot or lots in question were contiguous to another lot or lots of record owned by the same person at the time the more restrictive regulations became in force.~~

Section 4. Architectural Treatment for New Construction.

- 4.1 *Architectural Theme.* Prior to the approval of any site plan or special use permit for a project or building permit for a new dwelling, the applicant shall submit for approval documents that define the overall architectural theme of the project. The architectural theme is a written and/or graphic description of the planned architectural treatment of all buildings within a project. The theme shall describe how exterior materials, colors, architectural style and building scale shall be employed to establish a consistent architectural treatment for the project. Architectural treatment of buildings, including materials, color and style, shall be consistent throughout the project and compatible with other buildings located within the same project. Consistency and compatibility may be achieved through the use of similar building massing, materials, scale, colors and other architectural features.
- 4.2 *Junction and Accessory Boxes.* All junction boxes and associated infrastructure except those in industrial districts and those not visible outside the property shall be minimized from view of public rights-of-way and adjacent property at the street level by landscaping or architectural treatment integrated with the building served. In industrial districts, junction boxes and associated infrastructure need not be minimized from view of adjacent property within the industrial district or from any public right-of-way which does not accommodate or is not intended to accommodate through traffic movements.
- 4.3 *Mechanical Equipment.* Mechanical equipment, whether ground-level or rooftop, shall be screened from view of public rights-of-way and adjacent property at the street level and designed to be perceived as an integral part of the building, except as stated herein. In industrial districts, mechanical equipment need not be screened from view of adjacent property within the industrial district or from any public right-of-way which does not accommodate or is not intended to accommodate through traffic movements.
- 4.4 *Exterior Building Materials.*
- 1) No building exterior (whether front, side or rear) shall consist of architectural materials inferior in quality, appearance or detail to any other exterior of the same building. Nothing in this section shall preclude the use of different materials on different exteriors that are representative of good architectural design but rather, shall preclude the use of inferior materials on sides which face adjoining property and thus, might adversely impact existing or future development resulting in the depreciation of property values.
 - 2) No portion of a building constructed of cinder block that is not completely covered with a façade that meets the standards of this section shall be visible from any adjoining residential, commercial, mixed-use, or planned unit development district or any public right-of-way. Corrugated sheet metal panels used as a finish material are prohibited. Architectural metal panels may be accepted, subject to consultation with

PART II - CODE
APPENDIX B - ZONING

and a determination by the Director of Planning and Community Development that the treatment meets the intent of this section.

- 3) Buildings shall be designed with harmonious proportions and shall not have monotonous facades or large bulky masses. Buildings shall possess architectural variety but shall be compatible with existing structures, especially nearby structures of historic interest.
- 4) New or remodeled buildings shall be consistent with the overall cohesive character of the area in which they are situated as reflected in existing structures. This character shall be achieved through the use of design elements, including, but not limited to, materials, balconies and/or terraces, articulation of doors and windows, sculptural or textural relief of facades, architectural ornamentation, varied roof lines or other appurtenances such as lighting fixtures and/or landscaping, all as may be more particularly described in any applicable adopted plans and guidelines.

ARTICLE 28. CHANGES AND AMENDMENTS

Section 1. Initiation by motion or council, recommendation by planning commission, or petition of property owner.

The city council may, from time to time, amend, supplement, or change by ordinance, the boundaries of the districts, or the regulations herein established. A proposed change of district or text may be initiated by the city council, on its own motion, or in recommendation by the planning commission, or by petition of property owner addressed to the city council. All petitions shall be in writing and shall specify:

- (1) The nature and extent of the change desired;
- (2) Reasons for seeking the change;
- (3) ~~The names and addresses of the owner or owners of all property abutting, and immediately across the street from, the property whose zoning is proposed to be changed; provided, however, that if the petition involves a change of more than twenty-five (25) parcels of land, the provisions of this subsection shall not be required. The petition, and all data pertaining thereto, shall be filed in the office of the clerk at least five (5) days prior to a regular meeting of council.~~

Section 2. Planning commission hearing, changes and report; failure to report.

Before taking any action on any proposed amendment, supplement, or change, the city council shall submit the same to the planning commission for its recommendations and report. The planning commission shall hold at least one public hearing on such proposed amendments, and may make appropriate changes in the proposed amendments, as a result of such hearing. Upon the completion of its work, the planning commission shall present the proposed amendment to the city council, together with its recommendation and any appropriate explanatory materials deemed necessary by the planning commission. The failure of the planning commission to report, within ninety (90) days after the first meeting of the commission after the proposed amendment has been referred to the commission, shall be deemed approval.

Section 3. Public hearing, notice required for each proposal; greater than majority vote required for amendment.

Before approving and adopting any amendment to this ordinance, the city council shall hold at least one public hearing thereon, after which the city council may make appropriate changes or corrections in the proposed amendment; provided, that no additional land may be zoned to a different classification than was contained in the public notice required by this section, without an additional public hearing, after notice as required by this section. An affirmative vote of at least a majority of the members of the city council shall be required to amend any provision of this ordinance.

Section 4. Notice to be published; ~~notice to be sent to affected property owners~~; signs to be posted, maintained.

The planning commission shall not recommend, nor shall the city council adopt, any amendment to this ordinance until notice of intention to do so has been ~~published once a week for two (2) successive weeks in a newspaper published, or having general circulation, in the city. Such notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than five (5) days nor more than twenty-one (21) days after final publication~~ advertised and written notice has been given to affected property owners in accordance with Code of Virginia Section 15.2-2204 as amended.

Additionally, ~~When~~ a petition for a change in a district classification is filed with the city, ~~the petitioner shall, within five (5) days of that same date, post~~ a sign shall be posted on each lot included in the petition, stating that a request has been filed with the council for a zoning change, and state the requested classification. ~~Such signs shall be furnished by the building inspector, and shall be located so as to be visible from the street.~~ If the petitioner involves multiple contiguous lots, a single ~~requests that an entire subdivision often (10) or more lots be changed,~~ two (2) signs posted ~~adjacent to each~~ every three hundred (300) feet along each public street in the ~~subdivision~~ frontage adjoining the area subject to the petition shall be deemed to be sufficient ~~compliance with this requirement.~~ Signs on each property shall not be deemed necessary to adopt a new zoning district map for the city.

Such signs ~~It~~ shall be posted so as to be visible from the street and not less than ten (10) days prior to the planning commission public hearing and shall remain ~~the duty of the petitioner or petitioners to maintain, or to replace, the signs if they are obliterated or destroyed,~~ until such time as the council has disposed of the petition. The signs shall be maintained and replaced if they are damaged or destroyed.

~~Section 5. Notice to be delivered by certified or registered mail to affected property owners, agents, or tenants.~~

~~Except upon application of a property owner or his agent, when a proposed amendment of this ordinance involves a change in the zoning classification of twenty-five (25) or less parcels of land, than in addition to the advertising as required in the preceding paragraph, written notice shall be given at least five (5) days before the hearing to the owner or owners, their agent, or the occupant, of each parcel involved, and to the owners, their agent, or occupant, of all abutting property and property immediately across the street or road from the property affected. Notice sent by registered or certified mail to the last known address of such owner, as shown on the current real estate tax assessment books, shall be deemed adequate compliance with this requirement.~~



City of Petersburg

Department of Planning &
Community Development
804-733-2312

135 N. Union Street, Room 304
Petersburg, Virginia 23803
mgorman@petersburg-va.org

MEMORANDUM

DATE: July 3, 2024
FROM: Maxwell Gorman, Zoning Administrator
RE: City of Petersburg Zoning Ordinance, Article 25, Section 3.6, Lot Area

At the June 18, 2024, regular meeting of City Council, a question was raised regarding certain language within Article 25, Section 3.6, *Lot Area*, of the City's Zoning Ordinance and the applicability of that section for lots under common ownership. Article 25 Section 3.6 states:

*Where an unimproved lot in a zoning district that allows residential use was of record prior to the application of zoning regulations and restrictions to the premises, and if such lot does not conform to the requirements of such regulations and restrictions as to the width of lots or lot area per family, the provisions of such lot area per family and lot width regulations and restrictions shall not prevent the owner of such lot from erecting a one-family dwelling or making other accessory improvements on the lot; provided such improvements conform in all other respects to the applicable zoning regulations and restrictions. **However, this section will not apply if the lot or lots in question were contiguous to another lot or lots of record owned by the same person at the time the more restrictive regulations became in force.***

The question raised is whether the last sentence within this section means that if a single person or entity owns two contiguous lots that are nonconforming in terms of lot width or lot area, the lots do not qualify for the construction of a one-family dwelling, or accessory improvements as outlined in the preceding text.

Planning staff consulted City Attorney, Anthony Williams, on the question and agreed that the section is unclear and difficult to enforce as laid out. The best path forward was determined that staff should pursue an amendment to the Zoning Ordinance to clarify the language and, in the meantime, enforce the standard that two contiguous, nonconforming lots under a single ownership would not be considered "buildable" per Article 25, Section 3.6 of the Zoning Ordinance. The individual lots would need to be combined to create a single lot conforming with lot width and/or area requirements before a one-family dwelling could be constructed on the land. Staff is currently moving forward with a text amendment, but until such a text amendment is approved, Planning staff will advance as interpreted above for questions pertaining to the buildability of lots per Article 25, Section 3.6.

A handwritten signature in black ink, appearing to read "Maxwell Gorman".

Maxwell Gorman
Zoning Administrator



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: Garry Cozier - Budget Manager

FROM: March Altman, Jr., Petersburg City Public Schools

RE: **First Reading and Schedule a Public Hearing for Consideration of an Ordinance to Amend and Re-Adopt the FY25 Petersburg City Public Schools Budget to Allocate Additional Funds for Food Service Upgrades, to Include Capital & Operational Improvements (Pages 46-50)**

PURPOSE: A Request to Schedule a Public Hearing for Consideration of an Ordinance to Amend and Re-Adopt the FY25 Petersburg City Public Schools Budget to Allocate Additional Funds for Food Service Upgrades, to Include Capital & Operational Improvements

REASON: A Request to Schedule a Public Hearing for Consideration of an Ordinance to Amend and Re-Adopt the FY25 Petersburg City Public Schools Budget to Allocate Additional Funds for Food Service Upgrades, to Include Capital & Operational Improvements

RECOMMENDATION: Adopt ordinance & amend FY25 budget

BACKGROUND:

COST TO CITY: \$1,500,000

BUDGETED ITEM: No

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 10/15/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Petersburg City Public Schools

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 24-ORD-15 School Division Budget

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Ordinance - PCPS Allocation Request
2. PCPS - Unspent City Funds 09.19.24

AN ORDINANCE TO ALLOCATE ADDITIONAL FUNDS TO PETERSBURG CITY PUBLIC SCHOOLS (PCPS) FOR FOOD SERVICE UPGRADES TO INCLUDE CAPITAL & OPERATIONAL IMPROVEMENTS

WHEREAS, the FY25 budget for Petersburg City Public Schools was adopted on May 21, 2024; and

WHEREAS, per Code of Virginia 15.2-507, a budget amendment is required when altering the appropriated amounts of the adopted budget; and

WHEREAS, a budget amendment is necessary to increase the funding level to Petersburg City Public Schools; and

WHEREAS, Section 22.1-100 of the Code of Virginia requires that funds which have been appropriated by the locality to the Public Schools which remain unexpended by the end of the fiscal year must be returned to the City's General Funds; and

WHEREAS, the City may elect to reappropriate unexpended funds to the Public Schools based upon request; and

WHEREAS, the PCPS School Board has made a formal request for an additional allocation of funds, in the amount of \$1,500,000; and

WHEREAS, these funds are designated to address critical infrastructure needs in the school cafeterias; and

WHEREAS, the funds are essential to support both capital improvements and operational upgrades for the school cafeterias.

NOW THEREFORE BE IT ORDAINED that City Council does hereby amend and re-adopt the PCPS FY25 budget and allocate an additional \$1,500,000 to be used for Food Service upgrades.



Office of the Acting Superintendent
YOLONDA C. BROWN

Petersburg City Public Schools
255 South Blvd. East
Petersburg, VA 23805
P: 804-518-6306
F: 804 325-8961

September 18, 2024

The Honorable
Samuel Parham
Mayor of Petersburg Virginia
City Hall
Petersburg, VA 23803

Dear Mayor Parham,

On behalf of the Petersburg City Public School Board, I am writing to formally request an allocation of \$1.5 million from unspent City funds to address critical infrastructure needs in our school cafeterias. These funds are essential to support both capital improvements and operational upgrades that are necessary for the continued delivery of high-quality food services to the students of Petersburg City Public Schools.

As you are aware, in August 2024, \$6.1 million was swept from the School Division's balance sheet back to the City accounts. This action has placed constraints on the Division's ability to fund key projects across the division, particularly within our school cafeterias. Several of our cafeterias require significant investments, both capital and operational, including the repair and replacement of outdated equipment and systems that are vital to daily food service operations.

In addition to the \$1.5 million we are requesting, the school division will contribute an additional \$2 million from our Food Service Fund to help complete these necessary projects. The combined funding will enable us to address pressing capital needs, such as the replacement of large kitchen appliances and infrastructure upgrades, as well as support ongoing operational requirements, including equipment repairs and improvements to service efficiency.

These efforts are part of a broader initiative resulting from an operational audit of the school division conducted by the Virginia Department of Education. The audit identified several critical areas for improvement in our food service operations, and we are currently developing detailed plans to address these needs. The School Division's plan will focus on both short-term repairs and long-term enhancements to ensure that our cafeteria infrastructure remains reliable and capable of meeting the needs of our students and staff.

We respectfully ask the City Council to consider this request to allocate \$1.5 million of City funds that will then be combined with the Food Service Fund's \$2.0 million to support these crucial projects. Your support will ensure that our school cafeterias continue to function efficiently and provide a safe, modern environment for meal preparation and service.



Office of the Acting Superintendent
YOLONDA C. BROWN

Petersburg City Public Schools
25S South Blvd. East
Petersburg, VA 23805
P: 804-518-6306
F: 804 325-8961

Thank you for your attention to this matter, and we look forward to working together to address these urgent needs for our schools.

Sincerely,

Mr. Kenneth Pritchett

School Board Chair

Petersburg City Public Schools Board

cc: Petersburg City Council, Petersburg City School Board

For Information: March Altman, Yolonda Brown

=====

Thanks,

John Wallingford

PCPS

571-722-8877



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: Garry Cozier - Budget Manager

FROM: Leon Glaster - Interim CFO

RE: **First Reading and Schedule a Public Hearing for Consideration of an Ordinance to Utilize the Budget Stabilization Fund to Fund Emergency Repairs (Pages 51-53)**

PURPOSE: A Request Schedule a Public Hearing for Consideration of an Ordinance to Utilize the Budget Stabilization Fund to Fund Emergency Repairs

REASON: A Request Schedule a Public Hearing for Consideration of an Ordinance to Utilize the Budget Stabilization Fund to Fund Emergency Repairs

RECOMMENDATION:

BACKGROUND: The City's Financial Policy Section 5.2 states: "The Budget Stabilization Fund shall be used for unforeseen, emergency expenditures or unplanned, unforeseen declines in revenues." The City is currently faced with two unplanned, unforeseen emergency expenditures at City Hall and at 110 Bank St.

COST TO CITY: \$655,936

BUDGETED ITEM: No

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 10/15/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 24-ORD-24 Budget Stabilization Fund

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Ordinance - Emergency Use BSF

**AN ORDINANCE TO UTILIZE THE BUDGET STABILIZATION FUND FOR
TWO EMERGENCY REPAIRS**

WHEREAS, there are two pressing emergency situations within the City that have caused or have threatened to cause injury, damage and suffering to the persons and property of the City; and

WHEREAS, the events have endangered the health, welfare and safety of a number of persons residing in the municipality; and

WHEREAS, the public works director has released a declaration of emergency related to the two situations; and

WHEREAS, one emergency is the retaining wall behind City Hall that has failed after heavy rains and requires repair (\$586,756); and

WHEREAS, the second emergency is the partially collapsed building at 110 Bank St. (\$69,180); and

WHEREAS, emergency measures are required to reduce the severity of these disasters and to protect the health, welfare and safety of the City and its residents.

NOW THEREFORE BE IT ORDAINED that City Council does hereby approve the use of the Budget Stabilization Fund to fund these emergency projects.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: Garry Cozier - Budget Manager

FROM: Dawn Wilmoth - Registrar/Elections

RE: **First Reading and Schedule a Public Hearing for Consideration of Acceptance & Appropriation of Funding from the Virginia Department of Elections for the 2024 Election Equipment Grant (Pages 54-55)**

PURPOSE: A Request to Schedule a Public Hearing for Consideration of Acceptance & Appropriation of Funding from the Virginia Department of Elections for the 2024 Election Equipment Grant

REASON: A Request to Schedule a Public Hearing for Consideration of Acceptance & Appropriation of Funding from the Virginia Department of Elections for the 2024 Election Equipment Grant

RECOMMENDATION: Accept grant & appropriate funds.

BACKGROUND: The Virginia Department of Elections provides grant funding to localities to enhance the voting systems & election process. Funds can be utilized to acquire polling software, equipment, & training etc.

COST TO CITY: \$65,690

BUDGETED ITEM: Grant

REVENUE TO CITY: \$65,690

CITY COUNCIL HEARING DATE: 10/15/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Grant Ordinance - 2024 Election Equipment Grant

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025, FOR THE GRANTS FUND

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

- I. That appropriations for the fiscal year commencing July 1, 2024, in the Grants Fund, are made for the following resources and revenues of the City, for the fiscal year ending June 30, 2025.

Previously adopted Revenues	\$0.00
ADD:	
2024 Election Equipment Grant	
Total Revenue	\$65,690

- II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2024, and ending June 30, 2025, the following sums for the purposes mentioned:

Previously adopted Expenditures	\$0.00
ADD:	
2024 Election Equipment Grant	
Total Expense	\$65,690



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: March Altman, Jr.

RE: **First Reading and Schedule a Public Hearing for Consideration of a Resolution Authorizing the Issuance & Sale of General Obligation and Refunding Bonds of the City of Petersburg (Pages 56-71)**

PURPOSE: Schedule a Public Hearing for Consideration of a Resolution Authorizing the Issuance & Sale of General Obligation and Refunding Bonds of the City of Petersburg

REASON: Schedule a Public Hearing for Consideration of a Resolution Authorizing the Issuance & Sale of General Obligation and Refunding Bonds of the City of Petersburg

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 10/15/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Resolution - 2024 City Capital Projects

CITY OF PETERSBURG, VIRGINIA

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL
OBLIGATION AND REFUNDING BONDS OF THE CITY OF PETERSBURG,
VIRGINIA, PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF**

Adopted on October 15, 2024

WHEREAS, the City Council (**the “City Council”**) of the City of Petersburg, Virginia (**the “City”**) has received a plan of financing from the City’s Financial Advisor, Davenport & Company LLC (**the “Financial Advisor”**) and determined under such plan to issue its general obligation and refunding bonds to (a) finance the cost of City capital improvements including, but not limited to, the completion of the City courthouse facilities, police facilities and animal shelter facilities (**the “Project”**), (b) refund all or a portion of the City’s outstanding \$2,820,000 General Obligation Bond, Series 2013 sold to the Virginia Resources Authority (**the “Refunded Bond”**) and (c) to pay costs incurred in issuing such general obligation and refunding bonds;

WHEREAS, the City Council has determined that (i) the City is in need of funds to be used by the City for financing the Project, for refunding and defeasance of the Refunded Bonds, for costs of issuance of the Bonds (as defined below) and for the payment of interest on the Bonds, (ii) the obtaining of such funds will be for municipal purposes of the City for the welfare of citizens of the City for purposes which will serve the City and its citizens, (iii) the most effective, efficient and expedient manner in which to provide such funds to finance the Project is by the issuance of the Bonds in the maximum principal amount of up to \$66,000,000, the issuance of such Bonds being within the power of the City to contract debts, borrow money and make and issue evidence of indebtedness, and (iv) the issuance of the Bonds is in the best interests of the City and its citizens;

WHEREAS, pursuant to Section 15.2-2606 *et seq.* of the Public Finance Act of 1991, Title 15.2, Chapter 26 of the Code of Virginia of 1950, as amended (**the “Public Finance Act”**), the City is authorized to issue bonds to finance the Project after a duly noticed public hearing has been held thereon under the provisions of the Public Finance Act, and such public hearing has been held on the date hereof;

WHEREAS, pursuant to Section 15.2-2643 of the Public Finance Act, the City is authorized to issue refunding bonds under the provisions of the Public Finance Act;

WHEREAS, the City’s administration and the Financial Advisor have recommended to the City Council that the City issue and sell tax-exempt general obligation and refunding bonds based on the recommendation of the Financial Advisor;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA:

1. Issuance of Bonds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act and the City Charter, there shall be issued and sold tax-exempt general obligation and refunding bonds of the City in the maximum aggregate principal amount of \$66,000,000 to provide funds to (a) finance the Project, (b) defease or refund the Refunded Bond and (c) pay the costs of issuing such general obligation and refunding bonds.

2. Bond Details.

(a) The general obligation and refunding bonds shall be issued in one or more series, shall be designated “General Obligation and Refunding Bonds, Series 2024A and Series 2024B”

(the “**Bonds**”) or such other designation as may be determined by the Mayor or the City Manager (**hereinafter the Mayor or City Manager shall be referred to as the “City Representative”**), shall be in registered form in denominations of \$5,000 and integral multiples thereof, shall be dated such date as determined by the City Representative and shall be numbered R-1 upward. Subject to Section 8, the issuance and sale of the Bonds are authorized on terms as shall be satisfactory to the City Representative; provided, however, (a) the Bonds shall have a “true” or “Canadian” interest cost not to exceed 5.5% (taking into account any original issue discount or premium) and (b) the Bonds shall have a final maturity no later than December 31, 2054. The portion of the of Bonds allocable to the Project will provide the City new money proceeds in the aggregate estimated maximum amount of \$64,000,000 (**the “New Money Portion”**). The portion of the Bonds allocable to the refunding of the Refunded Bond is in the estimated maximum principal amount of \$2,000,000 provided, however, that no portion of the Refunded Bond shall be refunded unless such refunding results achieves 3% aggregate net present value debt service savings of the Refunded Bond to be refunded (**the “Targeted Savings”**).

(b) Each Bond shall bear interest from its dated date at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Representative. Principal shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on the date prior to each interest payment date (**the “Record Date”**) that shall be determined by the City Representative. If any interest payment date is not a business day, such payment shall be made on the next succeeding business day with the same effect as if made on the interest payment date and no additional interest shall accrue. Principal and interest shall be payable in lawful money of the United States of America.

(c) Initially, one Bond certificate for each maturity of each series shall be issued to and registered in the name of The Depository Trust Company, New York, New York (**“DTC”**), or its nominee. The City has heretofore entered into a Blanket Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. “Securities Depository” shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

(d) In the event that (1) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar, and the City discharges its responsibilities hereunder, or (2) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then its chief financial officer shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee, or authenticate and delivered certificated Bonds to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 5; provided, however, that such form shall provide for interest on the Bonds to be payable (A) from the date of the Bonds if they are authenticated prior to the first interest payment date, or (B) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are

authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the chief financial officer shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 7.

(e) So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Blanket Letter of Representations such provisions of the Blanket Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

3. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates, if any, and at such prices as shall be determined by the City Representative, provided that the redemption premium, if any, shall not exceed 2.0%.

Any term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Representative.

If less than all of the Bonds are called for redemption, the maturities of the Bonds to be redeemed shall be selected by the City Representative, in such manner as he may determine to be in the best interest of the City. If less than all of any maturity is called for redemption, the Bonds within such maturity to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by electronic or facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for mailing notice of redemption to anyone other than DTC or another qualified securities depository or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion

of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

In the case of an optional redemption, the notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the redemption date or (2) the City retains the right to rescind such notice on or prior to the scheduled redemption date (**in either case, a “Conditional Redemption”**), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected Bondholders. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the redemption date shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission as securities depositories or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

4. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signatures of the Mayor or Vice Mayor and the City’s seal shall be affixed thereto and shall be attested by the manual or facsimile signature of the City Clerk; provided, however, that if all of such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar or if a bank has been appointed registrar pursuant to Section 7, an authorized officer or employee of such bank, and the date of authentication noted thereon.

5. Bond Form. The Bonds shall be substantially in the form of Exhibit A attached hereto with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

6. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal, premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

7. Registration, Transfer and Owners of Bonds. The Bonds shall be issued in registered form without coupons, payable to the registered holders or registered assigns. The City may in its discretion appoint at any time a qualified bank or trust company as paying agent and registrar for the Bonds (**the “Registrar”**). The Registrar shall maintain registration books for the registration and registration of transfers of Bonds. Upon presentation and surrender of any Bonds at the office of the Registrar, at its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar,

the City shall execute, and the Registrar shall authenticate, if required by Section 4, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form, maturity and series, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

8. Sale of Bonds and Bond Purchase Agreement. If the City Representative determines that it is in the best interest of the City to sell any Bonds in a competitive sale, then the City Representative is authorized and directed to cause an official notice of bond sale to be issued and accept a qualifying bid or qualifying bids for the purchase of the Bonds which results in the lowest “true” or “Canadian” interest cost to the City, and the Bonds shall bear interest at such rate or rates and shall be sold at such price or prices as may be set forth in the bid(s) accepted by the City Representative. If the City Representative determines that it is in the best interest of the City to sell any Bonds in a negotiated sale, then the City Representative is hereby authorized to enter into a bond purchase agreement or bond purchase agreements with an underwriter or group of underwriters with demonstrated experience in underwriting municipal securities to be selected by the City Representative. The City Representative is authorized and directed to approve such optional or mandatory redemption provisions for the Bonds as the City Representative may determine to be in the best interest of the City. Notwithstanding anything to the contrary herein, by 5:00 p.m. on the date prior to the sale date of any Bonds identified in the official notice of sale for the Bonds, if any, if either no underwriter or only one underwriter has advised of its intention to bid on the Bonds, the City Representative, after consultation with the City's financial advisor and the City's bond counsel, is authorized to remove such series or maturities of Bonds from the bidding process and to pursue a negotiated sale for such series or maturities of Bonds. The approval of the final terms and conditions of the Bonds subject to the foregoing parameters shall be evidenced conclusively by the execution and delivery of the Bonds in accordance with paragraph 11 of this Resolution. The City Representative shall then, based on the recommendation of the City's Financial Advisor (a) determine the principal amount of the Bonds, subject to the limitations set forth in Section 1, (b) determine the interest rates of the Bonds, maturity schedule of the Bonds, and the price to be paid for the Bonds, subject to the limitations set forth in Section 2 and herein, (c) determine the redemption provisions of the Bonds, subject to the limitations set forth in Section 3, and (d) determine the dated date, the principal and interest payment dates and the Record Date of the Bonds, and whether municipal bond insurance is appropriate to secure the same, all as the City Representative determines to be in the best interests of the City.

If a negotiated sale of the Bonds is pursued, then following the determination of the terms of the Bonds and their sale, the City Representative, is authorized to execute and deliver a bond purchase agreement reflecting the final terms of the Bonds (**the “Bond Purchase Agreement”**). The Bond Purchase Agreement shall be substantially in the form presented to this meeting with

such completions, omissions, insertions and change that are not inconsistent with this Resolution, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of the Bond Purchase Agreement. The actions of the City Representative, in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

9. Official Statement. The draft of a Preliminary Official Statement describing the Bonds, copies of which will have been provided to the members of the City Council in advance of approval hereof, is approved as the form of the Preliminary Official Statement by which the Bonds will be offered for sale, with such completions, omissions, insertions and changes not inconsistent with this Resolution as the City Representative may consider appropriate. The City Representative is authorized and directed to execute an Official Statement in final form (**the “Official Statement”**) and deliver it to the purchasers of the Bonds. The Official Statement shall be in substantially the form of the Preliminary Official Statement submitted to this meeting, with such completions, omissions, insertions and other changes as may be approved by the City Representative, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes. The City shall arrange for the delivery of a reasonable number of copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom Bonds are initially sold.

10. Official Statement Deemed Final. The City Representative, is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (**the “Rule”**) of the Securities and Exchange Commission (**the “SEC”**), except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

11. Preparation and Delivery of Bonds. After the Bonds have been sold, the Mayor, the City Manager and the City Clerk are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the purchaser(s) thereof upon payment therefor.

12. Further Use of Bond Proceeds. The City Treasurer is authorized and directed (a) to provide for the delivery of a portion of the proceeds of the Bonds to the holders of or the trustee for or escrow agent, as appropriate, for the Refunded Bond to effect the refunding of said bonds, as appropriate, including payment of principal, any applicable redemption premium and interest accrued and unpaid to the redemption date, as appropriate and (b) to use the remaining proceeds of the Bonds, after the defeasance or refunding of all of the Refunded Bonds, to pay (i) the fees and costs incurred in defeasing or refunding such Refunded Bonds and in issuing the Bonds and (ii) costs of the Project. The City Treasurer is further authorized and directed to take all such further action as may be necessary or desirable in connection with the defeasing and refunding of such Refunded Bond and the undertaking of the Project. The City Representative is

authorized and directed to execute an escrow deposit agreement in connection with the Bonds **(the “Escrow Agreement”)** between the City and an escrow agent to be appointed by the City Representative, **(the “Escrow Agent”)** as appropriate or necessary for the refunding of the Refunded Bond. The Escrow Agreement shall be in the form with such completions, omissions, insertions and other changes as may be approved by the City Representative, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes.

13. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended **(the “Code”)**, and regulations issued pursuant thereto, or otherwise cause interest on the Bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law which may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

14. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code, and any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the City.

15. Limitation on Private Use. The City covenants that it shall not permit the proceeds of the Bonds or the facilities financed or refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities financed or refinanced with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities financed or refinanced with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

16. Continuing Disclosure Agreement. The Mayor, the City Manager, or the Finance Director of the City, and such officer or officers of the City as either may designate, any of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement setting forth the reports and notices to be filed by the City and containing such

covenants as may be necessary to assist the purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. Such continuing disclosure agreement shall be substantially in the form presented to this meeting, with such completions, omissions, insertions and changes that are not inconsistent with this Resolution.

17. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds including but not limited to changes in the payment dates, maturity dates, obtaining ratings and determination of escrow agent are approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

18. Effectiveness and Filing of Resolution. The Council hereby declares that this Resolution shall become effective upon its passage as provided for in the Act. A certified copy of this Resolution shall be filed by the City Clerk with the Clerk of the Circuit Court of the City. The filing of this Resolution with the Clerk of the Circuit Court of the City shall be deemed to be the filing of an initial resolution or ordinance with such Court for all purposes of the Act.

The Members of the Council voted as follows:

Ayes

Nays

Absent

Abstentions

Adopted this 15th day of October, 2024.

The undersigned City Clerk of the City of Petersburg, Virginia hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the City Council held on October 15, 2024, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly called meeting and that, during the consideration of the foregoing Resolution, a quorum was present and action was taken in an open meeting.

Dated this ____ day of October, 2024.

City Clerk
City of Petersburg, Virginia

EXHIBIT A

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the issuer or its agent for registration of transfer, exchange, or payment, and any bond is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED
No. R-__

REGISTERED
\$ _____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF PETERSBURG

General Obligation and Refunding Bonds, Series 2024[A][B]

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____%	_____, 20__	_____, 2024	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ AND 00/100 DOLLARS (\$ _____)

The City of Petersburg, Virginia (the “City”), for value received, promises to pay, upon surrender hereof, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon from its date semiannually on each _____ and _____, beginning on _____, _____, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America by _____, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed as successor paying agent and registrar by the City (the “Registrar”).

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company (“DTC”), and the payment of principal and interest, the providing of notices and other matters shall be made as described in the City’s Blanket Letter of Representation to DTC.

This bond is one of an issue of up to \$66,000,000 General Obligation and Refunding Bonds, Series 2024[A][B], of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act and the City Charter. This bond is issued pursuant to a Resolution adopted by the City Council on October 15, 2024, to finance certain City projects and to pay the costs of issuing the bonds.

Bonds maturing on or before _____, _____, are not subject to redemption prior to maturity. Bonds maturing on or after _____, _____, are subject to redemption prior to maturity at the option of the City on or after _____, _____, in whole or in part (in integrals of \$5,000) at any time, upon payment of _____% of the principal amount of bonds to be redeemed plus interest accrued and unpaid to the date fixed for redemption.

The Bonds maturing on _____, 20__ are required to be redeemed in part before maturity on _____ in the years and in the amounts set forth below, at a redemption price equal to the principal amount of such Bonds to be redeemed, plus interest accrued to the redemption date:

<u>Year</u>	<u>Principal Amount</u>
20__	\$ _____
20__ *	_____

*final maturity

If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the Mayor or City Manager of the City in such manner as he may determine to be in the best interest of the City. If less than all the bonds of a particular maturity are called for redemption, the bonds within such maturity to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by electronic or facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to DTC, or its nominee, as the registered owner of the bonds. If a portion of this bond is called for redemption, a new bond in principal amount of the unredeemed portion hereof shall be issued to the registered owner upon surrender hereof.

The City may give a notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the redemption date, such notice shall be effective when given. If such proceeds are not available on the redemption date, such bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption. On presentation and

surrender of the bonds called for redemption at the place or places of payment, such bonds shall be paid and redeemed.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the exercise of all rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the 15th date of the month preceding each interest payment date.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City of Petersburg, Virginia, has caused this bond to be to be signed by its Mayor or Vice Mayor, its seal to be affixed hereto and attested by its City Clerk, and this bond to be dated the date first above written.

(SEAL)

Mayor, City of Petersburg, Virginia

ATTEST:

City Clerk, City of Petersburg, Virginia

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

REGISTRAR - _____

By: _____

DATE OF AUTHENTICATION:

_____, 2024

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

: :
: :
: :

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____
Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by an Eligible Guarantor Institution such as a Commercial Bank, Trust Company, Securities Broker/Dealer, Credit Union or Savings Association who is a member of a medallion program approved by The Securities Transfer Association, Inc.

(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH: Jennifer Murphy-James, CDBG Administrator

FROM: March Altman, Jr.

RE: **First Reading and Schedule a Public Hearing for Council to Resolve to Reallocate \$279,552.95 of CDBG-CV Funds for Critical Home Repair (Pages 72-76)**

PURPOSE: This agenda item is for Council to resolve to use the remaining CDBG-CV funds for critical home repair.

REASON: Critical Home Repair is an eligible activity to support Coronavirus and other Infectious Disease Resiliency; it involves rehabilitation of single-unit residential homes and may include energy efficiency improvements, radon mitigation, and lead abatement. The City of Petersburg amended the approved CDBG Annual Action Plan (2019-2020) to include a response to Coronavirus. All CDBG-CV funds should be allocated to prepare for, prevent, and respond to the Coronavirus Pandemic. This item is to resolve that the remaining funds be used for critical home repair.

RECOMMENDATION: CDBG Advisory Board recommends approval.

BACKGROUND: As a participant in the U.S. Department of Housing and Community Development (HUD), Department of Community Planning Development's Community Development Block Grant Entitlement Program, the City of Petersburg, Virginia is the recipient of CDBG-CV funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act in the amount of \$561,734.00. The City of Petersburg amended the approved CDBG Annual Action Plan (2019-2020) to include a response to Coronavirus. All CDBG-CV funds should be allocated to prepare for, prevent, and respond to the Coronavirus Pandemic. \$16,000.00 was used for business and economic development. \$263,552.85 was used for public services. \$18,350.00 is committed to Public Works for roof repair at the Farmer Street Park pool, which has yet to be deducted. The CDBG Advisory Board is suggesting that the balance of the remaining funds (after Public Works is reimbursed), in the amount of \$263,831.15, be awarded to support critical home repair.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 10/1/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Critical Home Repair Memo September 19 2024
2. CDBG PY2019 CV Resiliency Project Resolution



City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

MEMORANDUM

DATE: October 2024

TO: City Council

FROM: Planning and Community Development _CDBG

RE: Council Action to Support Critical Home Repair with Coronavirus Aid, Relief, and Economic Security (CARES) Act CDBG-CV Resiliency Project Funds

SUMMARY:

Critical Home Repair is an eligible activity to support Coronavirus and other Infectious Disease Resiliency; it involves rehabilitation of single-unit residential homes and may include energy efficiency improvements, radon mitigation, and lead abatement. This agenda item is for Council to resolve to use the remaining CDBG-CV funds for critical home repair.

BACKGROUND:

As a participant in the U.S. Department of Housing and Community Development (HUD), Department of Community Planning Development's Community Development Block Grant Entitlement Program, the City of Petersburg, Virginia is the recipient of CDBG-CV funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act in the amount of \$561,734.00. The City of Petersburg amended the approved CDBG Annual Action Plan (2019-2020) to include a response to Coronavirus. All CDBG-CV funds should be allocated to prepare for, prevent, and respond to the Coronavirus Pandemic. \$16,000.00 was used for business and economic development. \$263,552.85 was used for public services. \$18,350.00 is committed to Public Works for roof repair at the Farmer Street Park pool, which has yet to be deducted. The CDBG Advisory Board is suggesting that the balance of the remaining funds (after Public Works is reimbursed), in the amount of \$263,831.15, be awarded to support critical home repair.

IMPACT:

These funds could help address some of the backlog of needs in the community regarding critical home repair, which can benefit resident health, independence, financial security, neighborhood quality, and home access.

RECOMMENDATION:

The CDBG Advisory Board recommends that the City Council resolve to allocate the remaining CDBG-CV funds to support critical home repair to improve the health and safety of residences; support the disabled, elderly, and low-moderate income citizens; and enable residents to stay in their homes.

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF PETERSBURG
SUPPORTING THE ALLOCATION OF CDBG CARES ACT CORONA VIRUS (CV)
FUNDS FOR A CRITICAL HOME REPAIR PROGRAM FACILITATED BY
PROJECTHOMES AS A SUBRECIPIENT.**

WHEREAS, the City of Petersburg City Council is interested in helping disabled, elderly, and low-moderate income residents maintain safe residency in their homes; and

WHEREAS, critical home repairs occur when conditions in the home present a risk to health and safety. This includes repairing, or replacing of roofs, plumbing, electrical systems, flooring, and major porch repairs, and weatherization measures including sealing air leaks, adding insulation and repairing heating and cooling systems; and

WHEREAS, the City Council is aware that **\$263,831.15** remains to fund a CDBG CARES Act Corona Virus (CV) Resiliency project; and

WHEREAS, the City Council is aware that the funds must be used before the deadline of July 06, 2026, or be returned to the Department of Housing and Urban Development.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby support the allocation of CDBG CARES Act Corona Virus (CV) Resiliency Project funds to implement a critical home repair program.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 1, 2024

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM: Anthony Williams

RE: **First Reading and Schedule a Public Hearing on an Ordinance to Amend and Re-Adopt Section 21-2 of the Petersburg City Code Pertaining to the Petersburg Arts Commission (Pages 77-78)**

PURPOSE: To amend and re-adopt Section 21-2 of the Petersburg City Code to enable the appointment of two ex-officio members to the PAC. A volunteer (pro bono) attorney position which may receive a fee only from private funds donated to the PAC, and an unpaid/volunteer Director position.

REASON: Request from Councilman Myers.

RECOMMENDATION: Request from Councilman Myers to add two ex-officio positions to the PAC

BACKGROUND: Request from Councilman Myers to add two ex-officio positions to the PAC

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 10/15/2024

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Amends 21-2 of the Petersburg City Code.

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. PAC ORDINANCE

AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 21-2 OF THE PETERSBURG CITY CODE

WHEREAS, Upon recommendation by Councilman Myers, Council has previously adopted Section 21-2 of the Petersburg City Code pertaining to terms of office and filling vacancies on the Petersburg Arts Commission (PAC); and

WHEREAS, Councilman Myers has worked closely with PAC from the date of its formation; and

WHEREAS, Councilman Myers has recommended that Section 21-2 of the City Code be amended to allow for ex-officio positions for an attorney (pro bono – unless fees are paid via private donations to PAC) and Director (unpaid) to facility more effective and efficient operations of PAC; and

WHEREAS, Council believes that the creation of such positions would be of benefit to PAC and the City.

NOW therefore be it ORDAINED that Section 21-2 of the City Code is hereby amended and re-adopted as follows:

Sec. 21-2. Terms of office; filling vacancies in office.

The members of the PAC shall be appointed by the city council and shall serve two-year terms. Members are eligible for re-appointment and may serve up to three consecutive terms (for a total of six years of service on PAC). The first appointments will be staggered with one at-large member appointed for one year and the other at-large member appointed for two years. The remaining seven members shall be appointed one for each ward based either upon their residence or business location in the respective ward that they serve. The public art council members must be residents of the city or represent a business or an arts nonprofit located in the city. The public art council shall consist of nine members and be composed of the following representatives: at least three practicing artists, at least two members belonging to an arts or culture organization, at least two members associated with design and historical architecture. No member who has served three complete terms shall be eligible for reappointment until after a lapse of an intervening period of one year.

In addition to the foregoing PAC Members, upon recommendation by PAC, Council may appoint a licensed practicing attorney to serve as counsel to PAC *pro bono*, or for a fee negotiated and paid directly by PAC using funds collected by PAC from private donations. Also, upon recommendation by PAC, Council may appoint a person knowledgeable in the Arts industry to serve as the Director of PAC. The Director position shall be an unpaid position. The PAC counsel and director shall be ex officio members of PAC.

(Ord. No. 23-19, 3-21-2023; Ord. No. 23-41, 9-19-2023; Ord. No. 23-53, 11-21-2023)

PLANNING AND COMMUNITY DEVELOPME NT UPDATE

City Council

Work Session

October 1, 2024



PURPOSE

This presentation is to share concerns about rescinding sandwich board sign regulations and to share information on Council inquiries from the September 3, 2024 Work Session meeting.

This item also shares a housing resource available to the community.

BACKGROUND

At the September 3, 2024 Work Session, Council took action on the following:

- 1) To rescind zoning regulations as they apply to sandwich board signs.

Council also asked staff to investigate:

- 1) Maintenance of signs
- 2) Window sign regulations
- 3) Flashing lights as signs

Staff would also like to share a new housing resource with residents.

SANDWICH BOARD SIGNS

SANDWICH BOARD SIGNS - BACKGROUND

Staff began looking into sandwich board signs at the end of 2023 after inequitable enforcement of the City's Sign Ordinance was brought to our attention.

At that time, Sandwich Board signs were illegal per:

- Chapter 28 – Streets, Sidewalks, and Other Public Places, Article III. – Sidewalks, Section 98-124 – Storing or displaying merchandise or maintaining advertising signs on sidewalks.
- Article 21. Sign Regulations.

SANDWICH BOARD SIGNS - BACKGROUND

Existed without enforcement for years (street view from 2016)



SANDWICH BOARD SIGNS - BACKGROUND

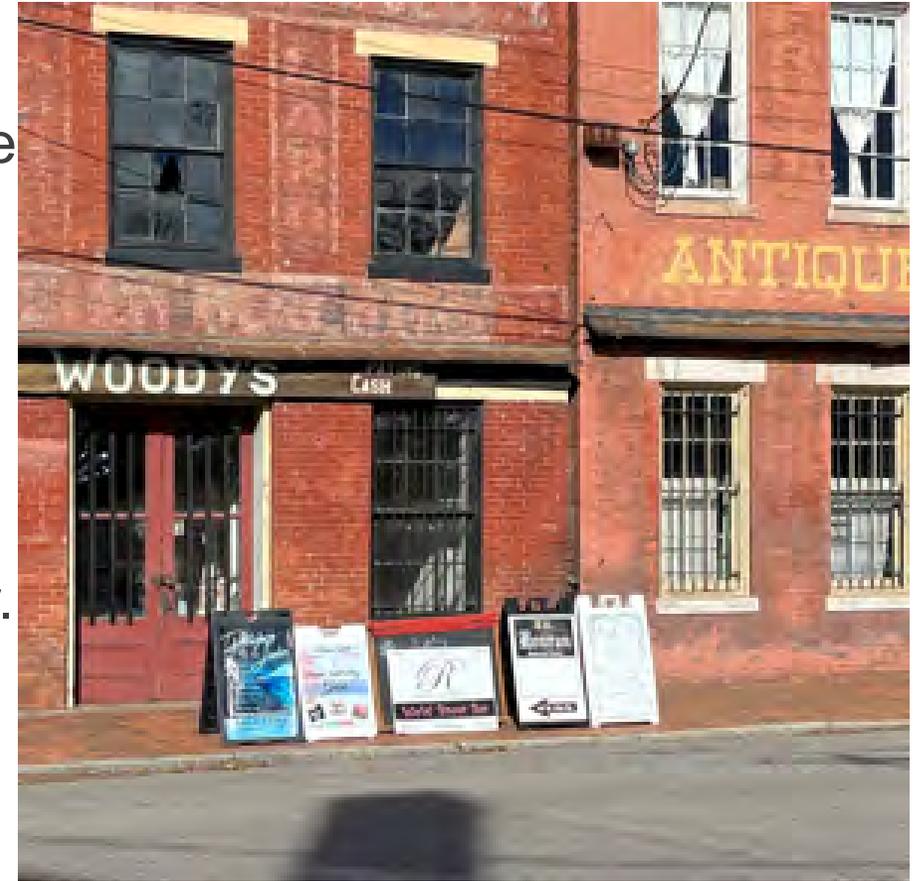
- Worked with both Legal and Risk Management to develop the ordinance.
- Risk Management requested a form to hold the City harmless with each application to protect the City.
- Legal noted we could
 - 1) prohibit their use entirely,
 - 2) not regulate them at all, or
 - 3) require a permit, so we can ensure the City is held harmless as part of an application process.

Staff and the Planning Commission were not interested in keeping the use prohibited. Further, we were past the point of not regulating the signs due to the inequity of Zoning Enforcement being brought to our attention, so, it was determined that the route of regulating and requiring a license and liability insurance was the best route for safety of the public and the City.

SANDWICH BOARD SIGNS – RECESSION

IMPACTS

1. Makes sandwich board signs ILLEGAL.
2. Allowing by just not enforcing the sign ordinance would yield to sign clutter and unequal enforcement of the Code.
3. Removes requirements for a clear walkway and requirements to not block drives.
4. Removes protection to the City.
5. Could impact sign aesthetics and yield to clutter.
6. Could allow signs along major roads, since applies to the entire city.



SANDWICH BOARD SIGNS

- Prior to this text amendment, sandwich board signs were illegal. Removing this language would make the signs illegal, again.
- Most local businesses have been supportive and receptive to sandwich board regulations. Local news coverage showed this support.
- Regulations were put in place for the safety of the City, pedestrians, and other right-of-way users and to ensure equity in sign enforcement.
- Regulations control the aesthetics of these signs to maintain a beautiful city.
- These regulations apply to the whole city and not just downtown.
- Staff recommends Council reconsider the desire to remove the zoning language, which would make these signs illegal.



NEW AT 11

PUTTING SANDWICH BOARDS BACK ON THE MENU

CITY WORKING TO CHANGE RULES AROUND PROHIBITED SIGNAGE



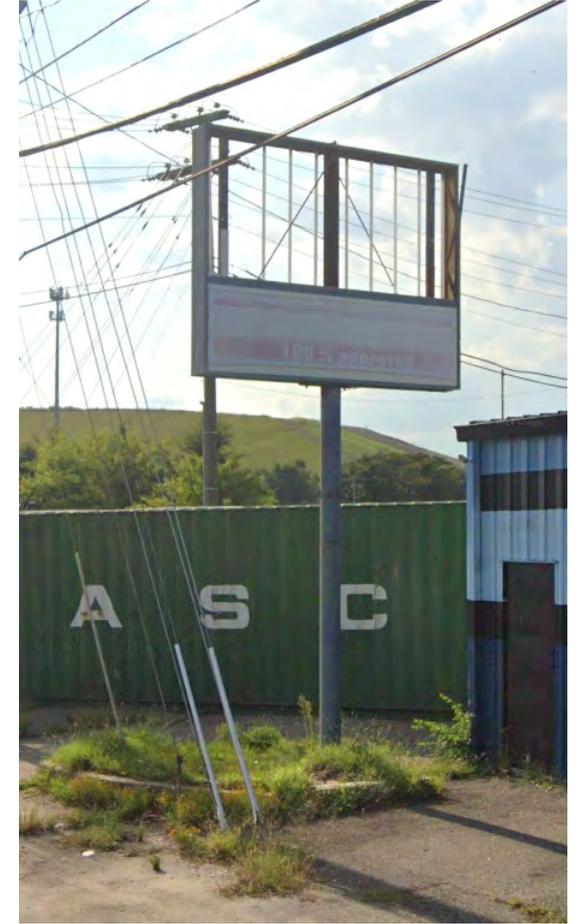
SIGN MAINTENANCE

SIGN MAINTENANCE

Article 21, Section 12.1.- **All signs**, including those exempt from the permit requirements of this article, together with all of their supports, braces, connections, anchors, and electrical equipment **shall be maintained in good structural condition at all times. All materials used in the sign shall be kept in good condition**, free of holes, rotting, peeling paint or other forms of decay. If the sign is illuminated, all lighting shall be maintained in working order and meet the standards and requirements of the Building Code. Billboard signs shall be maintained in accordance with section 10.14.6 of this chapter.

SIGN MAINTENANCE

Staff are already getting violation letters out to signs that are poorly maintained. Some of which are pictured here.



WINDOW SIGNS + FLASHING LIGHTS

WINDOW SIGNS + FLASHING LIGHTS

Sign. A sign is any structure, or part thereof, or any device attached to, painted on, or represented on a building, fence, or other structure, upon which is displayed or included any letter, word, numeral, picture, illustration or decoration, emblem, symbol or trademark, flag, banner, or pennant, or other device, figure, or character used as, or which is in the nature of, an announcement, direction, advertisement or other attention-directing device, and which is visible beyond the boundaries of the parcel of land on which the same is located. **A sign shall not include:**

- a. **A similar structure or device located within a building, except illuminated signs within show windows;**

WINDOW SIGNS + FLASHING LIGHTS

This definition has been interpreted to exclude posters and any similar non-illuminated sign in windows from needing a permit or needing follow the area requirement, since the language specifically says signs in buildings are exempt except when illuminated.

Flashing lights in windows have been interpreted to not be signs.

Sign requirements will be updated along with the Zoning Ordinance update.

ICE MACHINE

ICE MACHINE - 1916 S SYCAMORE

Per the comments of the Zoning Administrator:

The structure should not be a problem for right-of-way since the structure will be placed on the owner's property. I did not notice any special setback along Sycamore Street and Wakefield Street.

Approved February 2023.

	02/08/2023	Robinson, Sandra	The structure should not be a problem for right-of-way since the structure will be placed on the owner's property. I did not notice any special setbacks along Sycamore Street and Wakefield St. Email sent to Ms. Renee Hawkins, Neighborhood Services Division and forwarded to Shirley Bradley Right-of-Way Manager.	
	02/08/2023	Robinson, Sandra	B-2, General Commercial District; Detached Accessory Ice House. On-site parking provided and spaces are delineated for the existing laundry services establishment. Total of 12 spaces which includes 1 handicapped space. Requires 9 spaces. (2700 sq. ft./300 sq. ft. = 9 to 10 spaces) Approximate 200 sq. ft. prefabricated ice house 24'X8' drive up usership. Zoning approval granted per attached site plan.	

ICE MACHINE - 1916 S SYCAMORE

Property is in B-2, General Commercial, which does not require setbacks.

Article 25, Section 3

(6) All buildings hereinafter erected, or structurally altered so as to change the character of use of such building, shall observe the following setback requirements or the setbacks or front yard requirements set forth elsewhere in this ordinance, whichever is greater:

- (a) Except as otherwise provided below, on Washington Street, the minimum setback shall be forty (40) feet, and on Sycamore Street south of Halifax Street, the minimum setback shall be forty-five (45) feet...*
- (b) The minimum setback required herein shall be the minimum horizontal distance from the center line of the street to the main building, or any projection thereof.*

HOUSING RESOURCES

HOMEOWNER AND RENTER RESOURCES

The CDBG Administrator with the help of Communications and local organizations put together a resource guide for homeowners and renters.



HOMEOWNER AND RENTER RESOURCES



PLANNING & COMMUNITY DEVELOPMENT HOMEOWNER AND RENTER RESOURCES



Tri-Cities Habitat for Humanity

Address: 829 Commerce St, Petersburg, VA 23803
Hours: Opens 9 AM - 4:30 PM
Phone: (804) 732-5793
<https://www.habitat.org/va/petersburg/tri-cities-hfh>

- The ReStore sells new and gently used
 - Furniture
 - Appliances
 - Building materials
 - Home accessories
- Homeownership Program

Rebuilding Together Richmond VA

Address: 3500 Patterson Ave, Richmond, VA 23221
Hours: 9 AM - 5 PM
Phone: (804) 447-3841
<https://www.rtrva.org/>

- Critical Home Repair to establish safe and healthy homes
- Energy Conservation

Project Homes

Address: 88 Camation St, Richmond, VA 23225
Hours: 9 AM - 5 PM
Phone: (804) 233-2827
<https://www.projecthomes.org/>

- Affordable Housing services:
 - Homeownership assistance
 - Home repair
 - Senior housing
 - Manufactured homes

People's Advantage Credit Union

Address: 110 Wagner Rd, Petersburg, VA 23805
Hours: 9 AM - 5 PM
Phone: (804) 748-3081
<https://www.peoplesadvfcu.org/>

- Resource Toolkit:
 - <https://www.peoplesadvfcu.org/resource-toolkit>
- Loan Products/Services
 - Low credit score Advantage Home Loan Products for the first-time homebuyer, law enforcement, educators, firefighters, first responders, health care workers, and veterans.
 - Refinancing Loans
 - Home Equity Loans
 - Educational workshops

Virginia Credit Union

Address: 26317 Washington St
Hours: 9 AM - 5 PM
Phone: (804) 323-6800
<https://www.vacu.org/>

- Loan Products/Services:
 - Home Purchase
 - Home Refinance
 - First-Time Home Buyers
 - Construction Loans
 - Mortgage Options
 - Joyner Fine Properties
 - Education

LISC Virginia

Address: 3126 W. Cary St, Richmond, VA 23221
Hours: 9 AM - 5 PM Monday-Friday
Phone: (804) 505-4682
<https://www.lisc.org/virginia/>

- Affordable Housing Support
- Family Income and Wealth Building

Virginia Housing

Address: 601 S Belvidere St, Richmond, VA 23220
Hours: 8:30 AM - 6 PM
Phone: (877) 843-2123
<https://www.virginiahousing.com/en/homebuyers/>

- First time homebuyer education and down payment grants
- Renter Resources
 - Homebuyer Resources
 - Homeowner Resources
 - Accessibility Grants
 - Military and Veteran Programs
 - Education

HOME of VA

Address: 626 East Broad St, Suite 400, Richmond, VA 23219
Hours: 9 AM - 5 PM Mon-Thurs; Fri 9 AM - 12 PM.
Phone: (804) 354-0641
<https://homeofva.org/>

- Fair Housing
- Foreclosure Prevention
- Homeownership
- Eviction Diversion
- Education
 - Money management and credit

HUD Department of Housing and Urban Development

Address: 600 East Broad St, Richmond, VA 23219
Hours: 8:30 AM - 4:30 PM
Phone: (800) 842-2610
<https://www.hud.gov/>

- Links to resources and contact numbers
 - <https://www.hud.gov/states/virginia/homeownership/homerepairs>

- <https://www.hud.gov/homeownerhelp>
- HUD has a toll-free (800) CALL-FHA (800-225-5342); TTY: (800) 877-8339. For questions about HUD rental programs, including Housing Choice (Section 8) Vouchers, ...
- HUD helps apartment owners offer reduced rents to low-income tenants. To apply, contact or visit the management office of each apartment building those interests ...
 - [Links to PHA websites](#) • [Housing Resources for Seniors](#) • [Help With Your Utility Bills](#)

- Income Support
- Credit Counseling
- Budget Counseling
- Digital Literacy Training
- Rental Counseling
- Homeownership Education
- Down Payment Assistance
- Foreclosure Prevention
- VIDA Match Program

Virginia Department of Housing and Community Development (DHCD)

Address: 600 East Main St, Suite 300, Richmond, VA 23219
Hours: 9 AM - 5 PM
Phone: (804) 371-7000
<https://www.dhcd.virginia.gov/housing>

- Assistance to first time homebuyers that are at or below 80% Area Median Income (AMI).
- Down Payment Assistance (DPA):
- Virginia Individual Development Account (VIDA): This program is a savers club for first-time homebuyers.
- Housing Rehabilitation
- Home buyer Resources
- Housing Repair and Energy Efficiency
- Virginia Housing Search
- Virginia Eviction Reduction Program

Southside Community Development & Housing Corporation

Address: 714 High St, Petersburg, VA 23803
Hours: 8:30 AM - 5 PM
Phone: (804) 231-4449
<https://www.scdhc.com/>

- Employment & Career Counseling

Petersburg Housing Authority

Address: 128 S Sycamore St, Petersburg, VA 23803
Hours: 8:30 AM - 5 PM
Phone: (804) 733-2200
<https://petersburgrha.org/business/>

- Providing rental housing and building economic homeownership opportunities for our residents means opportunities for area contractors and suppliers. Typical purchases include building construction, repair services, building maintenance materials, office supplies, equipment and administrative services. PRHA's central office is located at 128A South Sycamore Street, Petersburg, VA (behind Sycamore Towers). Business hours are Monday - Friday from 8:30 AM - 5:00 PM, except holidays. The main fax number is (804) 733-2229.



HOMEOWNER AND RENTER RESOURCES



PLANNING & COMMUNITY DEVELOPMENT HOMEOWNER AND RENTER RESOURCES



ADDITIONAL/RELATED RESOURCES:

United Way of Greater Richmond and Petersburg

Address: 7814 Carousel Ln, Suite 400, Richmond, VA 23294

Hours: 9 AM - 5 PM

Phone: (804) 771-5820

<https://www.yourunitedway.org/>

- [Resource Guide](#)
- Emergency food and shelter
- Literacy programs
- Tax assistance program
- Childcare assistance

St. Joseph's Villa Tri-Cities Housing Resource Center (HRC)

Address: 24 S. Adams St, Petersburg VA 23803

Hours: 8:30 AM - 4:30 PM

Phone: (804) 722-1181

<https://www.neverstopbelieving.org/services/housing-homeless-services/>

- The HRC office serves as the coordinated point of entry for households experiencing a housing crisis in the Tri-Cities area, providing referral and community resources, homelessness prevention and rapid re-housing services. Callers are strongly encouraged to leave a message with contact information. All calls will be returned within 24 hours or the next business day. The HRC may be able to offer homelessness prevention assistance, rapid re-housing or supportive housing.

Commonwealth Catholic Charities (CCC)

Address: 809 Oliver Hill Way, Richmond, VA 23219

Hours: Monday-Wednesday-Friday 8:30 AM - 4:30 PM

Tuesday-Thursday 8:30 AM - 1:00 PM

Phone: (804) 648-4177

<https://www.cccofva.org/homeless-services>

- CCC partners with homeless services providers in the Greater Richmond Continuum of Care, the Crater Area Coalition on Homelessness (includes the Tri-Cities), Southeastern Virginia Homeless Coalition, and public and private agencies to assist households resolve their housing crisis as quickly as possible. Contact person: Janice Johnson.

Push Faith House Emergency Shelter

Address: 205 Jarratt Ave, Suite A, Jarratt, VA 23867.

Hours: Open 24 Hours

Phone: (757) 758-4778

<https://www.sussexcountyva.gov/directory/listing/49/push-faith-house>

- Push Faith House is an emergency shelter for the homeless

Legal Aid Justice Center (LAJC)

Address: 237 N Sycamore St, Suite A, Petersburg, VA 23803

Phone: (804) 862-2205

<https://www.justice4all.org/economic-justice/>

- The Economic Justice Program at LAJC aids individuals and families in Central Virginia who face legal dilemmas related to housing, public benefits, employment, healthcare, consumer protection, or the rights of the elderly.

ADDITIONAL/RELATED RESOURCES (CONTINUED)

- https://petersburgva.gov/DocumentCenter/View/5359/Petersburg_COVID19_Guide_630 (City of Petersburg Resource Guide for COVID and Beyond)

- <https://www.findhelp.org/housing/maintenance-%26-repairs-petersburg-va> (Find Help, a tool to search for and connect to support such as financial assistance, food pantries, medical care etc.)

- <https://www.dss.virginia.gov/community/211.cgi> (Department of Social Services information, services and resources)

- <https://help1rva.org/> (Help1RVA Greater Richmond Resource Directory (A resource directory for free or reduced-cost services like food, housing, childcare, and work.)

- [Jenson Brothers](#) (elderly renovation services)
- [Smart America Living](#) (grants for low income and elderly home repair)

- [seniornavigator.org](#) (a guide to healthy aging in Virginia. Search for housing options, transportation programs, caregiving resources, and other services for seniors.)

- <https://www.scdhc.com> (Southside Community Development Housing Corporation provides residential development, homeownership education and counseling, financial counseling and coaching, and employment services.)

- [Department of Historic Resources](#) (Identifies historic places, educate the public, connect communities with their histories, and equip Virginians with the tools to foster historic preservation.)

- [Family Lifeline](#) (offers education and support, while providing a safe environment to respond to questions, share parenting insights, and build informal networks. Family Lifeline provides screening and care coordination related to mental health issues.)

- [CARES](#) (CARES operates the only emergency shelter for women and children in the Tri-Cities area. We serve the communities of Chesterfield, Colonial Heights, Dinwiddie, Hopewell, Petersburg and Prince George. CARES also operates a Food Pantry and Clothes Closet for low-income residents of Petersburg.)

- [SAMHSA Helpline](#) (The National Helpline—1-800-662-HELP (4357)—provides 24-hour free and confidential treatment referral and information about mental and/or substance use disorders, prevention, and recovery in English and Spanish.)

- [Community Services Board District 19](#) (...mission is to improve the quality and productivity of the lives of individuals who experience, or are at risk of experiencing, mental disabilities and/or substance abuse. We accomplish this through a fully integrated continuum of services in collaboration with the localities of Colonial Heights, Dinwiddie, Emporia, Greensville, Hopewell, Petersburg, Prince George, Surry, and Sussex.)

- [James House](#) (James House is the only accredited nonprofit organization helping people affected by sexual violence, domestic violence, and stalking in the Greater Tri-Cities)

- [Petersburg Wellness Consortium Resource Guide](#) (The PWC mission is to improve Petersburg's health and wellness by optimizing resources and partnerships. The Petersburg Wellness Consortium raises consciousness about health factors and outcomes by empowering community members, sharing capacity-building resources and creating partnerships that promote a healthy community.)

- [Virginia Department of Health Care Resource Coordination](#) (The Care Resource Coordination is a program for people who have been impacted by COVID-19 and need support. A Care Resource Coordinator can connect people with resources, such as food, childcare, or shelter. This program can also support those who are experiencing long-term impacts of COVID-19, called Long COVID.)

- <https://redressmovement.org/> (newly formed nonprofit that aims to address housing justice).

- <https://pave.hud.gov/> (interagency taskforce on property appraisal and valuation equity).

- <https://www.fhfa.gov/DataTools> (data and tools regarding federal housing finance)

- <https://vahousingalliance.org/wp-content/uploads/Housing-Resources-Guide.pdf> (Virginia Housing Alliance Resources Guide)

- <https://www.petersburgva.gov/DocumentCenter/View/5099/D19-overview-Petersburg-2019-Presentation> (CSBD19 Permanent Supportive Housing for Adults with Severe Mental Illness)

- <https://www.alamorecoverycenter.org/> (Addiction Recovery Supportive Housing)

Finance Monthly Update

October 1, 2024



DEPARTMENT OF FINANCE

AGENDA

Earned Interest Update

- Background
- Current State
- Future State
- Revised Projection

Budget to Actuals

Distinguished Budget Award



EARNED INTEREST - BACKGROUND

- The Finance Department projected \$1.4 million in Interest revenue.
- The revenue projection was based on \$35 million deposited in the LGIP at a 4% interest rate.
- During the first 90 days the LGIP has returned an investment interest rate of approximately 5.5%



EARNED INTEREST – CURRENT STATE

September 18

- The Fed lowered the interest basis point by ½%.
- Subject matter experts believe the Fed will initiate several interest rate reductions in the next twelve months.

September 20

- The City's Finance & Treasury department performed a cash flow analysis of the City's General Demand Account.
- The cash flow analysis results indicate an additional \$7 million from the General Demand Account can be deposited in the LGIP.

September 23

- The Treasury Department deposited an additional \$7 million into the LGIP.



EARNED INTEREST – FUTURE STATE

- The additional deposit of \$7 million to the LGIP for the last nine months at a projected interest rate of 3.75% should yield an additional \$196,875.
- The Finance Department believes that using the projected interest rate of 4% in the Adopted Budget will shield the City from having a significant revenue projection decrease as the current LGIP 5.5% rate will provide a cushion to mitigate the anticipated interest rate decreases.
- The Finance & Treasury Department has also negotiated an overnight sweep with the Demand Account yielding additional income.



EARNED INTEREST – REVISED PROJECTION

LGIP Earned Interest 7/1 to 9/30/24: \$

Demand Sweep Interest 7/1 to 9/30/24: **\$144,100**

Projected LGIP Interest 10/1/24 to 6/30/25: **\$1,181,250**

- [Based on a \$42 million deposit; 3.75% interest rate; nine months].

Projected Demand Sweep Interest 10/1/24 to 6/30/25: **\$370,483**

- [Based on \$15 million overnight sweep; 2.2% application]

Adoption Budget Interest Projection: **\$1,400,000**

Projected Interest: \$



BUDGET TO ACTUALS

GF Department	FY25 BUDGET	Expended Thru 8.31.2024: 16% of YR Completed	Remaining Budget Balance	% of Budget Expended
CITY COUNCIL	355,765	45,229	310,536	12.71%
CITY MANAGER	930,165	326,673	603,493	35.12%
CITY ATTORNEY	483,217	55,052	428,165	11.39%
HUMAN RESOURCES	783,774	139,868	643,906	17.85%
COMMISSIONER OF REVENUE	485,966	76,969	408,997	15.84%
ASSESSOR	604,870	99,936	504,934	16.52%
CITY TREASURER	326,823	54,661	272,162	16.73%
FINANCE	1,136,311	157,800	978,511	13.89%
CUSTOMER CARE & COLLECTIONS	872,196	95,946	776,250	11.00%
INFORMATION TECHNOLOGY	1,232,838	267,200	965,638	21.67%
PROCUREMENT	355,680	50,082	305,598	14.08%
REGISTRAR	604,892	78,750	526,142	13.02%
CIRCUIT CT. JUDGES & ADMIN	93,991	16,935	77,056	18.02%
GENERAL DISTRICT COURT	53,300	1,790	51,510	3.36%
MAGISTRATES	30,600	7,116	23,484	23.25%
JUVENILE & DOMESTIC RELATIONS	8,750	180	8,570	2.06%
CLERK of the CIRCUIT COURT	995,167	152,477	842,690	15.32%



BUDGET TO ACTUALS

GF Department	FY25 BUDGET	Expended Thru 8.31.2024: 16% of YR Completed	Remaining Budget Balance	% of Budget Expended
SHERIFF	2,447,120	385,819	2,061,301	15.77%
COMMONWEALTH ATTORNEY	1,788,485	255,059	1,533,426	14.26%
COMMUNITY CORRECTIONS - CITY	44,802	19,859	24,943	44.33%
VICTIM WITNESS - CITY	26,286	2,509	23,777	9.55%
POLICE DEPARTMENT	10,313,674	1,769,809	8,543,865	17.16%
911 EMERGENCY COMMUNICATIONS	2,117,415	222,869	1,894,546	10.53%
FIRE DEPARTMENT	9,009,509	1,359,484	7,650,025	15.09%
REGIONAL JAIL SERVICE	3,300,000	582,608	2,717,392	17.65%
11th DISTRICT COURT	112,237	23,157	89,080	20.63%
VJCCA SUB-TOTAL	216,725	31,616	185,109	14.59%
CODE ENFORCEMENT	1,410,511	169,061	1,241,450	11.99%
ANIMAL CONTROL	333,215	47,800	285,415	14.35%
ENGINEERING	482,503	147,157	335,346	30.50%
REFUSE COLLECTION	2,000,000	273,024	1,726,976	13.65%
GROUNDS	1,440,625	146,612	1,294,013	10.18%
FACILITIES MANAGEMENT	3,258,851	467,339	2,791,512	14.34%
CPO CENTER/VCRC	129,510	10,022	119,488	7.74%



BUDGET TO ACTUALS

GF Department	FY25 BUDGET	Expended Thru 8.31.2024: 16% of YR Completed	Remaining Budget Balance	% of Budget Expended
SOCIAL SERVICES	11,235,878	1,757,146	9,478,732	15.64%
CHILDREN'S SERVICES ACT	4,306,600	732,582	3,574,018	17.01%
TRANSFER TO SCHOOLS	12,361,478	2,060,246	10,301,232	16.67%
RECREATION & LEISURE SERVICES	806,878	207,941	598,937	25.77%
CEMETERIES	85,040	7,713	77,327	9.07%
TURF MANAGEMENT	420,508	9,842	410,666	2.34%
GOV'T RELATIONS	1,017,300	75,649	941,651	7.44%
PUBLIC LIBRARY	1,474,049	218,115	1,255,934	14.80%
PLANNING	868,363	145,986	722,377	16.81%
ECONOMIC DEVELOPMENT	520,454	63,584	456,870	12.22%
NON-DEPARTMENTAL	6,780,276	1,817,191	4,963,085	26.80%
DEBT SERVICE	4,181,099	0	4,181,099	0.00%
TRANSFER TO OTHER FUNDS	2,541,226	2,541,226	0	100.00%
TOTALS	94,384,922	17,177,693	77,207,229	18.20%



BUDGET TO ACTUALS

Fund/Department	FY25 BUDGET	Expended Thru 8.31.2024: 16% of YR Completed	Remaining Budget Balance	% of Budget Expended
GRANTS				
Victim Witness Grant - Sub-Total	280,553	50,316	230,237	17.93%
Community Corrections - Sub-Total	533,064	101,267	431,797	19.00%
TOTAL GRANTS FUND	813,617	151,583	662,034	18.63%
STREETS				
Streets Operations Sub-Total	7,973,243	930,843	7,042,400	11.67%
PUBLIC UTILITIES				
Wastewater Sub-Total	8,257,414	712,675	7,544,739	8.63%
Water Sub-Total	6,876,659	1,342,131	5,534,528	19.52%
TOTAL PUBLIC UTILITIES FUND	15,134,073	2,054,806	13,079,267	13.58%
STORMWATER				
Stormwater Services Sub-Total	1,452,283	47,355	1,404,928	3.26%
DOGWOOD				
Dogwood Golf Sub-Total	1,197,550	231,939	965,611	19.37%
MASS TRANSIT				
Paratransit Sub-Total	246,630	55,855	190,775	22.65%
State/Projects Sub-Total	2,227,273	255,386	1,971,887	11.47%
Administration Sub-Total	3,938,858	624,647	3,314,211	15.86%
Maintenance Sub-Total	1,066,204	180,263	885,941	16.91%
TOTAL MASS TRANSIT FUND	7,478,965	1,116,151	6,362,814	14.92%



DISTINGUISHED BUDGET AWARD



GOVERNMENT FINANCE OFFICERS ASSOCIATION NEWS RELEASE

FOR IMMEDIATE RELEASE

9/17/2024

For more information, contact:
Technical Services Center
Phone: (312) 977-9700
Email: budgetaward@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association is pleased to announce that **City of Petersburg, Virginia** received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

There are over 1,700 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

Distinguished Budget Presentation Award

PRESENTED TO

**City of Petersburg
Virginia**

For the Fiscal Year Beginning

July 01, 2024

Christopher P. Morrill

Executive Director

