



City of Petersburg Virginia

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City Council

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

City Manager

William E. Johnson III

Agenda

January 5, 2016

Union Train Station
103 River Street

-
1. **Regularly-Scheduled Meeting — 6:30 p.m.**
 2. **Roll Call**
 3. **Moment of Silence**
 4. **Pledge of Allegiance**
 5. **Presentations / Proclamations / Recognitions: (Each presentation will be limited to 10 minutes.):**
 6. **Consent Agenda:**
 - a. Minutes December 8, 2015
 - b. Schedule a public hearing on the proposed disposition of publicly-owned property addressed as 503 West Washington Street on Tuesday, January 19, 2016.
 7. **Public Hearing: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)**
 - a. Hold a public hearing for the expansion of the City's tax abatement program to include vacant lots in areas designated as rehabilitation areas.
 - b. Hold a public hearing to purchase 512 University Boulevard and an easement to the rear of 525 University Boulevard.
 8. **Public Information Period – The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten (10) or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than ten (10) people desiring to speak, the time allotted to each person may be adjusted or the number of**

speakers limited to meet the time limitation. A speaker may speak on items except those that are listed on tonight's Council agenda. Any matter brought before the attention of the City Council during this public information period will not be acted upon by the City Council at this meeting.

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

10. City Manager's Agenda

- a. City Manager's Report.

11. Clerk of City Council's Agenda

12. City Attorney's Agenda

13. Closed Session (if necessary)

14. Adjournment

The regular meeting of the Petersburg City Council was held on Tuesday, December 8, 2015, at the Union Train Station. Mayor Myers called the closed session meeting to order at 5:30p.m.

1. **CLOSED SESSION MEETING – 5:30 P.M.**

2. **ROLL CALL:**

Present:

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

Absent: Council Member Brian A. Moore (arrived at 6:10pm)

Present from City Administration:

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

3. **CLOSED SESSION:**

City Attorney Brian Telfair stated that it was City Council's desire to enter into a closed session under Section 2.2-3711.A (1) of the Code of Virginia under Subsection 1 to discuss matters relating to employees and officers' salaries.

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

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

City Council entered closed session at 5:30 p.m.

CERTIFICATION:

Council Member Coleman made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Vice Mayor Parham

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

15-R-69

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

1. REGULARLY-SCHEDULED MEETING – 6:30 P.M.

2. ROLL CALL:

Present:

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

Absent: None

Present from City Administration:

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

3. MOMENT OF SILENCE:

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

4. PLEDGE OF ALLEGIANCE:

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

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

There are no items for this portion of the agenda.

6. CONSENT AGENDA:

- a. Minutes of November 17, 2015.
- b. Request to schedule a public hearing on the January 5th Council meeting for the expansion of the City's tax abatement program to include vacant lots in areas designated as rehabilitation areas.
- c. Request to schedule a public hearing on the January 5th Council meeting to purchase 512 University Boulevard and an easement to the rear of 525 University Boulevard.
- d. Request to schedule a public hearing on the January 19th Council meeting to permit the purchase of 125 West Washington Street.

Vice Mayor Parham made a motion to accept the Consent Agenda with scheduling the public hearings for January 5th and January 19th, 2016. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

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

- a. Hold a public hearing on the proposed transportation alternative projects recommended in the Fiscal Year 2016-2017 Transportation Alternative Program (TAP) application through the Virginia Department of Transportation (VDOT).

BACKGROUND: The Transportation Alternatives Program (TAP) was authorized in the most recent federal transportation bill –Moving Ahead for Progress in the 21st Century, also known as MAP-21. This legislation was signed into law on July 6, 2012. The Transportation Alternatives Program redefines the former Transportation Enhancement (TE) Program and consolidates these eligibilities with the Safe Routes to School and Recreational Trails program eligibilities.

MAP-21 identifies four (4) categories of eligibilities for the Transportation Alternatives Program:

- Transportation Alternatives
- Safe Routes to School
- Recreational Trails
- Boulevards in former Interstate System Routes

The projects would provide funding for phase II for the South Depot rehabilitation project, the eastern site area of the Southside Depot will be altered to become a performance space and public open space and allow wheelchair access to the river and river-side of the depot building. This will entail demolishing a limited amount of the foundation of the destroyed structure to allow for new concrete ramps to access the floor level of the depot as well as the stage level of the performance area. A new canopy structure will be designed within the footprint of the former building. Electrical requirements for this area will be provided from a separate service that will be located on the platform at a cost of \$450,000.

RECOMMENDATION: Hold public hearing and approve proposed project.

Daniel Harrison, Interim Director of Public Works, gave a brief summary of the proposed project.

Ms. Jackson opened the floor for public comment.

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

Council Member Moore made a motion to approve the proposed transportation alternative projects recommended in the Fiscal Year 2016-2017 Transportation Alternative Program (TAP) application through the Virginia Department of Transportation (VDOT). The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

15-ORD-72 AN ORDINANCE TO APPROVING THE PROPOSED TRANSPORTATION ALTERNATIVE PROJECTS RECOMMENDED IN THE FISCAL YEAR 2016-2017 TRANSPORTATION ALTERNATIVE PROGRAM (TAP) APPLICATION THROUGH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT).

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

Bruce Richardson, 845 Wilcox Street, stated that he would like to briefly speak this evening to speak on an event which is scheduled for this Saturday, December 12th. He stated that it will be held at the Petersburg bus station located at 100 West Washington Street. He stated that everyone should be in receipt of the flyer. He stated that it is a first time homebuyer education course. He stated that all are invited to attend. He stated that the goal is to encourage residents and employees in the City of Petersburg to look at home ownership as a valuable opportunity. He stated that each year they do these courses in conjunction with the City administration. He stated that the City administration should be applauded for offering them the opportunity to continue this wealth of information. He stated that each year these courses are done. He stated that there are many opportunities for grant assistance for down payments and closing cost. He stated that this course is not an opportunity to promote him but to encourage the City and residence to look into home ownership. He stated that the importance in putting this course on is one in which they want to see more residence and employees become home owners. He stated that the course will be held on Saturday, December 12th. He stated that it will begin promptly at 10:00am and conclude at 4:15pm. He stated that registration is required. He stated that each participant that attends the course will receive a certificate of completion from the Virginia Housing and Development Authority that is valid for two years from the date of the course. He stated that it will aid in securing financial assistance in their home buyer purchase. He stated that there will be information discussed regarding credit and credit scoring and qualifying and applying for a loan. He stated that when he spoke to people wanting to buy a home they mostly stated that they have bad credit. He stated that there is no sense in thinking of bad credit. He stated that the number one reason is fear.

Willie Noise, 1508 Circle Drive, stated that tonight he has some notes that he will read. He stated that his job is to confuse City Council and that their job is to try and figure out what he is saying. He stated that the jar that he has with him represents Petersburg and the different people in it. He stated that every now and then he has to give them a vision and make sure that everyone is on the same page. He stated that he thinks that City Council is present to serve the City of Petersburg and not the citizens of Petersburg. He stated that the City of Petersburg already has established itself. He stated that they just have to get in touch with it and reconnect somewhere down the line. He stated that this is the same as the youth that have left the house of the parent. He stated that they have to do an examination and a test of knowledge. He stated that they need to find out how smart they are and what they are doing. He stated that they need to "START." He stated that he wants to talk about not what they are doing but what they are not doing. He stated that sometimes the auto is too slow. He stated that they have to take an airplane. He stated that they have to be a leader and not a follower. He stated that they are not the only smart people in this City. He stated that sometimes they need additional information. He stated that as a City they have to make decisions on matters and speak out. He stated that they are a City. He stated that the City needs to follow the rules of the house. He stated that no past history compared to present. He stated that it is easier to talk if you never pulled a plow. He stated that the Mayor's signature is practically on everything and on any documents that are passed in the City. He stated to give relatives first bid on property that is being confiscated. He stated to predict around the corner and let Petersburg know that you know who they are. He stated that they are present to help them do their thing. He stated to have the Mayor make a closing statement in between closed session and adjournment on the agenda.

Linwood Christian, 410 Mistletoe Street, stated that there are a couple of things that he would like to say. He stated that he had a chance to go back and read the article as it pertains to the skate factory. He stated that he thinks that it is time that they have the inspector either answer some questions publicly. He stated that he would like to know what skating rink did the inspector walk into and did not see any skates. He stated that if the inspector walked into the same skate factory it was impossible for him not to have seen skates. He stated that he always wanted to know what the inspector meant by calling it a hangout spot. He stated that it does not sound good when you are referring to all the young people in Petersburg or a place like that. He stated that one of the other things that came up was the driveway that leads back to skate factory. He stated that his question is that if they are going to talk about the driveway that leads to the skate factory when they are going to address the driveway where McDonalds and AutoZone is. He stated that they have so many potholes in it that you think that you are on the surface of the moon. He stated that it really does bother him. He stated that you cannot blame the children that have done right. He stated that you cannot blame the ones that threw rocks at the police cars. He stated

that this is pretty much what he got out the article. He stated to the City Manager that they were told that the cars that were taken from the Sheriff would be distributed to other departments. He asked how they are being redistributed when they are still sitting under the shed in Pocahontas. He stated that by the time that they distribute it will take more money to pay to have them fixed or whatever. He stated that a few people were probably expecting him to say more about his case. He stated to the Mayor and City Council Members that he would hope that even though they looked at it as being a onetime thing it was only a onetime thing because someone decided to fight it. He stated that it does not mean that it has not happened before. He stated that if they can all sit there and think that it is okay whether it is a one time or not to violate the rights of your citizens. He stated that this goes to the Mayor, City Attorney, City Manager and Council Member Moore. He stated that if this is the case that they need to step down and resign. He stated that for them to continue to think that this kind of bullying can carry on in the City this is not going to work. He stated that election time is coming up and people will remember what they have done.

Dionte Chambliss, 2463 Fort Lee Road, stated that he is present to talk to everyone about the skate factory. He stated that he does not see that the skate factory should be called a hangout. He stated that it is a place to escape the violence and negativity in the streets. He asked City Council wouldn't they rather see him in the skate rink enjoying himself rather than him sitting behind bars or plastered on someone's milk carton cause he either dead or missing from sitting in the streets.

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

- a. Consideration of appropriation for the Adoptions Through Collaborative Partnerships - \$31,500

BACKGROUND: Grant solely funded by the state with no local match that provides subcontracted employment to finalize adoption of children committed to DSS custody.

RECOMMENDATION: Recommend Council appropriate the amount of \$31,500.

Council Member Wilson-Smith made a motion to approve the appropriation in the amount of \$31,500. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

15-ORD-73 **AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016 IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$31,500 FOR SOCIAL SERVICES ADOPTION-COLLABORATIVE PARTNERSHIPS.**

- b. Consideration of an amendment to the Community Development Block Grant (CDBG) Annual Plan to reprogram funds.

BACKGROUND: The Centre Hill Mansion HVAC project is a planned and budgeted project that was under design and environmental review for several months. Design and environmental are complete and the project is ready for bid.

RECOMMENDATION: Staff recommends the reprogramming of \$125,720 for these purposes.

Council Member Moore made a motion to approve the reprogramming of \$125,720. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

- c. Consideration of approval for the Class and Compensation Plan.

BACKGROUND: The City hired a Consultant firm Management Advisory Group, Inc. (MAG) to conduct a compensation and classification study for the City's classifications. The goal of the project was to provide a foundation for an appropriate classification and compensation system and pay plan based on current compensation levels for similar public sector employers, municipalities and local market competitors. The study included a job analysis of city classification; salary and compensation data from similar/competitor organizations; the development of a classification plan; and the development of a compensation system and pay plan.

At the completion of these tasks, MAG submitted a proposed pay plan, salary adjustment recommendations for current incumbents in included City classifications, and updated job classification descriptions. The recommendations were thoroughly vetted by the City Administration and adjustments to the recommendations were made as appropriate and in consideration of budget restraints.

RECOMMENDATION: The recommendations are as follows:

1. Revise the current pay plan structure by eliminating the step pay plan structure and creating an open range pay plan structure. An open pay range greatly simplifies the salary plan for internal administration; provides a simple easy to understand plan for employees; and simplifies future adjustments to the structure to accommodate market changes.
2. The recommendation is to create two pay plan structures. A unified pay plan for all general employees and a second pay plan for the sworn (Police and Fire) employees. Each classification is placed in a hierarchal pay range based on duties, responsibilities and qualifications. An open pay range.
3. Provide a salary adjustment to all employees who fall below the new minimum for the classification. As a result of the updated pay plan structure there are employees whose salary is below the new minimum rate for the title. The City is obligated to ensure all employees at least receive the new minimum salary rate for classification in which they serve.
4. Revise and update all of the City's job descriptions to reflect the actual duties and responsibilities that are being performed and to rank and place each job in the new compensation system.

Council Member Hill made a motion to approve the Class and Compensation Plan. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

- d. Consideration of a resolution supporting Friends of the Lower Appomattox River.

BACKGROUND: The Lower Appomattox River is a major natural corridor with potential for recreation, scenic and historic trails. FOLAR is working together with communities to conserve and protect the Lower Appomattox River and is working cooperatively with regional stakeholders to develop blue-way greenway trail along the Lower Appomattox River in order to increase the quality of life for the residents and visitors of the six jurisdictions through which the River flows: the Cities of Colonial Heights, Hopewell and Petersburg and the Counties of Chesterfield, Dinwiddie and Prince George. The City of Petersburg encourages and supports efforts.

RECOMMENDATION: Recommend that City Council adopt a Resolution of Support of the Friends of the Lower Appomattox River.

Vice Mayor Parham made a motion to adopt a Resolution of Support of the Friends of the Lower Appomattox River. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

Council Member Hart stated that he would like to announce the Ward 7 Outstanding Business. He stated that this would go to Harrison Supermarket. He stated that the Ward 7 Outstanding Citizen Award goes to Mr. Peter and Mrs. Leslie Ratcliff.

Council Member Coleman thanked Mrs. Peters and her staff for the great presentation that they made at his meeting last night. He stated that it was outstanding. He stated that this would be including the Planning Commission and the entire staff as well. He stated that he would like to thank Jay Ell for coverage that his meeting received on the City's TV channel.

Council Member Hill stated that he will be planning a Family and Friends Day after the New Year. He stated that the dates should be forthcoming.

Vice Mayor Parham stated that he would like to take time to reflect back on things that they have done this year. He stated especially this year with the "I AM PETERSBURG" branding. He stated that this has been a success. He stated that they have passed a new compensation plan and that he would like to get the support of his colleagues to do something that says "I AM PETERSBURG."

Vice Mayor Parham made a motion to direct the City Manager, as a condition of employment to the City of Petersburg, to require newly hired employees with an annual salary of \$80,000 and above to live and/or acquire permanent residency in the City of Petersburg within six months of employment. He stated that he also motions that this be for essential and nonessential new hires. The motion was seconded by Mayor Myers. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Parham and Myers; Voting No: Moore

Mayor Myers stated that he is proud to announce that the Petersburg Health and Wellness Hotline number has been secured. He stated that if they would like to write the number down it is 804-518-1000. He stated that it is set to launch the week of January 25, 2016. He stated that the phone lines will be open from 8:00am to 5:30pm, Monday thru Friday. He stated that when calling the options will include requesting information on community resources, asking general health questions and requesting general information on local Petersburg hospital. He stated that option 2 would direct the call or send you to a live person. He stated that option 3 would be a recording and that it would not be for physician referrals at this time. He stated that he would like to thank Community Health Alliance for supporting and helping the City of Petersburg with helping disparities and information with respect to the citizens for health. He acknowledged Terone Greene who was in the audience. He stated that he would like to wish a Happy Holidays to everyone and wish everyone a very wonderful Merry Christmas and Happy New Year.

Council Member Wilson-Smith stated that she wishes everyone a wonderful Christmas and a very blessed and prosperous New Year. She stated that she would like to also say thank you to everyone for coming out to their City Council meeting.

Council Member Hart stated Happy Holiday to everyone and encourage them to continue to come out and support City Council as they try to lead the City to the next phase. He stated that they welcome their questions and concerns. He stated to everyone to feel free to reach out to him. He stated that he is real easy to catch and that you can email him at jhart@petersburg-va.org or call him at (804) 943-1745.

Council Member Coleman stated that he would like to wish of the citizens of Petersburg a very happy and safe holiday season. He stated that he hopes that this year will end on high notes and that everyone may begin 2016 on even higher notes. He stated to everyone to enjoy themselves and be safe.

Council Member Hill stated that he would like to wish everyone a happy and safe holiday. He stated that the world is changing every day and for everyone to be safe. He stated that they will see everyone in a couple of weeks and for everyone to be blessed.

Council Member Moore stated that he would like to echo the Mayor. He stated that as always he would like to thank his military family for preserving its way of life. He stated that this freedom is not free.

Vice Mayor Parham stated that he would like to wish everyone a Merry Christmas and Happy New Year. He stated to everyone to remember the true reason of the season. He stated to everyone to do what you can to help others that are in need because they are very fortunate to have what they have. He stated to everyone that whatever they can do to help out to please help and make the best holiday that there can be.

10. CITY MANAGER'S AGENDA:

- a. Please advise on my bill at 1710 Mt. Vernon Street and others in the community.
-Answer: The account has been corrected. The resident was contacted directly by the City's Utility Billing Office.
- b. Please rescind the previous City Council vote for the Greenhouse Project.
-Answer: Pursuant to the Rules of the City Council of Petersburg, Virginia, the time has lapsed for City Council to rescind its vote during the Council meeting on October 20, 2015.
- c. Please advise about the bridge closing at St. Andrew Street/Lt. Run.
-Answer: The City is working on a Citywide Bridge Maintenance Plan to address all bridges which will include the St. Andrew Street Bridge.
- d. The end of McKeever and Mingea Street has no street sign.
-Answer: The missing sign at McKeever and Mingea Street has been ordered and will be installed no later than December 4, 2015.
- e. Please advise on where residents can submit complaints.
-Answer: All complaints can be submitted online on the City's website, www.petersburgva.gov from the homepage, you can click on the tab titled "Report a Concern" and submit your information or complaint there.
- f. Police should have a cruiser outside of City Council meeting.
-Answer: Police have a presence at every City council meeting. The Police Chief has been notified of this request to have a cruiser outside of the council meeting. Staffing needs will also be evaluated.
- g. Please advise on my bill at 223 Elm Street.
-Answer: This account was researched by staff and the resident was advised.
- h. Harrison Street by the BP needs to have a traffic light vs. just a stop sign.
-Answer: Public Works is working with a consultant to help identify VDOT funds that will allow the City to update a Warrant Analysis to determine the need for traffic light at various intersections City-Wide.

Mr. Johnson stated that he would like to thank City Council on behalf of the 735 employees in the City. He stated that he is sure that they will appreciate the adoption this evening of the class and compensation plan that was much needed. He stated that he would like to say to the Mayor and City Council that they have had a good run in 2015. He stated that City administration looks forward to a very prosperous and some great things happening in 2016. He stated to the residence, City employees and City Council that he would like to wish everyone a Happy Holiday and a prosperous New Year. He stated to eat healthy, exercise and be safe during the holiday season.

11. CLERK OF CITY COUNCIL'S AGENDA:

Ms. Jackson stated she would like to wish everyone a Merry Christmas and a safe and Happy New Year. She stated that she would like to remind everyone about the illumination on this Friday starting at 5:00p.m. at the train station.

Mr. Johnson stated that he would like to remind everyone that beginning this Thursday at 9:00am until 7:00pm at the Tabernacle Community Life Center located at 44 Halifax Street, there will be a free health screening. He stated that it is sponsored by NBC 12 and Bon Secours. He stated to everyone to please come out and check your health as the City kicks off for the holiday. He stated that Ms. Jackson has already addressed the holiday illumination this Friday. He stated that this weekend at Centre Hill they will have their annual open house on Saturday and Sunday from 10:00am to 6:00pm. He stated that admission is free all weekend. He stated that there will be entertainment from the governor school and many more. He stated that he encourages everyone to come out and enjoy the festivities that are happening in the City. He stated to please look at the City's website as well for other activities that are happening in the City as well.

There was discussion among City Council and staff regarding the time lapse to rescind votes in the Rules of Council.

12. CITY ATTORNEY'S AGENDA:

Mr. Telfair stated that he would like to briefly wish everyone a safe and great holiday season.

13. CLOSED SESSION (IF NECESSARY):

No closed is necessary.

14. ADJOURNMENT:

City Council adjourned at 7:13p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

6.b

Ordinance, Resolution, and Agenda Request

DATE: December 28, 2015

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson, III
City Manager

RE: **To schedule a public hearing on the proposed disposition of publicly-owned property addressed as 503 West Washington Street on January 19, 2016.**

PURPOSE: To schedule a public hearing to receive public comment on the potential disposition of publicly-owned property.

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

RECOMMENDATION: Recommend that City Council schedule a public hearing on January 19, 2016 to approve the potential disposition of publicly-owned property addressed as 503 West Washington Street.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 503 West Washington Street.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: January 5, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: William E. Johnson, III, City Manager



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: December 21, 2015

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Richie McKeithen, City Assessor
Michelle B. Peters, Director of Planning & Community Development

RE: **Hold a public hearing for the expansion of the City's tax abatement program to include vacant lots in areas designated as rehabilitation areas.**

PURPOSE: To hold a public hearing to receive citizen comment on the expansion of the City's tax abatement program.

REASON: In accordance with the Code of Virginia, a public hearing must be held prior to amendments to the Code of the City of Petersburg.

RECOMMENDATION: Staff recommends that Council approve the expansion of the City's Tax abatement program.

BACKGROUND: The Code of the State of Virginia allows a locality to expand the tax abatement program to include vacant lots in designated rehabilitation areas of the City of Petersburg. The proposed expansion gives the City of Petersburg an opportunity to attract developers to the City who can build infill housing and commercial uses to support the neighborhood.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: January 5, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

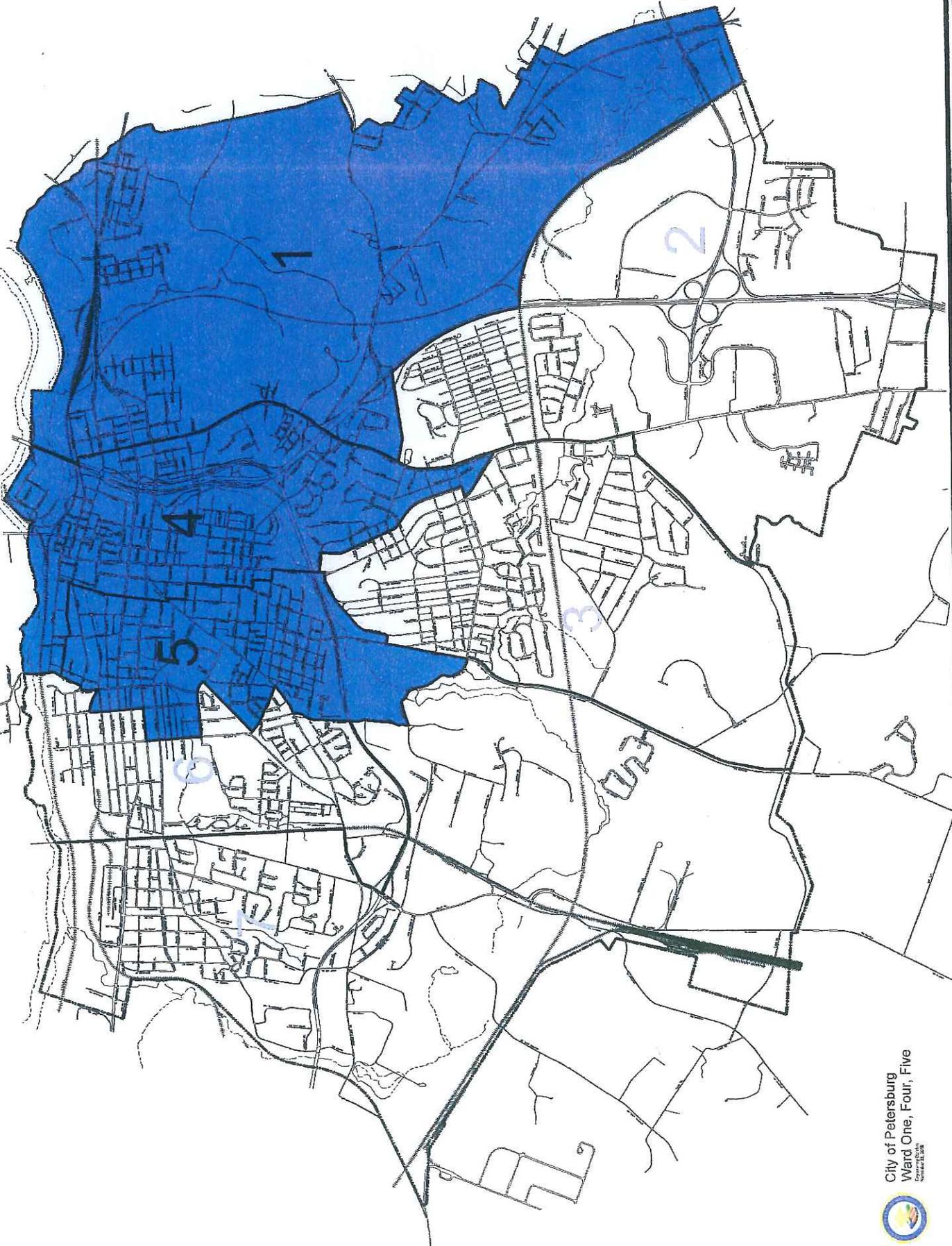
RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Draft Ordinance, Tax Map

STAFF: The Assessor's Office and the Department of Planning & Community Development

Enhanced Rehabilitation Tax Credit Pilot Program



AN ORDINANCE TO AMEND CHAPTER 106, TAXATION, TO ADD SECTIONS 106-139, PURPOSE, 106-140, EVALUATION OF EXEMPTION PROGRAM; 106-141, RULES AND REGULATIONS; 106-142, ELIGIBILITY; 106-143, APPLICATION; 106-144, AMOUNT OF EXEMPTION; 106-145, PENALTY, 106-146 LAND BOOK; AND 106-147, DEMOLITION; TO DIVISION IV OF ARTICLE III OF CHAPTER 106; OF THE 2000 CODE OF THE CITY OF PETERSBURG, AS AMENDED.

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

That Sections 106-139, 106-140, 106-141, 106-142, 106-143, 106-144, 106-145, 106-146, and 106-147, of Article III of Chapter 106, of the Code of the City of Petersburg (2000) (as amended) is hereby amended and ordained as follows:

Sec. 106-139. - Purpose.

The purpose of this ordinance is to reduce or eliminate concentrations of blight, stimulate investment and encourage new construction and improvement of real property in redevelopment districts.

Sec. 106- 140. - Generally; evaluation of exemption program; fiscal impact statement.

(a) The City Assessor shall, upon application made and within the limits as hereinafter provided, order the partial exemption from real property tax of real property upon new structures or other improvements that have been constructed within a redevelopment district established in the City.

(b) The City Assessor, the City Manager, and the Deputy City Manager/Finance Director, at the end of each fiscal year, in accordance with subsection (c) of this section, shall present the program evaluation results to the City Council and make recommendations concerning the program in general.

(c) The evaluation criteria shall include, but not necessarily be limited to:

- (1) the number of applications submitted;
- (2) the number of applications approved for consideration by the City Assessor;
- (3) the number, type and description of properties qualifying for partial tax exemption under this ordinance;
- (4) the total dollar amount of the resulting assessment credit ordered;
- (5) the revenue impact on the city both with and without the existence of the program; and

(6) any other quantifiable data that can be used to measure the overall effect of the program.

(d) The City Assessor, the Deputy City Manager/Finance Director, and the City Manager by September of each year, shall provide the City Council with the fiscal impact statement of the program's operation.

Sec. 106- 141. - Rules and regulations for administration.

The City Assessor, with the advice and comment of the City Manager and the Director of Finance, shall promulgate such rules and regulations not inconsistent with the provisions of this ordinance as the City Assessor deems necessary for the effective administration of this ordinance.

Sec. 106- 142. - Eligibility of residential property.

a) In order to qualify for partial exemption from real property taxation for real property constructed for residential use, throughout the exemption period established by section 106-144, the new structure must be:

- (1) an owner occupied dwelling used as a single-family residential structure;
- (2) a rental property used as a single-family dwelling with a fully-executed lease agreement containing a rent-to-buy option;
- (3) a residential duplex, containing two separate units, which is either owner occupied or has a fully-executed lease agreement containing a rent-to-buy option, held by one of the tenants;
- (4) a residential tri-plex, containing three separate units, which is either owner occupied or has a fully-executed lease agreement containing a rent-to-buy option, held by one of the tenants;
- (5) a residential quad, containing four separate units, which is either owner occupied or has a fully-executed lease agreement containing a rent-to-buy option, held by one of the tenants; and
- (6) the new structure and other improvement, if any, must be built on a lot that has been vacant for at least two years prior to the date upon which an application for the partial tax exemption established by this ordinance statute is filed.

Improvements such as garages, swimming pools, patios, and similar facilities that are not used as living areas for the main residential structure shall not be eligible for this exemption.

(b) The new structure and other improvements that are still owned by the initial developer shall be eligible for the exemption for a period of three years after the partial exemption becomes effective. If the property transfers to an individual that meets the eligibility requirements outlined in 106-142(a), the exemption will transfer to the new owner. The effective date of the partial exemption will still follow the guidelines stated in section 106-144 (a). If the property does not transfer to an individual that meets the eligibility requirements outlined in this ordinance statute, the partial exemption will be removed. If the property does not transfer from the initial developer within three years of the effective date of partial exemption, or remain owner occupied, the partial exemption will be removed.

(c) In order for partial exemption for a property to continue in effect, such property shall be maintained in compliance with the provisions of the Virginia Uniform Statewide Building Code and or the City of Petersburg Building Code provisions. If, after receiving notice of a building code violation, the owner of the property refuses to complete the necessary corrections within the time required or stated for such action, or refuses to allow city inspectors, city appraisers, or city personnel access to such property for the purpose of determining eligibility under this section, then such eligibility shall terminate.

(d) The new structure and other improvements, if any, must be completed within two years after the date the application is made for the building permit.

(e) The new structure and other improvements, if any, must be in conformity with the general character and quality of the existing structures in the surrounding community, as determined by the Planning Director and the local zoning ordinance.

(f) In order for partial exemption granted for a rental property used as a single-family dwelling, a residential duplex, a residential tri-plex, or a residential quad, with a fully-executed lease agreement containing a rent-to-buy option to remain in effect, the property must be purchased within the first three years of the exemption by an individual who will occupy the property. If a rental property used as a single-family dwelling, a residential duplex, a residential tri-plex, or residential quad, with a fully-executed lease agreement containing a rent-to-buy option is not purchased within the first three years of the exemption by an individual who will occupy the property, the partial exemption for the property will terminate after the third year. It shall be the responsibility of the purchaser to provide proof of the closing date and the purchaser's ownership to the City Assessor so that the City Assessor can note the continuation of the partial exemption on the land book. Absent any evidence submitted by a purchaser showing that a rental property used as a single-family dwelling, a duplex, a residential tri-plex, or a residential quad, with a fully-executed lease agreement containing a rent-to-buy option has not been purchased within the first three years of the exemption by an individual that will occupy the property, the City Assessor shall remove the partial exemption from the land book after the third year.

Sec. 106-143. - Application.

(a) As a prerequisite for qualifying for partial tax exemption under this ordinance, the owner, or agent of the owner, of such property shall file an application for partial exemption from real property taxation with the City Assessor simultaneously with making application for a building permit and prior to any work being started on the subject property. Each application for such exemption shall be accompanied by a processing fee in the amount of \$125.00 for residential properties.

(b) No property shall be eligible for such exemption unless all appropriate building permits have been acquired and the City Assessor has verified that the new structure or other improvements indicated on the application have been completed and a certificate of occupancy has been issued. Furthermore, no property shall be eligible for such exemption if the City Assessor or any other

city employee has been denied access to the entire premises before, during or after the work for which a partial exemption has been applied.

(c) Partial exemption will not be allowed under the following circumstances:

- (1) failure by owner or such owner's agent to submit an application to the City Assessor for partial tax exemption in accordance with this ordinance prior to construction,
- (2) failure by owner or owner's agent to pay any amount of non-exempt real property taxes,
- (3) failure by owner to submit design plans to the Director of Planning and the City Assessor,
- (4) including property that is not located within a redevelopment district established in the City,
- (5) receiving any other real estate tax exemption authorized by this Code, or
- (6) qualification of an IRS-42 low income housing credit.

(d) The applicant shall bear the burden of proof to show that the property for which a partial exemption has been applied complies with all requirements established by this ordinance. The City Assessor may require documented proof of eligibility and compliance with the requirements of this ordinance, including, but not limited to, a fully executed lease agreement with an option to buy and proof of purchaser's ownership, which includes a closing date.

Sec. 106- 144. - Amount of exemption; basis for taxes during construction.

(a) With the exception of the phase out period provided in this ordinance, the amount of the partial exemption from real property taxation provided for by this ordinance shall be an amount equal to fifty percent (50%) of the increase in assessed value resulting from the completed construction of the new structure or other improvement to the real property as determined by the City Assessor. This amount only, on a fixed basis, shall constitute the exemption, notwithstanding subsequent market appreciation or depreciation, assessment, reassessment, or future improvements. In no event shall the exemption exceed the increase in assessed value or percentage of such increase resulting from the construction of the new structure or other improvement to the real estate as determined by the City Assessor.

(b) The partial exemption will remain static and will not grow with any increase in the assessed value of the property or market inflation. The partial exemption shall commence on January 1 of the year following completion of the new construction or improvements. For the first five years after January 1 following completion of the new construction or improvement the exemption will remain at 100%; in years six through ten following January 1 of the year of completion of the new construction or improvements, the exemption shall phase out with only 0 percent of exemption allowed in year ten as follows:

Year	Portion of Exemption Received (%)
6.....	40
7.....	30
8.....	20
9.....	10
10.....	0

(d) No partial exemption under this ordinance shall be ordered during the construction phase of the new structure or other improvements. Prior to completion of the new structure or other improvements, taxes shall be based upon the full assessed value of the property when assessed.

Sec. 106-145. - Penalty for nonpayment of real estate taxes; forfeiture of exemption.

Whenever the owner of real property which has qualified for partial exemption of real estate taxes under this ordinance fails to pay the non-exempted amount of real estate taxes on the property on or before September 30th of any tax year, (i) a penalty of ten percent shall be applied to the taxes due on the full assessed value of the property for that billing period and or tax year, (ii) the partial exemption claimed for that tax year shall be forfeited and (iii) the annual credit issued for that tax year shall be canceled and of no effect.

Sec. 106- 146. - Land Book.

Nothing in this ordinance shall be construed so as to permit the Commissioner of Revenue to list upon the land book any reduced value due to the exemption provided by this ordinance.

Sec. 106- 147. - Demolition.

The exemption provided in this ordinance shall not apply when the structure to be demolished is a Virginia registered landmark or is determined by the Virginia Department of Historic Resources to contribute to the significance of a registered historic district.

State Law Reference— Code of Virginia §58.1- 3219.4



City of Petersburg

7.b

Ordinance, Resolution, and Agenda Request

DATE: December 21, 2015

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson III, City Manager

RE: **Consideration to permit the purchase 525 University Boulevard and an easement to the rear of 525 University Boulevard.**

PURPOSE: To hold a public hearing to permit the purchase of 525 University Boulevard.

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

RECOMMENDATION: Permit the purchase of 525 University Boulevard.

BACKGROUND: The City is proposing gateway improvements along this corridor and needs to have control of the property currently owned by CSX. The proposed gateway improvements will change the aesthetics of this important thoroughfare as it welcomes visitors to our great City. A passive park is a feature of the improvements and will be very inviting and interactive for all who visit.

COST TO CITY: \$25,000.00

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: January 5, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Map, Gateway Improvements

STAFF: William E. Johnson, III, City Manager



A2 Site Plan-Fleet/Canal St., Petersburg

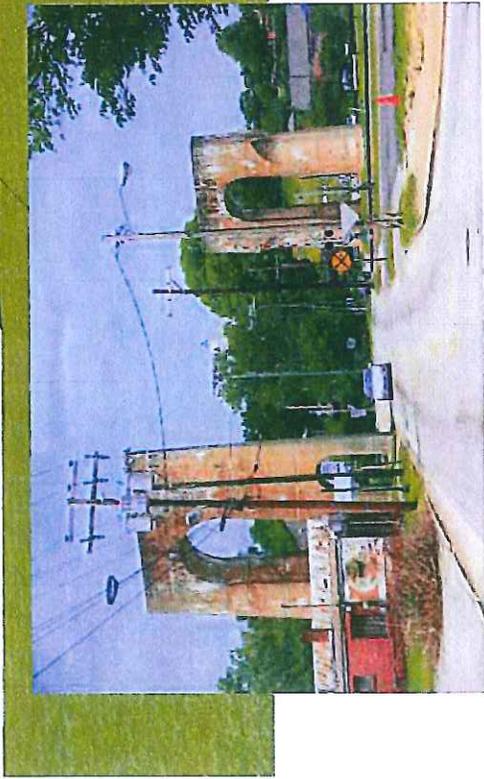
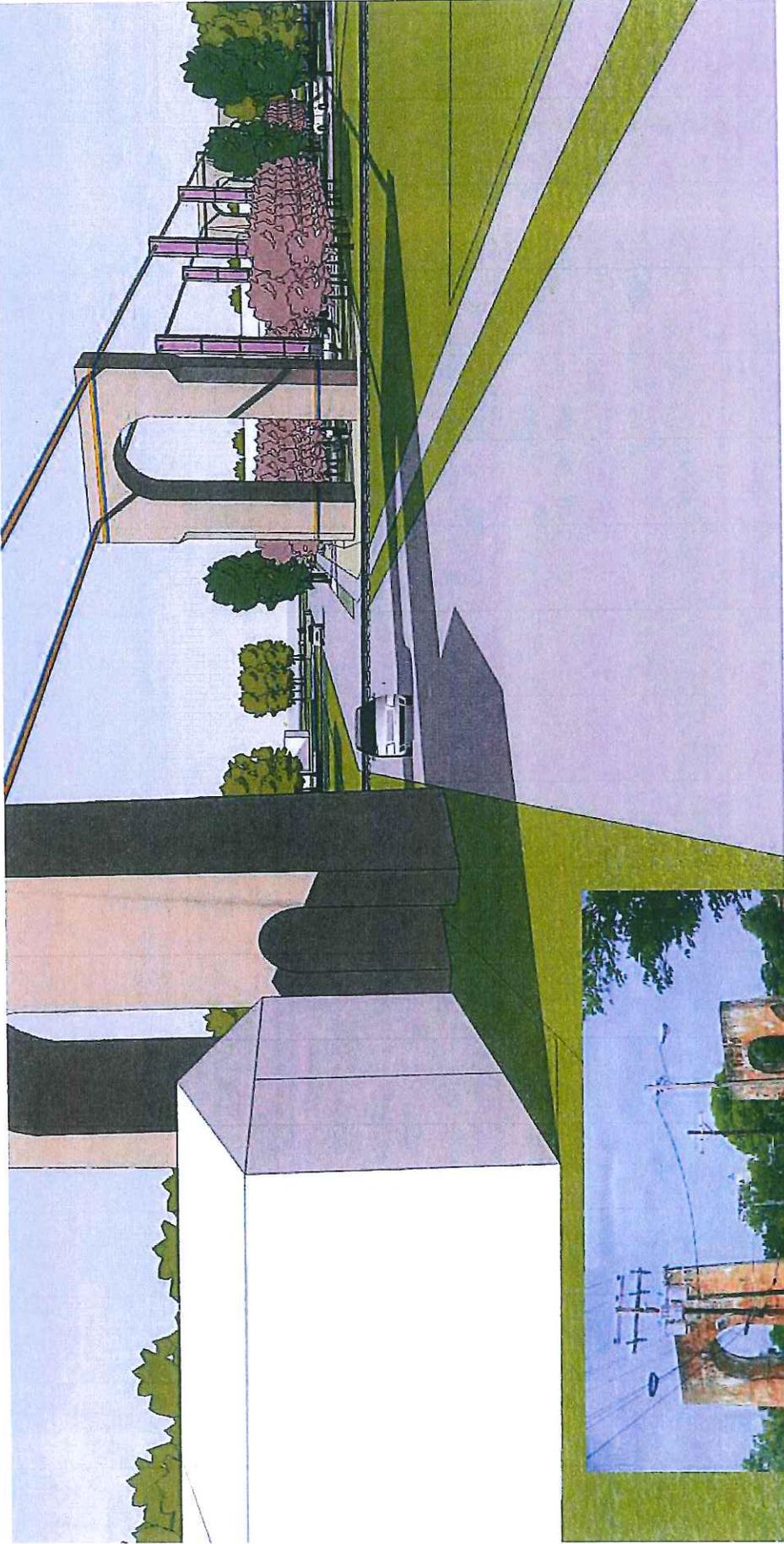


EXHIBIT "A"

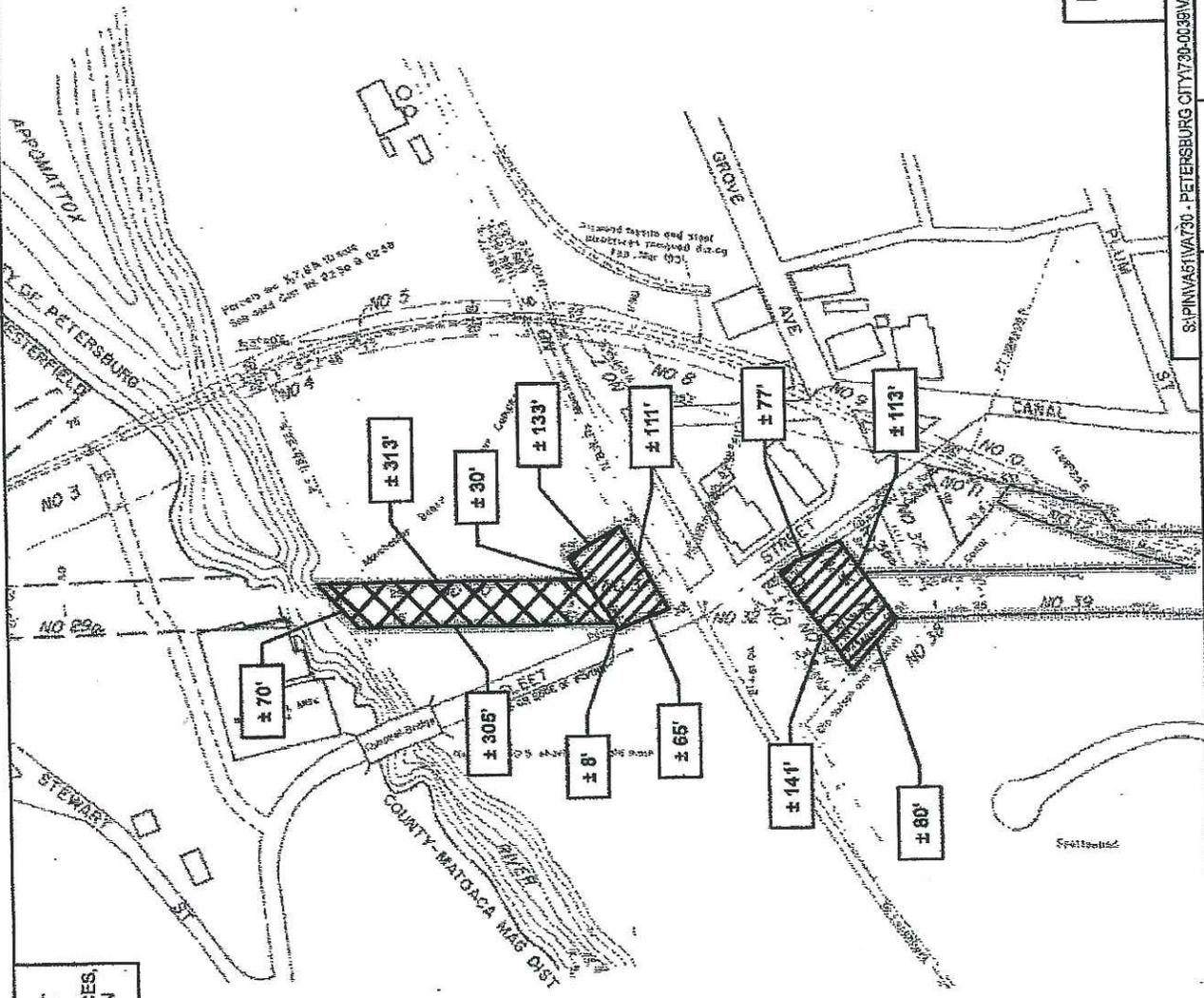
MILE POST S 22.58 - S 22.78
FLORENCE DIVISION
NORTH END SUBDIVISION

GIS#: 04687	PIN#: 51730 0039
VAL SECT: V1VA/L3	MAP#: S7A

STATE: VA	SCALE: 2,400	DRAWN BY: V5180
COUNTY: PETERSBURG		
CITY: PETERSBURG		
DATE: 7/8/2013	REVISED: 9/2/2013 TK, 10/20/2014 JB	

CSX TRANSPORTATION, INC.
SITE: PROPOSED SALE
PROPOSED SALE
PETERSBURG COUNTY - PETERSBURG, VA

THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN IN THIS EXHIBIT ARE APPROXIMATE.



- Premises, 0.40 ± Acres
- Additional Premises, 0.37 ± Acres
- Engineering Mileposts
- CSX Operating Track
- CSX Ownership/Rights

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City Manager's Report

Council Meeting – January 6, 2016

1. Please address the issues about the closing of The Skate Factory and it being referred to as a "hang out."

The City of Petersburg met with the owner July 2015 to discuss The Skate Factory. The City is working with the owner and giving her time to address the issues. The owner has been asked to address the following items:

- a. Zoning;
- b. Fire violations;
- c. Police and public safety issues;
- d. and obtaining special use permit from City Council if there are any events at the location other than skating.

The City of Petersburg is eager to assist businesses to ensure that they are in compliance with local ordinances and will continue to offer safe establishments for the residents and visitors.

2. Please give an update on the paving of the driveway by McDonald's and AutoZone.

A violation letter will be issued to the owner of this property. We will also send letters to the other businesses in this area asking them to address any aesthetic issues that may be present prior to the City sending official violation notices, such as parking lot, signage, dumpsters, etc.

3. Please provide an update on the cars that were taken from the Sheriff.

Some of the vehicles were retained by the Sheriff for staff use, nine were assigned to the Police Department and the remaining are in fleet possession that are used by City staff.

