

The regular meeting of the Petersburg City Council was held on Tuesday, January 19, 2016, at the Union Train Station. Mayor Myers called the closed session meeting to order at 5:15p.m.

1. CLOSED SESSION MEETING – 5:15 P.M.

2. ROLL CALL:

Present:

- Council Member David R. Coleman
- Council Member Darrin L. Hill
- Council Member Treska Wilson-Smith
- Vice Mayor Samuel Parham
- Mayor W. Howard Myers

Absent: Council Member John A. Hart, Sr. (arrived at 5:30pm)
Council Member Brian A. Moore (arrived at 6:15pm)

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 3 to discuss the acquisitions of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; and under Subsection 7 to consult with legal counsel and be briefed by legal staff pertaining to actual or probably litigation, where such briefing and consultation in an open meeting would adversely affect the litigating posture of the City.

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

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

City Council entered closed session at 5:15 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 Council Member Hart. 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; Abstain: Moore

16-R-2 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 Samuel Parham
Council Member Treska Wilson-Smith
Mayor W. Howard Myers

Absent:

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.)**

a. Presentation by the Job Corps – Free Vocational Education Offerings

BACKGROUND: Job Corps will present “Job Corps – Success Last a Lifetime” to encourage young people to take advantage of free vocational training offered by Job Corps.

RECOMMENDATION: Information only.

Phoenecia Hill, Admissions Counselor at Jobs Corps, gave a brief overview of Job Corps.

6. **CONSENT AGENDA:**

a. Minutes December 15, 2015 and January 5, 2016

b. Request to schedule a public hearing for the consideration of establishing a Tourism Zone.

c. Request to schedule a public hearing for the disposition of 16 parcels of property in the Halifax Triangle.

Council Member Coleman made a motion to accept the Consent Agenda that schedules two public hearings for February 2, 2016. The motion was seconded by Vice Mayor Parham. 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. A public hearing on the proposed 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. The developer plans to build single family town homes on the property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 503 West Washington Street.

Gerry and Steve Brown, petitioners, gave a brief summary on purchasing the property located at 503 West Washington Street.

Ms. Jackson opened the floor for public comment.

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

Vice Mayor Parham made a motion to permit the disposition of publicly-owned property addressed as 503 West Washington Street. 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

16-ORD-3 AN ORDINANCE TO PERMIT THE DISPOSITION OF PUBLICLY-OWNED PROPERTY ADDRESSED AS 503 WEST WASHINGTON STREET.

- b. A public hearing to permit the purchase of 125 West Washington Street.

BACKGROUND: This property is needed to build the New City Hall. The City is exercising its option to purchase the property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 503 West Washington Street.

Mr. Johnson gave a briefing on the purchase of 125 West Washington Street.

Ms. Jackson opened the floor for public comment.

Ken Pritchett, 1113 Overbrook Road, asked that with the financial stress on the City where the money will come from to purchase this property.

Mr. Johnson stated that the funds will come from the Economic Development Funds.

Mr. Pritchett asked whether a report was given from the property that had been purchased that have been put in the Economic Development Fund from the ins and outs of funds that had been used. He stated that he thinks that they had the BB&T building and that he does not know whether this is paid for or not. He stated that the rent basically pays for this. He asked whether the \$600,000 has been deposited in the Economic Development Fund.

Mr. Johnson stated that the City has the first portion of the funding. He stated that at the closing of the developer's loan the City will get the second portion. He stated that this was the way to deal with structure. He stated that by June of this year the City will receive the second funding for the BB&T building.

Willie Noise, 1508 Circle Drive, stated that he just wanted to speak. He stated that somewhere they are

talking about the City Hall. He stated that he is thinking what happened to the recreation portion for the youth in the City of Petersburg. He stated that the City did a lot of development and that now the City is putting the New City Hall in front of the Recreation Center.

Mr. Johnson stated that the Virginia Avenue School Project is moving forward. The development group is now in the process of not only securing the funding but also securing tenants for the Virginia Avenue School Project. He stated that this project is still moving forward. He stated that there is a time table for the developer to secure the funding as part of the development agreement as well.

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

There was discussion among City Council and staff.

Council Member Wilson-Smith made a motion to table action until the next City Council meeting when City Council can go into a closed session and talk about the disposition of this property.

There was discussion among staff and City Council.

Council Member Wilson-Smith withdrew her motion.

Council Member Moore made a motion to authorize the City Manager to negotiate terms for the purchase of property at 125 West Washington Street and report back to City Council with a final price. 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 and Myers; Voting No: Wilson-Smith, Parham

16-ORD-4 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE TERMS FOR PURCHASE OF PROPERTY AT 125 WEST WASHINGTON STREET AND REPORT BACK TO CITY COUNCIL WITH A FINAL PRICE.

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.

Willie Noise, 1508 Circle Drive, stated that he is requesting that the public information period time be moved up to 3.5 minutes. He stated that it is from his understanding that the Rules of Council are done January of each year. He stated that he has not heard anything about it and that he was told that it is every other year. He stated that he would like to know the status on this. He stated he would like City Council to insert between "Closed Session" and "Adjournment" a closing statement by the Mayor. He stated that to the City Attorney that on the last minute he knows how far they can go and that if needed take them there sometimes. He stated that he would like the process explained of the distribution of vehicles that are over on the island. He asked how was the young man, Mr. Chambliss, who spoke about the kids of skate factory qualifications to speak for the youth of Petersburg. He asked what the topics of the closed session last year were and what the totals were. He asked what the similarities are and whether all of them common called. He stated to watch what you say and how you represent Petersburg. He stated that they should have a vote on a public hearing for the driveway that leads to the skating factory paved. He stated that the City is so far behind that everything that the City do they have to fix two or three things. He stated that all he wants to do is get along with the master people. He stated that the way of the master people is the way of the majority. He stated that if they do not have the courage to throw the punch at least have the strength to back the one that does. He stated that commercial traffic on Washington Street is too fast. He stated that someone needs to go to the rock place and talk to the manager and see if they can get the trucks slowed down. He asked whether

they have the right to segregate in order to isolate from others to preserve for one's own race. He stated that you have to touch the heart in order to ease the mind. He stated that they need a coordinator in Petersburg.

Rasheedah Farid, 18 Jarratt Court, stated to everyone to remember former Vice Mayor Carl Michael Ross this week. She stated that she would like to start off giving out thank you's and gratitude's. She stated that she would like to thank the Governor for sending out his team of experts to assist the City's and schools in partnership to improve the school system. She stated that she would like to go back to August to thank Council Member David Coleman, Council Member Hill and the City Manager for their assistance in welcoming the students to A. P. Hill Elementary School in August. She thanked the Mayor for responding to all of her emails and phone calls. She thanked Council Member Hart for providing the employees of Petersburg Social Services on last Thursday, January 14th, with breakfast. She stated that this has never happened before and that she was so delighted. She thanked the Council Members for all the hard work they have done for the City of Petersburg. She stated that in the words of Steve Harvey, "I have one more thing." She stated that she would like to request, because the City is ranked so low on wellness and health in Petersburg, that City Council adds an agenda item to the council meeting. She stated that she was told that it cannot be done. She stated that she thinks that it can be done some type of way or created. She stated that she believes that the more that the City puts out health and wellness in the City from the leaders that people will listen. She stated that she is tired of hearing about young people having strokes, high blood pressure and diabetes. She stated that she is sick of seeing people younger than her in wheelchairs. She stated that when she visited her aunt in the nursing home there were young people in the nursing as well as residents. She stated that she will be back at the next City Council meeting to make the same request.

Brandon Martin, 1546 Berkeley Avenue, stated that with the minutes of the Council Meeting he would suggest that during the public information session that instead of saying "he stated", quotes should be used at the beginning and the end and that it should be verbatim. He stated that he request that City Council and administration report to the citizens fully on outside legal expenses and fees that have been spent in the last several years. He stated that he would suggest going back to the investigation of the generals and come forward to date. He asked is the City getting their monies worth. He asked that City Council request a full report on the current physical condition on the Jarratt House on Pocahontas and the progress of the restoration with a timeline. He asked where the City elevator inspection certificates are. He stated at the last City Council meeting City Council approved piers and the land under them from CSX by Fleet Street. He stated that after reading the information he thought that CSX should be paying the City because these things are nothing but white elephants and that they are going to be expensive and hazards. He stated that they would have to be removed eventually. He stated that they have had no maintenance and that they are not going to do well. He stated that Channel 15 and the public television station screen was frozen this past Sunday with January 8th as the date. He stated that he does not know who is minding it and asked whether the City is getting their money out of this. He stated that his last water bill was in September. He stated that he does not think that anyone else has received their water bill. He stated that this is about four months of lost income or revenue for the City. He stated that the City use to have an internal auditor and that this position disappeared in the 1980s. He stated that the gentleman that held it went on disability and then died. He stated that he suggest that the City does need an internal auditor. He stated that the problems that they City have with utilities, the police department and whatever else could be brought to light and dealt with.

Linwood Christian, 410 Mistletoe Street, stated that he do want to apologize with handing out the information to everyone. He stated that he wanted it specifically for the Mayor because it is in his ward. He stated that over the summer the City and the gas company got bombarded by calls from him. He stated that the gas company did some work in their area where they closed off the streets and dug up the streets. He stated that people could not get back and forth to work. He stated that brought the pictures for Mayor Myers and to let him know that even when the City did some work around there that the City Manager was diligent enough to let them know what and when it was going on. He stated that one of the reasons this happened was because one of the water pipes burst and that there was water everywhere. He stated that everyone in his area water pressure went down. He stated that at first the gas company told them that it was the City who did this. He stated that Mr. Johnson stated that he does not think that the City is doing any work in that area. He stated that come to find out it was the gas company. He stated that he wanted City Council to see information that he had given them. He stated that it is two sets of pictures. He stated that in the first set it is Mistletoe

and Gressett Street. He stated that there is a hole right there at Gressett Street. He stated that it is closer to Porterville Street. He stated that this area was not patched up properly. He stated that before it rains it was little holes. He stated that after it rains they become crockpot holes. He stated that when you try to avoid them you are heading into another one. He stated that this is going to damage a person car. He stated that in the pictures he has different views on different streets. He stated that he has sent these same pictures to the gas people. He stated that he is hoping that someone can advocate on their behalf. He stated that they have a lot of older people in that area and that their cars are getting messed up. He stated that he brought the pictures so that Mayor Myers can see what was going on in that area. He stated that as Mr. Noise brought up that City Council needs to remember that they are citizens of Petersburg and that just like them they have family that live here. He stated that they must not forget that the young people are Petersburg too. He stated that if they want a lot of the shooting and robbing to stop that they have to pay attention to the young people and the senior citizens.

Ken Pritchett, 1113 Overbrook Road, stated that he would like to bring something up that he brought up again in April. He stated that this was the property that the City sold at 530-532 Fleet Street which is now University Boulevard. He stated that in the minutes of October 20, 2015, it was said that this property was addressed directly with Mr. Ken Pritchett. He stated that no one has addressed anything with him. He stated that he is not going to go over all the facts again. He stated that everyone pretty much knows what is going on. He stated that his question is how and why parcel 010-03-0006 got included with the sale of parcel 010-03-0005. He stated that he passed out a picture of a sketch lot that was in the ordinance that they voted on and that he voted on also. He stated that it was a great plan and that unfortunately the plan could not be carried out by the purchaser. He stated that the purchaser paid \$5,000. He stated that he would like to know who the purchaser is. He stated that he has a copy of one of the checks that David Montoya wrote and then he has one that said Montoya D. Papps addressed at 431 West Washington Street. He stated that he wanted to know who bought and sold that piece of property. He stated that he would like to see that this is corrected at some point of time. He stated that the City gave away some property back last year in 2014 to a group that was going to build a gymnasium or sports complex at the sports complex. He stated that the City gave this property to them and then they came back and asked for more and that the City gave this to them as well. He stated that this was supposed to be started immediately. He stated that as of yesterday it has not been started. He stated that if the City is going to give away property he has one that he would like to have. He stated that he would like to have parcel 053-04-0002. He stated that he would be willing to pay \$50 for it. He stated that the address is 1600 Shirley Avenue. He stated that he would like to have it because it is pretty. He stated that he had an incident that he thinks that the City needs to look into on High Street. He stated that there is a person that he knows that had a problem with the sewer that caved in. He stated that it was determined later that the gas company drilled through a vertical or horizontal line that had taken of one third of the City's tap line. He stated that the City's tap line on that street may need to be looked into. He stated that Larry Brown in the Department of Utilities did a great job. He stated that he had showed him everything and that he even went down and took pictures of it. He stated that Colombia Gas is taking care of it. He stated that had the gas company not taken care of this the citizen would have to pay \$1854 to have their sewer line replaced. He stated that this is the only jurisdiction around that would have citizens to pay for the City's utility tap. He stated that he would like the City to consider this.

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

- a. Consideration to amend the Weeks of Wonder History Camp special fund.

BACKGROUND: Donations were sought and received for the history camp. These funds are to be used to provide for the needs of participants. These funds support the implementation of the WOW (Week of Wonder Camp) that provides valuable opportunities for youth in learning about the diverse history, culture, architecture and environmental assets in the Petersburg region.

RECOMMENDATION: Recommend Council enact the attached appropriation ordinance in the amount of \$1,823 to be carried forward to 2015-2016.

Vice Mayor Parham made a motion to enact the appropriation ordinance in the amount of \$1,823 to be

carried forward to 2015-2016. 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

16-ORD-5 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 \$1,823 FOR HISTORY CAMP.

- b. Resolution in Support of Virginia's Retreat to Apply for Nonprofit Status.

BACKGROUND: In 1993 the counties of Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, Prince Edward and the City of Petersburg came together to better promote the region's tourism assets. Representatives from each county joined forces with the Virginia Tourism Corporation, the Virginia Division of State Parks and the National Park Service to design a regional approach and, out of this collaboration came Virginia's Retreat and the development of the Lee's Retreat trail and the Civil Rights in Education Heritage Trail®.

The Virginia's Retreat board of directors, recently completed a two year strategic planning process one of the recommendations of the strategic plan was that the Board of Virginia's Retreat should apply for nonprofit designation in order to fund raise, receive corporate donations, apply for more grant opportunities to increase to a higher level the return on investment so that Virginia's Retreat can increase the marketing activity for the region.

RECOMMENDATION: Staff recommends approval. The majority of the counties involved in Virginia's Retreat have already passed the resolution of support at their recent Board meetings.

Council Member Moore made a motion to approve the resolution in support of Virginia's Retreat to Apply for Nonprofit Status. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

16-R-3 A RESOLUTION IN SUPPORT OF VIRGINIA'S RETREAT REQUEST TO APPLY FOR NON PROFIT DESIGNATION.

Council Member Wilson-Smith asked Mr. Johnson was there a financial audit in 2015 and if so can they get a copy.

Mr. Johnson stated that the audit will be presented to City Council at the next City Council meeting, February 16, 2016. He stated that the external audit is something that is required every year to City Council and that this is in the state code.

Council Member Hart asked Mr. Johnson for the current status of the bills that go out to vendors or businesses. He asked is the City current with them. He stated that this information can be emailed to him. He asked where the City is with the water billing issue. He stated that he is asking that they look at the corner of Defense Road and Boydton Plank Road. He stated that on one side of the street there is a do not enter sign. He stated that when people are entering to the left he does not think that people see the "Do Not Enter" sign. He stated that it is only about 50 feet. He stated that when you go in that direction where you wing to your right a lot of people are still going there. He stated that he wants to know if they can get a bigger sign or have one on the right side. He stated that for the month of January the outstanding citizen would be Marvin Ricks. He stated that he is in the Western Hills area. He stated that Mr. Ricks has done a lot in that neighborhood and that he calls and lets him know of things that are going on in the area.

Council Member Coleman asked for the current status of the old Trailways Bus Station.

Mr. Johnson stated that they have written correspondence to the owner of the building confirming that the clause will kick in June 2016 and that the owner has promised to give a status update on where he is with

moving the project forward. He stated that this information is due at the end of this month.

Council Member Hill stated that on March 21st beginning at 6:30pm he will be having a meet and greet with his citizens in his ward at Traditions. He stated that he would like to also thank his citizens for staying in contact with him throughout the month. He stated that he knows that they have some snow coming up and that he would like for everyone to be safe and if they are on the roads to be cautious. He stated that last time he was real pleased with the department cleaning the snow last time.

Vice Mayor Parham asked the City Manager to check into excessive noise coming from the railroad tracks on Northampton Road. He stated that Ward 3 will be having a meeting on February 29th. He stated that one of the speakers will be Dr. Shifflett, new interim school superintendent. He stated that this meeting will be help with School Board Chairman Kenneth Pritchett. He stated that it will be a joint meeting.

Mayor Myers stated that he normally does not respond to things that are brought up at the public hearing but that in respect to Gressett, Mistletoe, Bolling and Porterville Street this is the first time he has heard of a complaint. He stated that this is in respect to any potholes. He stated that he is sick and tired of his reputation and his ethics being impugned by one individual at each council meeting. He stated that he would like to set it for the record that his phone number is 804-733-2323 and that his personal cell is 804-590-7988. He stated that he do answer and return every phone call that he receives.

10. CITY MANAGER'S AGENDA:

a. City Manager's Report

1. Can Council clarify thousands of dollars spent to VML?
 - a. The VML provided members of council an educational opportunity to learn about global trends that impact economic development, available resources, fiscal responsibility and leadership. In the past it has been customary to pay for education opportunities.
2. Can a report be provided to the public about the recent conference trips taken?
 - a. Yes, one may submit this request through the Virginia FOIA process.
3. Please follow up on the issue at the Skate Factory.
 - a. All questions regarding the Skate Factory should be directed to the City Attorney's Office.
4. How can residents receive responses to their questions during the Public Information Period?
 - a. Answers to the public information questions are posted online in the "Council Communicates" after each council meeting. The City Manager also responses to questions at the following council meeting.
5. Will Council hold a separate town hall meeting for entire community?
 - a. Each member of City Council will hold his or her traditional ward meeting.
6. Please address the drainage issue at 652 Old Wagner Road.
 - a. Public Works is actively working on a solution to address the area wide drainage to include standing water.
7. Please address the light at Rives Road and Crater Road.
 - a. The City's consultant synchronizes (retimed) the traffic signal on S. Crater Road last fall to optimize traffic flow. Staff reviewed the traffic light and the traffic engineer consultant was asked to monitor the intersection and adjust the traffic signal timing based on field observation.

Mr. Johnson stated that he will be providing City Council Members with no later than Friday, January 22, 2016, an update on the water billing issue. He stated that he hates to say that this has been a long

process. He stated that the City had some issues in-house but also with the contractors who helped install the meters. He stated that by this Friday City Council will be receiving a written update.

11. CLERK OF CITY COUNCIL'S AGENDA:

No items for this portion of the agenda.

11. CITY ATTORNEY'S AGENDA:

No items for this portion of the agenda.

12. CLOSED SESSION (IF NECESSARY):

No closed is necessary.

13. ADJOURNMENT:

City Council adjourned at 7:23 p.m.

Clerk of City Council

APPROVED:

Mayor