

The regular meeting of the Petersburg City Council was held on Tuesday, May 3, 2016, at the Union Train Station. Mayor Myers called the regular meeting to order at 6:30p.m.

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
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: None

Present from City Administration:

Acting City Attorney Mark Flynn
Acting City Manager Dironna M. Belton
Clerk of Council Nykesha D. Jackson

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. A proclamation designating May 15-21, 2016, as National Police Week, and May 15, 2016, as Peace Officers Memorial Day.

BACKGROUND: National Police Week, which occurs each year during the week in which May 15th falls, recognize the service and sacrifice of U.S. law enforcement. Established by a joint Resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line duty for the safety and protection of others.

National Police Week is a collaborative effort of many organizations dedicated to honoring America's law enforcement community. Principal organizers of National Police Week are: National Law Enforcement Officers Memorial Fund (NLEOMF), which sponsors the annual Candlelight Vigil at the National Law Enforcement Officers Memorial; Fraternal Order of Police/Fraternal Order of Police Auxiliary (FOP/FOPA), which organize the Peace Officers Memorial Day Service at the U.S. Capitol; and Concerns of Police Survivors (C.O.P.S.), which holds the National Police Survivors' Conference.

RECOMMENDATION: Recommend Mayor Myers read the attached proclamation.

Two police officers accepted the proclamation on behalf of the Petersburg Police Department.

6. CONSENT AGENDA:

- a. Minutes of Regular Council meeting April 5, 2016, and Special Council Meeting April 11, 2016.
- b. Schedule a public hearing on an Ordinance to release certain covenants and restrictions imposed by Ordinance 97-62.
- c. Schedule a public hearing to receive citizen comment on a request to apply for a loan to C.A. Harrison Companies, LLC for the purpose of renovating the former hotel property located at 380 East Washington Street.

Council Member Hart made a motion to accept the Consent Agenda that schedules two public hearings for May 17, 2016, regular City Council meeting. The motion was seconded by Council Member Coleman. 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 for Special Use Permit pursuant to Article 23, Section 4(23) of the Zoning Ordinance to operate a stand-alone vehicle repair business, subject to certain terms and conditions at 3022-A South Crater Road T.P. 081-04-0807. The property is zoned B-2 General Commercial District.

BACKGROUND: The property was recently vacated by Jamie Holman (JCS Auto Center) who operated his automotive business at this location since 2003. Mr. Holman recently moved to 946 East Wythe Street which was a special use request approved by Planning Commission and City Council last year. This property was originally built and used as the Crater Glass Shop. In 1991 additional development was constructed to the rear of the property and contained a building with 8 residential apartments. The subject parcel has frontage along South Crater Road of 100 feet. The proposed automobile repair business will use the existing three bays, and would be limited to that area as the front part of this building is leased as an office and independent of this request.

The automotive repair business is permitted at the proposed location with the approval of the Planning Commission and City Council.

Staff met with the applicant and shared the conditions that would be a part of staff's recommendation. This will help us to maintain an appealing corridor; although the use is permitted and the area is appropriate for this type of use; we still want conditions to govern the operation of the automotive business.

RECOMMENDATION: Following a duly advertised public hearing, Council may affirm the Planning Commission recommendation, overturn the Planning Commission recommendation, table for further consideration, or return the item under consideration to the Planning Commission was to deny the special use permit request with a vote of 7-0.

Michelle Peters, Director of Planning and Community Development, gave a brief overview of the request.

Ms. Jackson opened the floor for public comment.

Ken Pritchett, 1113 Overbrook Road, asked if the planning director can read the terms and conditions so that everyone knows what they are.

Mrs. Peters read the terms and conditions out loud.

Mr. Pritchett thanked Mrs. Peters. He stated that this is a main area in the City. He stated that he wondered if some conditions can be added as far as landscaping is concerned. He stated that he is trying to make this part of the City look a little nicer. He stated that you would think that the planning department can look at these situations and add some form of landscaping as a condition. He stated that he knows that they have done some in the past on East Washington Street. He stated that there were some conditions with landscaping but that they were never done.

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

Vice Mayor Parham made a motion to approve the Special Use Permit for the stand-alone vehicle repair business located at 3022-A South Crater Road. 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

16-ORD-20 AN ORDINANCE TO APPROVING THE SPECIAL USE PERMIT FOR THE STAND-ALONE VEHICLE REPAIR BUSINESS LOCATED AT 3022-A SOUTH CRATER ROAD.

- b. A public hearing on the Fiscal Year 2016-2017 Operating Budgets.

Ms. Belton stated that based on providing the public with a synopsis of the FY17 Budget, she asks to table this public hearing until May 17th.

Council Member Hill made a motion to table the public hearing on the budget until May 17th. 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

- 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.

Brandon Martin, 1546 Berkeley Avenue, stated that he has a couple of things to comment on this evening. He stated that he has asked the Clerk of Council to distribute a copy of the magazine to all council members and the city manager. He stated that the magazine basically deals with antique fire trucks. He stated that this is the current issue of the magazine and that it first appeared in the winter. He stated that he ask them at their leisure to take a close look at it and then pass it to a member at the fire department that they know personally. He stated that he does this because the City owns three antique fire trucks. He stated information on an antique truck that the City own. He stated that asks that he antique trucks that the City owns be brought back to useful services in parades and other public functions. He stated that he thinks that it would enhance the City for all and also the morale for City employees. He stated other counties that have antique trucks. He stated that it was really a shame to go to local functions, antique vehicles or fire events knowing that we have these fire trucks. He stated that none of them are out for the public to see. He stated that some of them are not worth looking at, sort of. He stated that back in early January he brought up the question regarding the little green box. He stated that they are records miscellaneous papers from 1830 to 1862. He stated that they were just sitting for the last ten years in finance. He stated that he last that he has known was this information was in the finance department's safe. He stated that he suggested in January that the most appropriate place for these documents be the Virginia State Library. He stated that he has not heard anything it since. He stated that he is very concerned. He stated that the next item is grass cutting. He stated that grass is growing everywhere in the City. He stated that many of them are vacant lots and City property. He stated that he drove by the McKenny Library tonight and that it looks like a hay field.

Kimberley Ann Calos, 530 High Street, stated that she is present tonight to invite everyone and all interested bodies to join the Progress-Index, Petersburg Chamber of Commerce, CFS and Petersburg Pickers for their first Operation Clean Sweep Petersburg Liter Clean-Up Day. She stated that they will meet at the Petersburg Pickers Parking Lot on the corner of Wythe and Guarantee Street, behind the Appomattox Regional Governor's School. She stated that it will take place this Saturday, May 7th, at 8:00am. She stated that they will be picking up from Guarantee Street, down Wythe and Washington Street to the eastern City limits. She stated that Operation Clean Sweep Petersburg will continue sweeping the City clean through organized clean-up days, education, Adopt-A-Street programs and more. She stated that it is their sincere hope that all of the liter of Petersburg will soon be swept away forever. She stated to honor our mother's and make them proud.

Beth Whitten, 1765 Fairfax Street, stated that she is present to speak on the closing of the museums. He stated that it has been brought up before but that she will bring it up again because it is worth it. She stated that the Siege Museum and the Centre Hill Museum are both closed. She stated that one of the major economic engines is tourism. She stated that they have gone around promoting tourism but two of the most significant sites in the City are closed. She stated that they just had the Garden Day in the middle of the week and it generated over 400 visitors to the museum. She stated that this was from minimal advertisement. She stated that they can imagine that if there was proper advertisement and enthusiastic to go along with it then the numbers would be high. She stated that according to the Progress-Index there has been significant damage done to the historic sites from the film industry. She stated that they have spilled hydraulic fluid on the marble steps and statue area, removed lights and replaced lighting fixture causing electrical problems. She stated that they put nails in 150 year old moldings. She stated that this sort of behavior should not be tolerated by that industry. She stated that they benefit from them coming to Petersburg. She stated that it draws interest yet there is nowhere in the credits of the film is Petersburg every recognized. She stated that it should be mandatory to bring credit to this City and generate the maximum interest. She stated that she would ask that there be some type of accountability or standards put in place that when the film company contracts with the City that they are going to adhere by a certain set of criteria. She stated that the first being is to do no harm. She stated that the structures are historic in nature and that they should not be nailed into or just put in disrepair or removed without it being necessary. She stated that if they do this they have to enumerate the City for any damages for the justified period of time. She stated that she would ask that processes be put in place and accountability. She stated that staff would oversee these processes that the film industry is not destroying our historic structures.

Cory Harris, 2316 Anderson Street, stated that he would like to start off by reading a quote. He stated, "The ultimate measure of a man is not where he stands in a moment of comfort and convenience but that it is where he stands in times of challenge and controversy." He stated that his question is quite simple. He asked what the plan that truly helps the citizens is. He stated that he sees the town houses and the apartments but what is council's vision for helping them. He stated that he personally has not seen this yet. He stated that he could be wrong but that he has not seen it yet. He stated that 17% of people in Petersburg do not have health insurance. He stated that last month he went to the emergency room. He stated that he did it on purpose just to see something. He stated that he went there and that they took him to the back and that they checked his ears, nose and chest. He stated that they asked did he have insurance and that he stated that he does not have it with him. He stated that less than 10 days they sent him a \$1,400 bill. He asked City Council could they possibly imagine what people who do not have health insurance and living on a fixed income getting a \$1,400 bill. He stated that this is insane. He stated that it is insane for people who can barely survive to go through issues or actually making a choice to go to the doctor or just simply paying a bill. He stated that this is what he does not understand. He asked why City Council cannot focus on the people that need help the most. He stated that if they take a survey right now to see how many people is from Pin Oaks, Pecan Acres or Halifax Street there will not be one hand behind him. He stated that these are people who are really suffering. He stated that they wonder why they cannot come to City Council. He stated that he will tell them why. He stated that it is because that as Malcolm X or Martin Luther King said that it is the vicious cycle of poverty. He stated that the get their children up for breakfast and school and then go to a job that they do not like. He stated that the job does not pay them enough. He stated that they come home and get the kids dinner and the cycle continues over and over and over again. He stated that this is something that they need to break. He stated that he reached out to all of City Council and that it is because he cares about his City. He stated that it is three words. He stated James Harris. He stated that most of them know who he is and what he did for the

City. He stated that it was 40 years for the City. He stated to Mayor Myers that he is quite sure that he wants him to wrap it up.

Barb Rudolph, 1675 Mount Vernon Street, stated that she comes today to talk about money. She stated that the forensic audit request for proposals was released today. She stated that this is good news about the RFP. She stated that she would like to talk about the FY17 Budget. She stated that they know that it is really challenging and that they know that they are already behind schedule. She stated that she knows that people are working hard on it. She stated that with this added pressure it is even more important that the process be thorough transparent. She stated that citizens need to have access to the budget proposal well before the proposed May 17 hearing as mentioned. She stated that they are paying to operate the City and that they have every right to have timely and complete information in an accurate role in the process. She stated that she hopes that this is what they are planning. She stated that she hopes that this is what they are planning and that they see something really soon. She stated that the school division recently hired a much respected leader, Dr. Newsome, to help drive long needed improvements. She stated that the City needs the same kind of skilled turnaround expert and someone with significant municipal budgeting experience and expertise to lead the reform of Petersburg financial management practice. She stated that with all due respect to City Council and City administration they do not have this now. She stated that it is good to know that the forensic audit has finally been launched and that she has already expressed her interest in being appointed to the Citizens Advisory Committee. She stated that considering the huge scope of the planning investigation of 10 years of records, she is asking for them to be thoughtful and flexible in evaluating the proposals. She stated to not shove the audit because the scope that the established only attracts expensive solutions or providers. She stated that she believes that viewing five years of records can provide the answers that they need at a more reasonable cost. She stated that this is something to bear in mind as they get to June and things come up. She stated that her final point is to ask for more frequent financial reports. She stated that Senator Dance gave the Mayor some good advice on directing staff to give monthly reports which does not seem like it has been adopted yet. She stated that she does not know if they have it in the works. She stated that it also helps her to learn that the key elements of the Mayor's past election campaign platform was to provide monthly online expenditure reports for increased transparency. She stated that she thinks that most citizens think that it is a great idea. She stated that she ask them to please revisit this and please do not make the mistake of underestimating the looked interest in any of these areas. She stated that they are working to have a City to have a more financially healthy then it is right now.

Willie Noise, 1508 Circle Drive, stated that he would like to give a thanks and a shout out to the Police Department and the Fire Department. He stated that it seems to go hand in hand. He stated that they are doing a great job. He stated that he has a couple proposals that he would like for Council Member of Ward 7 to present to City Council. He stated that the first one is to consider a motion to the City Council to return Mr. Gowman to continue his investigation into the wrong doing, if any, of Mr. Hicks, the boy, Mr. Johnson and Johnson Controls. He stated his number two would be to do whatever it takes to take a ruling to keep the present ward system or change it. He stated that his number three would be to state the rules of conduct at City Council meetings. He asked who has sergeant of arms responsibility and contempt of City Council. He stated his number four is to make it mandatory that all matters of the City by the manager be approved by the Mayor. He stated that this would be giving the Mayor the siding vote. He stated that they need to do some instruction adjustment or procedures. He stated that the policy on headdress at the council. He stated this number seven is flag flying at night and not being lit. He stated that they should consider the serenity prayer during the moment of silence as a trial for once.

Saint Dobie, 576 Oakwood Circle, stated that he is present to speak on a couple of things that have been brought to his attention. He stated that the first on is that he resides at 576 Oakwood Circle off Wagner Road. He asked were there any funds allocated to fix the streets in Petersburg. He stated that he has a corvette and that the tires on this vehicle are very expensive. He stated that also most every three to four month he has to get it realigned. He stated that almost six months to a year, the front of the tires is worn out. He stated that he lives off Wagner Road and that there are still potholes from Wagner Road from about two winters ago that only have asphalt put in the holes. He stated that when you hit them it's like a big bump and that it is very uncomfortable. He stated that most of the streets are like this. He stated that there are only a few that you can drive down with a smooth ride. He stated that his second comment is on the farm animals that are

located in the City. He stated that he thinks that the bill has passed. He stated that they have been asked to remove them. He stated that this has not been enforced. He stated that there should be a way of removing the manure and things up. He stated he has a dog that he has to clean up behind every day. He stated that if you do not clean it up every day then there is a smell. He stated that donkeys and goats are considered agriculture animals. He stated that animal control or someone needs to take action against this. He stated that the thanks the Mayor and residents of Petersburg for listening to his complaints and reasoning.

Ken Pritchett, 1113 Overbrook Road, stated that he has a couple request. He stated that a list of Petersburg properties were put out in 2013 and that he just wondered was there an update on this. He stated that if there is an update or that it is online then they can let him know if this is the case. He stated that he would like to see if they can get an accounting of the City property that has been sold since the last accounting the City had which was about two years ago. He asked can they see what the balance is for the Economic Development Fund. He stated that these monies are only supposed to be used in there and that he knows that this had been borrowed and paid back and that he would like to know where this stands. He stated that it would be nice to put this in the paper so that everyone can see. He stated that the other thing is that he would like to see while they have a chance right now on the debt collection a monthly update on where they stand again. He asked can this be put in the paper and that this would satisfy the transparency that everyone would like. He stated that the last thing is that he brought this up before and that he got an answer back in January or February regarding the AAU Basketball Sports Complex. He stated that he still does not see anything on this. He stated that they gave these people that were building this approximately three or four acre and after those they came back and asked for more. He stated that he believes that it six or seven acres that the City has given them. He stated that they need to either get the building finished or get the land back for nonperformance.

Michael Edwards, 409 Grove Avenue, stated that as the City's financial problems were being publicized in February, they learned that the City was behind in payment to VRS, Appomattox Regional Water Authority, Riverside Regional Jail and some speculated CFS was behind as well. He asked what the current status of payment to these organizations is. He stated that water and refuse collection are services that effect resident and business within the City. He stated that he hopes that it is the City's top priority to make sure that these payments are brought forth and current. He stated that he would like the status to road work on North Park Drive. He stated that the road was closed last July to replace culvert pipes that drain water from the roadway to the pond. He stated that no work has been done in months while the road remains closed. He stated that he was told after many phone calls that the work had stopped because contractors were no longer being paid. He stated that the grass on much City property has not been cut and it exceeds the 12 inch height mandated and enforced by the City on private properties. He stated that the grass at McKenny Library, Centre Hill Mansion, Sycamore and Mt. Vernon Street and several other City properties well exceeds 12 inches in height. He stated that when a City resident or business owner does not keep their grass under 12 inches the City post notices and threatens to impose large fines if the property is not compliant within 12 days of notice being posted. He stated that it becomes frustrating when the residents need to comply with certain mandates but the City is not following both and the same guidelines that they are enforcing. He stated that he would like to ask that the City beautification take top priority. He stated that one of the best ways to improve the City image to other is by maintaining the City. He stated that when you come off the exit on Crater Road he knows that this is a VDOT issue but that it looks terrible. He stated that on Exit 52 you see trash. He stated that he commends this new program that starts. He stated that the City needs to maintain their own property before they can fine a citizen. He stated that last but not least how the city is progressively pursuing another grocery store since Martin's has announced that they will be closing at its Petersburg location. He asked has any effort been made by the Petersburg Economic Development and Planning Director to reach out to Kroger, Costco, Wegman's, Publix or other stores about opening a store in Petersburg. He stated that it is another known fact that Petersburg is known as a food desert. He stated that the closure of one of the City's main grocery store does not help this matter.

Mitchell Pradia, 517 High Street, stated that he stand before City Council again to ask that they enforce their ordinance 18-ORD-7. He stated that the citizens of Petersburg would like to trust its elected officials and not think that they are sleep at the wheel. He stated that City Council passed this ordinance some time ago. He stated that they only enforced this on a selected few people according to the FOIA. He stated that they did

not fully enforce the ordinance they voted for. He stated that the only ruling that he finds that the Circuit Court is the ruling against the BZA Board on an old ordinance. He stated that back in December he received a letter from Mayor Myers stating that he was not going to pursue this. He stated that he does not expect him to enforce it. He stated that he is asking Council Member Wilson-Smith, Hill, Moore, Parham, and Coleman to fully enforce it. He stated that they should make a motion at the next meeting to fully enforce this ordinance. He stated that the ordinance clearly states that no agriculture livestock or animals shall be kept within 100 yards of any residents except the residents of such animal. He asked what will it take, another election to get someone in to stand behind the laws that they past. He stated that they are elected to represent and govern. He stated that this is all that he is asking them to do. He stated to fairly enforce their ordinance. He stated that no one should be subject to live in a neighborhood with the smell of donkey feces or manure. He stated that this is a residential neighborhood. He stated that this is not just a nuisance but a blatant violation. He stated that all of the Council Members voted for this including the Mayor. He stated that he is asking all City Council Members including Ms. Belton to enforce the ordinance.

Perita Pradia, 517 High Street, stated that she has owned the Destiny Inn Bed and Breakfast for the past eight years. She stated that this is not the first, second, third or fourth time that she has been before them. She stated that her husband has a very valid point that he brings up tonight. She stated that there is absolutely a need for farm animals to no longer be allowed in their community. She stated that there is an ordinance that clearly states that they should not be. She stated that she has a couple of pictures that she would like to share with them and that these pictures were taken on May 2nd and May 3rd. She stated that these pictures are of feces that lay in the open for days at a time. She stated that she sees what goes on directly behind her home. She stated that she sees what happen when the animals defecate and the defecation lies in the open for a 24 hour period. She stated that she watched from her barn when the animal urinates. She stated that a pint of urine goes in the ground and saturates it. She stated that she has watched this happen over and over again. She stated that she cannot tell them the process that she has to go through to deal with this situation for the last seven years. She stated that she is now paying an attorney \$240 an hour. She stated that she should never have to do as a citizen. She stated that she is literally depleting her savings and retirement account in order to try and get farm animals out the community that they do not belong in. She stated that people think that it is over but that it is not okay. She stated that they do not live where she lives. She stated that her husband in the last ten days has removed another rodent from her basement. She stated that she has taken photos of the manure that has been sitting in the open for over 24 hours without being removed. She stated that she is asking them tonight to do the right thing and enforce their ordinance. She stated that she does not know who the council is beholding too. She stated that she can tell them that it is wrong to be fringed on a citizen who has invested as much time and effort into their business that they have. She stated that they have travelers all over the United States who comes to the City and spend money. She stated that that they are tax payers and that they are asking them to reconsider enforcing their ordinance. She stated that they are asking them to do what they should do as individuals that have been appointed to uphold the rights and to make sure that the citizens have their rights and to be able to enjoy them.

Lawrence McLaughlin, 115 Marshall Street, stated that he has a question for all of them but that he will direct it to Vice Mayor Parham. He asked can they let them know what is going on with the water issue. He asked what they are doing. He stated to let them know what the City is doing to get them out of this mess. He stated that if possible give them a time scale. He stated that it would be nice to put this on the City's website. He stated that if this is too hard or problematic then write a short letter to the editor of the Progress-Index or tap it on the City Hall door. He stated that he is only directing it to one person. He stated that if he directs it to everybody it will be a he'll do it or she'll do it kind of thing. He stated that his question is what they are doing regarding the water issue. He stated to give them some transparency and that this is Petersburg. He stated that he had property on High Street since 1971 and that the sheep and the donkey are wonderful assets. He stated that they do not smell. He stated that donkeys were good enough for Jesus.

Gloria Brown, 1557 South Sycamore Street, stated that she is not in attendance to complain. She stated that she just need some resolve to an issue that she has been having. She stated that this is the third year that she has been chasing this issue. She stated that Mayor Myers and she had a conversation regarding the grass. She stated that she has some properties and a 10 by 10 lot. She stated that it is no larger than this area. She stated that she received an astronomical grass cutting bill. She stated that she did not get a previous

notice. She stated that she went through all of the channels to try and find out why. She stated that when she spoke to Mayor Myers he stated that City Council passed where you do not have to be notified. She stated that she understands that they send people bills or whatever and that they get ignored. She stated that when she tried to resolve the issue she called Mr. Wiggins, sent emails and even met with his wonderful staff. She stated that they say that he is always in the field. She stated that she wants to resolve the issue but she cannot get a response back to have a conversation. She stated that the letter that was sent to her has his information, email and telephone number. She stated that she has called him several times and has not received any return calls. She stated that she has emailed several times and no return email. She stated that she is a busy person but that he cannot be that busy that he cannot return any correspondence after three years. She stated that every single month or every other month when the bills comes out she has a bill with fees and interest. She stated that her piece of dirt that she has should not be getting a bill of \$800 for grass cutting. She stated that she sent her landscaper that does her private property out and that he stated that doing little lots would tear up his equipment. She stated that he went out there once but that it is hard to find someone to go out and cut a lot. She stated that she cannot go out there. She stated that she just the bill and that it is the total bill. She stated that the bill does not break down who and when it was cut or how much it is. She stated that there is not even a fee structure on it. She stated that she is not one to throw shade but that when she rides pass McKenny Library she is like "really?" She stated that she has a \$1000 grass cutting bills. She asked is there a fee schedule. She stated that she needs to know the process. She stated that she is not paying a dime until she sees exactly what she is supposed to pay.

Vernel Gannaway, 652 Old Wagner Road, stated that he would like to talk about the residents. He stated that the residents are privileged to have an opportunity to enjoy the properties that they own. He stated that right now there should not be animals at the residence. He stated that a few years ago where he lives there were firetrucks, animal control and police because the individual had animals there on Old Wagner Road. He stated that it was dealt with. He stated that he thinks that the same things should be done with anybody that breaks the code. He stated that he is with the couple that has something that they are trying betterment the City with and for the City. He stated that the City is built on people having businesses as well. He stated that this is our entire livelihood. He stated that those that work and have businesses are proud to have it in Petersburg. He stated that the second item that he is going to talk about is the grass cutting. He stated that numerous people talked about the grass cutting. He stated that it saddens him to see that on Wagner Road there were beautiful fruit trees that pruned but that now they are now all out of source. He stated that in the meeting that he had with Mr. Hicks, when he was present, stated that there was a code in regards to 12 inches of grass that they are supposed to be cutting. He stated that the City has gone through different aspects of money that they have spent. He stated that they need to think about ways to give rebates back to the citizens. He stated that they have endured a lot of things. He stated that there have been a lot of people that have come in the City and stated that they are going to do this and that. He stated that they have come in and raped the City. He stated that they have torn the City down to what they wanted to do. He stated that this City belongs to the residents who really want to be here long term. He stated that the Progress-Index will not give you a true story. He state Richmond-Times Dispatch is giving them a true story.

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

- a. Consideration of an appropriation for \$125,000 for TANF Foster Care.

BACKGROUND: This is a federal program designed to provide funding to states to ensure proper care for eligible children in foster care and to provide ongoing assistance to eligible children with special needs receiving adoption subsidies. The program is authorized under Title IV-E of the Social Security Act and it is funded by federal and state/local matching funds. Administration is handled by state and local public welfare agencies.

Title IV-E is not a grant. It is a program under which the Commonwealth of Virginia is entitled to reimbursement for certain foster care and adoption expenses. Although there is no cap on reimbursement, it is limited to three areas and the funding formula is different for each:

1. Maintenance (e.g. room, board and transportation to visit parents and siblings)

2. Administration (e.g. eligibility determination and case management activities)
3. Training (e.g. training for child welfare staff and foster and adoptive parents)

RECOMMENDATION: To approve the requested appropriation of \$125,000.

Council Member Hart made a motion to approve appropriation ordinance in an amount of \$125,000. 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-ORD-21 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 AND ENDING JUNE 30, 2016, APPROPRIATES \$125,000 FOR SOCIAL SERVICE TANF FOSTER CARE.

- b. Consideration of an appropriation for \$10,028 to the Petersburg Department of Social Services, from the Virginia Department of Social Services.

BACKGROUND: The City of Petersburg and The Petersburg City Schools engaged into a partnership to address challenges facing our schools. This partnership was launched as a result of the Virginia Department of Education and The Secretary of Health and Human Resources addressing challenged schools in the Commonwealth. An area of major concern was school attendance. The City of Petersburg, in collaboration with the Petersburg City Schools, submitted a proposal to the Virginia Department of Social Services to secure funding for three new Family Services Specialist (Social Workers) in the Petersburg Public Schools. The attached Agreement provides details on the Scope of Work, Deliverables, Outcome and Performance Evaluation. The source of funding's: Family Preservation and Support through Social Services Block Grant, Budget Line (BL) 829 cost code BL82906f. The funding source requires a 15.5% local match, which VDSS will pay.

RECOMMENDATION: To appropriate \$10,028.38 of the funding for FY 2016, with the understanding that unspent funds will be carried into FY2017. The \$10,028.28 is the amount estimated to be used in FY 2016. The balance will be requested for appropriation in FY2017.

Council Member Moore made a motion to approve the appropriation ordinance in the amount of \$10,028. 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-ORD-22 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 AND ENDING JUNE 30, 2016, IN THE GENERAL FUND, THIS AMENDMENT APPROPRIATES \$10,028 FOR SOCIAL SERVICE FOR FUNDING THREE NEW FAMILY SERVICE SPECIALISTS.

- c. Consideration of an appropriation for \$351,508 for a grant from the Department of Health's Rescue Squad Assistance Fund to purchase a new Medic Unit and replace two (2) Automatic External Defibrillators.

BACKGROUND: Petersburg Fire, Rescue & Emergency Services provides Advance Life Support Emergency Medical Services to the community. With the age of our population increasing the calls for service are increasing also which adds to the wear and tear of this expensive equipment.

RECOMMENDATION: Recommend Council approve appropriation ordinance in the amount of \$351,507.80.

There was discussion among City Council and staff.

Vice Mayor Parham made a motion to approve the appropriation ordinance in the amount of \$351,508. 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-23 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 AND ENDING JUNE 30, 2016, IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$351,508 FOR FIRE DEPARTMENT PURCHASE OF LIFE SUPPORT EQUIPMENT.

Council Member Wilson-Smith stated that she would like to thank all the citizens for coming out tonight. She stated that she thanks them for being at their City Council meeting. She stated that she would also like to thank the people that attended the first Citizens Academy. She stated that she thinks that they had a beautiful turn out. She stated that she was glad to see so many people there. She stated that they are moving forward with this academy. She stated that the next event will be on May 22nd. She stated that it is called "The Sunday Series." She stated that at this particular meeting it will be on City finances. She stated that she would like to thank the HR Department for the lovely flowers. She stated that it is a wonderful surprise to get to the meeting and have them. She stated that everyone should have a copy of the policy in front of them and that they should have received it as well in email. She stated that the City Attorney has reviewed and updated it.

Council Member Wilson-Smith made a motion to accept the anti-poverty policy. 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 Wilson-Smith stated that the City Attorney looked at the Councilor Attendance at Conference Policy. She stated that he has revised and edited it. She stated that she is not sure that everyone got it in time for tonight's meeting. She stated that she would like them to look at it and let the City Attorney know if they would like any changes.

Council Member Hart stated that he would like to thank everyone that came out to the Ward 7 meeting last week. He stated that he would like to also thank those in the City that have cleaned up the neighborhoods with the street sweeper. He stated that he would like to give another big welcome to everyone doing the farmland at J.E.B. Stuart Elementary. He stated that they are really showing that this is needed in the community. He stated that this is bringing both the community and the school system together once again.

Council Member Hill stated that they had a town hall meeting about three and a half to four weeks ago. He stated that they will be having another one in June. He stated that he will be giving out the dates in June. He stated that he will try to have one before the summer hits here. He stated that he has spoken to the City Manager about the grocery store and that economic development is looking for what will go with this property. He stated that the City does not own this property but they will be talking to the individuals in regards to what they can put on this property. He stated that this is one of the things that are top on his priority for the Ward 2 area.

Council Member Moore stated he has a list of items tonight. He stated that the first is a draft of a motion to approve the Interim City Attorney's hours for April. He stated that the contract with Woodley and Flynn requires City Council approval for work over 40 hours in a month. He stated that with the many City issues that the City is working through the City has the need of the services from Mr. Flynn in excess of that time. He stated that in addition John Paul Woodley of the firm is assisting with the water billing issues with the contractor. He stated that it is his understanding that Mr. Flynn is not billing for all his time and attempted to limit the cost.

Council Member Moore made a motion to approve the hours worked by Woodley and Flynn for April 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

Council Member Moore passed out information to City Council Members. He stated that it is a draft proposal for the Petersburg City Attorney application process.

Council Member Moore read the contents of the draft proposal out loud.

Council Member Moore made a motion to approve the draft proposal to start the process for a new City Attorney. The motion was seconded by Mayor Myers. The motion was not approved on roll call. On roll call vote, voting yes: Moore and Myers; Abstain: Coleman, Hill, and Parham; Voting No: Hart, Wilson-Smith

There was discussion among City Council Members and staff.

Vice Mayor Parham stated that he will be having his Annual Summer Fair with Kenneth Pritchett, School Board Member. He stated that it will be next Thursday, May 12, 2016, beginning at 6:00pm at Petersburg High School. He stated that it gives all the children in the City the opportunity to find out about summer programs and services for the youth. He stated attending will be the Petersburg YMCA, Petersburg 4-H, Petersburg City Schools, Petersburg High School Athletics, Virginia State University, Goodwill Employment Center, Petersburg Boys & Girls Club, Petersburg Sheriff Department, Concerned Black Men, Girl Scouts Troop, Petersburg Parks & Leisure Services, Petersburg Museums, John Tyler Community College and tutoring agencies and more. He stated to please bring the children out on the 12th to the high school to get them in programs to keep them busy for the summer. He stated that if you do not have a child then bring your neighbors children. He stated that he will be having a Ward 3 Joint Meeting with School Board Member Kenneth Pritchett on Monday, March 23, 2016, at Dogwood Trace Golf Course. He stated that the speaker will be Acting City Manager Dironna Belton. He stated that they are bringing in the collections with regards to delinquent taxes that are due to the City.

Vice Mayor Parham made a motion that the treasurer provides a list of properties to City Council as required by law of all properties eligible for sale as well the date in which the City or its representative commit to disposition by tax sale no later than May 17, 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

There was discussion among staff and City Council Members.

Mayor Myers made a motion to allow the Acting City Manager to assemble a team of professionals to review and advise advisement that will assess and approve the processes relating to review to the Commission of Revenue and Treasurer's Office. 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

Mayor Myers made a motion that City Council take disciplinary actions against Councilwoman Treska Wilson-Smith for her continued refusal to abide by the rules of Council and abuse of power with respect to her office. He stated that these past and present infractions warrant the imposition of sanctions by this body.

Mayor Myers read an outlined list of the actions out loud.

There was discussion among City Council Members and staff.

Council Member Moore accepted the motion to take disciplinary actions against Councilwoman Treska Wilson-Smith for her continued refusal to abide by the rules of Council and abuse of power with respect to her office.

There was discussion among City Council Members and staff.

10. CITY MANAGER'S AGENDA:

Ms. Belton stated that the first item deals with response to Council Member Moore's regard to the status of the Virginia State Police Investigation and the status of the Forensic Audit. She stated that December 2015, the Virginia State Police were contacted and asked to conduct an inquiry or investigation of criminal

cases found to be missing U.S. currency or cash within the property or evidence storage areas of the Petersburg Police Department for the 4th Street Annex. She stated that the request came after an ongoing internal audit initiated in 2015 by police personnel. She stated that there after Chief Dixon met with Cassandra Conover and agreed to suspend the internal audit and have the state police conduct an independent investigation. She stated that the state agreed and that in January 2016 the Virginia State Police begin asking for a report and audit of property and evidence held in the City of Petersburg property room. She stated that this was to include property or evidence that was returned to owners and/or destroyed in the past three years. She stated that the last time that a report was requested by the Virginia State Police was in March 2016. She stated that the case continues to be investigated by the Virginia State Police. She stated that the request for the financial auditing services was publicly advertised for today, May 3, 2016. She stated that proposal packages will be due June 3rd by 2:30pm in the Purchasing Department. She stated that there is a no contact policy. She stated that should any particular offers have questions regarding the forensic audit financial request for proposal then refer all questions to Mrs. Tangela Innis, Purchasing Agent, at 804-733-2346.

a. City Manager's Report

1. Can the City Budget be put online?

-The FY17 proposed budget will be posted online prior to the May 17th public hearing. The FY15 and FY16 Proposed and Adopted budget can be found on the Petersburg City Website at ww.petersburg-va.org. Once you arrive at the site, click the tab for government and the click the link titled "Finance." On the "Finance" page you will find a link to Financial Reports.

2. Can an accounting be provided for the \$625,000 Fire Department equipment grant?

-The Fire Department was awarded a \$625,250 grant from FEMA Federal Emergency Management Agency (FEMA) for protective equipment. The Protective Clothing was order from Blue Ridge Rescue Supply and the Self Contained Breathing Apparatus (SCBA) was ordered from Fire Protection Equipment Company. The grant required a 10% match by the City.

The Purchase Order was completed on September 9, 2015 for the Protective Clothing (helmet, boots, coat and pants). All sworn personnel received new turnouts (83 sets). Checks were released in February and March for a total of \$163,000.00. Each person was custom fit for the protective clothing. The protective clothing began arriving in late December. The Petersburg Fire Department has been using the protective clothing since mid-February. Protective clothing for new recruits (16) has also been ordered and will arrive at the end of May.

We have received the Train- the-Trainer from Mine Safety Appliance (MSA) and we have training units to get our troops ready for the new SCBA. The Department currently uses Survivor Air and is switching to MSA. The SCBA's should arrive the end of May. Total cost for the SCBA is \$390,800. We ordered 53 complete SCBA (face piece, harness and bottle), 53 spare bottles, 6 Rescue kits, batteries, rechargeable batteries, multi-unit battery charger, G1 tool kit, Post-check software and technician class.

The Fire Department plans to ask FEMA to allow the Fire Department to use the remaining \$71,920 in funds to purchase a cascade system which is used to put breathable air into bottles that the Department wears into a fire.

3. Can the City enforce the animal ordinance?

I will defer for the City Attorney's message

4. Will liens be placed on properties on the delinquent tax list?

-The only liens placed on real estate properties are statutory liens, which will protect the City in the case of a sale of the property or prepare the property for a tax foreclosure sale.

5. Is it possible that residents on Delinquent property tax list may lose their homes?

-The City of Petersburg does not want anyone to lose their home. Currently, the City Treasurer

has contracted with Propel Tax to assist delinquent real estate taxpayers with financing options to bring their account(s) current. Propel's contact information was printed on all real estate bills in December 2015 and March 2016. The City Treasurer's office has seen an increase in the amount of referrals to Propel Tax due to the publication of the delinquent taxpayers list in the Progress Index. If Customers would like to set up payments plans Propel Tax can contact at (888) 257-3756.

6. How much will the collection company receive?
-Within the guidelines of the Code of Virginia, TACS has charges 20 percent of the delinquent tax balance for its collection services for each account.
7. What was the comparable cost of hiring a collection company with hiring Part Time workers
-The City Treasurer has contracted with TACS, which has 50 collection representatives that can rapidly assist us in collecting our delinquent revenues. The Treasurer states that this strategy was more efficient than hiring and training new workers.
8. Why was the Siege Museum closed, when will it open and what is the status of the renovations?
-The Siege Museum was closed in January 2016 because of building and environmental hazards. The ceiling fasteners are rusted by past roof leaks which has caused ceiling material to fall unexpectedly and plaster repair problems. The floor at the siege has uneven walking surfaces that needs to be repaired and could pose a trip hazard. Based on the extensive degree of repairs and the safety of our residents, visitors and staff, the Museum was closed pending completion the renovations. It is anticipated that a contractor be on board by July and construction is anticipated to last 10-12 months.
9. When will repairs begin to the Courthouse?
-The City is currently working with the Judges and Court staff to provide a complete action plan for repair needs for the Court facilities. The City has advertised and received a bid of award recommendation for the rehabilitation of the Husting Court Clock Tower, which includes courtroom repairs. Before staff can award the contract a re-evaluating of funding and if the scoped repairs will indeed make for a functional Court.
10. What are the plans to get vendors to come back to the farmers market?
-New and returning vendors are always welcome at the Petersburg Farmers Market. Currently the Office of Economic Development has continuous vendor outreach and recruitment include the following:
 - Submitting an application for the 'Farmers Market Promotion Program funding' from the United States Department of Agriculture
 - Marketing and advertising in newsletters, email blasts, and other local publications targeting the farm community new and former vendors
 - A quarterly meeting of a community-based food network that will begin meeting later this month to provide vendors, local agencies, and residents with opportunities for sharing ideas about the Farmers Market and its location, the development of indoor vending opportunities, to address Petersburg's food desert communities, and health statistics in Petersburg

The summer market begins on May 7, 2016 with several returning vendors that have been with the market for many years. Beginning on the 7th, the market will be selling a combination of the following: fresh produce, raw honey, eggs, tilapia, plants, baked goods, salt free seasonings, flowers, goat-milk soaps, chicken, and Shitake Blue Oyster mushrooms. Some of the returning vendors have been with the market for more than 10 years.

11. What is the status of the LOI for the former location of the farmer's market under the bridge.

-The City of Petersburg has received a letter of intent for the City-Owned property located under the Martin Luther King Bridge. This interest involves developing the property as an urban garden, an outdoor entertainment venue, and/or public green space. It is anticipated that these proposals will go before Council in June.

Mr. Flynn stated that that the first question was in regards to the enforcement against the sheep that the citizen brought up this evening. He stated that in 2009, this started when the owners had sheep as pets. He stated that the Zoning Administrator allowed it to be permitted. He stated that after this the four sheep were killed by dogs and that there may have been an issue that the prior City Manager giving a verbal approval to replace the seven sheep with miniature sheep and a donkey. He stated that people have sheep; donkeys are a good protective animal. He stated that some people use dogs. He stated that Mrs. Peters issued a notice violation for the four sheep violating the previous Zoning Administrator termination. He stated that this was appealed at BZA. He stated that the BZA upheld this and this went to Circuit Court. He stated that November 2014, the Circuit Court Judge issued an opinion saying that the farm animals as pets were allowed under the City's rules. He stated that at the same time the code states that animals cannot be within certain distance of residence. He stated that the owners were found not guilty. He stated that the City has been to both courts and that the courts have disagreed with the City on both times.

Mr. Flynn went into details of the code and the law with a nonconforming use theory. He stated that it is his advice that this is not a matter that the City should pursue the owners of the sheep because of the nonconforming use.

11. CLERK OF CITY COUNCIL'S AGENDA:

Ms. Jackson stated that she does not have any items under her portion of the agenda but that she would like to pat herself on the back. She stated that this week on May 5th, which is her daughter's birthday, she will be celebrating 10 years of being the City Clerk for the City of Petersburg. She stated that she will be celebrating her 13 years that she has been working for the City of Petersburg. She stated that she is a product of Petersburg, an employee and a citizen. She stated that good things do come from Petersburg school systems. She stated that she is a graduate of Class of 2004 at Petersburg High School. She stated that she has been working for the City since her sophomore year in high school.

12. CITY ATTORNEY'S AGENDA:

No items for this portion of the agenda.

13. CLOSED SESSION (IF NECESSARY):

No closed is necessary.

14. ADJOURNMENT:

City Council adjourned at 8:23p.m.

Clerk of City Council

APPROVED:

Mayor