

The regular meeting of the Petersburg City Council was held on Tuesday, October 18, 2016, at the Union Train Station. Mayor Myers called the regular meeting to order at 6:30p.m.

REGULAR-SCHEDULED MEETING – 6:30 P.M.

1. ROLL CALL:

Present:

Council Member David R. Coleman
Council Member John A. 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:

City Attorney Joseph E. Preston
Acting City Manager Dironna M. Belton
Clerk of Council Nykesha Jackson

2. CLOSED SESSION:

*No Closed Session.

3. MOMENT OF SILENCE:

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

4. PLEDGE OF ALLEGIANCE:

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

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

a. Proclamation for Community Planning Month

BACKGROUND: October is the month that we join our planning colleagues from across the country to celebrate who planners are and the lasting value thoughtful planning has on our City. This year's theme is civic engagement, underscoring the necessity of engaging the public, elected officials, and key leaders in discussions that shape the future of our cities. It is our goal to involve the community and our key stakeholders in our city-wide strategy to get rid of blight and develop and implement initiatives that achieve the goal of community revitalization. We want to help create spaces and places that our citizens are proud to call home.

RECOMMENDATION: Proclaim October as Community Planning Month.

Vice Mayor Parham read the proclamation out loud.

Michelle Peters, Director of Planning and Community Development, accepted the proclamation.

b. Presentation on Commission of Revenue Assessments

BACKGROUND: At the request of City Council, this information is being provided for an understanding of the assessments done by commissioner of Revenue cash flow.

RECOMMENDATION: For informational purposes only.

Pamela Hairston, Commissioner of Revenue, provided information for an understanding for the assessments done by commissioner of Revenue cash flow.

There was discussion among City Council and staff.

c. Update on Collection Results from City Treasurer's Office

BACKGROUND: City Treasurer contracted with Propel Financial Services and TACS to assist in the collection of delinquent taxes in November 2015. City Treasurer has prepared and presented a monthly collection of delinquent revenue presentation for City Council.

RECOMMENDATION: For informational purposes only.

Kevin Brown, City Treasurer, presented a PowerPoint presentation.

There was discussion among City Council and staff.

6. CONSENT AGENDA:

- a. Minutes: Regular City Council Meetings, September 6, 2016; Special City Council Meeting, September 7, 2016; September 20, 2016; September 14; September 30, 2016.
- b. Request a public hearing for a Special Use Permit pursuant to Article 23, Section 4 (5) of the Zoning Ordinance to have a solar power generation facility at 950 (rear) Winfield Road, T.P. 034-02-0003. The property is zoned R-5, Multiple Dwelling District.
- c. Request a public hearing for a Special Use Permit pursuant to Article 23, Section 4 (12) of the Zoning Ordinance to operate a child care center in a residential district, subject to certain terms and conditions at 2568 N. Stedman Drive, T.P. 039-01-0012. The property is zoned R-1, Single Family Residence District.

Vice Mayor Parham made a motion to accept the Consent Agenda that scheduled public hearings for November 1, 2016, regular City Council meeting. 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

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.)

No items for this portion of the agenda.

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.

Richard Stewart, 129 Rolfe Street, stated, "Why I am here today? My community sent me to ask a question. Why you are all trying to kill us? That is the question. What is happening in Pocahontas? The waste treatment traffic has gone crazy. They have no curfew. They come anytime of the night. They come in and there is noise. There are crushed rocks and fumes. People cannot sit on their porch. They called EPA and EEQ. Something is getting ready to happen and there might be a suit against it because they are treating us so bad. Even I had to get a sample. You that there (pause) that's dust. This is what we are encountering in Pocahontas. There's a 300 feet area to put crushed rocks that Mr. Johnson told them not to put it there. But that there is 300 feet of crushed rock on the east side of Sapony Street. Today 78 trucks came through. Can you imagine how much dust there was that came and landed on our house. One of the most historic houses over there called the "Stephen's House" that the Washington Post exhibited is rotting away. Dust is all over it and the people want to know why are you all trying to kill us. Why have the curfew changed for the trucks and why so many trucks. I stopped one off them today and he said he bringing water. What water he carrying to the waste treatment plant. I thought it already had water there. They are killing Pocahontas and we cannot put up with that. EPA I think may come in there tomorrow. I don't know when they are coming in there but right now we can't open our doors. We can't even operate our air conditioners. You look inside your house there is smoke. I hope the City Council goes in and investigate because big things getting ready to happen. Because the EPA and the rest of them get involved in it I don't know where the suit is going. Things have to stop. This is what is out there now "Dust." I thank you."

Carl Ridley, 15 N. Crater Road, stated, "My comments are directed to the man who would be king, Mr. Myers. It seems that you have not learned anything or are aware of Hillary Clinton as it pertains to emails. Well it appears that you have email controversy of your own. For example, the one where you label a small minority, which I am a part of, as racist. And now other emails have surfaced indicating your attempt to stop the authority of City Manager and Council to implement your own agendas. You seem to have some diluted concept that you are the authority and that you set positives for others to follow. Let me remind you that your duties as Mayor are to shake hands, cut ribbons, kiss babies and reside as chairman over council. Your apparent subversive campaign smacks the codes and violations. The last two are against a council person. I respectively ask you to stay in your lane and stop acting as commanding chief in this City. A position in which you are not clearly qualified. Council, how long do you intend on letting Mr. Myers bully and embarrass you and the City of Petersburg. Resend his mayorship ASAP."

Ron Flock, 1708 Pender Avenue, stated, "I would also like to speak regarding the emails serving the ACM of duties. The Mayor recently made demands in an email on behalf of City Council without the knowledge of vote or approval by city Council restricting the acting city manager of duties and responsibilities while elevating his position to the presiding member of City Council in direct conflict with Section 3.4 of the City Charter. It states, "the mayor should reside over the meetings of council and shall have the same right to vote and speak therein as other members and shall have no veto power. He shall be recognized as the head of City government for ceremonial purposes, military law and service of civil process." The Mayor's actions by definition are malfeasances. That definition says the performance by the public official of an act that is legally unjustified, harmful or contrary to law, wrongdoing used especially of an act in violation of public trust without a doubt. I would ask the City Council in interest of and on behalf of the residence of the City of Petersburg to demonstrate its resolve in conducting themselves in an honorable manner and defending the residence against those about the City Charter for their own interest and agendas to make a motion and pass that motion to take action and reprimand and remove Mayor Myers as his position as Mayor effective immediately on the grounds of malfeasances. Each member of council in your oath of office to uphold laws in constitution of the State of Virginia as well as the Charter of Petersburg. It is time for each of you to step up and demonstrate to the residence of our City that you will abide by that oath."

Prince Duke, 2793 S. Crater Road, stated, "I am here to ask for Council and the new City Attorney questions. Recently citizens have been informed that the City is getting a consulting firm to come and manage the fiscal City by the name of Robert Bobb Group. The cost of their services for five months is going to be \$350,000. My question to council is that if we don't have the money to fund the students, if you don't have the money to pay the bills of the City, if you don't have the money to supply the appropriate equipment for the Fire

Department and if you have the nerve and audacity to take 10% from the hard working employees of the City. When you are losing good officers, good fire department people and plus they are suffering and struggling in the City where are you going to find \$350,000 to pay this group. And if you have this money somewhere then why don't you use it to help the City pay a couple of bills. Because the Robert Group is coming in and they are going to bring a City Manager, human resource person, a finance person and other people. Now these jobs I think some of them are already being filled here. So if you are bringing them in does that mean that those that in that position aren't qualified are you going to terminate them or not. That's my first question. I don't think it's fair that you ask the citizens of Petersburg to sacrifice so much heavily beyond increasing taxes and duties too. I have several questions directed to you because we have so many issues. I would like you to please let the citizens of Petersburg know what are the specific powers, authorities, responsibilities and duties of the Mayor per the Charter. What are the specific parameters that creates the need for an emergency closed session of council? Because as other speakers have said it seems our Honorable Mayor have somehow felt like he is an executive. This City has a weak Mayor and a strong Council. The gentleman has not only violated the City Code and he has violated the Charter and he has violated State Law. You need to recognize that because you are about to get sued. You need to read that email and read it very, very carefully. He used his office to intimidate. If members of council, this gentleman represents you when Johnson was here Johnson beat his wife nobody spoke up against it. Johnson had a DUI and nobody spoke against him. This lady carried a position to do a job that nobody would do.

Mayor Myers stated, "Mr. Duke the clerk has asked you and your time is up."

Ms. Jackson stated, "Before I call the next speaker I will ask of everyone, when the buzzer goes off in three minutes, please respectively close your comments. So that everyone can have a chance to talk and everyone can be heard. I really appreciate it."

Michael Edwards, 409 Grove Avenue, stated, "Good Evening Mayor Myers, Vice Mayor Parham and Members of City Council and Petersburg citizens. I come before you to remind you of September 6th when we met at the high school. How the citizens begged and pleaded for public safety. Now I know this City is in a financial struggles. But every day we either read the Progress-Index, Richmond Times or Channel 6, 8 and 12 and we make headlines. This is not a City that should be making headlines every day especially negative. When I read the article from Channel 6 I had to go by Market Street to see this ancient fire truck. When I went up there I was somewhat dismayed. We have a truck, Truck 1, which has nothing but problems since the day we bought it. And now that truck still sits at a shop waiting for payment. We have to go across the bridge to Colonial Heights. The very same ones that sit over there and laugh at us and tell us that we are nothing but trash across the bridge and borrow a fire truck. What's going to happen when Colonial Heights says no more? What's going to happen if Hopewell, Prince George or Dinwiddie doesn't come to our aid? What's going to happen when we can no longer pay our bills? Public safety should not be put in jeopardy no longer. The high rises downtown depend on these trucks. The rest of the City depends on these trucks. Now we are bringing this firm in here. I am like the rest of them, if this man can perform a miracle to turn this City around then it is money well spent. But if he can't then I am going to question the judgment of this council to authorize whoever, the City Manager, the Operation Manager or whoever we are going to put in charge to release these funds. Make a good judgment call. And piggybacking on the previous speaker when Mr. Johnson was first hired not even a year into his job he made headlines for beating his wife. Well I have no respect for a man who beats on a woman. If you are going to beat on someone beat on a man that can beat you back. This woman has stepped into a mess to a poker hand that you all dealt her without even a winning hand. I read the article from Richmond Times on the meeting at the train station. A woman went into her office at the transit station wiping away tears from her eyes. Have we become so self-centered and developed such a big ego that we will attack a woman that is trying to do a job with the mess that she is dealt but you would not fire a man that beat his wife.

Linwood Christian, 410 Mistletoe Street, stated, "One thing I have to say is that as a father when I got custody of my son I had to take his mother to court and have her put in jail for not paying child support. Any parent would take care of their children, right or wrong? Even if you don't have children you make sure your children are taken care of. So with that I want to know if we can find monies whether it be from people that resigned and not get rehired to pay Robert Bobb who was sent out of Richmond to turn this City around double

what Mrs. Yerby needed for summer programs then what is the problem. It is \$350,000 yet you took \$150,000 from recreation. You are not taking care of you children but yet you will be quick to put them in jail. Because when our kids have nothing to do and people come up here and complain that our kids have nothing to do what you are going to do council. You are going to try and throw the finger back on us. But guess what you all control the first strings. You all are the providers and you are supposed to take care of your kids. Because if I didn't take care of my children and you all had to do it you would want me to pay my debt. Is that right? We want you all to pay your debt. Let Robert Bobb stay wherever he comes from and take care of Petersburg first. We have streets that look like hell but you are bringing Robert Bobb in here close to \$400,000. Also I remember a statement was made that even if all of you all gave up your salaries it wouldn't make-up what is going on. Lead by example. Ward 1 councilwoman is the only one that gave up her salary and you all have done nothing. How can you expect up to do what we are supposed to do and you do not make any attempt to do it. That's what leads by example mean. Are we prepared if something happened here like it happened in Flint. We haven't gotten any reports. I am going to close on this note. It is interesting that you all now want the treasurer and commissioner. I applaud our commissioner. Even when she is busy she will stop and talk to customers and break things down and talk with you. Now you want her to come in here with others and give reports when we have been asking for this when you were Mayor Mr. Moore. And you all haven't done it yet. In other words, what I am saying is two things. Lead by example and take care of your children first."

Dolores Smith, 410 Mistletoe Street, stated, "I do not know what to say because I am really angry and disgusted with you all that is sitting here. What I think about Bobb or whoever you are bringing here with six figures is that if you all is paying this guy to turn us around to find out what we doing then why are you all still sitting there. Why don't you relieve your seat and salary and put Bobb up there to handle things and then you all need to get the hell out of dodge."

Raymond Crockett, 248 Southwood Drive, stated, "Good evening I'm back. Mayor, Vice Mayor, City Council and new City Attorney and Interim City Manager good evening. I want to welcome our new City Attorney. I hope you all let him do his job. His job is to guide you all. It's not what you want to hear but give you all the facts and the law. When you don't want to hear something don't get mad and say we are going to fire him. He is giving you the facts of the law. Once we had a City Attorney and council got rid of him because he was dealing them with facts and the law and they didn't like it. I hope they let Mr. Preston do his job. I read in the paper that Mr. Moore was talking about the water bill. I have a problem with my water bill. We need a full investigation going on with this water bill. I have a business and my water bill jumped over \$200 and something dollars in one month. They said because I have a two inch water meter. That business has been here since 1990. I had a two inch water meter then. I was paying bi-monthly and it was running about \$300 to \$400 something dollars. I got a bill last month for \$530 for one month. Because I have a two inch water meter without running water with my water hooked up and my sewer line it is costing me \$178 a month without running any water at all. My customers are on a fixed income and I cannot raise their price of washing clothes every time the City goes up. Because what is going to happen is that people will not be able to afford to wash clothes here. We set back and make decisions and all we have to do is increase and we don't think about the downsize of what is going to happen to the City and the citizens in the City. The State came in and did an audit. The State came out and told us everything we need to do. What is the difference in what the State did and what Bobb is going to do for us. The State comes in and looks at the City's finance record. How did we get this way? They waited until the last minute to do what we have to do. I go back and say what I said in May. If you are running a business and sales drop and revenues drop coming into the City there is not but one thing for you to do. Call supervisors in and department heads and tell every employee that everyone's job is on the line and that they better do a good job. You have to have a layoff. Do not wait until Christmas to tell the people that you are going to have a layoff. The State department is coming up short and what did they say. They said that they are going to have to have a layoff. They have a rainy day fund but we do not have a rainy day fund. Thank you."

Vernel Gannaway, 652 Old Wagner Road, stated, "I came to dido on every person that has come up to the podium. And one thing that I want to say is that I am disgusted. I am disgusted with all of you that said 'aye' because you have been influenced by somebody that said you are going to be great in your new position. When you start being over people it's a problem. You have a person that is the Interim City Manager that is trying to get something done. We didn't complain about it. But you have your private meetings with people. You

talk about transparency and that you are together. Some of your council members don't even know that you have your private meetings and sessions and its time up with that. I am tired of closed sessions because they are a bunch of lies. Your liars and thieves. And those of you that are being influenced I do not care if it's the Pope or pastor or bishop. If he is influencing you and you think you can come and run this City then it's not going to happen. This City was meant for greatness. We have people that are in place that is right here that can do a better job then what you are doing. We have people that really have their heart for this City. It's a time up for all this extra and stuff that you are trying to do like laying off people. I never seen so much mess. What's wrong with this picture? We have people that have been around here for years and you come in here and change the page. We not going to pay anybody. We are going to pay it the way we want to pay it. You have a person right there. Why go and pay \$300,000? Stupid. Thank you."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "It's been about six months since I have asked you Council Members, how could you tolerate keeping the Mayor we have? He was an embarrassment to the City then. I listed a number of things that have happened. Mr. Mayor you were out sick that night but I am sure that you ready the minutes or heard about it. I think things have really gone from bad to worst. I am not going to try and repeat everything because there were a lot of good points that were made tonight. Oh and thank you most of what you said I have in my notes so I will skip over it quickly. But I would comment that there has been an endless parade of closed and special meetings. They have actually multiplied that those occur more frequently than regular meetings. I would like to know what you all are afraid of talking about in public. What is it about the public asking questions that make you seem to go more and more in hiding? It's very strange and partly why everyone is looking at Petersburg because they are like what is going on here and no one will talk about it. And we already talked about the Mayor and emails but I would think that you all would be concerned. He really needs to stay off the email between racist republican rants that got picked up all over the country and published and the latest about this meeting that was held to talk about the responsibilities and the authority of the Acting City Manager and how that went down with no public notification. I would think that his people would be learning. I would also wonder isn't it kind of embarrassing in a City when an announcement goes out that we are going to hire a new City Manager from Fayetteville and everyone is gathered to this event but a vote hasn't taken place. It turns out that this individual was not selected. And then yesterday there was a meet and greet scheduled for Robert Bobb Group but no vote was taken to hire Robert Bobb. And as of the end of yesterday his firm was not hired. It seems like these things would be like egg on the face. Council I have to ask you again is Mr. Myers the best we can do for leadership of this City and Council. Thank you."

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

- a. Consideration to approve the Virginia Water and Wastewater Agency Network Mutual Aid Agreement and Resolution.

BACKGROUND: The National Infrastructure Protection Plan and in particular the Sector Specific Plan for the Water Sector developed by the United States Environmental Protection Agency identifies the development of a Water and Wastewater Agency Response Network in each State as an important means of helping to ensure resilient water and wastewater infrastructure in the public interest. Virginia's longstanding, nationally-recognized professional associations known as the Virginia Section of the American Water Works Association ("VAAWWA") and the Virginia Water Environment Association ("VWEA") have jointly formed the Virginia Water and Wastewater Agency Response Network ("VAWARN") Committee to develop the EPA-recommended network and associated procedures for implementation in Virginia.

RECOMMENDATION: Recommend that City Council approve the resolution and mutual aid agreement to allow the Virginia Water/Wastewater Agency Response Network to provide rapid short-term deployment of emergency services to restore the critical operations of the impacted utility operations in an emergency.

Vice Mayor Parham made a motion to approve the resolution and mutual aid agreement to allow the Virginia Water/Wastewater Agency Response Network to provide rapid short-term deployment of emergency services to restore the critical operations of the impacted utility operations in an emergency. 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-R-60 A RESOLUTION AUTHORIZING EXECUTION OF THE VIRGINIA WATER AND WASTEWATER AGENCY RESPONSE NETWORK MUTUAL AID AGREEMENT.

Council Member Hart stated, "Good evening. There will be a Ward 7 meeting held on October 25th at Stuart School at 6:30pm."

Council Member Hart made a motion that they dismiss the case of Smith and Myers as their agreements through the mediator have been reached. There was discussion among City Council Members. 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 Parham; *could not vote due to vote pertaining to them: Wilson-Smith and Myers

Council Member Coleman stated, "Ward 6 will have a meeting on next month at A.P. Hill School. We will make the specific date at our next meeting."

Council Member Moore stated, "Thank you madam clerk. I've got three items in reference to the forensic audit. I believe the Acting City Manager will talk about that in her portion so I will pass that at this point. Also, I asked for information in reference to the special grand jury. The City Attorney in his portion may speak to that issue. Lastly, I would like to talk about fire. It is a great question that Mr. Edwards asked on whether Hopewell, Dinwiddie or Prince George come to the call. I can give you a 100% answer. They will always come to the call of Petersburg as we go to them. So we need to make sure that we go ahead....Information has been provided that we most likely will be getting 'Truck 1' back the end of the week. I will let the City Manager talk about that. There has been payment. I would like to get the report on the status of the items that had to be canceled. I understand pretty much that the trucks had to be specially built. So it's not the matter of a car dealership where they are sitting on a lot and can go to somebody else. Can you provide a little bit of background about that. There is a possibility after we go through the books that there is a way that we can get a plan to get new trucks. Those are the items that I have. Thank you."

Council Member Hill stated, "Yes, good evening. Ward 2 will be having a meeting next month to be announced. Also I like for the City Attorney to either have meeting with us whether publicly or privately about the ways of Rules of Council. These last events that just happened not too long ago, I felt like we need to be briefed on special meetings or phone calls or things of that nature. Ethically I think that we can do better as a council as a whole. A lot of us are being thrown under the bus because of the actions of a few. So with that being said, City Attorney I need for you to set up a meeting very soon and go over the Rules of Council and the ordinance of the City as it pertain to City Council Members as it relates to duties and responsibilities on what to do and what not to do. That will be all."

Vice Mayor Parham stated, "First of all Ward 3 meeting will take place now on November 14th instead of on October 31st. Mr. Pritchett had a conflict for that date so we are moving it to Monday, November 14th at 6:00pm at Walnut Hill Elementary School. On June 21st, 2016, Council adopted an amended motion for Citizenry Committee, which had the committee end at the end of October however; the committee would like an amendment to extend the committee at least until November 7th to finish their deliberations."

Vice Mayor Parham made a motion that Council amend ordinance 16-31 allowing the committee to continue work and make deliberations until November 7th. The motion was seconded by Mayor Myers. There was discussion among City Council Members and staff. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-44 AN ORDINANCE AMENDING ORDINANCE 16-ORD-31 ALLOWING THE COMMITTEE TO CONTINUE WORK AND MAKE DELIBERATIONS UNTIL NOVEMBER 7TH.

Vice Mayor Parham stated, "The next item I have is to discuss with the Interim City Manager the status of our museums here. I know we wanted to have these museums at least partially open through the holidays.

The holidays are about here upon us as I speak. I would like to move forward to make a decision on opening the museums on November 1st and choose a group to operate them. Could you discuss that with us?"

Ms. Belton stated, "Currently, we have received additional proposals outside the original solicited proposals. There were a total of three proposals that were submitted. Currently, based on some of the proposals we do have some questions that we would like to go back. But I do think we could setup interviews with those or question time period for each of those individuals to answer those same questions we will ask to each of them. I can through the clerk provide you with a recommendation to accommodate the November 1st deadline if indeed you do not want to do it through a motion at the next November meeting."

Vice Mayor Parham stated, "Also we are looking at three proposals. Can we try to expedite that because time is of the essences? We have people that like to come tour our historic places throughout the holidays. Hopefully by November 1st we can get together and get a decision made. If you need a motion I am prepared to give you one."

Ms. Belton stated, "Councilman it is not necessary for a motion for me. But I can get you the information. It would be up to council if you wanted any motion in deciding on the one group that you do decide on."

Vice Mayor Parham stated, "How soon can we have those options available to us?"

Ms. Belton stated, "I can have them for you Monday of next week."

Vice Mayor stated, "Thank you. Also on yesterday we had a chance to talk to the In-Tek group on obtaining federal dollars to help provide funds for our emergency services, our firemen and our schools. "

Vice Mayor Parham made a motion that he moves pursuant to Section 2.2403F "Emergency Procurement" I move to direct the Acting City Manager to sign and execute immediately the In-Tek Memorandum of Understanding. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Hart, Hill, Moore, Wilson-Smith, Parham and Myers; Abstain: Coleman (due to the fact that there are too many unanswered questions)

Vice Mayor Parham made a motion that he moves pursuant to Section 2.2403F "Emergency Procurement" I move to direct the Acting City Manager to sign and execute immediately the Robert Bobb Group Emergency Contract. The motion was seconded by Council Member Moore. There was discussion among City Council Members.

Vice Mayor Parham stated, "City Attorney can we go into closed session to discuss this document? Is it possible for him to take a look at it?"

Vice Mayor Parham made a motion to go into closed session to review the contract. The motion was seconded by Council Member Moore. The motion was not approved on roll call. On roll call vote, voting yes: Moore, Parham and Myers; Voting No: Coleman, Hart, Hill and Wilson-Smith

Vice Mayor Parham made a motion that he moves pursuant to Section 2.2403F "Emergency Procurement" I move to direct the Acting City Manager to sign and execute immediately the Robert Bobb Group Emergency Contract. The motion was seconded by Council Member Moore. The motion was not approved on roll call. On roll call vote, voting yes: Moore, Parham and Myers; Abstain: Coleman (due to the fact that there are too many unanswered questions); Voting No: Hart, Hill and Wilson-Smith

10. CITY MANAGER'S AGENDA:

Ms. Belton stated, "This is the update for the forensic financial audit services. City Council had requested the City to solicit services on behalf of the forensic financial audit. The purpose of the RFP was to solicit funds to provide investigations and research and ensure citywide compliance with the generally

accepted accounting principles. On June 13th, 2016, the City received four proposals. On September 28th, the committee for the RFP-0035 met with three prospective firms. The top two rate firms have been chosen for negotiations. We will negotiate with the firms on October 19th, 2016. The firm 'Number 1' estimates a total of 1,280 hours to complete the project. The fee for services are approximately \$300,000. 'Firm 2' estimates a total of 1,600 hours to complete the project with a fee of approximately \$192,000. These are both nonbinding estimates and the committee will make an award and recommendation after the October 19th meeting."

- a. City Manager's Report
1. What is the status of the City's drainage system and can it be addressed prior to the Hurricane Matthew?
 - a. The Public Works staff began a City wide effort to remove sediment and debris from storm drain system weeks prior to the arrival of Hurricane Matthew. Although a number of drains, ditches, and drop inlets have been addressed, Public Works continues to clean drainage areas on an as needed basis. Please contact Daniel Harrison, the Acting Public Works Director to provide him with areas of concern.
2. Can the City pay more attention to the exit ramps?
 - a. A team was assigned from both Police and Public Works to address the entrances and exits into the City. We hope to see improvement in the coming weeks.
3. Can the volunteer policy be developed?
 - a. The City of Petersburg's Human Resource Department has developed a Volunteer Service Program that is designed to provide opportunities for individuals to become involved in City efforts and to provide assistance to City employees in various services and needs. These policies and procedures govern the utilization of all volunteers for all city departments, except Police and Fire, whose volunteer policies may exceed these requirements. The Department of Human Resources will serve as a volunteer for the City of Petersburg. City departments are encouraged to embrace and operate a volunteer program. The City Administration believes that volunteerism is a charitable and rewarding experience for all parties involved. We have provided Council with the Policy for their review.
4. What is the notice requirement for employees subject to the Reduction in Force and was this applied with the current reduction in force?
 - a. Administration Regulations require employees impacted by reduction in force to be given 15 calendar days' notice prior to a separation of employment. The impacted part-time employees, impacted by the reduction in force, were also given the same 15 day notice.
5. Is Virginia Municipal League impacted by the budget cuts?
 - a. Currently VML is handling a lawsuit for the City but they no longer provide our insurance coverage. Risk Management has confirmed that there is no impact to this lawsuit by the City not being a VML (as we do now with VACORP). Occurrence based coverage simply means that the insurance coverage in force at the time the incident occurred will continue to cover any lawsuits filed after the policy is cancelled or not renewed; as long as, the incident giving rise to the lawsuit occurred during the period the insurance coverage was in effect.
6. Eliminate travel and lodging budgets for Council, Parks and Leisure and Economic Development.
 - a. Have received information regarding this travel. All is related to staff development and national conferences. The departments did request to keep these funds, but due to no foreseen traveling in the future I recommend that they can all be removed from the budget, if Council so wants.
7. Clarification of incident and accident.
 - a. Council has been provided an updated City vehicle draft policy.

8. Update on fire hydrants.
 - a. There are approximately a total of 1,100 fire hydrant maintenance inspections that has been completed. Approximately 503 were completed by utility and approximately over 500 were completed by the fire department. If weather permits the completion date should be the end of November, early December.

9. Financial update this quarter.
 - a. The actual 2016 real estate revenue collected from August 15, 2016 thru August 9th have been \$5,504,019. Obligations in revenues, the public has been provided with obligations and revenues that show for the month of October. The date being October 1st thru 31st. The sources are the daily cash reports. The available funds as of October 17, 2016, from the SunTrust bank account is approximately \$5.3 million. The key obligations due for the month of October total \$8.6 million. The key estimated revenues based on the balance moved forward from September, we will be able to meet the full month of October key obligations. We currently met them as of date. We also have enough money to cover moving forward into out November obligations. The cash flow projections also show that the additional analysis tools to be used in September is adding the liability for the data that is being used. Both show that the City would have met these obligations. Revenue should continue to be monitored closely and there should be limited payment of any other obligations not listed to council. Monitoring will effectively limit the payment that of the listed obligations must occur in order to prepare for the month of November.

11. CLERK OF CITY COUNCIL'S AGENDA:

No items for this portion of the agenda.

12. CITY ATTORNEY'S AGENDA:

Mr. Preston stated, "I will briefly address Mr. Moore's inquiry about the special grand jury. I just received the order on Friday from the court indicating that a special grand jury of Chesterfield has been appointed. Mr. Davenport, Commonwealth Attorney of Chesterfield County, has been appointed to convene a special grand jury. A special grand jury will consist of seven to eleven citizens. People who are not from Petersburg and people who are not from the region who obviously are good citizens to investigate potential wrongdoing in the City of Petersburg government. I have not been contacted officially in terms of what information they are going to be requiring from our office but I can assure you that we will cooperate with the special grand jury and Mr. Davenport in every way that we can. At this point in time I am not sure if a forensic audit is something that Petersburg ought to be considering paying for in light of the fact that we have a special grand jury that is going to be impaneled. Of course I haven't met with Mr. Davenport yet to ascertain whether or not he plans to do a forensic audit. It seems to me that in order to do a proper investigation some type of forensic audit would be necessary and maybe we can use the funds of Chesterfield County or the state, whoever is going to pay for that, in lieu of our own funds as the Acting City Manager indicated. One bid is around \$300,000 which is a lot of money as well as the \$192,000. So at this point in time I don't know where we are at in that process but again I would recommend that we hold off on pursuing that forensic audit until such time we find out whether Chesterfield will do a forensic audit as well."

13. CLOSED SESSION (IF NECESSARY):

No items for this portion of the agenda.

14. ADJOURNMENT:

City Council adjourned at 7:53p.m.

Clerk of City Council

APPROVED:

Mayor