

The regular meeting of the Petersburg City Council was held on Tuesday, July 16, 2019, at the Union Train Station. Mayor Parham called the meeting to order at 6:30p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Annette Smith-Lee  
Council Member Treska Wilson-Smith  
Council Member W. Howard Myers  
Council Member Darrin Hill  
Vice Mayor John A. Hart, Sr.  
Mayor Samuel Parham

Absent: None

Present from City Administration:

Deputy City Manager Darnetta Tyus  
City Attorney Anthony C. Williams  
Clerk of City Council Nykesha D. Jackson

**2. PRAYER:**

Mayor Parham stated, "Council Member Reverend Darrin Hill will lead us in our opening prayer."

Council Member Hill led the council meeting in prayer.

**3. CLOSED SESSION:**

City Attorney Anthony Williams stated that the Mayor will entertain a motion to go into closed session for the purpose of this meeting is to convene in closed session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney and matters of actual or probable litigation specifically including but not limited to matter requiring legal advice by the City Attorney; and under Subsection (1) for the purpose and discussion pertaining to the evaluation and performance of specific public officers of the City of Petersburg, specifically including but not limited to the evaluation and performance of specific public officers of the City of Petersburg.

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

On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

City Council entered closed session at 6:33 p.m.

**CERTIFICATION:**

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that only those matters lawfully identified in the motion for which the closed session was called were discussed during the closed session. If

\*Audio available upon request.

any member believes that there was a departure from the foregoing he should so state for the record identifying the substance of the departure for which he believes occurred. This requires a roll call vote.”

Council Member Hill made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Vice Mayor Hart. There was no discussion on the motion.

The motion was approved on roll call vote.

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

Council Member Cuthbert stated, “I am going to abstain because I was not present for the entire meeting.”

**19-R-42 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to opened session at 7:24pm.

Council Member Myers stated made motion to have the City Attorney contact the Commonwealth Attorney to request that her office conduct an investigation concerning conduct by a member of City Council which may constitute a violation of the Code of Conduct and other legal and ethical requirements of public officials. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call. On roll call vote, voting yes: Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham; Abstain: Cuthbert

**4. MOMENT OF SILENCE:**

Mayor Parham led council and the audience in a moment of silence.

**5. PLEDGE OF ALLEGIANCE:**

Mayor Parham led council and the audience in the pledge of allegiance.

**6. DETERMINATION OF THE PRESENCE OF A QUORUM:**

A quorum was determined with the presence of all City Council Members.

Mayor Parham stated, “Tonight’s positive Petersburg goes hand-in-hand with our certificate of recognition. Mr. Antonio Robinson stepped up in a major way to share his dedication and passion for the City of Petersburg. Mr. Robinson, a former Petersburg High School basketball player, primarily began with a handful of people and a personal investment. This has sparked a special movement in beautifying playgrounds around the City of Petersburg. We very thankful to have Mr. Robinson here tonight, as well as other key players in these beautification projects so that we may publicly recognize you all and extend a special thank you for the love and commitment you are pouring back into our Community.”

**7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:**

\*Audio available upon request.

- a. Presentation of Certificate of Recognition for Antonio Robinson.

Mayor Parham read the certificates out loud for Antonio Robinson and Feazel Love.

Mayor Parham stated, "Also, we have another gift for you as well Mr. Robinson, can you step back up to podium."

Ms. Jackson stated, "This is a gift from myself and Firefighter Lucas."

Mayor Parham read the words out loud and presented Mr. Robinson with the gift.

## **8. COMMUNICATIONS/SPECIAL REPORTS:**

- a. City Assessor Report – Brian Gordineer, AAS, City Assessor

\*No report for the City Assessor.

- b. City Manager Report – Aretha R. Ferrell-Benavides, City Manager

<https://www.petersburgva.gov/DocumentCenter/View/4659/CM-Report---July-16th>(PowerPoint Presentation)

Ms. Tyus stated, "Good evening Mr. Mayor, Vice Mayor Hart and the City Council. On behalf of City Manager Aretha Ferrell-Benavides, I will go through a couple of highlights on her report and make a couple of additions at the end. So, for the City Manager's report we want to highlight a couple of upcoming events. The Frank Mason that is going to be happening at Petersburg High School is scheduled for July 21<sup>st</sup>. And the All-Star Game is going to be the 20<sup>th</sup> at Petersburg High School. We are hoping that everyone come out and join us for that. We are excited to make sure that everybody knows that we have about 325 children enrolled in our summer reading programs. And we have 85 adults in the reading program at the library. We are very excited about that. We also want to note that we have a couple of our shadowing program students who are also going to be participating in some of the reading programs at the library. We want to continue to thank our public works department and public utilities for all of their hard work. We want to acknowledge the summer clean-up that is going on in the City to make sure that everybody participates in it. We want to make sure that you understand that we are making progress on the Jarratt House, which is the project that Michelle Peters is helping to assist us through. And for public safety, National Night Out is August 6<sup>th</sup> for the police sponsored event. In public safety the police department is proud to say that 156 illegal guns have been removed from the City of Petersburg streets in 2019. We are very proud of that. The transit authority, PAT personnel, has attended the training review program. They will be doing it in October 2019. In addition to what you have in your report we are going to ask you to save the date for a couple of initiatives that are coming up. On August 15<sup>th</sup>, there will be an official open house for the new social services facility located at 3811 Corporate Road. And with the acknowledge of the open house, the City Manager would like for us to thank the efforts and the hard work of the social services team and Mr. Stevenson and the amazing work of public works led by Tangela Innis and the support of the state and its team as we move to relocate 120 staff people. So, publicly we need to say thank and we also want to add transit, Charles Koonce and his team, because the public transit system goes to the front door of the social services facility. So, for all of that we would like to publicly thank the City Council for their support and everyone that put major efforts in relocating social services. That concludes the report."

Mayor Parham stated, "Thank you Ms. Tyus. And at this time, I like to ask Ms. Kemi to come up and talk about the new newsletter under the City Manager's Report.

\*Audio available upon request.

Ms. Kemi stated, "Good evening everyone. I just have a few updates on our communication channels here in the City of Petersburg. And then also talking about new avenues that we can go ahead and take. I want us to think and remember that communication can go into different categories. So, the first one can be earned media. This is when we send out the press releases and we are trying to get coverage for anything that we have going on. We earned that placement. And then if we pay for advertisement or anything that goes under paid and then we have our communication channel that we own. We control 100% of that message. Our first communication channel that we have 100% ownership of is our website. This is our major one. We added information through our news, department pages, FAQ and also through 'What's Happening' that is on our homepage on the website. We also have a 'notify me' system. So, through 'notify me' people can sign-up for email and/or text message alerts. And they have a lot of different categories that they can sign-up for. If they want information on the library, they can sign-up for library updates. If they want information on emergencies that happen throughout the City, that is a popular one that people can sign-up to receive those messages instantly. We also have a calendar notification system. So, if people want updates on City Council meetings, or events throughout the City they can sign-up for those as well. Next, we have our social media. The City currently has three social media channels, Instagram, Twitter and Facebook. Instagram is mainly photos and highlights. It helps us to connect with our audience between the ages of 18-24. Twitter is very fast paced. It is quick scrolling and quick nuggets of information. And then we have Facebook, which is the largest social media platform. So, this is our platform of a diverse audience that has the higher level of engagement of commenting and giving their opinions, which is good. So, we want to have that opportunity to have that communication with anyone that comes on our Facebook page. I would like to add that the growth on Facebook is 100% organic. I don't know if anyone else is familiar with social media, but you do have the opportunity to pay. So, you pay to boost, sponsor or promote your post but all of this growth that we post on our social media channels have been to diversify our content through being consistent and also through being responsive and letting people know that it is not a robot behind any of these channels. It is actually a real person. We actually have 'Channel 15', which is our public access channels for Comcast users. And then we do have a digital newsletter that we have been putting out monthly. Through this digital newsletter we update people on City news and information, office information, upcoming events and we also have upcoming events in August and City information that is on 'Channel 15' as well. And this just continues on a loop throughout the day and throughout the night. It is the same information and it is updated usually weekly with different events and videos. There is also a cool video on there from the Don-A-Matrix Event that happened in April. So, that is another example of some stuff that we had on the public access channel. With the online newsletters, these are delivered monthly through mail chip and it is all digital. And lately I have also been doing a weekend ahead newsletter. So, this goes out typically on a Thursday or Friday. And this just shows people what is happening in Petersburg through the weekend. It is a real quick update that you can get just to know what you can do through your short weekend. And another added note is that we did reintroduce the weather line this past winter. So, we have all of these digital communication channels, but we also introduced having a recording phone line that people can call in to learn about weather updates or emergency closing if they do not have the opportunity to have access to any of the online channels. Which gets to the last point of the day, which is the newsletter. We have the opportunity to do a physical newsletter. That is the one area that we don't really cover in the City as far as communication. Everything we do is digital, and it is on the internet basically. And so, having a mailed-out newsletter through the mailing will cover that other pathway that we don't cover right now through communication. So, we have the option of doing either a quarterly version or a bi-annual version. I have an example here by Prince George County. They do their newsletter twice per year. They have one in the Spring and Summer and then one published in the Fall and Winter. If it would be my suggestion, my recommendation would be for us to start our bi-annually. That way it gives us time to build quality content and it also gives us time to give quality updates instead of just saying that things are ongoing. It gives us time to build up things to talk about. And then it gives us the opportunity to send it out and then for us to do surveys, whether it be through our Citizens Academy, our ward meeting, City Council meetings to just measure the effectiveness of these newsletters to see if they are actually reaching the audience that we are still trying to reach outside of these digital channels. So, I did receive two quotes for typically doing an eight-page full color newsletter that we can send out. Now the quote that I have up here on the screen is for if we are sending out

\*Audio available upon request.

15,000 but I did receive a quote for about 10,000. So, I put the largest one u here just, so we can see what we are looking at for price and this total is for each mailing. So, if we were looking at doing it twice per year it would be about \$14,000 and quarterly about \$28,000. And I know that I went through all that information very quickly, but I have all of my info on the screen if anyone has any questions from the audience that they can send along to me.”

[https://www.petersburgva.gov/DocumentCenter/View/4658/CityNewsletter\\_Osoba\\_71619](https://www.petersburgva.gov/DocumentCenter/View/4658/CityNewsletter_Osoba_71619) (PowerPoint presentation by Ms. Kemi)

Council Member Hill made a motion to move “Item 17 – Reports/responses to previous public information period” to right now. The motion was seconded by Council Member Myers. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

Kemi Osoba, Public Relations Officer, read comments and responses from previous public information at the July 2, 2019, regular council meeting.

1. Where are we on the former Ramada Inn project?

**Answer: A coming soon sign has been placed in front of the property. The C-PACE Ordinance, which the developer can use for this project, was adopted during the July 2<sup>nd</sup> City Council meeting. City staff members are working toward establishing an administrative process for C-PACE and have been in contact with the developer regarding C-PACE.**

- c. Presentation on FOIA

<https://www.petersburgva.gov/DocumentCenter/View/4661/July16Presentation-1> (PowerPoint presentation)

Frank Poulin, Assistant to the City Manager, gave an overview of FOIA (Freedom of Information Act).

Background Information:

The Virginia Freedom of Information Act (FOIA) was enacted July 1, 1968 by the General Assembly. Since that time, it has undergone changes, revisions, and updates to include most recently on July 1, 2019. It was designed to provide citizens information and access to local government. The end goal being that Virginia would have a more engaged electorate if they could see the process by which government works.

The law was designed to balance citizen access to documents held by a public body against the daily operations of government. In this, the law allows for charges by a public body to a citizen request for the sole purpose of cost recovery. Any charges for a FOIA request are simply about recovering costs and not revenue generation.

The City of Petersburg currently does not charge for FOIA requests on a regular basis, save for the police department. The Freedom of Information Act Law provides (§ 2.2-3704(F)):

A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body.

\*Audio available upon request.

Recently, the City of Petersburg has been receiving a substantial amount of FOIA requests that require a great deal of staff time to produce the responsive information. When an employee is tasked with producing responsive information, it takes away from their daily job duties. Thus, it is only fair that the City charge a reasonable amount to produce documents. This is not a radical new policy but rather one that most localities in the State of Virginia follow to include Colonial Heights, Chesterfield County, and Prince George County.

Therefore, it is recommended that the following fee schedule be adopted for FOIA requests:

<b>Supply</b>	<b>Cost</b>
Paper copy reproduction – first 20 pages 8 ½” x 11” Standard letter postage Additional supplies under \$5.00	Charge waived for 5 requests per calendar year
Copies/files transmitted by e-mail	No charge
Paper copy reproduction - pages over 20 pages 8 ½” x 11”	Actual Cost per page (do not count first 20 pages)
Paper copy reproduction - any size other than 8 ½” x 11” Data CD, flash drive, other electronic storage device Postage greater than standard letter postage Additional supplies over \$5.00 (no charge for first \$5.00) Supplies from outside vendor	City’s actual cost

<b>Personnel</b>	<b>Cost</b>
First 30 minutes	Charge is waived for 5 requests per calendar year and for responses in which the total cost is under \$200. After 5 requests from the same requestor in one calendar year or for responses in which the total cost exceeds \$200, the personnel cost is applied.
Any time over 30 minutes	City’s actual personnel cost (hourly rate not including benefits of staff member performing task)
Personnel charges from outside vendor	City’s actual cost

If there are costs, staff must develop an estimate and provide it to the requester for approval before proceeding with the request. Do not process the request until requester has agreed to the estimate. The 5-day response period is tolled from the time staff provides an estimate until requester approves the estimate.

- If staff estimates that costs will be under \$200, staff provides an invoice for costs with the requested records. Invoices must be paid within 30 days of receipt.
- If staff estimates that costs will exceed \$200, a deposit will be required prior to processing the request. The 5-day response period is tolled from the time staff requests the deposit until requester pays the deposit.
- Before responding to a new request, the City requires payment of any amount owed for previous requests that remain unpaid for 30 days or more.
- The City charges for staff time to review and redact records.
- Costs must be reasonable. As a general rule, record searching, and review should be performed by the lowest paid staff member available and qualified to perform the task.
- Waiver or reduction of costs may be appropriate in certain situations. Any such waiver must be approved by the City FOIA officer.

\*Audio available upon request.

The City already has information regarding reasonable charges on its website and so this policy should not come as a shock to citizens.

There was discussion among City Council and staff.

d. Opioid Presentation

**BACKGROUND:** See attached summary.

**RECOMMENDATION:** Recommended that Council adopt a motion to authorize the City Manager and City Attorney to execute all documents necessary to authorize the firms to proceed on behalf of the City.

Mr. Williams stated, "There were supposed to be representatives from the law firm present today to make presentation. I do not see them in the audience and they did not call to advise of their absence. So, I ask that this matter be tabled until we hear from them further."

e. Presentation on Wilcox Lake Dam – Analysis and Recommendation

[https://www.petersburgva.gov/DocumentCenter/View/4662/Wilcox-Lake-Dam---Analysis-and-Recommendations\\_dew07-10-19](https://www.petersburgva.gov/DocumentCenter/View/4662/Wilcox-Lake-Dam---Analysis-and-Recommendations_dew07-10-19) (PowerPoint Presentation presented by Darryl Walker, Stormwater Program Manager)

Key Points:

1. It was originally completed in 2015 and update in late 2018
2. Study included an inundation study that was performed to comply with the Virginia Impounding Structure Regulations (VISR)
3. The dam is at the northern part of the lake to hold back water from the lake itself. And it is a dam that the City owns and is responsible for maintenance.
4. Dam safety is governed by the Virginia Department of Conservation and Recreation
5. The Dam spillway significantly undersized to pass required storm event.
6. 3 alternative designs were looked at: (1) New Spillway (\$2,045,825), (2) HydroTurf overtopping Protection (\$1,000,712.50), and (3) Lowering Impoundment Volume/Water Level (\$3,138,725) (additional water quality features installed – BMPS)
7. City staff recommends alternative #2
8. Other considerations of recommendations is full public access to Wilcox Lake Dam area recetl approved -resolve compliance issues and improve safety.
9. Request to City Council is to authorize the City Manager to move forward with certifying the Wilcox lake Dam Study for submittal to DCR nd upon determination of compliance schedule wit h DCR, pursue Alternative #2 as recommended by the City staff to bring Wilcox Lake Dam back into regulatory compliance and improve safety.

There was discussion among City Council and staff.

Council Member Wilson-Smith requested a copy be provided to all council members of the study from 2015 and 2018.

f. Presentation on City Hall Annex

<http://petersburgva.gov/DocumentCenter/View/4657/City-Hall-Annex-Renovations-Updated> (PowerPoint Presentation)

\*Audio available upon request.

Temidire O. Okeowo, Capital Improvement Manager, gave a PowerPoint presentation on the updates of City Hall Annex.

Key points:

- This project was developed to enhance the external appearance of the Annex as this is one of the major buildings that houses Petersburg governmental functions.
- The Annex has not received substantial work in more than 15 years that led to the condition that it is in now.
- The plan consists of the focus points of: replacement of brick, repointing of mortar, cleaning of brick masonry, cleaning and painting of exterior window trims, replacing gutters, cleaning and painting canopy, cleaning drain pipes, etc.
- Project should end around the end of September 2019.
- The contractor is Virginia Masonry Restoration.

- g. Presentation by Department of Public Works and Utilities on Sycamore Street and Fire Admin Building.

<http://petersburgva.gov/DocumentCenter/View/4660/FMD---Sycamore-St-and-Fire-Admin-TI>  
(PowerPoint Presentation)

Scott Flaherty, General Manager of Facilities Management, presented a PowerPoint presentation.

Key points:

- The first floor will consist of Procurement and the Budget Director's office.
- The upper balcony area has been cleaned out and the lights have been placed with LED lights.
- The lower level will be for the Billing and Collections office.
- Parking lot entrance on Union Street has some drainage issues that drains right to the door that has caused some damage. They will put in a box top drain.
- Further down the hall where two large offices are will be Economic Development.
- Downstairs upper portion will be the Commissioner of Revenue Office.
- Further down the hallway on the bottom portion will be the Finance Department.
- The current projected budget amount is \$25,000 from Facilities Management. They have currently spent \$1,800.
- Projected to get people in the building by the end of the summer.

There was discussion among City Council Members and staff.

## **9. APPROVAL OF CONSENT AGENDA (to include minutes of previous meeting/s)**

- a. Minutes of the Regular City Council Meeting of June 18, 2019
- b. Minutes of the Closed Session Meeting of June 28, 2019
- c. Request to schedule a public hearing on the Issuance of Revenue Anticipation Notes. **(September 3, 2019)**
- d. Request to schedule a public hearing to consider an ordinance authorizing the sale of City-owned property at 600 Reservoir Avenue, 351-353 University Boulevard and 357 University Boulevard. **(September 3, 2019)**
- e. Request to schedule a public hearing to repeal Article 23 §4 "Special Uses Enumerated" of the Zoning Ordinance (Appendix A) of the Code of the City of Petersburg as amended, and add a number (35) Height waiver for Commercial Uses including but not limited to hotels, offices, and

\*Audio available upon request.

other retail or commercial uses that have been determined by City Council to promote and further the City's long term economic needs and which have been determined by City Council to be consistent with the City's Strategic Plans and Goals. **(September 3, 2019)**

Council Member Myers made a motion to accept the Consent Agenda with the scheduling of a public hearings on September 3, 2019. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith- Lee, Wilson-Smith, Myers, Hill, Hart and Parham

#### **10. OFFICIAL PUBLIC HEARINGS:**

- a. A public hearing on an appeal by Robert F. Dance, owner of 227 St. Andrew Street, Tax Parcel 022-27-0016, on the decision of the Architectural Review Board (ARB). The property is located in the Poplar Lawn Historic District.

**BACKGROUND:** Mr Dance filed an application on April 24, 2018 for a Certificate of Appropriateness (COA) to raze the existing structure. The ARB meeting was held on May 9, 2018; the applicant was present at the meeting. The applicant presented his request to raze the structure, he also stated that he had an Engineer's Report that stated the house was not structurally sound.

The ARB denied the application to raze the structure and recommended that the owner follow the appropriate code compliance process for stabilizing the rear wall, and to put the property up for sale at a reasonable price for a period of time based on that asking price, as outlined in the Zoning Ordinance, Article 35 Section 15.

An appeal was received by the Clerk of Council on May 24, 2018 requesting that City Council allow him to raze the structure.

The City Council denied the applicants request to demolish the building.

The house was put up for sale with an asking price of \$100,000. After the twelve month sale time required by the Zoning Ordinance for an asking price over \$90,000, the owner sought a COA from the ARB to demolish the house and on June 12, 2019, the ARB heard the request a second time.

The ARB denied the request on the basis that the owner/applicant had not put forth a bonafide effort to sell the house, and the asking price was not considered reasonable.

**RECOMMENDATION:** Following a duly advertised public hearing, Council by majority of those members present and voting, the council may affirm, reverse or modify the decision of the Architectural Review Board (ARB) in whole or in part.

Mr. Williams stated, "As a preliminary matter, I want to alert council that I placed at your seats a copy of the code section that pertains to this type of appeal. If you look at the second page, I have highlighted the actual subject matter which is council that would be conducting this appeal. The items that council are to use to make this determination are highlighted in yellow on the second page. I just want to make sure that you knew that you had that and if there are any questions this please feel free to ask."

Kate Sangregorio, Historic Preservation Planner, gave an overview of the case and information from the Architectural Review Board.

There was discussion among City Council and staff.

Glen Morgan, Attorney for Robert Dance, gave a briefing on the appeal for his client.

\*Audio available upon request.

Mayor Parham opened the floor for public comments.

Robert Tindall, 211 Marshall Street, stated, "I am with the Poplar Lawn Historic District. I would like to point out that this house is important but it is in the condition because of the owner. The value of this house, he has five other houses that I know of that he has only collected \$48,000 of the \$51,600 for the highest value of any of these other house. How can you ask for \$100,000 when the total of all your other houses is low. Either he should be paying a lot more for his taxes or he needs to come up with a reasonable price that somebody can go in fix that house. And as far as it going down and you all getting sued, he needs to put up a fence around it. That is what we did with the building that they took down on Bank Street. I don't see any way that you can let him tear this down without getting a really good price for this. Thank you."

Lawrence McLaughlin, 115 Marshall Street, stated, "Good evening. I really don't understand why we are here. The Petersburg Code clearly states that it does not allow for demolition for 227 St. Andrew Street. Please uphold the law. The owner must fix a price reasonably for fair market value. I think that is what a lawyer just told you and I think that is what the paper in front of you says. You cannot demolish it, you have to put it up for fair market value. We heard that he put up \$100,000. He is asking for \$100,000 for it. There is an argument that encloses his fabulous plans for it. We have not heard of his fabulous plans but demolition by ARB, you cannot take that into account. It is an existing building. And we have also heard, how did it get that way? How did this building magically start to falling apart? I guess it was maybe negligence on Mr. Dance's part. You can go to Rome Street and get a house that you can live in for a quarter of \$100,000. Clearly, Mr. Dance does not want to sell. I mean you do not put it up there for \$100,000 and expect anybody. You look at it today and it is really ragedy and he is using the argument that the fire chief said that you can demolish it. As we hear that is a different issue. Build a fence around it and put it up for what it is worth. We have been told that it is \$15,000-\$20,000. May be if you are lucky you can offer it for \$5,000 and do something good for the City. I think that if you put in for \$5,000, you only have to wait for three months. That is not bad. The other issue is how did a neat street turn around into a serious slum. The City needs to get on the issue and we need to fall through on code compliance. And if the person is seriously neglecting it then we need to do something about. Maybe change our code. Thank you very much."

Celeste Wynn, 319 East Fillmore Street, stated, "I live exactly one block away from St. Andrews. I am also a member of Poplar Lawn Historical Society. And also, I am a member of the Architectural Review Board of the City. And I can tell you that at least five homes on St. Andrews, which is my regular route coming home in the afternoon is an eyesore because of the neglect of the homeowner and property owner. I am in full steam support of what we decided on for that property of Mr. Dance. And I truly believe that if I can look on the Historical Society of Petersburg website and see in turn a two level home from a toothpick I know that Mr. Dance can do something with his home and the other blighted properties that he owns on St. Andrew Street. Thank you."

Marcus Squires, 1701 Monticello Street, stated, "I don't agree in them wanting to tear down the structure and there asking price is almost insane. I just purchased a house in Walnut Hill with a new HVAC and new roof for \$60,000. The entire stretch of that area is just blighted. I don't understand how code enforcement can allow for owners to basically let their homes fall apart. It is demolition by neglect and I hope that the City will do something about that. This isn't just a problem in Poplar Lawn this is across the entire City. Thank you."

Joe Battiston, 600 W. Wythe Street, stated, "I am also the Chairman of the Architectural Review Board (ARB). We would not be here this evening if Mr. Dance would have followed the City ordinance. This ordinance is something that we follow strictly at the ARB. We have had multiple homes come before us and some of which are still standing and some of which have come down when the people did follow the ordinance. The ordinance is very clear and it was a very easy decision for us. This happens to also be a perfect example of demolition by neglect. He has owned these properties for a long time and there are pictures available that

\*Audio available upon request.

will show the condition of the home when he purchased it and the condition of the home that it is now. He intentionally let this home go down. So, he brought the value of it way down. So, therefore it should have been offered at a reasonable price and we would not be standing here today. There are people out there that would purchase that home at a reasonable price. I would use the example of the building that everybody here knows. The building that Rajun Cajun is in right now. I looked at that building years ago and I said that I wouldn't touch it would a ten-foot pole because it was ready to fall down. Bobby Lynch had a different attitude about it and he turned around and went in there and actually pulled a brick wall back four inches and sealed it back up and actually saved that building. That building I wouldn't have given you a penny for it because it was going to cost way more to repair than what it would end up being worth. But he did it and there are people out there that have a passion for repairing these buildings. The properties that I, myself, have done on Sycamore Street ended up costing me way more money than I will ever get back. It is a passion. There are buyers in the City. We have a doctor that has purchased over 20 something homes in the past couple of years. He has come before the Architectural Review Board. His plans have been right on. He has been doing everything that he could and that is the type of person that would end buying a home of this type if it was priced correctly. Now if it was put up at the price that the City had as an assessment on it, I believe it would have been a good chance that it would have been sold. If he would have followed the ordinance rules we probably would have a buyer on it. And if we didn't then he would have permission to take it down. The ordinance is very clear. I just ask that we uphold the ordinance that the prior City Council put in place for this and deny his application."

Sara Melissa Witiak, 22 Centre Hill Court, stated, "Good evening and thank you for letting me speak. I also live in a historic district and part of the historic district designation is to preserve the history and unique aspects of this City. When you buy a house in an historic district you accept a certain amount of responsibility to the City and to its residents to maintain that history. It does cost some more money sometimes and it does require some creative thinking. The house should be put up for a reasonable price. This allows the historic designation to be respected. So, that that house can be brought by somebody. Mr. Battison does have the passion and dedication to restore some of the houses. It is a very cool house and I have walked by it sometimes. But if we do not require the owner to ask a fair price for this house then what happens to the other houses in other historic districts, especially those that are not as close to Old Towne of houses that require even more work. So, I will request that you make sure that the owner ask for a fair price and follow the procedure and it can then be offered to somebody that has a passion for this and then the look of this neighborhood can be maintained. And it can maintain the integrity of other historic districts. Thank you."

Richard Stewart, 129 Rolfe Street, stated, "I wasn't going to speak tonight. I sort of have a sentimental feeling about old houses. Once it is gone it is gone. August 6, 1993, a tornado came through Pocahontas and destroyed property there that we will never see again. Once it is gone, it is gone. I understand how Mr. Dance feel, because I have a few houses that I have to work on. But, I think the City and Mr. Dance should find some common ground in historic society. I think a reasonable price should be put there and I think a time length should be 90 days or 120 days if the house has not been sold at a reasonable price and then tear it done or let the buyers do it. I feel like sometimes on like on Jefferson Street and in other places that old houses have been torn down. So, once it is gone, it is gone. I hope you all can work out something. Because I heard this once before and you all need to work something out, and \$100,000 is too much. Why can't you sell it for \$25,000 for 120 days or six months. And if it is not sold then tear it down if not keep the house."

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

There was discussion among City Council Members.

Council Member Cuthbert made a motion to affirm the decision of the Architectural Review Board (ARB) for the reasons given by the ARB, knowing that the owner applicant has not put forth a bonafide effort to sell the house and that the asking price was not reasonably related to its fair market value. The motion was seconded by Council Member Wilson-Smith. There was discussion among City Council Members. The motion

\*Audio available upon request.

was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Hart and Parham; Absent: Smith-Lee

Mr. Williams stated, "Mr. Mayor, if I may, I would ask based on the decision, which I think was a good decision by council, if there is any interest in directing me to explore voluntary disposition of the criminal matter with Mr. Dance. If council would like the City to explore, allowing him to do a withhold finding or other alternative disposition in the criminal matter. If not, I just want to know what council would like for us to do. Pursue it until its end or explore other means of disposing of the matter."

There was discussion among City Council Members and Mr. Williams.

Council Member Wilson-Smith made a motion to direct the City Attorney to do what is necessary so that the City can work against the criminal action that is posed upon him. The motion was seconded by Council Member Hill. There was discussion among City Council Members and staff. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

- 11. 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 ten (10) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items **except those that are listed on tonight's Council agenda**. Any matter brought before the attention of the City Council during the public information period will not be acted upon by the City Council at this meeting.

Eric Verschuure, 315 Grove Avenue, stated, "We purchased our home in March of this year and moved in, in late May. I stand before you tonight to speak about 321 Grove Avenue. According to the City records the house at 321 Grove Avenue dates back to the 1870s. Today it is in two words, 'A Wreck.' There is a hole in the front door and I can knock down the porch by hand. I will not do so because it will land on me and probably hurt me. In a recent storm a board from the house blew off and landed in our neighbor's yard. The side yards and backyards are filled with building materials and miscellaneous stuff. The house at 321 Grove Avenue and adjoining lot are unsafe. It is still an issue of neglect here but there doesn't appear to be an owner so that is the question before the council or what I would like to be put before the council. But I also want to appeal to your economic interest of 321 Grove Avenue and the adjoining lot of 325 Grove Avenue overlook the Appomattox River. This is prime real estate. I looked this morning at the assessed value of 318, 322, 402, 410 and 414 Grove Avenue. The average of the assessed value of these five properties is a little over \$222,000 each. We all know that the assessed values of these properties and other neighboring properties would increase would improve 321 Grove Avenue, buy and fix it up and spend hundreds and thousands of dollars or it be knocked down. Increased value means increased revenue for the City. So, my argument, if you will is two-fold, 321 Grove Avenue needs to be taken down for safety reasons and protecting the citizenry. There is no one to put up a fence, so if the City wants to do that it would be great. But secondly, the house needs to be removed to increase property value for the City and be able to get more taxes and fees for this prime location in the historic district. My wife and our neighbors ask that you been this process and if you have already begun then to speed up the process to get the house at 321 Grove Avenue sold and approved or removed. My wife just told me and she tells me often that we need to get on it. So, I thank you for your time. Thank you very much."

Marcus Squires, 1701 Monticello Street, stated, "This City is facing a lot of blighted homes. My question for City Council and the City Manager and the City Attorney is why isn't our City taking advantage of the spot blight abatement procedure according to the Code of Virginia 36-49, Article VII, Redevelopment Projects. So the City can basically go in and grab these properties that are blighted. And we can not only generate revenue from selling these homes to people who want to redevelop our City but they also bring up our tax value in the

\*Audio available upon request.

neighborhood because these properties will be fixed up. My second question for council is in regards to Poplar Lawn. There is a creek that goes through Poplar Lawn Park and some of the walls along the creek seem to be shifting. There is a large wall on Fillmore Street and that is also shifting. I know that we have a stormwater fund and I hope that the City can take a look at that before the walls cave into the stream or it falls in. Thank you for your time.”

Annie Mickens, 1013 Melville Street, stated, “Good evening. I come before you today to share an extremely important event that is taking place in Petersburg. I stand on behalf of the planning committee of the Beyond ACEs Summit Committee and as a member of the Petersburg Wellness Consortium. This year the 2<sup>nd</sup> Beyond ACEs Summit will be held at Petersburg High School. The Crater Health District will host the second summit which now carries the theme, ‘Building Community Resilience, The Impact the Race, Culture and Poverty.’ And we said to you that this theme is important especially this year. This year ties into the Jamestown Commemoration and in the words of our ACEs pioneer for the Crater District, Dr. Alton Hart, this year we need to make sure that we expand the knowledge based on our region to historical trauma. And how trauma effects people of color, any particular culture group and any of those who are poverished. For this summit, which is not just local and not just regional, and not state but national and we will host it. Some of the people that we are looking at as our presenters, we will be having President Obama’s key governmental trauma responsive leader and the person of Dr. Marleen Wong, who led the initiative dealing with developing trauma responsive schools. We will have the poor people’s campaign and co-leader national author, Reverend Jonathon Wilson Hartgrove, who will talk about how we influence our future thoughts and practices. The two day summit will end on Friday. And on Friday we will end it with a hope fest that is going to be what we consider a grand opportunity for community engagement. It will be a celebration. It will be a place where we will have intergenerational activities. This year’s summit will include a youth track that was not included in our first summit and it was developed with the voices of the youth to make sure that they have those practices that will encourage those to become successful throughout whatever experiences they encounter. We hope that this will boost community engagement. We will have a free community meal provided by the Petersburg Wellness Consortium. Starting at 5pm on Friday everything is free. There will be many opportunities and one of the major things that will occur for us is that the hope fest will highlight many activities, field activities, live performances, faith community bake off, community dialogue facilitated by coming to the table. And this community dialogue will engage honest and open dialogue about race, culture and poverty. Helping us to search for answers to help people heal our own communities in hopefully becoming engaged and being counted and our voices being heard when issues around poverty show up around community schools and business districts. We are fair to each one of you that if you have community members in your wards that you believe would benefit from being at this conference, we would ask that you let us know so that we can work out some means by which we can get as many community participants as possible. We are very grateful for Ms. Darnetta Tyus, being present at the table for our planning committee. Because we are working our some transportation opportunities for people who may have a need for that. And with that in mind we ask that you contact us based on the information on the flyer regarding people in your ward that may be interested in attending. Thank you very much. And flyers are on the back table of people that may be interested. Thank you.”

Barb Rudolph, 1675 Mt. Vernon Street, stated, “If I had a theme tonight it would be about some of the decisions that are being made by management. I have got questions about them. First one has to do with part of the briefing earlier about FOIA. It was really pretty shocking to me that the City would make a statement about motives of requesters for FOIA information. If it is irrelevant it didn’t need to be stated. If it is truly irrelevant that statement did not need to be made. The statement was that someone would put in a request solely to harass or impede daily operations. That is really a pretty hard accusation to make and is basically assuming the worst about the citizens or others or the press or anybody else that would do a FOIA request. So, I have said that and I have written to some of you about and clearly it was ignored and didn’t meet anybody’s interest. But, I think it really puts a bad face on the City. That the City would call out people and what they are doing without any knowledge of why people are asking for information. And in the case of myself and the other people that I know, we actually do have an interest in the information. We are not doing

\*Audio available upon request.

this to annoy and be a nuisance. We use it and in fact I have some interesting information to share with you tonight. Everybody may not like this information, but again it brings into question the judgment of some of the leadership teams that are in place. I have talked before about some of the credit charges and questions about some things that I think might be frivolous, but I realize that that is in the mind of the person reviewing it. So, I am going to leave those kind of things aside. But going through credit card statements for 2018, I couldn't help but notice that there are an awful lot of airline tickets being brought on the City Manager's credit card for the Deputy City Manager, Mr. Lyons. As I reviewed them closer it became clear that many tickets were being brought for him to fly to Phoenix, Arizona and back. There didn't seem to be any associated conferences or hotel stays or anything else related to Phoenix or those flights that would indicated someone going on a business related trip for the City. So, I have a question about it. Was this City business? I am talking about eight different tickets were brought for 2018 totaling over \$2,200. That may not be the biggest ticket item but I heard about things tonight and other times that the money can be used for something that clearly would interest the City business. And I do hope that you look into this because this is more noticeable to me than any other things that I have seen. Thank you."

Willie Noise, 1508 Circle Drive, stated, "Still feeling good about everybody. The citizens are coming together slowly but I am glad that you all are doing something on the public information period report. Which is one of the avenues that we have to keep you in contact with the City. And all these City newsletters and website and all of that, I cannot see one person doing that. I don't know how big the staff is that public information has to deal with but one more person to the staff to help get these things to make sure that the questions that I ask you all are answering them. For instance, I have to bring this one up. Trash trucks being cleaned at the end of the shift. And the answer was that trash issues can be reported at such and such number or emailing customer service. This does not answer my question. I do not want to go to the trash place and voice my opinion when I already seen it and saw where you all did not catch it. So, I am bringing it to your attention. Do not send me there, because they hate the messenger. You need this information yourself not me. You all run this City. The fines for trash and everything that the code department issue out, where is that money going? The City needs to be cleaned up and I am telling you that you all are doing a poor job. I am going to have to stop commending you on what you doing and start bringing up something that you are not doing. Because I have been kissing you butt for a long time trying to get all you all to come together. But now it is time to tell you some things and facts. Kids, let's bring them up. Kids are struggling because they have different parents with different amounts of money. Some have it and some don't. just like when we brought those Michael Jordan tennis shoes. Everybody wanted that and to have a pair. So, they are still fighting on that little area where parents cannot provide the things that kids want. They are going to go out through other channels and get them. So, you all just keep that in mind. Those are a couple of things that I really wanted to mention. I didn't write anything down and I forget things too. And I am standing here thinking about my time. I can't think of nothing else but my time because I do not have it on the paper about my thoughts. Thank you."

Sara Melissa Witiak, 22 Centre Hill Court, stated, "So, this is the anniversary of our moon landing. I know you are thinking what does the moon landing have to do with Petersburg. But if you think about what it took to get to the moon with less computer technology that is in your cellphone right now. Let's think about this. Can we solve these problems? Can we all work together, maybe with our cell phones that we have in our hands all the time. Let's open up this government in a way that you do not have to pay to play to get information from your City. Let's work with open communication where answers are different to your questions. Answers that actually understand problems that have solutions. We have a lot of problems in this City. We have dams that need to be worked. We have houses that are a little tipsy. We have some water ways that might need some help. And if we think back to those folks who got their selves to the moon they did it together and they did it by looking at real facts involving everybody and thinking openly and long-term and creatively. When we look at Wilcox Lake, what I start to look at is that we are looking at the cheapest thing to do. Let's step back. What is going to be the best solution now for ten years, fifteen years or twenty years down the road and how does that relate to climate change. What is the best way to repair the water ways? We have gone to the moon and we have a City that we are proud to live that everybody has contributed to. When we start to

\*Audio available upon request.

think about parking areas and what our City looks like in 75 years or 100 years. Does it have trees or is there a big parking lot? Does it tell a story? All of you guys think about this. Think about using your cellphone. I think that you guys can go to the moon but you have to get everybody involved. Thank you.”

Ron Flock, 1708 Pender Avenue, stated, “First thing I want to touch on real quick is this the bank that we are renovating we only spent \$1,500 out of \$25,000. Is anybody putting together plans on how we are going to have a computer system that does not run on monochrome monitors and dark space hardware for these people over there. Or are we just going to take the dinosaurs across the street? Just a simple question. Second of all is this FOIA, even if the request is solely to harass or impede daily operations, how more antagonistic can you be? The wisdom in that statement is ignorance. It should have never got on there. FOIA also says that you can be charged and it has to be based on what is being done. So, if I send you my 6<sup>th</sup> request, how will you know what it is going to cost. You don’t even know. You are automatically telling me I am going to pay for something and you do not know what I want. That is not the way that it was setup. In regard to that statement that should have never been put on that presentation, from the Virginia FOIA Council. The statement is technically correct and the purpose of the request is irrelevant even if it’s meant to harass and impede operations. But since it comes from the administration then I would suggest that you may want to raise these concerns with the administration. This is the state telling you that someone needs to wise up and pay attention to what they are doing and how they are speaking to the citizens. None of us are doing this because we want to harass or impede. And trust me with all these credit card things that I am getting, this is work. It is a lot of work. I have got probably 40 hours going through these things. I am not doing this to impede anybody. I am doing this because I care about what is going on and I want to make sure that we have a plan for longevity. So, just remarks like that are totally uncalled for and I personally do not appreciate it. Thank you.”

Carl Ridley, 15 N. Crater Road, stated, “I am here to present a classic case of good news, bad news. I read an article in the Progress dated June 23, 2015, that the Trailways Bus Station is now a state landmark. Fast forward, here is the bad news. On July 4<sup>th</sup> of this year the PI (Progress-Index) reported that the building has been sold to the developer and he plans to repurchase it as a cigar lounge. What kind of short sighting is this from City Council? It has been rumored that many people in the City wanted the bus station to be turned into a civil rights museum, which is a good place for it to be. The Trailways Bus Station is a landmark of the state civil rights movements and was designated a state historic landmark and could possibly be honored nationally. The bus station was desegregated in 1960 by Wyatt T. Walker and former chief of staff, Dr. Martin Luther King. The Virginia Department of Historic Resources has documented that the bus station is the only unauthored mid-century bus station in the state. The City Council without support of the citizens voted to sell the property for \$135,000 to Faris al Sanabani, or operates some of his businesses in Richmond. Do we really need a cigar lounge? What we really need is development that will bring jobs to this City. Development that will increase the tax base for the City. According to the Progress-Index, the sale will generate Petersburg \$8,000 in taxes for the first year and jump to \$40,000 for the next five years. And \$188,000 by year 20. What kind of investment is that? What better way situation could have developed than to renovate it as the historic museum and place it on tourism. A museum would do wonders to tourist up and down the I-95 corridor. I hereby employ the City to resale the property.”

Linwood Christian, 410 Mistletoe Street, stated, “The one thing that I want to say is that it was kind of dishearten to tell Mrs. Mickens and others that their time is up when you all have gone back again to stay forever in a day in closed session. If you all would shorting those closed sessions, because at council meetings I understand that you have things to take care of but don’t forget that council session is just not for you all to stay in closed session for forever and a day. But, for the citizens to let you all know what is going on in the community that you were elected to serve. Also, I would like to say, and I meant to bring it to Mr. Myers attention as well as Mrs. Innis, when you are going down Johnson Road especially close to the bridge, there is a tree that is leaning very dangerously towards falling. Looking at the amount of rain that we had and may have, I would hope that is addressed. Because the last storm we had there were some trees that came down on Johnson Road. This one looks like if you sneeze, it may come down. So, I just wanted to bring that to

\*Audio available upon request.

everyone's attention as well. Also, going to Social Services, and even though you have the electronic sign up there, if you are coming off 95 and are going southbound or northbound, when you come off that ramp at Rives Road, you see the sign that way. But if you are coming from Crater Road and turn on Rives Road you do not see the sign. So, just to make it a little more signage back there to let people know where they are going would help. Other than that there is one other thing. The taxes that were imposed at that time like the cigarette tax and all, what is that money being used for? What have we seen? Because we are always asking for a report from everybody about everything, so now as a citizen I want to know what are those monies being used for. Because a lot of times I was hoping that we can use a portion of that for the school system. Even we are grateful for the pothole blitz. We also see where you have taken a cedar appear right at the corner of Washington and Marshall Street. And I think I understand why you did that. And one other thing, when you all are going to conferences, one of the things many citizens, including myself, and I will ask, why does the whole contingency have to go and then when you all come back we really get no comprehensive report about what you did and why you did it. And what is the purpose of why you are going to that conference? If you all are going to spend 'x' about of dollars on a hamburger, we even want you to come back and tell us why you spent that kind of money and why you got that hamburger and how is it serving the citizens of Petersburg. Thank you."

Louis Malon, 1578 Westover Avenue, stated, "I am here to invite each of you to return to this room tomorrow night for the Historic Petersburg Foundation Summer Lecture. Two thousand nineteen marks the 400<sup>th</sup> Anniversary of Convening of the First Elected Representative Governing Assembly in English North America. In July of 1619, 22 elected burgesses met in Jamestown, just down the road from here, to have the words of their charter introduced just laws for the happy guiding of their people. From that date to this, settlers and citizens have been able to participate in their own government and promote measurement for the general good. You tonight are here as a direct result of what happened 400 years ago in Jamestown. Tomorrow night HPF will bring Dave Givens, the Director of Archeology, for Jamestown rediscovery. This program has completely rewritten our understanding of the realities of that experience. Now 2019, also marks the 400<sup>th</sup> Anniversary of the rival in August of the first Africans on the shores of Jamestown. Having being captured in Angola and sold into slaves trade, these 20 or so individuals were captured by English privateers and brought to a Jamestown where they were exchanged provisioning the ship. Now we know a little about these first slaved individuals. But the 1625 census does record the presence of a enslaved woman named Angela at the House of William Pierce of Jamestown. For the last four years, they have given to this team and conducted an investigation of this site. While we can never really appreciate Angela life, the investigation brought us into a glimpse of the world that she occupied and the tools and implements that she used in her daily life. So, again I invite each of you to return tomorrow night at 7pm to hear the story of the investigations of Jamestown. These stories are very relevant to Petersburg and the American story. And a few people have had the chance to experience it firsthand. He will be here tomorrow night to share the story with us. Thank you."

Michael Edwards, 409 Grove Avenue, stated, "One of the few things that me and Council Member Cuthbert agree on is historical housing. My new neighbors came up at the being of the public information session and addressed 321 Grove Avenue. A week ago on Sunday, Mr. Lyons and Mrs. Benavides was touring the City like they do every evening. And I spoke with both of them in length on Grove Avenue in front of 321 and expressed my concern with them about that house. The 321 has somewhat of an upsetting history to it. The owner was found deceased in the house. The owner does have a son and a daughter who does not want any parts of the property. Currently, City property reflects the billing as 321 Grove Avenue. I do not support the City entertaining anything to tear that house down. That is one of the unique houses on the street. It was built in 1874 and those of you who would ride down there, you can look at the chimneys and one of the unique things about it is that it has crosses in every chimney. The house at 410, which is directly across the street from me, was built in 1880 and 409 was built in 1840, 405 was built in 1895, 411 was built in 1841 and the oldest house on the street, which is 420 was built in 1783. I come before to say that there are other avenues that the City can take to take ownership of this property. It will mostly end up going to a tax sale but I am 100% against tearing the house down. It has great potential and it is not in the shape that we see some of

\*Audio available upon request.

the other houses in the City. The owner bought the house in 93 and he had great plans for the house. You see the brick columns in front of the house. He did those by himself through his workmanship. When he bought and I have pictures, the house was in disarray. He did fix the house and bring it back. But like anything when folks get older their momentum is not as good as us young folks are when entertaining a renovation project. So, I do implore you to not consider what my neighbors have asked in tearing the house down by demolition of neglect but to find another way to take the property either by tax sale or any other means necessary. Thank you.”

## **12. BUSINESS OR REPORTS FOR/FROM THE MAYOR OR COUNCIL MEMBERS:**

Council Member Cuthbert stated, “Thank you, Mr. Mayor. A couple of things that I would like to follow up immediately on the comments that Mr. Michael Edwards. I thank him for those comments and I have been trying to get the City’s attention focuses on 321. How many months Mr. Lyons? Six months? Eight months? Ten months? Twelve months? And nothing has happened. I am going to ask that Mr. Lyons report to City Council at it’s meeting on September 3<sup>rd</sup> as to the City’s plan for saving this building. Whether it involves spot blight or blight designation coupled with a tax sale or some other solution. If we do spot blight the City has I have pointed out on multiple occasions we shorten the time that we have to wait before we can take it to a tax sale. So, that approach makes lots of sense to me. But, I do not want the foreclose of an option. But, I would ask for a report Mr. Lyons on September 3<sup>rd</sup> for a game plan to save this building. Is that something that you can do Mr. Lyons? I know that all of council thanks you and I know that all the public thanks you. Let me turn to another good comment made by the public information session. And that was a comment made by Mr. Marcus Squires about the walls of Poplar Creek that goes through Poplar Lawn. And I was puzzled. And I know that we all are that the walls appear to need some attention. Mr. Lyons would you also take a look or have the appropriate Petersburg City staff person to take a look at the walls of the creek as the creek goes through Poplar Lawn Park. And report back to council on September 3<sup>rd</sup> as to the findings and also repairs of those walls would be appropriate use of our stormwater fund. Is that something also Mr. Lyons that you would do? Thank you. And last thing, Ms. Tyus let me turn to you and I think that it would be appropriate if you would address it. Would you do what’s necessary to report to this council at this September 3<sup>rd</sup> meeting, why the City paid for each trip to Phoenix, Arizona in 2018. Again, this is something that was brought to our attention by the public during the public information session. I thought that this was a particular valuable public information session. Certainly, brought things to my attention that I was not aware of. Specifically, the walls to Poplar Lawn Creek and the charges going back and forth to Phoenix. Ms. Tyus, is that something that you can do or have the appropriate person do and report to council on September 3<sup>rd</sup> as to the reasons for each of those trips.”

Ms. Tyus stated, “Yes, we can.”

Council Member Cuthbert stated, “Thank you very much, Mr. Mayor.”

Council Member Wilson-Smith stated, “Thank you and good evening to everyone. I just have two things please. You should all have an application in front of you for the Anti-Poverty Commission from Mrs. Florence Rhue. I would like to make a motion to appoint her to the Anti-Poverty Commission, please.”

Council Member Wilson-Smith made a motion to appoint Florence Rhue to the Anti-Poverty Commission. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

### **19-R-43 A RESOLUTION APPOINTING FLORENCE RHUE TO THE ANTI-POVERTY COMMISSION.**

Council Member Wilson-Smith stated, “Thank you. I only have one other thing. The Anti-Poverty Commission will have a poverty simulation here at the train station on August 22<sup>nd</sup> at 6pm. We are inviting all of you to please come out and be a part of this. We need City administration and council members to please come out and assist us with this simulation. Come out and learn what other people go through. Come out and

\*Audio available upon request.

see what it is really like to live paycheck to almost the next paycheck. Come out and be enlightened and informed and see what the citizens actually go through. That is all that I have for tonight. Thank you.”

Council Member Smith-Lee stated, “Good evening and thank you all for coming out. I only have two things also. Originally my meeting was going to be on August 6<sup>th</sup>, but that is crime night out. So, I am going to change my ward meeting to August 20<sup>th</sup>. And it will be at Cool Springs Elementary School. Also, on August 31<sup>st</sup>, Ward 6 will partner with Another Level and WHOP City to have a back to school giveaway. They are going to do free haircuts and school supplies. They are going to introduce Petersburg High School football team and band. So, please just come out and support us at Farmer Street Park. The time will be from 11:00am to 7:00pm. Thank you.”

Council Member Myers stated, “My one announcement is that this Saturday, July 20<sup>th</sup>, from 3:00pm to 7:00pm, we will have our annual ‘Stop the Violence, Stop the Silence Cookout’ at Third Baptist Church. Located at 550 Farmer Street from 3:00pm to 7:00pm and we welcome all to come and join us.”

Council Member Hill stated, “Yes, I want to publicly thank Tangela Innis, Mr. Lyons and the City Manager in her absence. We did a ride around in parts of the City and identified some areas that is being worked at this time as far as cutting grass and getting up trash and things of that nature. I do want us to look at maybe taking those individuals, if it is at all possible and those people that are doing community service and are in violation of whatever and maybe getting them to help at least with the trash. So, if we can start something like that. That would be good for the City if we can do that. One of the deputy city manager’s if you can look at that as well. I think we can have a lot of great energy at this time when it comes economic development. We have had like two or three great hits in the past month. Of course those things do not get highlighted as well as the bad things. But that is just the nature of running a City. Let us hope and pray it continues growing. I know all economic development is not suitable for everyone but for those individuals, like the cigar lounge. You have individuals who come and there are certain types of individuals who smoke cigars and to be honest with you, at times what will happen is that you will have what I would call high fluent people who smoke cigars. You would be surprised what type of people will be in cigar lounges that will come to the City and see the great that are in the City. I am not saying that this was the best location for it but something to that nature was a good positive thing. By me being down in the Old Towne area that is what a lot of people ask about a lounge. So, I am happy that it is coming. As far as one citizen saying something about a black history museum, we still have the library and we do not know what is going on with that. But we have to start looking at some of these buildings. And then another thing, blighted property, my only concern is that if we take over some of these properties and then what next. We have to have a plan going forward if we head down this road. This is why we have over 300 parcels on the book right now because previous administration has taken over property. We are getting no tax revenue and it is hard for us to cut the grass and things of that nature. If we head down this road it is shown that it really doesn’t work, not in this City. So, you have to be careful with that as far as buying and taking over property and blighted property. The thing to do is to go after the individual who owns that property. Now, I understand that it may be an individual that is deceased and the family does not want anything to do with it. That is another thing, but also the safety of our community should be most important. The worst thing that can happen is that someone can walk on the sidewalk and something can fall on them. So, the safety has to be our number one priority. So, with that being said that is all I have members of council. Thank you.”

Vice Mayor stated, “Good evening everyone. Thank you for coming out. I just also would like to thank those who came out for last Friday, Jazz in the Stacks. It was a sell out event. As always, Wayne Crocker, I cannot thank you enough for allowing me to come in work along with you to have this exciting event. So, thank you.”

Mayor Parham stated, “Good evening everyone. I have some items tonight. Some actions that need to be taken. So, I will hand the gavel to Vice Mayor Hart. And we all got applications from Lafayette Jefferson to

\*Audio available upon request.

join the EDA (Economic Development Authority). So, I would like to make a motion to appoint Mr. Lafayette Jefferson to the EDA, replacing Ms. Dorothy Freeman.”

Mayor Parham made a motion to appoint Lafayette Jefferson to the Economic Development Authority, replacing Dorothy Freeman. There was discussion on the motion among City Council Members. The motion was seconded by Council Member Myers. There was continued discussion on the motion among City Council Members.

Council Member Cuthbert made a substitute motion to postpone considering the application of Mr. Lafayette Jefferson to the EDA until they have had the opportunity to study his resume and interview him.

Council Member Cuthbert motion dies due to a lack of a second.

Mayor Parham motion goes back on the floor for vote.

Mayor Parham made a motion to appoint Lafayette Jefferson to the Economic Development Authority, replacing Dorothy Freeman. The motion was seconded by Council Member Myers. There was continued discussion on the motion among City Council Members. The motion was approved on roll call. On roll call vote, voting yes: Smith-Lee, Myers, Hill, Hart and Parham; Voting No: Cuthbert; Abstain: Wilson-Smith

**19-R-44      A RESOLUTION APPOINTING LAFAYETTE JEFFERSON TO THE ECONOMIC DEVELOPMENT AUTHORITY (EDA).**

Mayor Parham stated, “Next thing, I also would like to make a motion to make an amendment to the agenda to add a resolution to make the Crater District Workforce Board Executive Director an employee to the City of Petersburg.”

Mayor Parham made a motion to make the Crater District Workforce Board Executive Director an employee to the City of Petersburg. The motion was seconded by Council Member Myers.

Vice Mayor Hart opened the floor for public comments.

Seeing no hands, public comments were closed.

The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

**19-R-45      A RESOLUTION TO MAKE THE CRATER DISTRICT WORKFROCE BOARD EXECUTIVE DIRECTOR AN EMPLOYEE OF THE CITY OF PETERSBURG.**

Mayor Parham stated, “In listening to Mr. Linwood Christian comments today about the trips that council have taken, I would like to do a follow-up on the ICSC ReCon 2019 Retail Site Selection Consultants Proposal.

Reggie Tabor, Economic Development Manager, gave an overview of the proposal.

There was discussion among City Council and staff.

Vice Mayor Hart made a motion to waive the Rules of Council to further discuss and give grounds to the administrative team to move forward in the process. The motion was seconded by Council Member Myers.

\*Audio available upon request.

There was discussion among City Council and staff. The motion was approved on roll call. On roll call vote, voting yes: Smith-Lee, Myers, Hill, Hart and Parham; Voting No: Cuthbert and Wilson-Smith

Vice Mayor Hart made a motion that City Council direct the economic development and city manager administrative team to move forward in their quest to follow-up on the retail site selection consultant proposal. The motion was seconded by Council Member Myers. The motion was approved on roll call. On roll call vote, voting yes: Smith-Lee, Myers, Hill, Hart and Parham; Voting No: Cuthbert and Wilson-Smith

Council Member Myers made a motion to adopt the resolution for C-PACE Program. The motion was seconded by Vice Mayor Hart.

Mr. Williams stated, "I do not know if you have a resolution currently in front of you. I think that you had discussed that this possibly appears on the 22<sup>nd</sup> agenda."

Council Member Myers stated, "It be nice if someone lets me know beforehand. I withdrew my motion."

**13. ITEMS REMOVED FROM CONSENT AGENDA:**

No items for this portion of the agenda.

**14. UNFINISHED BUSINESS:**

- a. Consideration to extend the timeframe of the Petersburg Preservation Task Force Memorandum of Understanding.

**BACKGROUND:** The PPTF entered into a Memorandum of Understanding with the City on March 20, 2018, for a one-year period. Currently, PPTF manages the Blandford Church and Reception Center, Centre Hill Mansion, and The Exchange Building (formerly The Siege Museum.)

**RECOMMENDATION:** Recommend City Council extends the MOU with the Preservation Task Force until July 15, 2022, with an option at the City's sole discretion to extend for an additional one-year period.

Darnetta Tyus, Deputy City Manager, stated, "Good evening Mr. Mayor, Vice Mayor Hart and City Council. I come before you to advance the Petersburg Preservation Task Force Memorandum of Understanding. The agreement comes in two parts and one with challenges. We are trying to negotiate this. Thank you so much to Attorney Tony Williams and Attorney Sam Johnson as well as Sergei and Wayne Crocker. A resolution was found with this when you separated the real issue here. So, on one hand we were hearing a lot about a potential grant from the National Park Service going to the Historic Petersburg Foundation not the task force. And there were discussions about meeting to have the MOU with the task force somehow tied to these funding's. When we tunneled down and came to an agreement with the attorney's we separated the two discussions. So, before you is a resolution that is with the City of Petersburg that says that we will make the facility available for the three years of the grant if the grant happens, the City of Petersburg will make sure that there is access. So, we said to them clearly that we want your money. We are not trying to say don't put your money into the Exchange Building. We are just saying that it has nothing to do with this agreement. The attorneys have agreed. So, before you is a resolution that says that the City Council will ensure that there is access to the Exchange Building if those funds are actually made available to improve the building. So, that is the first part of it that we would like the council's approval on. There is no appropriation of funds just our commitment that causes The Cameron Foundation to be okay. And this is appropriate being that the asset belongs to the City. It is appropriate to separate the two discussions. That is the one thing. And then considered separately is the MOU with the taskforce. So, the major points associated with the MOU becomes

\*Audio available upon request.

a two-year MOU that is causing us to have out clauses that allow the taskforce or the City to exit this agreement with a 60 day notice. The original language says 30 days but we are fine with 60. Because if we want to get out or they wanted to get out we would need 60 days to figure out how to manage our assets. And those were the points. The only additional point in this agreement which the taskforce has already signed. So, tonight in front of you is a signed agreement with the taskforce. And I am so excited to be at this place. It is a signed agreement. The only other thing that is different from the agreement that we presented in March is that the City will take responsibility for managing the Visitor's Center that is housed in the Exchange Building effective September 1<sup>st</sup>. And those are the agreements. We took them separately and I would want us to consider the resolution first and then accept the agreement that PPTF has actually already signed."

There was discussion among City Council and staff.

Mr. Williams stated, "If council is inclined to approve this then I can say that PPTF has worked with us to cover all of the major issues that council identified when this started. The motion would be to approve the resolution and authorize the City to execute the MOU. That would be the motion."

Council Member Myers made a motion to approve the resolution and authorize the City to execute the MOU. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

**19-R-46 A RESOLUTION COMMITTING TO PROVIDE PUBLIC SERVICES AND HAVE THE EXCHANGE BUILDING OPEN TO THE PUBLIC FOR A THREE-YEAR PERIOD DURING REHABILITATION.**

b. Harbor Lease

**BACKGROUND:** On May 16, 2017, Council adopted Ordinance 17-ORD-24, which authorized the lease of the property located at 275 River Street for the purpose of the development of an outdoor entertainment venue. Developer has indicated that he requires additional properties to facilitate the desired development in accordance with the attached draft Lease Agreement. The City Attorney has reviewed the draft Lease and has made recommended revisions in tracked changes included in the document.

**RECOMMENDATION:** No recommendation regarding lease. City Attorney's recommended revisions if lease is approved are included in attachments.

City Attorney Williams gave a brief update on the request for revisions to the lease agreement.

Dave McCormack gave a brief update on the revisions to the lease with the additional properties.

Council Member Myers made a motion to execute the lease for the development of outdoor entertainment and approve the ordinance. The motion was seconded by Mayor Parham. There was discussion on the motion among City Council and staff.

Council Member Wilson-Smith made a substitute motion that with the edits and revisions and to be sure that City Council is understanding to table until the next council meeting of September 3, 2019. The motion was seconded by Vice Mayor Hart. There was discussion among City Council Members and Mr. McCormack. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith and Hart; Voting No: Parham, Hill and Myers

**15. STANDING COMMITTEE REPORTS:**

\*Audio available upon request.

No items for this portion of the agenda.

**16. NEW BUSINESS:**

- a. Consideration of the Virginia Foundation for Healthy Youth Grant

**BACKGROUND:** This is the second year of a two-year grant. In November 2018, the City received a grant from the Virginia Foundation for Healthy Youth to form and strengthen a Healthy Community Action Team (HCAT). The focus was specifically to develop a vision, mission, and strategic plan. Year two will focus primarily on community food access. Elements of a Farm to School Program will be implemented, a network of farmers/community gardeners will be established, and an increase in SNAP participation in the River Street Market is anticipated.

**RECOMMENDATION:** Recommend City Council approve.

Wayne Crocker, Director of Petersburg Public Library, gave a briefing on the healthy youth grant.

Patricia Caulkins, Registered Nurse, stated, "I just wanted to let you know how we spent last year's money. Because we had almost \$30,000. So, we were able to write a strategic plan. It was mainly strategic planning so we were only able to do six cooking demonstrations and taste testing with children but we did reach about 1,500 children. We also bought materials for the library and we worked with master gardeners to do bucket gardens with the children. And we just want to build on that and continue developing relationships with kids. Teach them how to garden and cook. I will be glad to answer questions that you may have."

Council Member Wilson-Smith made a motion a motion to accept the \$30,000 to continue to support the Healthy Community Action Team. The motion was seconded by Vice Mayor Hart.

Mayor Parham opened the floor for public comments.

Sara Melissa Witiak, 22 Centre Hill Court, stated, "I would just like to support this and hope that you guys accept this and I think they have done a very good job. I have participated in a few of their events and I think that it is a very good thing that we should have in the City."

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

The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith- Lee, Wilson-Smith, Myers, Hill, Hart and Parham

**19-ORD-39 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020, FOR THE VIRGINIA FOUNDATION FOR HEALTHY YOUTH GRANT FOR PETERSBURG.**

- b. Consideration of a resolution of the City of Petersburg clarifying the process for disposing of real property owned by the City of Petersburg.

**BACKGROUND:** The City Council of the City of Petersburg adopted Resolution 19-R-17 March 19, 2019. The resolution authorizes the offering for sale of a list of real property owned by the City of Petersburg and it includes a process for the solicitation and negotiation of sales of real property owned by the City of Petersburg. The process includes a clause, "10. If necessary, as a precedent to closing, an addendum to the Disposition/Purchase Agreement in the form of a Development Agreement is negotiation and executed."

\*Audio available upon request.

The City of Petersburg has received proposals to purchase real property owned by the City of Petersburg. Some of the proposals do not propose development of the property and therefore would not require a Development Agreement.

The City of Petersburg has an inventory of more than 200 parcels of real property that have been authorized for sale by the City of Petersburg City Council and seeks to dispose of the properties as expeditiously as possible. Removing the requirement of a Development Agreement will expedite the disposition process.

**RECOMMENDATION:** It is recommended that the City Council considers adoption of a resolution clarifying when a Development Agreement is necessary in the process for disposing of real property owned by the City of Petersburg. Clarification could specify when a Development Agreement is necessary.

A Development Agreement may not be necessary:

1. If the property is a parcel zoned residential and the purchaser is not proposing to further develop the property but maintain it as Open Space and an extension of adjacent property owned by the prospective purchaser.
2. If the property is a parcel zoned residential and the parcel does not meet the minimum dimensions for development, and the purchaser proposes to maintain the property as Open Space.
3. If the property is a parcel zoned residential and the parcel does not meet the minimum dimensions for development, and it cannot be combined with an adjacent parcel to meet minimum dimensions for development.

Other Considerations include:

1. If the property is a parcel zoned residential.
2. If the development proposal includes not more than three parcels

Mr. Tabor gave a briefing on the resolution and process of disposition of properties.

Vice Mayor Hart made a motion to accept the recommendation of economic development in disposing of property. The motion was seconded by Council Member Hill.

There was discussion among City Council and staff.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed public comments.

The motion was approved on roll call. On roll call vote, voting yes: Smith-Lee, Wilson- Smith, Myers, Hill, Hart and Parham; Voting No: Cuthbert

**19-R-47      A RESOLUTION OF THE CITY OF PETERSBURG CLARIFYING THE PROCESS FOR DISPOSING OF REAL PROPERTY OWNED BY THE CITY OF PETERSBURG.**

**17.      REPORTS/REPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:**

\*Audio available upon request.

\*Item was moved under the City Manager's Report

**18. CITY MANAGER'S AGENDA**

\*There are no items for this portion of the agenda.

**19. BUSINESS OR REPORTS FROM CLERK:**

Ms. Jackson stated, "I will email my comments and recommendations to council regarding the Rules of Council on tomorrow morning."

**20. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:**

\*There are no items for this portion of the agenda.

**21. ADJOURNMENT:**

City Council adjourned at 11:41p.m.

\_\_\_\_\_  
Clerk of City Council

APPROVED:

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Mayor