



City of Petersburg

Office of the City Attorney

Telephone: (804) 733-2305

City Hall

135 North Union Street

Petersburg, Virginia 23803

awilliams@petersburg-va.org

Anthony C. Williams, City Attorney

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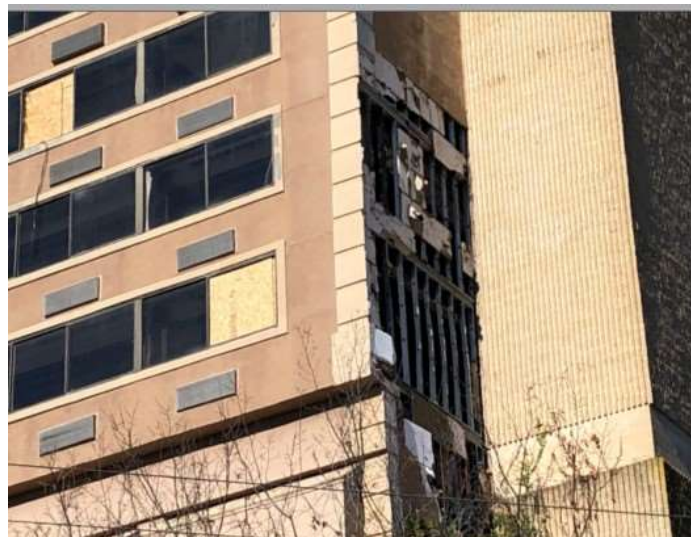
David K. Paylor, Director
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
P.O. Box 1105
Richmond, VA 23218

Re: Old Ramada Building – Dangerous Structure

Dear Mr. Paylor:

On April 6, 2021, City Council for the City of Petersburg, Virginia adopted the attached Ordinance in furtherance of its efforts to abate a blighted and dangerous building that has plagued the City of Petersburg in recent history. The building was constructed in 1973 as a Ramada Inn Hotel. It is located at 380 E. Washington Street, Petersburg, Virginia, and was once operated as one of the City's premier hotel properties.

It is an enormous concrete and steel structure approximately 120,000 square feet with 10 floors and 125 rooms and suites. Over the years, it changed hands a number of times, and eventually has fallen into disrepair, with large chunks of the structure falling off and leaving gaping holes in the exterior as depicted below:





The structure is riddled with graffiti inside and out, with countless dangers to life, limb and property. Even more disconcerting is the fact that the structure is easily accessible to the public and shows signs that persons may be entering and occupying the structure and/or using it for unsavory purposes.



Notwithstanding the City's best efforts to obtain voluntary cooperation and compliance, the owner of the property has refused or otherwise ignored the City's Notices of Violation and Orders to secure the property and has thus far avoided service of the Criminal Summonses obtained for the violations (the owner is an out of state resident).

Based upon the most recent action by City Council (the attached Ordinance), the City plans to proceed with Court action in an effort to obtain an Order to have the owner abate the violation by demolition, and in the event that he fails to, we are going to ask that the City be permitted to proceed with demolition at the City's expense with the costs becoming a lien upon the subject property.

Aside from the fact that the City of Petersburg is a financially challenged locality that has made great strides in recent years in emerging from a near bankrupt condition. This poses a major

problem due to the fact that the resulting value of the cleared property will likely be far less than the cost to bring the property into compliance.

Like most localities across the country, Petersburg has struggled and continues to struggle in the wake of the COVID Pandemic. The unfunded costs for localities in addressing issues raised by COVID are challenging. But the dangers posed to our citizens by this property necessitate moving forward expeditiously. To that end, we have and continue to search for ways to address this ongoing public safety concern while minimizing the negative financial impacts to the locality.

On April 6, 2021 City Council instructed the Mayor and me to work with State Senator Joseph Morrissey and Delegate Lashrecse Aird to explore possible avenues for funding and possibly reducing the cost of the abatement/demolition of this structure. This effort included consideration of safely and economically disposing of the waste generated from the prospective demolition. Both Senator Morrissey and Mayor Parham individually contacted representatives of our local waste contractor, Meridian Waste Acquisitions, LLC (hereinafter “Meridian”) concerning this topic.

Senator Morrissey has indicated that in the course of his discussions with Meridian, they expressed an interest in possibly performing the demolition services “pro bono” as a community service in furtherance of regaining trust in the community and in an effort to serve as a good community partner with the City to address this terrible problem.

Unfortunately, as Meridian no longer has a local facility capable of accepting the debris from such a demolition, providing this service would require them to transport the materials to one of their other locations. This issue has rendered such a proposal cost prohibitive. However, one option that was discussed was the possibility that DEQ might accept the provision of this community service as a financial offset for Meridian to the fines imposed recently in their case involving the Tri-Cities Landfill here in Petersburg.

There are two cases relating to this matter. The first, *Commonwealth v. The CFS Group Disposal & Recycling Services, LLC*, CL18-782-00, is pending in Petersburg Circuit Court. In this case, the Commonwealth seeks injunctive relief and civil charges based on alleged violations of the solid waste management permit and associated regulations at the Tri-City Regional Landfill. This case has been stayed while the Virginia Department of Environmental Quality’s (DEQ) administrative action and related appeal, described below, are completed, as many of the issues addressed by the administrative action are the same as those asserted in this lawsuit.

The second, *CFS Group Disposal and Recycling Services, LLC v. Virginia Department of Environmental Quality*, CL19-5506, is pending before the Richmond Circuit Court. This case is an administrative appeal of the DEQ Order issued following a formal administrative hearing held by DEQ. The Order directs closure and other actions to be taken at the Tri-City Regional Landfill based on alleged violations of the solid waste management permit and associated regulations at the Tri-City Regional Landfill. Settlement discussions have been initiated between CFS and the Commonwealth to resolve both cases.

CFS has now agreed to close the landfill. A closure plan has been submitted and approved by DEQ, and is in the process of being implemented. This closure plan includes important and significant upgrades to the gas collection system and stormwater system at the landfill. The primary outstanding issue to resolve these cases is agreement on a civil charge. DEQ's most recent proposal included payment of a civil charge to settle these cases.

In an effort to help the City resolve an ongoing situation that poses a danger to its citizens, the possibility that Meridian could perform abatement/demolition services relating to the old Ramada Building in lieu of or as a substantial offset to its civil penalties in the DEQ case referenced above could be a "game changer" for the City.

This gesture would be very meaningful to the City of Petersburg as it would not only serve to help rid the City of an extremely dangerous condition and nuisance, but it would also enable the City to address an issue that would otherwise stretch if not entirely break the City's finances. The City of Petersburg has struggled over the years to reach financial stability, and only recently have we gotten to the point where it seems that we may be getting things back on track and moving forward in a positive direction.

I am writing you this letter at the direction and with the consent and support of City Council in hopes that you will consider the foregoing. I am offering my services to assist if this is something that DEQ believes could be an acceptable solution. Preliminary discussions between DEQ and Senator Morrissey indicate that Meridan/CFS are very amenable to this proposal.

Please let me know your thoughts along these lines, and if there is anything further that I may provide to assist you in making a decision.

Sincerely,



Anthony C. Williams,
City Attorney

Cc: Honorable Members of Council
Kenneth Miller, Interim City Manager
Richard Savage, Esq. (Counsel for Meridian/CFS)
Senator Joseph Morrissey