

The regular meeting of the Petersburg City Council was held on Tuesday, April 2, 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:

City Manager Aretha R. Ferrell-Benavides  
City Attorney Anthony C. Williams  
Clerk of Council Nykesha D. Jackson

**2. PRAYER:**

Mayor Parham stated, "Now at this time Reverend Darrin Hill will open with our opening prayer."

Reverend Hill led the council meeting in prayer.

**3. CLOSED SESSION:**

City Attorney Anthony C. Williams stated that City Council will now move to go into closed session for one purpose pursuant to Section 2.2-3711.A (7) of the Code of Virginia, 1950 as amended, council will be in closed session 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 probable litigation specifically including but not limited to matters requiring legal advice by the City Attorney.

Council Member Myers moved that the City Council go into closed session for the purposes noted by the City Attorney. The motion was seconded by Vice Mayor Hart. 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 6:34 p.m.

**CERTIFICATION:**

Mr. Williams stated that City Council now moves to come out of closed session and certify that only public business matters lawfully exempted from an open meeting requirement pursuant to the Virginia Freedom of Information Act and only such business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

\*Audio available upon request.

Council Member Cuthbert made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Myers.

The motion was approved on roll call vote.

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

**19-R-19 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 open session at 6:52pm.

**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:**

All City Council Members were present.

Mayor Parham stated, “Tonight, I would like to take the time to recognize members of our Public Safety team who have continued to further their leadership skills to better promote community engagement in Petersburg. Sergeant Marlow Jones has recently completed the International Association of Arson Investigation course to achieve the status of International Fire Investigator Technician. Thirty people in the Commonwealth of Virginia have earned this title, however, Sgt. Jones is the **only** professional with this status in the Tri-Cities area. Sgt. Jones has been with the City of Petersburg for 19 years. Captain Emmanuel Chambliss and Captain Michael Walker have graduated from the Professional Executive Leadership School (PELS). PELS is an intensive three-week leadership education program conducted in cooperation with the University of Richmond. Both Captain Chambliss and Captain Walker have been with the City of Petersburg for 20 years. Sergeant Kevin Roberts was awarded the Firefighter of the year award during the 99th Anniversary celebration for The McNair-Trueheart Veterans of Foreign Wars Post 622. Sgt. Roberts has been with the City of Petersburg for 12 years. Captain Greg Geist has earned his yellow brick through completion of the FBI Academy. This is a 10-week program with the FBI in Quantico, Virginia; less than 1% of officers worldwide complete this program. This is the first time in 10 years that Petersburg has had representation at the academy. Captain Geist has been with the City of Petersburg for 15 years. Please join me in a round of applause for our public safety officials and their great work.”

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

a. Proclamation for April 2019 as National Alcohol Awareness Month

**BACKGROUND:** Each April since 1987, the National Council on Alcoholism and Drug Dependence, Inc. (NCADD) sponsors NCADD Alcohol Awareness Month to increase public awareness and understanding, reduce stigma and encourage local communities to focus on alcoholism and alcohol-related

\*Audio available upon request.

issues. This April, NCADD highlights the important public health issue of underage drinking, a problem with devastating individual, family and community consequences.

**RECOMMENDATION:** Recommend Mayor Parham read and present the proclamation designating April as Alcohol Awareness Month.

Mayor Parham read the proclamation out.

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

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

Mr. Gordineer stated that he does not have a report.

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

Council Member Hill stated, “If it is the will of council, I would like to move item 17 to under the City’s Manager’s Report.

Council Member Hill made a motion to move item 17 to under the City Manager’s Report. 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

Kemi Osoba, Public Relations Officer, read comments and responses from previous public information at the March 19, 2019, regular council meeting.

1. What is the status of the former Ramada site?

It is the City understanding that the owner of the property at 380 East Washington Street, former Ramada, is moving forward with the project. The City helped secure funding for Brownfield Abatement through the Virginia Economic Development Partnership (VEDP) totaling \$350,000. Of the total grant award \$275,000 has been obtained and expended for Brownfield Abatement work. Per the VEDP, the remaining balance must be expended by May 1, 2019, after which time the grant will be considered closed.

2. How are utility bills calculated and referenced to utility tax and garden meter credit?

Garden Meters – Sewer is calculated from the water that goes into the garden meter. That amount is then subtracted from the total. Garden meter sewer is based on how many gallons went through the garden meter.

Tax – Utility tax is calculated based on water charges only. The rate is 20% or 0.2. The maximum starts at \$2.25 and increases per meter size and rate code. Many residential customers typically pay the max given that the max comes in at \$12.00 per water. The utility billing department currently accepts meetings with residents to further review all billing charges to ensure clarity with how and what is being charged. Customers can contact utility billing at 804-733-2386 or billing supervisor, Kyle Dixon at 804-309-8217.

3. Who handles FOIA request in Petersburg?

FOIA request can be sent by email to foia@petersburg-va.org, through mail: Attention – Tanesha Flowers, 135 North Union Street, Petersburg, VA 23803, or be brought in person to 135 North Union Street, 2<sup>nd</sup> Floor, Petersburg, VA 23803

\*Audio available upon request.

Council Member Cuthbert stated, "I would like to ask a question and follow up on the comment about Ramada Inn that is probably on the mind of everybody that is in this room. You said that it was your understanding that the developer is moving forward."

Mrs. Osoba stated, "Correct."

Council Member Cuthbert stated, "What is the basis of your understanding? Also, what do you mean by moving forward?"

Mrs. Osoba stated, "All public information responses are taken by notes through myself and then they are forwarded to the appropriate departments. This is the answer that was forwarded to myself from economic development."

Council Member Cuthbert stated, "So all you know is that economic development said that they are moving forward."

Mrs. Osoba stated, "Right. This is the answer that was provided from our economic development manager."

Council Member Cuthbert asked, "Did the economic development tell you the basis for its understanding?"

Mrs. Osoba stated, "No. I did not ask further besides the question that was asked during public information."

Council Member Cuthbert stated, "I think that this council has been hearing this for more than a year."

Mayor Parham stated, "Council Member Cuthbert at this point in time, is Mr. Tabor available because he would be able to answer those questions or Mr. Lyons."

Mr. Lyons stated, "To answer your question more fully, there is some additional follow-up that we have done as of about 12 minutes ago. I just sent you all a latest update on the Ramada Inn project in your emails. Unfortunately, because there was a lot of information, I did not get a chance to print it all out. That detail report highlights where we are on all specific projects and that is a follow-up to the question that were asked by the Mayor at the financial workshop the other day that I promised that I would this information. It is in your email that addresses that. We have done some additional follow-up in that whole piece that speaks to that."

Council Member Cuthbert asked, "What is the basis of that information? Is it conversations with the developer or some other basis?"

Mr. Lyons stated, "A part of that is that we have been reaching out with the developer as a part of the information that we have. We have put it in the report to talk about the status of where we are today."

Council Member Cuthbert stated, "Mr. Mayor in closed session can we talk about the Ramada Inn at our next council meeting."

Mayor Parham stated, "Council Member Cuthbert, we will definitely check on that email and relay back to our City Attorney prior to City Council."

Mrs. Benavides stated, "Good Mayor and Council. You have received the bi-weekly updates from the  
\*Audio available upon request.

City Manager. I just want to highlight a couple of events that are coming up. One is the Don-A-Matrix Day. It is going to be Saturday, April 6<sup>th</sup> at Petersburg Sports Complex. We invite all to come out between 10am and 2pm. Also, an event I attended last that I thought was wonderful, 'Walk a Mile in Her Shoes, Men Against Domestic Violence.' That is going to be April 13<sup>th</sup> at Cameron Field. We had good participation from Council Member Myers and Vice Mayor Hart last year and we look forward to having them out again for this event. Our pothole blitz it is continuing and ongoing. Crews will be working on Wards 2 and 7 on this week. Also, we will be paving a number of streets along the way. We are in that season where we can start as the winter and spring season come in we are working on repaving streets. One other thing I would like to highlight is WIFI service. Many of you have noticed that we have had some upgrades to our technology and WIFI services is now active here at the train station. It also has been upgraded at all fire stations. Next thing that I would like to highlight on here is police operations. 'No guns, Safe Streets' is still in effect. To date 67 illegal guns have been removed from Petersburg streets in 2019. The other things that we have done, and we mentioned it earlier is that we began our own food service managing at Dogwood Trace. Dinner services has officially begun at 'The Grille.' It is served Thursday and Friday from 5pm to 8pm. And if there are any other questions some of the information in the packet will be talked about more in my presentation, but I am available for questions. If you have questions later on you can email me and we will make sure that we respond."

Mayor Parham stated, "Thank you Mrs. Benavides. Any questions from members of council on the City Manager's report? Thank you, Mrs. Benavides."

c. Proposed FY 2019-2020 Budget Presentation

Mrs. Benavides stated, "Good evening Mayor, Council and the public. This is that time of the year when we get a chance to talk about our proposal of FY19-20 Annual Operating Budget. This is an exciting time for us as we once again propose a structurally balanced budget with emphasis on rebuilding our fund balance and continue to provide services to our residents. The theme we selected this year is 'Building our Pathway to a Brighter Future.' Because I believe that our future is bright, but we also know that we must continue to focus on the press. On July 10<sup>th</sup>, 2017, I begin my tenure serving as your City Manager and it began what I call a partnership with council, residents and business community. This partnership was geared toward creating a brighter future. As I complete my second year as City Manager we begin with significant progress being made. We understand that transformation does not happen overnight, but we also know that working together we can all move forward. Although there is certainly work to be done and we can see the impact of our efforts. As we look at our budget we will find that we are moving forward and still have a way to go. I have said over and over again, and we had a financial workshop but there are four main things that happen in a budget. It is a policy document. It defines the policy in which we are trying to achieve. The second part is a plan. A plan for our future and what we need to do. It's how we spend our money and how we plan for our future as we all know. It is a guide and it tells departments what are the things that we need to do. It is linking our resources to what actions should happen. And finally, it's a communication device and how we communicate with the public and what we plan to do and how we plan on doing it."

Mrs. Benavides went through a PowerPoint presentation on the budget.

Mayor Parham stated, "Thank you Mrs. Benavides. April 11<sup>th</sup> we have a Budget Workshop and April 13<sup>th</sup> there is a Community Budget Workshop for the public to way in on the FY2019-FY2020 Budget."

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

- a. Minutes: City Council Meeting: March 5, 2019
- b. Request to schedule a public hearing for Utility Rate (April 16, 2019)
- d. Request to schedule a public hearing to add Sec. 106-70. – Abatement of levies on buildings razed, destroyed or damaged. (April 16, 2019)

\*Audio available upon request.

- e. Request to schedule a public hearing to receive comment on 19-SUP-01: Request of Veritas Financial, LLC (Ray Ferguson, Jr.) for a Special Use Permit pursuant to Article 23, Section 4 (13) of the Zoning Ordinance to operate a Bed & Breakfast Inn at 241 South Sycamore Street, T.P. 022-25-0011. The property is zoned "RB", Office- Apartment District, and located in the Poplar Lawn Historic District. (April 16, 2019)
- f. Request to schedule a public hearing to receive citizen comment on the addition of Sec. 106-130 Rehabilitation real estate located in the Atlantic Coast Line Railroad Commercial Line Railroad Commercial and Industrial Federal and Historic District.
- g. Request to schedule a public hearing to receive citizen comment on the amend Sec. 106-82.- Application for classification, assessment, etc., generally.
- h. Request to schedule a public hearing to receive citizen comment on the amend Sec 106-138.- Miscellaneous exemptions.
- i. Request to schedule of public hearing on proceeding with the adoption of an Ordinance to authorize the sale and affirm and clarify the terms of sale of the property located at 108 E. Washington Street
- j. Solicitation of Council comment on ABC Applications.

Vice Mayor Hart made a motion to accept the consent agenda. The motion was seconded by Council Member Cuthbert. 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:**

\*No public hearings for this portion of the agenda.

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.

Council Member Hill made a motion to extend the time to three minutes per speaker. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

Veronica Person, 1800 East Boulevard, stated, "First of all I wanted to say thank you for the increase and for the public schools and I would like to ask that you consider funding the rest of the 2% and that I will be present on the 14<sup>th</sup> to discuss the budget. Thank you."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "Thank you for allowing the three minutes. I appreciate it. I do not want this to come across like a lecture, so I am just going to start off by saying if the shoe fits wear it. If you listen to it and think about it and it pertains to you or something that you can get out of it that is great. The first thing that I wanted to read to you is from the PB Mares forensic audit of the City from a couple of years ago. It is about management and the culture. Ethical tones start with an organization's leadership and flows down through an organization's rank. Those persons at the highest level of the organization must not only require positive ethical tones and words formally, for example, policies; and informally communication and conversations but also by example in action both in their professional and personal life's. We, this being the auditor's, have come to conclude that City employee's perception of ethical tone over the course of time has

\*Audio available upon request.

led to the perception of cultural corruption that must be corrected for the City to move forward in effectively preventing and detecting misconduct, fraud and abuse. To be successful this requires immediate and significant attention of nurturing by City leadership. A lot of that is similar to what is found in the City's Code of Ethics under responsibilities of public service. It states that City official's and employees are required to maintain the highest standards of integrity and honesty. They are expected to treat all members of the public and fellow City employees with the respect, courtesy, concern and responsiveness. The conduct that City officials and employees in both their official and private affairs are to be above approach. Partly I am pointing this out because I know that all of you who are elected, it is uncomfortable sometimes things that are discussed or things that come up. I believe that there is a need to know based on these particular statements. Now I want to comment on something that just happened a minute ago. The Ramada Inn question. That was a question that I brought up and I am glad that the City responded, and I appreciate Mr. Cuthbert's questions. But I am not sure what is the big secret. Why would it be talked about in the closed session. I mean there isn't a negotiation and you have already sold it to an individual. I hope that you would choose to share information with the citizens. And Mr. Lyons have sent you a memo that has been discussed in this meeting. So, under FOIA Law that is something that needs to be made publicly available like on your website. Thank you."

Mary Cody, teacher at Westview Elementary School, stated, "It is a family's top priority in looking for a place to live, safety and good schools. When you go to various sites looking for housing, one of the big characteristics are spoken by sellers with the ratings of schools in that district. That improves the local budget which then promotes better school funding and also the circle of life for schools. That leads us to tonight. What the City is willing to do to improve and sustain quality schools' systems and here we are again being a little neglected. As a school system we cannot keep quality staff because we are shortly unequip to provide competitive salaries. We cannot provide quality education to our students in buildings that are constant state of disrepair. We cannot provide students cutting edge educational project learning because of the lack of resources. In all we cannot provide quality education for the students in the community. And even with all those obstacles those students manage to gain state accreditation. Wouldn't it have been wonderful if they had wanted a better foundation in which they could work. In fact, it could be said that they worked for and gained that accreditation in spite of the obstacles that were surrounding them. It makes one stop and wonder how much more success those students could have had we had been able to fully fund and support their education. As educators we understand the financial crisis from which the City has pulled itself. We also understand that since that crisis the City has not met the level of funding for the school system that it once did in 2016. We have been working harder and doing with less for some time. Isn't it about time that you start working with more rather than less? The City has addressed the safety priority with its support for the fire and safety areas and meeting the needs of those departments. Now is time for the City to fully support the school system with the same determination and focus. How much longer can we expect families and our children to stay and support a school system being promoted and upheld by the City has a whole. Thank you."

Willie Noise, 1508 Circle Drive, stated, "Hello to the citizens. I feel good tonight. It is kind of quiet and orderly and we have a packed house. And I want to thank you all for what you are doing. I seen part of the street, can't remember where it was, but it had been redone. I have a question for it. The subject is how many potholes in a street does it take for the whole section to get done. I would like to know which way the individuals were going when they have an incident. Were they coming from downtown or were they going downtown? Have you all been by Plum Street? That is another avenue to avoid Grove Avenue, but it is impassable. I went to the Freedom Center function that they had Friday and I want to thank everybody that came and participated. They gave out a proclamation and that is the first time I had read it from our President Obama. And I thought that was real and right down to earth. It made me feel good. And I was carrying a little, I wouldn't say hatred because that is not in my heart, but when I returned from Vietnam in San Francisco Airport trying to get to Richmond and they were routing me to Norfolk. And we argued back and forth. And the final thing is that the guy behind the counter threw my paperwork to me and it slide across the counter on the floor. But I was so glad to be home that I picked it up and carried my butt right on. But I had that memory. It is so much stuff and I am confused because I did not write stuff down. But one thing was about the time where it

\*Audio available upon request.

was said that we ought to skip a meeting. I think we ought to skip a meeting each month for about three months to see what we accomplish. Because you all are not answering or taking care of the public information period. I have asked some questions that you do not even address. You explain how that system works but I feel that the questions that I ask are just as important as somebody that has a lot of wisdom. I should have wrote things down but anyway I thank you all for the job that you are doing. And I thank the public for the changing of their heart and working with you all and getting this anger away from this place right here. Thank you.”

Sara Melissa Witiak, 22 Centre Hill Court, stated, “I usually come up here and complain. I am going to try and be nice tonight. I would like to thank the City for advertising and holding the town hall information sessions for water rate issues. And for making sure that everybody was able to see that they were being offered. And I hope that they continue to do that for the budget in advertising in the Progress-Index, television and radio in making sure that everybody knows and not just those with access to the internet. I also want to thank you for the pothole blitz. One comment that I would like to make is that I filled out various volunteer forms to help with City museums and the library. I have had meetings with City officials to volunteer and I have only been invited back once to volunteer at the museum where I did a demonstration for a day. I think that was under Ms. Coone. And so, the City needs a lot of help and there are a lot of people out here that would like to help. But if we don't get any response from you, we get very frustrated. And so, if there is anything I can do to help to volunteer. Again, I am happy to talk to people and offer that help. And finally, it is poetry month, so I would like to propose to City Council that at the next meeting instead of a prayer we have a poem in recognition of National Poetry Month. Thank you.”

Linwood Christian, 410 Mistletoe Street, stated, “Good evening. First, especially for all those who are running for office or trying to or trying to get better in touch with the community. On Sunday, April 21<sup>st</sup> at 12:00noon, the Mission Church of our Lord Jesus Christ, 227 Shore Street, will be having our family and friend's day. I am not going to read the menu. But we do hope that you come out although the City Manager and others have been there. Our Pastor is looking for to seeing you all again. And if you have nerve condition, mission is the place to be. Trust me we are not as quiet as you think we should be. Because the only people that have nerve problems is us and not the lord. We are looking for all of you all to be there. I have to thank Councilman Myers and our Sheriff and our Senator who came out last year. Everybody was glad to see them. Also, one of the other things is that a teacher just got up here and I hope you all paid attention to her. Because almost everybody up on this council went through Petersburg Public School System including myself. As a parent having a child, and at least my child went to Petersburg Public Schools and graduated and as former city-wide PTA President I find it deplorable to hear again that we are asking for money for our schools. If nothing else you should ever touch, education and safety. Everybody else, the tax collector office and that other stuff you all created, that could have waited. We need to educate our kids so that they can spell tax collector before we try to do anything else. Also, Mr. Mayor I am coming to you because you are the leader of this board. And as a citizen you all get on us when we say things disrespectful and out of place even though sometimes we say things that members of this council get their behind on their back and get an attitude. But when council members make statements that offend us poor folks I want you to say something. And you know what I am talking about. When your council members make statements as to why we don't have certain things in this City because of economic status of people how do you think that makes us feel. Because it is them same poor folks who voted for you to be in the seat that you are in and how dare you insult me or any of us who are low income, section 8, senior citizen or disabled. This is a travesty and Mr. Mayor we hope you say something about because my next letter to the editor I will call names. Last but not least, I definitely hope you all will not drag your feet on the census count committee. Because a few years ago even when Mrs. Mickens was Mayor and all of us worked with her, but it is so important now that the dynamics of our City has changed. And as I said to reach our Hispanic community, I will be more than helpful. Because as the HIV/AIDS outreach person that was a tough community. But also reach into the school systems. Mrs. Janet DuHart, I would give her all kinds of applause because if it were not for her a lot of things with our Spanish speaking students in Petersburg Public School System would not be where they are today. Now you see why you shouldn't cut the

\*Audio available upon request.

money from the schools. Thank you.”

Ron Flock, 1708 Pender Avenue, stated, “There is a lot of topics that I want to talk about. The City has a very big thorn in its side and its this whole water meter thing. And I know that a lot of times it has been said that it has happened before on us. I have a 5/8 meter, but I think that you all need to get together collectively and just stop this mess. There are so many angry people and its not political suicide to treat everybody in the City fairly. It is not. I think that you all need to sit down and think how you can get all of this single-family resident put back in the same category and treat every person same. It is just not fair, and it does not affect me, and I still get a cheap bill, but these people do not deserve what they are being put through. It is an error in judgement and now it’s either you throw the baby out with the water or you fix it. I am just asking you to fix it and make it all the same again. The increase that they got is huge and if you put it all back the same, from these meetings I been to it looks like I am going to pick up an extra \$11 dollars a month. It is still not going to put me anywhere near the overall \$100-\$150 a month. Treat everybody the same. Thank you.”

DJ Payne, 29 Bollingbrook Street, stated, “I came to Petersburg on July 8<sup>th</sup>, eleven years ago. I started with five employees at Wabi Sabi. With all three restaurants that I won I have 63 employees that work and live in Petersburg. Tonight, I am here to discuss the recent change in the City’s ordinance and propose a change that mutually helps both businesses and residential parties. Old Town Petersburg Night Live has a tremendous impact with Petersburg as a whole. It is the experience of our night life that draws patrons to the City of Petersburg and they keep coming back. Having an ordinance to stop playing outside music at 10pm every day at 9pm during week and 10pm on the weekends dramatically effects our businesses. It in turn effects the growth of our community and the amount of taxes given to the City and our future developments of restaurants and residential areas. For the first time in 11 years I received a noise violation by the police department. They were extremely rude when they came in by the way. I received noise violations from the police department and multiple Facebook messages from individuals who I cannot believe that the two are connected. I found out today that they were connected. During my last interaction with the Petersburg Police they asked me to turn my music down because it was too loud. However, there is no decimal reader that had been used to prove how loud it was. The fact that one simply can hear music does not mean that it can break noise ordinance per Petersburg, Virginia Code of Ordinance. Furthermore, I do believe that this has been brought to the attention by a single individual who has moved into a business in Old Town Petersburg. Behind me are restaurant owners and patrons and employees. Six of the patrons live in The Oak and they have not complained once. There is one patron in there that started this whole mess. Cutting of the music at 10pm is several hours of high-volume business during the week. We cannot allow this to shake the foundation of Old Town with its vicious accusations and dismantle the integrity of the owners and patrons. In closing, I would like to close with a statement that Charlie Cuthbert made a meeting that I was at. ‘Old Town Petersburg is the golden goose of Petersburg and we need to protect our golden goose.’ And I would like to thank everyone that is standing up behind me for being here. Thank you.”

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

Council Member Myers stated, “DJ thank you for coming to the podium. And thank you for all the business owners and employees and those who love and live in downtown City of Petersburg. Before, I read this I would like to say that when I moved here back in 2003, there was nothing downtown, no life. You all brought life to the City of Petersburg and I am very proud of what you all have done to get to where we are today, thank you. We now have a thriving vitality in downtown Petersburg in which we all desire. I get a little nervous to DJ. So, at this time Mayor and Members of Council, I would like to suspend the Rules of Council and I move to direct the manager to bring forward an ordinance suspending enforcement of the City’s current noise ordinance until such time as noise study can be conducted so that further information may be obtained from the affected merchants and restaurants. I further move that said ordinance include provisions to the extent determined by legally permissible by the City Attorney protecting the generating welfare of the downtown merchants and restaurant tourist. By imposing a fine of up to \$1,000 upon any persons who may

\*Audio available upon request.

seek to intentionally an unlawful disrupt of their business.”

Council Member Myers made a motion to suspend the Rules of Council and move to direct the manager to bring forward an ordinance suspending the enforcement of the City’s current noise ordinance until such time as noise study can be conducted so that further information may be obtained from the affected merchants and restaurants. And that said ordinance includes provisions to the extent determined by legally permissible by the City Attorney protecting the generating welfare of the downtown merchants and restaurant tourist. By imposing a fine of up to \$1,000 upon any persons who may seek to intentionally an unlawful disrupt of their business. The motion was seconded by Council Member Hill. There was discussion on the motion from the City Attorney.

Mr. Williams stated, “I would recommend taking those motions and separating them. First, with the suspension of the Rules of Council and then second the motion that is seconded by Council Member Myers.”

Council Member Myers made a motion to suspend the Rules of Council. The motion was seconded by Council Member Hill. There was discussion on the motion among City Council and staff. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

Council Member Myers made a motion to direct the manager to bring forward an ordinance suspending the enforcement of the City’s current noise ordinance until such time that a noise study can be conducted so that further information may be obtained from the effective merchants and restaurants. And that said ordinance includes provisions to the extent determined to be legally permissible by the City Attorney protecting the generating welfare of the downtown merchants and restaurant tourist by imposing a fine of up to \$1,000 upon any persons who may seem to intentionally and unlawfully disrupt their respected business. The motion was seconded by Council Member Hill. There was discussion on the motion among City Council. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

Council Member Myers stated, “I will pass out a copy and I apologize to the public for not having enough copies. I will try my best to read to you the issues at hand. By no reason am I working again supporting the school system, but you all need to know the facts on why we have to make certain hard decisions. We received an email today from the Superintendent. It really stated that council was not supportive of the school system and that is far from being true. And it bothered me a little bit because we are very supportive. But when we look at the dollars and cents of it all it does not add up. So, the Superintendent with a total of eight schools and 4,150 students for FY2018-19, made a total of \$275,375. His administration made \$2.35 million dollars. If you look at Prince George with 10 total schools and 6,150 students, the Superintendent makes \$164,000. And Colonial Heights Superintendent makes \$141,000 and that is with five total schools. But if you look at Chesterfield County with 62 total schools and 60,000, their Superintendent makes \$221,000. The Superintendent for Dinwiddie makes \$170,000 with eight total school and Hopewell makes \$166,00 with seven total schools and 4,000 students. The City of Richmond is \$250,000 with 22,400 students. So, in comparison and we are asking for delivery of services to the children, I think they are being mislead in where the monies are being distributed and I believe that more money should be distributed to our children and their education. Thank you for your time.”

Council Member Hill stated, “Ward 2 will be having a Town Hall Meeting. I have to get the date, but it will be next month. I would like to thank everyone for your attendance. I like to thank the City administration for their hard work. I really want to thank our City Manager for the presentation. I look forward to our workshop. I like to thank the staff for providing the information and crunching the numbers and what have you. So, I just want to thank you all for your attendance. Other than that, I have no further items.”

\*Audio available upon request.

Council Member Smith-Lee stated, "The first thing that I want to share is the WHOP City Committee. We help each other incorporated. We were incorporated in 2018. And we are having an event on April 13<sup>th</sup>. We have some fantastic groups that are from this area and we have Maggie Ingram and her daughter's. Maggie Ingram is not living but we have some male groups that will be singing. Our hostess is Dr. Cavell Phillips. The tickets are \$12. This will be at Petersburg High School and the doors will open at 4pm. We are raising money for scholarships for a young lady and a young man. They will get \$1,000 and this is the group that is incorporated in Ward 6 and Ward 5. These young men have incorporated themselves to make a difference in the community. So, please come out and join us and make it right for the kids in the community. And if you just want to support and buy a ticket and give to an elderly person, we truly will appreciate it. Secondly, Ron Flock stand up. He came to me at our last meeting and it really touched my heart because both of my parents smoked. And my daddy smoked until the day that he passed. And smoking is very addictive, and my mother stopped smoking 25 years before she passed away. But he came to me and said that he has been free of smoking. And I just want to commend him on that. Addiction is hard, but you seem to over it. So, just keep the great work up. Also, the citizens that came out to support Mr. Payne. Is Mr. Payne still here, if so stand up? I know you have a boot on but thank you so much. You wouldn't believe some of the people that I work with. I would for the Federal Government in Richmond, DLA. And so many of my co-workers, even my work team down here, after hours and after work they like to hang out in Old Town Petersburg. And they look to do this because they say that it is safe. So, I commend you and everybody that support you on what you are doing. That is all that I have."

Council Member Wilson-Smith stated, "Thank you and thank you all for being here tonight. I only have one thing tonight. Mrs. Benavides, I am very concerned about the traffic on 460 East. The trucks appear to be multiplying daily. There are a lot of transfer trucks up and down 460. Much more than it used to be. So, if you could ask our safety chief to look into that and see what we can possibly do to curb that traffic. We have people coming out of the side streets. That is all that I have."

Council Member Cuthbert stated, "Thank you Mr. Mayor. I was afraid for a moment that you forgot me. I have a couple of things. I was over at Pocahontas about 9:00am one morning in the past two weeks and within five minutes three 18-wheelers came down on Rolfe Street. I had no idea that the 18-wheeler traffic was anything like that and intense. But it was something. Rolfe Street is a narrow little street. So, if anyone ever doubted the levity of the complaints you hear from the residents of Pocahontas, I invite you to go over to Pocahontas after 9:00am. Let me turn to a concern that I have. I am concerned about the accuracy of the information that staff gives City Council. Now this is not a happy topic, but I want to rip the top off it and put it out there. We were told earlier in this meeting that from my understanding the developer of the Ramada Inn is moving forward. So, I asked what the basis of that was. It was not the fault of the lady who was at the podium, she was repeating what she had been told. So, she said that I got that information from economic development. So, we asked economic development what is the basis for this statement. We are then told that it was in a memo that was sent 12 minutes ago. I had not seen the memo, but it came in sometime close to the start of the meeting. Mr. Mayor, I don't know if it causes a problem for me to read this portion of the memo or not to the public. If it does, I will summarize it and if it doesn't, I will read it. It is only about three or four sentences long. This is what it says, 'The VBAF (Brownfields) Grant expires May 1, 2019. We have informed the developer that the remaining grant balance of \$75,000 will no longer if requisite documentation is not submitted certifying work completion. Staff is awaiting response. Staff is also requesting the status of the overall project. Staff is awaiting a response.' There is nothing in that memo that says that the developer is moving forward. All it says is that staff is waiting for a response. We really have to have more candid and accurate information than what we have been getting on the Ramada Inn. I am sorry to be a rain cloud, but I think that it is part of our job that information that council gets is accurate. And information that we give to the public is accurate. I want to hand down the line a little bit cheerier topic. And this is the cigarette tax that we were just talking about that is a curse and have taken the lives of too many people. I certainly agree that Mr. Flock is to be applauded. The significance of what I have handed down the line is a news article in the Progress-Index that was published on March 29<sup>th</sup>, talking about Colonial Heights and its efforts to impose a

\*Audio available upon request.

cigarette tax. And it says, 'Colonial Heights isn't the first City in the area to implement a cigarette tax. Petersburg has a \$0.90 cigarette tax and that City's 2017 revenue off the tax was \$1.5 million.' And then it goes on to quote an official with Colonial Heights talking with the City of Petersburg which is obviously the closest with cigarette tax. We have been very fortunate with the help of the Commission of Revenue office in talking us through how their implementation happens. We are trying to develop our way of doing it similarly so that retailers that serve both localities will have some consistency between the two. I consider this to be a validation of a decision that this council made to impose a significant cigarette tax. We are on the right track and I am delighted that we are able to help Colonial Heights do the same. They have helped us in difficult times and anything that we can do to help them in a way of process and procedure we are delighted to do. Thank you."

Council Member Myers stated, "So, Madam City Manager, I would like to reflect on what Councilman Cuthbert is talking about the Ramada Inn. So, if the Ramada Inn or Mr. Harrison does not meet the obligation of DDT where is there money designated?"

Mrs. Benavides stated, "Right now the way it is we have another application that is pending. So, if this application falls through that money will go to the other project. Right now, they cannot approve the project while we have one outstanding."

Council Member Myers stated, "And can you disclose what project that is since the Ramada Inn keeps coming to the forefront."

Mrs. Benavides stated, "The other project we have is The Petersburg Hotel. We have done an application for that."

Mayor Parham stated, "At this time I want everyone to know that on this coming Saturday we have one of Petersburg own coming back to Petersburg. I know that you have seen a lot of celebrities on TV and looking great on TV. Whether it is Kim Kardashian, Kanye West performing and all of them are being trained by one of our own Don Brooks. And Don Brooks is known in LA as Don-A-Matrix. We recognized him last year during council to help us to approve the health of our Petersburg residents. So, on April 6<sup>th</sup> is the first ever 'Don-A-Matrix Day' in Petersburg at the Petersburg Sports Complex from 10am to 2pm. I am asking each and everyone of you all to come out and be part of this event being put on by Mr. Don Brooks. Don has teamed up with the City to host 'Don-A-Matrix Day.' He will attempt to break the Guinness World Record for the largest resistance band workout in the world. The current record is held with 649 participants. Born and raised in the City of Petersburg, Don-A-Matrix is a graduate of Petersburg High School 1996 and Virginia State University 2000. Don-A-Matrix has said, 'My entire career, I have wanted to go back home and give back something that will have a lasting impact on someone's mind and body. Now it is happening. The support from the City and our partners have been huge.' So, I am asking each and everyone of you all let's make this a big event for the Guinness Book of World Records for the largest resistance band. We will have resistance bands and also workout gear available. It will have kids' zone, food and fun. Bring your family and friends to the Sports Complex. Also, April 20<sup>th</sup> we have our Petersburg Half Marathon and our 5K coming back to the City of Petersburg. Another great event. I would like to thank all our merchants down in Old Towne, because we are going to have 'Taste of Petersburg' that same day. We have over 2,000 runners come through Petersburg for the Half Marathon and we look forward to them coming to experience our food and have drinks and enjoy a day in the City of Petersburg. Thank Mr. DJ Payne and all the merchants for being very hospitable to everyone that come to the City of Petersburg. And our City Council will do everything we can to support you because your success is our success and that is Petersburg success. We are with you every step of the way.

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

No items for this portion of the agenda.

\*Audio available upon request.

**14. UNFINISHED BUSINESS:**

- a. Consideration of Grove Avenue Traffic Calming Assessment

**BACKGROUND:** Grove Avenue has experienced several speed related incidents and the City Council requested an assessment to be conducted in the amount of \$10,500 this assessment was to identify the cause of increased speeds on Grove Avenue and possible ways to rectify the issues. The recommended option would entail installing double yellow centerline and white pavement marking lines to delineate the parking on the westbound side of the street. The City currently has a contract with Jen-Spy for pavement marking; therefore, this option can be implemented as early as April weather permitting. The assessment also recommends that one year following the above implementation that the City follow-up with a speed study and crash history review to determine if the amount of speed related incidents has been reduced and the desired results achieved.

**RECOMMENDATION:** Recommend City Council approve the implementation of Option 1 as per the assessment at an estimated cost of \$7,000.

Mrs. Benavides stated, "Mayor and Council, when we made the presentation at a community meeting that I think was held, I asked our Council Member Mr. Cuthbert to come forth with the update that he had and feedback for staff. Correct?"

Council Member Cuthbert stated, "Thank you very much Mrs. Benavides. I am going to hand two documents down to everyone at the table. We talked about this at a meeting on March 19<sup>th</sup> and after that meeting I invited people from Grove Avenue to attend the work session on March 24<sup>th</sup>. It was held at Ammo Brewing. I put a notice in the newspaper regarding that meeting to take place at Ammo Brewing. We had a good group of about ten residents from Grove Avenue who attended that meeting. I was glad to see everyone of them. I appreciate them going through the trouble of attending that meeting. The upshot of that meeting was a motion or the substance of a motion that I have put together that I have passed to members of council. After that meeting I received a response to a Freedom of Information Act request that I served on the Petersburg Bureau of Police that I obtain a copy of all police crash reports after 2013 dealing with crashed on Grove Avenue. And there was a total of 28 as of today. This is not merely a little old speeding problem this is 28 crashes after 2013. I do not know of any street in Petersburg that has anything like that. It is kind of an unfortunate record. Perhaps everyone on council and many in the audience realize that Grove Avenue is about a half a mile long. It is straight as a narrow and leads from Old Town. People often enjoy themselves on weekends and Grove Avenue is the main artery coming from the Old Town area to southern Chesterfield. That is the background and with that background I would like to make a motion and read that aloud at this point."

Council Member Cuthbert made a motion that City Council authorizes and directs the City Manager to take the following steps to calm traffic on Grove Avenue: 1) At the intersection of Grove Avenue and Johnson Alley to install a stop sign facing westbound traffic and another stop sign facing eastbound traffic at a cost not to exceed \$600 per sign; 2) at the intersection of Grove Avenue and Squaw Alley to install a stop sign facing westbound traffic and another stop sign facing eastbound traffic at a cost not to exceed \$600 per sign; 3) to do what is necessary in accordance with the policy of VDOT to have a sign stating 'an additional \$200 fine' at each of the four speed limit signs on Grove Avenue; and 4) to install a sign in the pedestrian crosswalk on Grove Avenue near its intersection with University Boulevard stating 'State Law yield to pedestrians at crosswalk' or words to that effect. The motion was seconded by Council Member Hill.

Mayor Parham stated, "I would like to hear from two or three of the residents on Grove Avenue."

Dolly Holmes, 244 Grove Avenue, stated, "First of all I would like to thank each and every one of you

\*Audio available upon request.

for taking on this issue. I would like to thank you all and the City Manager and the Chief of Police for taking up this issue. The reason that we started this whole process that in the last few years there are many of us that have had our cars totaled and hit by hit and run drivers on Grove Avenue. Barb Wrighten, Walt Purcell and Roy Ron sadly have had our cars totaled. Liz and Tom McCormick were hit three times and spent over a month in the shop, but it wasn't totaled because it was brand new. And these are just the ones that I know about. Cars, trucks and City buses speed in front of our houses regularly and there are children that live in the neighborhood. Because I have to park across the street from my house I take my life in my hands every time I get out of the car. We are in complete support those of us that were at the meeting of the motion that Councilman Cuthbert has proposed. Due to the facts that VSU was not in session during when the traffic study was done, and the police had had increased support in that area in the number of months, the Timmons report was not accurate. As it stands, the report will probably make Councilman Cuthbert third provision of the motion impossible. So, I think that Timmons should redo that part of the study in measuring the traffic at no extra cost. And that's all I have to say."

Michael Edwards, 409 Grove Avenue, stated, "At 5:39am this morning I sent each of you an email. I guess I am the lone ranger on Grove Avenue. Do I realize that we have a speeding problem? Yes! Does the rest of the City have a speeding problem? Yes! Can the police department be on every street 24/7? No! Installing more stop signs, they are going to run them. The cops are not going to sit down there 24/7. We have far more pressing issues in this City than to sit and baby sit stop signs. That they are ultimately going to run. When they issue came up I opposed the traffic study. \$10,500 could have been spent elsewhere. Now I do concur with my neighbors and I do sympathize with them. I have been one of the lucky ones that have not had a car totaled. Although the last one that happened in the 400 block if I was home I would not have been as lucky. Four stop signs on a street does not make any sense. High Street has three stops signs. So, what is going to happen is that they are going to get hip to those and go down to Low Street. So, then you are going to have the Low Street residents coming before City Council and that's a traffic study and another \$10,000. You do something on Low Street they are going to move to High Street. Then you are going to have a problem on High Street and they are going to ask the same thing. Then it is going to cascade across this City. We are going to spend over \$100,000 in traffic study's for traffic calming measures. I do not support four stop signs on Grove Avenue. I do support the one on Johnson Alley. It seems that most of the issues are in the 200 block. So, installing one on Johnson Alley ain't going to slow them down. Because time they come through and turn that corner they are going to be rolling. So, really what does it solve. Now a motion has been made and a second, but it takes four votes. Imagine what is going to happen if you pass this. I know there is no extra wiggle room to handle all these traffic calming studies that are going to coming before you all and I promise you that Mr. Stuart has come before you about Pocahontas and Mr. Noise will be coming about his neighborhood. And folks will be coming about Battlefield Park. So, now this is opening up the door. So, may be one of the council members can fund all this. But I do not support. Thank you."

Dean McCray, 534 Grove Avenue, stated, "Thanks to Mr. Cuthbert for holding the study. I wasn't able to attend. I do agree with Michael that it is excessive with the stop signs, but I will say that something has to be done. I would like to see the motion passed with a sunset clause or a referendum or to come back regarding stop signs. One of the stop signs everyone is going to be stopping in front of my house. So, I have to be prepared for the take offs. But I do not have a problem with it, but I would like to see a sunset clause or renewal clause at some period so that if it is not working we can come back and change it. Thank you."

Lucas McCall, 322 Grove Avenue stated, "I saw that we have a study and I looked at the numbers of course. And when we got the reports back of course the numbers were significantly higher, and the dollar amounts were significantly higher. Two years ago, there was a guy running from the police on Grove Avenue and he probably hit about 70 or 80 miles per hour. He turned the corner and came through my backyard. It was \$70,000 worth of damage. Totaled my mom's car who was visiting and tried to run in my house. If I hadn't been there and it was just them who knows what may have happened after that. I would love speed months, but I know physically it may not be the best solution. We can at least get the stop signs because just going to my car

\*Audio available upon request.

I almost have my legs clipped. I have known people who cats have been hit. Eventually there is going to be someone who will be killed. If we can throw some inexpensive stop signs I think that can be a nice start. I don't think that it is a bad idea for us to have a clause. Doing nothing I think is not an option unless Mike over there will pick up the bill for all the damage and the deductibles. With that said I will let all of you all to take a vote."

There was discussion among City Council.

Council Member Myers made a substitute motion to do one stop sign and then revisit this in February and council ordain to revisit it rather than to comment to revisit it. The motion was seconded by Vice Mayor Hart. The motion was not approved on roll call vote. On roll call vote, voting yes: Smith-Lee, Myers and Hart; Voting No: Cuthbert, Wilson-Smith, Hill and Parham

Original motion made by Council Member Cuthbert goes back on the floor.

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

b. Consideration of a Resolution to approve preliminary water rate charges

**BACKGROUND:** Recommendation is based on rate study conducted by Jacobs Engineering under the direction of Davenport and Company.

**RECOMMENDATION:** Approve resolution to implement preliminary rate increase for Fiscal Year 2020 to 2022 at 12.20% each fiscal year.

Mr. Rogers stated, "Mr. Mayor no presentation tonight but just to explain this resolution. When we presented the water rate study on March 5<sup>th</sup>, we came back you on the 19<sup>th</sup> and we asked for a motion to allow publication for public hearing purposes. And then after that we were told that it needed to be a resolution by council. So, this resolution approves the preliminary water rate as recommended by the rate study for publication purposes and for the setup of a public hearing for the 19<sup>th</sup>. I guess that would be third reading. It is anticipated that we will come back and share with you a lot of the input that we got from the two town hall meetings that have been conducted. Both meetings were very lively and there was a lot of citizens input for consideration as we move toward a recommendation in terms of how we go forward. And you would amend the water rate recommendation at that time. So, tonight is to vote on a resolution to approve the publication for the water rates for the public hearing on the 19<sup>th</sup>.

Vice Mayor Hart made a motion to accept the recommendation based on the study of the engineer from Davenport.

Vice Mayor Hart rescinded motion and restated it.

Vice Mayor Hart made a motion to approve the resolution to implement a preliminary rate increase for FY2020-2022 at 12.2% yearly. The motion was seconded by Council Member Smith-Lee. There was discussion on the motion.

Council Member Cuthbert made a substitute motion to postpone consideration of this matter until council first regular meeting in July to allow the City administration time to make improvements to the City's process of utility billing and collecting and to report those improvements to council at the first regular meeting in July. The motion was seconded by Council Member Wilson-Smith. The motion was not approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee and Wilson-Smith; Voting No: Myers, Hill, Hart and Parham

\*Audio available upon request.

The original motion made by Vice Mayor Hart to approve the resolution goes back on the floor for vote.

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

**19-R-20 A RESOLUTION SETTING FORTH A PRELIMINARY SCHEDULE OR CHARGES FIXING AND CLASSIFYING SUCH WATER AND SEWER RATES, FEES AND CHARGES.**

- c. Consideration of City Council's policy regarding increases in Petersburg's utility billing rate and collection rate.

**BACKGROUND:** By increasing the City's collection rate for current utility bills to 92 percent, City staff decreases the rate of annual increases foreseeably essential to pay for necessary improvements to the City's aging water and sewer infrastructure, all without raising utility billing rates.

The benefit to Petersburg's utility customers will be huge by increasing the collection rate for current utility bills to 92 percent. City staff has informed Council that the City now has an 80 percent collection rate. The City's advisors on water rates have informed Council that the municipal norm is 92 percent and that, if the City increases its collection rate to the municipal norm to 92 percent, the need for future increases in utility rate drops from 12 percent to 9 percent per year for the foreseeable future.

**RECOMMENDATION:** N/A

Mrs. Benavides stated, "I think Council Member Cuthbert made the recommendation prior. Our goal is to increase our collection rate to 92%. I know in my comment I talked about how we can achieve it. I will turn it over to Council Member Cuthbert to talk about his motion."

Council Member Cuthbert handed out information to council.

Council Member Cuthbert stated, "What I asked council to look at is a motion that council adopted on February 20, 2018. And we just heard the City Manager talk about it was her goal to increase the collection rate. But we need more than goals we need deadlines. The motion that I just handed down was a motion that council unanimously adopted on February 20, 2018. That is over a year ago. And that motion reads, 'I move that council hereby declares that the policy of this City Council not to sell Petersburg's water and wastewater system asset.' Perhaps many in the audience remembers that. And then the motion went on, 'and furtherance of this policy I move that council hereby instructs the City Manager 1, 2, 3, and 4.' Four was concentrate all available City resources advising a plan with timeline milestones of raising the City's utility billing collection rate to at least 92% and to bring Petersburg's water and wastewater assets into compliance with all applicable and regulatory requirements. We don't need anymore goals. We have already got an explicit direction from council that has not been achieved and very little progress to my way of thinking has been made in approaching that 92%. We need a deadline and with that need in mind I move that council hereby declares it to be the policy of council not to consider after fiscal year 2019-2020 any increases in fees of rates and water and sewer services for customers within the City until council has received written certification from the City Manager that the City collection rate from bills rendered for such services has reached at least 92% for three consecutive months. In further of this policy council hereby directs the City Manager to make it a priority to achieve this 92% collection rate and to concentrate on reasonable available resources for this purpose. That's my motion."

Council Member Cuthbert made a motion that council hereby declares it to be the policy of council not to consider after fiscal year 2019-2020 any increases in fees of rates and water and sewer services for customers within the City until council has received written certification from the City Manager that the City

\*Audio available upon request.

collection rate from bills rendered for such services has reached at least 92% for three consecutive months. In further of this policy council hereby directs the City Manager to make it a priority to achieve this 92% collection rate and to concentrate on reasonable available resources for this purpose. The motion was seconded by Council Member Wilson-Smith. There was discussion among council and staff on the motion. The motion was not approved on roll call vote. On roll call vote, voting yes: Cuthbert and Wilson-Smith; Voting No: Smith-Lee, Myers, Hill, Hart and Parham

Mayor Parham stated, "At this time I want to circle back to '14b', that was a resolution and Mr. Flock had his hand up. So, I would like to circle back around and open up for the resolution on approving the water rate fiscal year."

Ron Flock, 1708 Pender Avenue, stated, "First, I would like you all to make a motion to reverse that decision. And then follow the Rules of Council that after a motion has been made and seconded it is our chance to speak before you have discussion and before you vote. So, if we can do that the correct way it would be appreciated by a lot of us. My concern on that is that I understand that the City needs that number of the 12.2% to do a preliminary budget. I understand that but there has got to be a way to do that without putting a specific number in there. And that was my only concern. But first I would appreciate you do the next step and go through the right motions. Thank you."

Mr. Williams stated, "Yes, sir. I think that you just need to call for a vote prior to the resolution being adopted you need to have the comment period. So, I recommend calling for a vote on that item."

Mayor Parham stated, "I will entertain a motion voting on the resolution setting a preliminary schedule or charges fixing such classified water and sewer rates, fees and charges."

Council Member Hill made a motion to approve the resolution setting a preliminary schedule or charges fixing such classified water and sewer rates, fees and charges. The motion was seconded by Vice Mayor Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Smith-Lee, Myers, Hill, Hart and Parham; Voting No: Cuthbert; Abstain: Wilson-Smith

#### **15. STANDING COMMITTEE REPORTS:**

No items for this portion of the agenda.

#### **16. NEW BUSINESS:**

- a. Consideration of approval for the City Manager or designee to enter into an encroachment agreement with CSX.

**BACKGROUND:** There is a 20" water main at the Locks that needs to be replaced. This pipe receives water from the Appomattox River Water Authority (ARWA) which supplies the City of Petersburg. This water main is aligned on property owned by the City of Petersburg; however, a portion of the alignment comes in very close to the CSX's property line.

**RECOMMENDATION:** Submit payment to CSX.

Mayor Parham read the background information out loud.

Vice Mayor Hart made a motion to accept the recommendation to submit the payment to CSX. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

\*Audio available upon request.

- b. 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 March 30, 2022.

Mrs. Benavides stated, "As council is aware the Preservation Taskforce has been working with us and helping support us for the last couple of years in running our museums. And so, the Petersburg Taskforce has worked with our team in developing a Memorandum of Understanding to extend the current agreement with the City for one-year period. Currently they manage Blandford Church, the Reception Center, Centre Hill Mansion and the exchange building formerly the Siege Museum. So, staff is recommending a one-year extension of this agreement."

Mr. Williams stated, "Correction, after discussion with staff one of the concerns is that there may be a need to put this out for bid to ensure that other's have the opportunity to bid on this service being provided by the City. And so, Mrs. Innis has passed out an addendum authorizing an extension for up to 120 days in order to enable the City to put this out for bid. So, that is what you have out in front of you. She is simply requesting that you make a motion to authorize the manager to sign this for an up to four-month extension."

Council Member Myers made a motion to approve the adoption of the addendum to the MOU between the City of Petersburg Preservation Task Force to extend the March 20, 2018, MOU approximately 90 to 120 days to allow an award through competitive bid processing. The motion was seconded by Council Member Cuthbert. There was discussion on the motion among City Council, staff and Dean McCray.

Council Member Myers rescinds his motion.

There was discussion among Council and Mr. Williams

Council Member Myers made a motion to table until next regular City Council and extend their contract by 30 days until the next council meeting.

Council Member Myers made a motion to adopt the addendum as written and allow him until the next council meeting to discuss the questions that he has on original contract and also at the next council meeting they can vote to upgrade the addendum if all requirements are satisfied. The motion was seconded by Vice Mayor Hart. There was discussion on the motion.

Council Member Myers made a motion to table until the next meeting. The motion was seconded by Council Member Cuthbert. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

- c. Consideration of a potential City Council budget calendar.

Mrs. Benavides stated, "Mayor and Council included in your packet is a calendar that I already mentioned in my other presentation. But it outlines the significant dates that we need council full participation on in order to move through our budget process. So, we are looking for your support and commitment to those dates.

\*Audio available upon request.

Council Member Wilson-Smith asked, "Will the meetings be here?"

Mrs. Benavides stated, "Yes ma'am. Other than the public, there is one meeting that we do that is very public. My recommendation was initially the high school or some other place. But that is completely up to council. What we have scheduled right now is the community budget workshop on the 13<sup>th</sup>. We like to make sure that it is a place that is accessible in the evening for as many people as possible. It is council pleasure that we can do it here or we can find an alternative location.

Council Member Wilson-Smith made a motion to accept the dates presented to council for the budget calendar year. The motion was seconded by Council Member Myers. There was discussion on the motion regarding time. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham

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

\*Item moved to Communication/Special Reports

**18. CITY MANAGER'S AGENDA**

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

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

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

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

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

**21. ADJOURNMENT:**

City Council adjourned at 9:51 p.m.

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

APPROVED:

\_\_\_\_\_  
Mayor