

The regular meeting of the Petersburg City Council was held on Tuesday, April 16, 2024, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:45 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/302864>

1. ROLL CALL:

Present:

Council Member Charles Cuthbert, Jr.
Council Member Marlow Jones
Council Member Annette Smith-Lee
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: Council Member W. Howard Myers

Present from City Council Administration:

City Manager John March Altman, Jr
City Attorney Anthony Williams
City Clerk Tangi Hill

2. PRAYER:

Vice Mayor Hill led the opening prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of the City Council members.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

- a. Presentation of a proclamation recognizing 2024 National Library Week and National Library Worker Day.

Mayor Parham and the Council presented Mr. Wayne Crocker and staff for with a proclamation of recognition.

- b. Presentation of a proclamation recognizing 2024 National Public Safety Telecommunicators Week.

Mayor Parham and the Council presented Police Chief Travis Christian and staff with a proclamation of recognition.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated that responses are found under council communications.

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

a. Minutes:

- April 2, 2024 – City Council Closed Session Meeting Minutes
- April 2, 2024 – City Council Work Session Meeting Minutes

b. Resolution of Support for Safe Streets and Roads for All Planning Grant

Vice Mayor Hill made a motion to approve the consent agenda. Council Member Smith-Lee seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: N/A.

8. OFFICIAL PUBLIC HEARINGS:

- a. A Public Hearing and Consideration of an Ordinance Requested by City Council to amend and Readopt Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as Set Forth in the Zoning Ordinance of the City of Petersburg, to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single-Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance (Second Reading)

BACKGROUND:

In November 2023, the Planning Commission recommended approval of text amendment to allow duplexes, triplexes, quadplexes, and historic commercial structures to be renovated even if nonconforming (e.g., inconsistent with the code in terms of use/lot/dimensions) if a certificate of nonconforming use is issued. After consideration by the Council, an alternative amendment was proposed in January 2024. This amendment narrowed the original scope, but still provides a benefit to existing duplexes to support renovation, if the use is permitted in the district, even if the structure is nonconforming. The Planning Commission recommended approval in March 2024.

RECOMMENDATION:

To hold a Public Hearing to receive public comments. The Planning Commission recommends approval and readoption of the text amendment to Article 24, Nonconforming Uses; and Article 25, Supplementary Height, Area, and Bulk Regulations.

**24-ORD-10 AN ORDINANCE TO AMEND AND READOPT ARTICLE 24
NONCONFORMING USES AND ARTICLE 25
SUPPLEMENTARY HEIGHT, AREA, AND BULK
REGULATIONS, AS SET FORTH IN THE ZONING
ORDINANCE OF THE CITY OF PETERSBURG, TO ALLOW
THE REHABILITATION AND CONTINUATION OF
NONCOMPLYING STRUCTURES AS DEFINED AND TO
CLARIFY THE ALLOWANCE OF SINGLE-FAMILY
DWELLINGS AND ACCESSORY IMPROVEMENTS ON NON-
CONFORMING LOTS RECORDED PRIOR TO ADOPTION
OF THE ZONING ORDINANCE**

Naomi Siodmok, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened public hearing.

Lisa Walden, 301 Oak Hill Road, stated that the amendment was a great idea for the City as a whole. She expressed concern regarding who would check to see if current businesses are licensed.

Michael Packer, 1245 Woodland Road, spoke in favor of the amendment.

Dr. Kenneth Lewis, 503 Whistletoe Street, spoke conditionally in favor of the amendment.

Jasper Lewis, 209 West High Street, spoke in favor of the amendment.

JaJa Parham, 1945 S. Sycamore Street, spoke in favor of the amendment.

Hearing no one else, Mayor Parham closed public hearing.

Vice Mayor Hill made a motion to approve the ordinance amending and readopting Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as set forth in the Zoning Ordinance of the City of Petersburg to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single-Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance. Council Member Smith-Lee seconded the motion.

There was discussion among the City Council members.

Council Member Cuthbert asked Vice Mayor Hill and Council Member Smith-Lee if they would consider amending their motion to direct the Clerk of Council to remove the words "with a certificate of nonconforming use" on page 33. City Attorney Williams stated that Council should amend the motion to reflect the title on the agenda.

Vice Mayor Hill amended his motion to reflect the necessary corrections to the title of the ordinance as noted on the agenda, to approve the ordinance amending and readopting Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as set forth in the Zoning Ordinance of the City of Petersburg to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance. Council Member Smith-Lee seconded the motion.

There was discussion among the City Council members and staff.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: Jones.

- b. A Public Hearing for the Consideration of an Ordinance to Amend and Readopt Section 2-108 of the Petersburg City Code Pertaining to Responsibilities of the Clerk with Respect to Published Ordinances (Second Reading)

BACKGROUND:

Council directed the City Attorney to prepare and present an amendment to Ordinance 2-108 to clarify the assignment of responsibilities for loading approved ordinances, amending the published Cod of Ordinances and Zoning and Subdivision

Ordinances by the Clerk of Council. Council at their April 2, 2024 Work Session, had its first reading of the ordinance and scheduled a Public Hearing for their April 16, 2024 Regular Council Meeting.

RECOMMENDATION: Hold a Public Hearing to receive public comments and the consideration of the ordinance for adoption.

24-ORD-11 AN ORDINANCE TO AMEND AND READOPT SECTION 2-108 OF THE PETERSBURG CITY CODE PERTAINING TO RESPONSIBILITIES OF THE CLERK WITH RESPECT TO PUBLISHED ORDINANCES

Anthony Williams, City Attorney, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Hearing no one, Mayor Parham closed the public hearing.

There were no comments or discussion from the City Council Members.

Council Member Cuthbert made a motion to approve the ordinance to amend and readopt Section 2-108 of the Petersburg City Code Pertaining to Responsibilities of the Clerk with Respect to Published Ordinances. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; No: N/A Abstain: N/A.

- c. A Public Hearing and Consideration to Amend Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled (Second Reading)

BACKGROUND: To increase the gross income and assets from the current City Codes §106-109 and §106-112. The exemption provided for in this division shall be granted to persons subject to the following provisions:

The person qualifying for and claiming exemption under this division shall be relieved of 100 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$0 - \$25,000, with a maximum tax relief of \$1,200. The person qualifying for and claiming exemption under this division shall be relieved of 50 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$25,001 - \$35,000, with a maximum tax relief of \$1,200.

RECOMMENDATION: Hold the Public Hearing to receive public comments and consider adoption of the ordinance amendment to Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled.

24-ORD-12 AN ORDINANCE TO AMEND CHAPTER 106, TAXATION, ARTICLE III, REAL ESTATE, DIVISION 3, EXEMPTION FOR ELDERLY AND DISABLED

Brittany Flowers, Commissioner of Revenue, gave a brief overview of the request.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mt. Vernon Street, spoke in favor of the amendment.

Cynthia Wallen, 400 Black Drive, desired higher income limits.

Hearing no one else, Mayor Parham closed the public hearing.

There were no comments or discussion from the City Council Members.

Council Member Jones made a motion to approve the ordinance to amend Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: N/A.

d. A Public Hearing and Consideration of an Ordinance to Adopt the Real Property Tax Rate (Second Reading)

BACKGROUND:

The adoption of the ordinance establishing the annual tax levy on various classes of real estate and personal property is required of the City Council each year. The ordinance establishes the real property tax rate at \$1.27/\$100 of assessed value. The tax rate ordinance proposes no changes to the current rate structure established with the adoption of the FY 2023-2024 Operating Budget.

Maintaining the real estate tax rate of \$1.27/\$100 of assessed value represents a proposed increase in real property tax resulting from the increase in the total assessed value of the real property by 14.57 percent, resulting in a lowered tax rate of \$1.12/\$100 to offset the increase in assessed value. Based on the proposed real property tax rate and changes in other revenues, the total budget will exceed last year's by 4.86 percent.

RECOMMENDATION:

Hold the Public Hearing to receive public comments and consideration of adoption of the FY25 Tax Rate Ordinance.

24-ORD-TBD ORDINANCE TO ADOPT THE REAL PROPERTY TAX RATE

March Altman, City Manager, gave a brief overview of the request.

Mayor Parham opened the floor for public comments.

Robert Anderson, 549 North Azalea Road, spoke in opposition of the ordinance.

Barb Rudolph, 1675 Mt. Vernon Street, spoke in opposition of the ordinance.

Cynthia Wallen, 400 Black Drive, spoke in opposition of the ordinance.

Dr. Kenneth Lewis, 503 Whistletoe Street, spoke in opposition of the ordinance.

Genevieve Lohr, 19 Guarantee Street, spoke in opposition of the ordinance.

Michael Packer, 1245 Woodland Road, spoke in opposition of the ordinance.

Barbara Hoosier, 2335 Anderson Street, spoke in opposition of the ordinance.

Seeing no other hands, Mayor Parham closed the public hearing.

Mayor Parham asked Marquis Allen, Director of Recreation, Special Events, and Volunteerism, gave a presentation regarding upgrades being made to parks and playgrounds and proposed upgrades to Legends Park.

There were comments and discussion from the City Council Members.

Council Member Cuthbert made a motion to encourage job creation and economic development in Petersburg and to be fair to our citizens, many of whom we heard from tonight, to adopt the ordinance that is in Council's agenda packet, as part of agenda item 8.d., except that the real estate tax rate shall be reduced from \$1.27/\$100 to \$1.20/\$100 assessed value, such change to be effective July 1, 2024. Council Member Jones seconded the motion.

There were comments and discussion from the City Council Members.

Garry Cozier, Budget Manager, presented the public with the Proposed FY25 Revenue & Expense Summary by Tax Rate.

Further comments and discussion were held from the City Council Members.

Council Member Smith-Lee made a subsequent motion to table the consideration of the Ordinance to Adopt the Real Property Tax Rate until the May 7, 2024 meeting. Vice Mayor Hill seconded the motion.

Council Member Jones rescinded his second on the primary motion. Council Member Jones made a motion to hold the tax rate at its current level and getting the citizens involved in the budget process.

City Manager Altman noted that the budget calendar is a later item on the agenda. He noted that you can not adopt the budget at the same time that you adopt the tax rate. Staff will hold community presentation of the budget for the public later this month. The Council will have to adopt the tax rate at the first meeting in May and the budget at their second meeting.

Mayor Parham stated that there is a motion floor first to table the consideration of the Ordinance to Adopt the Real Property Tax Rate until the May 7th meeting.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: Jones.

9. **PUBLIC INFORMATION PERIOD:** A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a) First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
- b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Amanda Green, 310 Rolfe Street, spoke on behalf of the Collaborative Endeavors of Pocahontas Island Residents. She provided Council with a packet prepared by the residents of Pocahontas Island, that included signatures and addressees of residents in support of the three initiatives being presented. The three initiatives presented were a bridge assessment performed by the City Engineer; City of Petersburg FY25 Budget Request to Engage VDOT to Perform a Traffic Study on 5th Street/Joseph Jenkins Roberts Street and Bridge Street; and the City of Petersburg FY25 Budget Request to Perform Historic Property Evaluation/Adaptative Re-Use Survey of the Jarratt House (808 Logan Street).

Barbara Rudolph, 1675 Mt. Vernon Street, spoke regarding the City Council's decision, on January 2nd, directing the City Manager to withdraw the City from participation in the CVWMA for the purpose of a solid waste collection services contract. She submitted a FOIA request and learned that the City is securing a contract with Meridian, effective July 1st. She spoke regarding the citizens dissatisfaction with Meridian's services and inquired of their cost for services.

Linwood Christian, 900 Winfield Road, spoke regarding citizens concerns about the budget. He spoke regarding money going to private parties, that no one else is invited to, and donating to whomever without coming to the citizens. He spoke regarding money from the State for teachers that the Council has not released. He expressed his concerns with kids graduating and not being educated.

Otis Hill, 203 2nd Street, spoke regarding his request of the Fire Marshall for smoke and carbon monoxide detectors. He spoke regarding the hurricane warning that the police have on their phones. He noted how beneficial this app would be for the deaf community to alert them.

Brandon Riley, Perry Street, spoke regarding the casino hearing held by Senator Aird. He wanted to advocate for resources and fundings derived from the casino profits to go back to the community. He proposed ways that the community can be responsible for some funding to benefit their respective wards.

Genevieve Lohr, 19 Guarantee Street, spoke regarding over \$3.4 million discussed and the \$60 million that the City will receive from the casino per the RFPs. She asked what the City plans to do with the money. She spoke regarding the City of Petersburg having the highest rate of single parent households in the State. She noted that maybe the City can use the money to support services such as daycare. She recommended some general education about what leads to crime and poor health outcomes from the Crater Health District.

Kenneth Lewis, 503 Mistletoe Street, asked that the west side of Legend Park, which is the Cooper Field and the no dogs allowed signage posted that is not enforced. He addressed the Wilcox Watershed Conservancy and the dam issue that needs to be addressed. Mr. Lewis expressed his concerns with the increased tax assessments, issues with his property assessment, and the deed description discrepancies. He spoke regarding the historic Peabody High School. He noted that he will speak regarding the \$5.1 million for Virginia Avenue versus the \$2 million assess for Peabody at the next meeting.

Cynthia Wallen, 400 Black Drive, spoke regarding concerns with the Water Department and improvements needed in customer service. She stated that her home had an old water meter, which she felt resulted in high water bills of \$400-\$500 with only three people in the home. A new meter has been installed and now her monthly water bill is only \$60 a month. She stated that the City should

issue water testing kits because her water has a bad smell and sometimes has color. She is concerned about the slow internet speed and outdated computers at the library. She suggested more cell towers and additional internet providers.

10. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

Council Member Cuthbert shared photos of 130 North Jefferson Street and how it looked January 2017 to current date. He commended the Department of Code Enforcement, Chief Miller, and Mr. Reid on its work with this blighted property. He spoke regarding a meeting, attended by himself and Mayor Parham, with one of the designers of the STAR Study that is underway to converted Washington and Wythe Streets to two-way traffic and upgrading to allow greater access to Interstate 95. He noted that he believes this will increase median household income in Petersburg, along with the tourism and hospitality industries, without resulting in a demand increase in services. He reported on conversations with representatives of the Timmons Group and a request for them to review a monetary feasible solution to increasing access to Petersburg traffic coming up and down I-95. Council Member Cuthbert asked Mayor Parham if he had anything to add.

Mayor Parham added that community meetings will be held because the possible changes are pretty significant especially at the I-85 and I-95/S. Crater Road. They are exploring alternatives with our number one goal being safety.

Council Member Jones thanked the public for showing up at the Council meeting and his Ward meeting. He suggested that the public flood the City Assessor's office with appeal letters and the City with letters regarding their thoughts of the tax rate.

Council Member Westbrook invited all to come out to his upcoming Wards 6 and 7 meeting, with Council Member Smith-Lee, on Thursday at 6pm at Cool Spring Elementary School. He asked that the citizens please cut your grass and report any issues to Mr. Randall Williams.

Council Member Smith-Lee reiterated her upcoming Wards 6 and 7 meeting and invited all to come out. She expressed her concerns with the aggression, laughter, and negativity shown. She thanked Council Member Jones for addressing the issues. She expressed her desire for everyone to come together and make things right.

Vice Mayor Hill echoed the sentiments of his fellow Council Members. He stated that the City is in a better position than it was many years ago. He noted how blighted homes are being demolished or restored. He spoke regarding new construction in the City. He asked that the focus be more on the positive than the negative. He stated that the Council has not spoken on the casino and his focus is on the budget. Vice Mayor Hill spoke regarding the percentage of home ownership in Petersburg. He expressed appreciation to those who attended his Ward meeting. He thanked Mr. Taylor for working on Ward Avenue Park and their work on the walking area and the gazabo to come. He expressed his gratitude to all the staff. He noted the difference between the City and the School Board.

11. ITEMS REMOVED FROM CONSENT AGENDA:

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

12. FINANCE AND BUDGET REPORT:

a. Proposed FY25 Budget Calendar

Garry Cozier, Budget Manager, presented the Proposed FY25 Budget Calendar. He was

accompanied by Leon Glaster, Interim Chief Financial Officer. He announced that the community meetings will be held on April 22nd and 26th, and the proposed budget will be made available to the public.

Council Member Cuthbert asked when will the Public Hearing be held for the budget. City Manager Altman stated that it will be held on May 21st. Council Member Cuthbert asked how will the community meetings be held. City Manager Altman responded that there will be an in person meeting at the library and a meeting via Zoom.

Council Member Westbrook made a motion to adopt the FY25 Budget Calendar. Council Member Smith-Lee seconded the motion.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: N/A.

13. UNFINISHED BUSINESS:

14. NEW BUSINESS:

a. Presentation of Blighted Properties

Jim Reid, Chief Fire Marshall and Director of Neighborhood Services, announced that the department is hiring for property maintenance inspectors. He stated that Right-of-Way Manager is monitoring trash complaints and signage in right-of-way. He stated that May is Building Safety Month. He added that the property maintenance team is putting together a comprehensive plan to address building safety. He provided an overview of code enforcement and updated the public on blighted properties that have been addressed.

Questions from Council were addressed. There were comments and discussion from the City Council Members.

Vice Mayor Hill made a motion to accept the list of blighted properties demolition list to begin demolition. Council Member Smith-Lee seconded the motion.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; No: N/A; Abstain: N/A.

15. CITY MANAGER'S REPORT AND SPECIAL REPORTS:

a. UVA Introductory Presentation

Brian Moore, Economic Development Director, introduced Dr. Eric Scorsone, the Executive Director of the University of Virginia's Weldon Cooper Center for Public Service. Dr. Scorsone introduced his staff. He presented remarks regarding economic development in Petersburg.

Questions from Council were addressed. There were comments and discussion from the City Council Members.

16. BUSINESS OR REPORTS FROM THE CLERK:

Report was provided by the City Clerk.

Council Member Jones provided additional comments and expression of gratitude.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

No report was provided.

18. ADJOURNMENT:

The City Council adjourned at 8:51 p.m.

Adopted the 7th day of May, 2024.


Clerk of City Council

APPROVED:


Mayor