

The regular meeting of the Petersburg City Council was held on Tuesday, April 15, 2025, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:00 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/340118>

1. ROLL CALL:

Present:

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charles Cuthbert, Jr., Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor – Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

Absent:

Present from City Council Administration:

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

2. PRAYER:

Vice Mayor Hill led the Council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led the Council and the citizens in the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was present.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATION

There were no items under this portion of the agenda.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION POSTED

Mayor Parham stated that there were no items under previous public information posted.

7. PRESENTATIONS

a. Crater Area Coalition on Homelessness (CACH) – Shaskia Bryant, Executive Director and Dawn Scott, St. Joseph's Villa Homelessness Systems Navigator

The presenters were absent, so Mayor Parham moved to the next item.

8. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETINGS):

a. Minutes of Previous Meetings:

April 1, 2025, Closed Session

April 1, 2025, City Council Work Session

Vice Mayor Hill made a motion to approve the Consent Agenda as presented. Council Member Westbrook seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

9. OFFICIAL PUBLIC HEARINGS

- a. A Public Hearing for Consideration of an Amendment to the FY25 Petersburg City Public Schools Budget, in the Amount of \$4,523,723

Garry Cozier, Budget Manager, provided a brief summary of the item. He stated that at the beginning of the fiscal year, the Board had adopted the budget for Petersburg City Public Schools. He explained that state code required that the school division obtain their budget authority through the City, and this item is a budget amendment to increase their spending authority.

Mr. Cozier noted that this resolution did not include any of the previous amendments they had made this fiscal year, but they would have a resolution that shows the total amount, including the amendments, that would be presented at the joint meeting next week. This amendment simply added an additional \$4.5 million to their budget.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with Council.

Council Member Myers made a motion to approve the amendment of the FY25 Petersburg City Public Schools public budget in the amount of \$4,523,723. Vice Mayor Hill seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- b. A Public Hearing for Consideration of an Amendment to the FY25 Grants Fund in the amount of \$49,200 & the FY25 Streets Fund in the amount of \$4,000,000

Garry Cozier, Budget Manager, provided a brief summary of the item. He stated that this item is related to City funding. He explained that the Sheriff's Department had received a grant from the Department of Criminal Justice Services in the amount of \$49,200. Additionally, there is an amendment to the Streets Fund. The purpose of the amendment is to fund the repair of the Oak Hill Bridge. He explained that they were utilizing previously unspent funds from prior fiscal years within the Streets Fund to cover this repair, in the amount of \$4 million.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with Council.

Vice Mayor Hill made a motion to approve the consideration of an amendment to the FY25 Grants Fund in the amount of \$49,200 and the FY25 Streets Fund in the amount of \$4 million. Council Member Westbrook seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- c. A Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Execute a Deed of Easement to Virginia Electric and Power Company Across the Property Located at 1937 Johnson Avenue

Brian Copple, City Engineer, provided a brief summary of the item. He stated that Dominion Power had a strategic underground program that identifies areas with a history of reported outages. The area around the 1937 Johnson Street location had been designated as one of these areas, where they planned to replace and install a new ground-mounted transformer, and significantly reduce the number of above-ground lines. To accomplish this, Dominion Power required an easement from the City. He noted that this easement would greatly enhance the reliability and dependability of service to surrounding customers. Therefore, staff recommended that the City Manager execute the deed of easement.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with Council.

Vice Mayor Hill made a motion to approve the Ordinance authorizing the City Manager to execute a deed of easement to Virginia Electric and Power Company Across the Property Located at 1937 Johnson Avenue. Council Member Smith-Lee seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- d. A Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Authorize the Conveyance of an Easement to Virginia Electric and Power Company in Furtherance of the City of Petersburg's Poor Creek Pumping Station Project Located at 16 Raleigh Avenue

Brian Copple, City Engineer, provided a brief summary of the item. He explained that this easement is necessary for Dominion to install a new transformer, which would enable the improvements at the Poor Creek Pumping Station. Dominion was installing and upgrading all of the pumps, and they required an easement to proceed. He stated that staff recommended approval of the request.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with Council.

Vice Mayor Hill made a motion to adopt the Ordinance authorizing the conveyance of an easement to Virginia Electric and Power Company in furtherance of the City of Petersburg's Poor Creek Pumping Station project, located at 16 Raleigh Avenue. The motion was seconded by Council Member Smith-Lee.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- e. A Public Hearing of an Ordinance Request by Crater Center, LLC to Amend the Zoning Ordinance of the City of Petersburg to Allow Recreational Substance Retail uses in the B-2, General Commercial Zoning District with an Approved Special use Permit and At Least 1,000 Linear Feet from the Property Line of Any Child Day Care Center or Public, Private, or Parochial School

Naomi Siodmok, Director of Planning and Community Development, presented the staff report for this item. She stated that this item is a zoning text amendment (ZTA) request from the applicant, Crater Center, LLC. The proposal had been presented to Council before, but today she was presenting a proposed text amendment that had been submitted by the applicant for this text as well. She explained that on June 6, 2024, this item was heard before the Planning Commission, seeking to limit recreational substance retail uses in B-1, B-2, and M-1 zoning districts.

Ms. Siodmok clarified that the proposed amendment would allow such uses only with a special use permit, which required additional review by the Planning Commission and City Council, and would also impose conditions on the property and prohibit them within 1,000 feet of daycare facilities and schools. On July 20, 2024, this item had come before Council, and Council had requested that the amendment limit the uses to only M-1 industrial with a special use permit, removing those commercial zoning districts from consideration. In this case, recreational substances were defined as tobacco products, nicotine, and vaping products, as well as hemp products consumed by inhalation only.

Ms. Siodmok stated that the applicant owned several commercially zoned properties in the City, including 3209 South Crater Road, which had been leased to someone interested in establishing a recreational substance retail establishment, or a vape shop/tobacco shop. She explained that the applicant was requesting that the Zoning Ordinance be changed to allow, with a special use permit in the B-2 commercial zoning district, the opportunity to request a recreational substance retail establishment. As previously mentioned, such uses were only allowed with a special use permit in the industrial zone, so the applicant was seeking to add the commercial zoning district as well.

Ms. Siodmok noted that the only change to the Article 4 special uses enumerated section was adding B-2 commercial zoning districts to the list of areas that allowed those special uses. In terms of comprehensive plan considerations, this proposal would align with the existing plan because the comprehensive plan supported a diverse economy with a variety of uses. However, it also emphasized public health, ensuring that they considered how to address the health of the community and its citizens.

Ms. Siodmok stated that public health was identified as one of the key themes of the Comprehensive Plan of Petersburg. She clarified that this focus on recreational substances is limited to tobacco, nicotine, and hemp products that were inhaled, and did not consider the consumption of these products, such as edibles, or marijuana, as it was not currently legal in the state.

Ms. Siodmok summarized that the Planning Commission voted to deny the request, with six members in favor of denial and one opposed. However, staff had recommended approval, aligning with their previous recommendation to the Council last July, which recommended allowing this with a special use permit in both commercial and industrial zoning districts.

Mayor Parham asked if the applicant had a presentation.

Joe Morrissey, representing the applicant, stated that this was the second time the Department of Planning and Community Development had recommended allowing this use in the B-2 general commercial zoning. He explained that as Council may recall, in the spring of 2024, this Council had directed the Department of Planning and Community Development to present an amendment regarding the limits on vape stores. The Department had presented their recommendation, which included allowing vape stores in three areas: B-1 Shopping Center, B-2 General Commercial, and M-1 Light Industrial. However, this Council had decided to limit it to only M-1 Light Industrial on July 30, 2024.

Mr. Morrissey continued to explain that a reapplication was made by the applicant, a local business owner and his tenant, and the Department of Planning and Community Development again recommended allowing B-2. He requested Council to reconsider and allow B-2 general commercial zoning; however, Ms. Siodmok was correct that this was not supported by the Planning Commission.

Mr. Morrissey stated that he would like to bring to Council's attention a couple of points. When the owner leased the building to Mr. Banaga, he stated his intention to open a vape store shortly before October 2024. At that time, the amendment limiting it to Light Industrial had already been passed. Mr. Banaga was told he could proceed, and he subsequently invested \$120,000 in building out the store he was a tenant of. He said that if permitted, he would like to present seven packets of four photos to Council to provide additional context.

Mr. Morrissey stated that the packet included four pictures showing the build-out at the building in question. The first picture, on the far right, was of the building itself. He noted there were at least three other stores in the area that were currently zoned B-2, although they were grandfathered in. He emphasized this was not a case where someone failed to do their due diligence; rather, it was a situation where a store owner who already owned several businesses was informed that a vape store could be allowed here, invested the necessary funds, and proceeded accordingly. He expressed his belief that it was essential that they rely on the Department of Planning and Community Development to thoroughly research, investigate, and vet any proposed amendments.

Mr. Morrissey said that this was the second time staff had recommended allowing this use in B-2, and as Council serves as ultimate arbiters of the law, he would like them to know the specific reasons outlined in the application, as well as the personal commitment made by the applicant after being told that B-2 was permissible. Notably, this process is consistent with what was done in contiguous jurisdictions, such as Chesterfield County, Hopewell, Colonial Heights, Richmond, Henrico, and Hanover.

Mayor Parham opened the public hearing.

Joe Battiston, 1 South Sycamore Street, spoke in opposition to the request. He stated that he was unaware that this was being discussed this evening. He strongly opposed to vape shops in the City. He explained that recently, a tenant moved into the building next to him and was one of the worst neighbors he has had in his whole life. The company, named Sky High Convenience, consistently disregarded rules, and regulations, despite being told not to. They had been dumping their garbage into other people's dumpsters. He witnessed this firsthand, reviewing the security video footage from 12:00 a.m. to 5:00 a.m.

Mr. Battison stated that upon entering the store, he spoke with the gentleman behind the counter, who told him that the building owner had instructed him to put the garbage in that dumpster. Additionally, the store was also displaying an illegal illuminated sign, which was not permitted in the historic district. He had a text message from one of his tenants, who received a threat from a customer with a gun. He was concerned that allowing this type of business in the city would lead to a decline in quality of life. He said that he feared that it would spread to other areas, such as Sycamore Street, Washington Street, and Fort Lee. He urged Council to consider the potential consequences of permitting vape shops in Petersburg.

Kenneth Pritchett, Chair of Petersburg County School Board, 1912 Matoax Avenue, expressed concern about the presence of vape shops in the City. They had seen an increase in students vaping, at the elementary, middle, and high school levels. He said that based on their policies, they suspended students and placed them on home-based instruction, but they had noticed that some of these vapes contained an illegal substance, which was being brought into their schools. As a

member of the placement board, he had seen that they were suspending students multiple times for vaping.

Mr. Pritchett expressed his concern about the impact of vaping on their students, particularly the fact that some of these vapes were being sold to minors. He noted that Delegate Taylor was aware that had been discussing vaping with school divisions in her district. He said that parents also needed to be aware of the risks associated with vaping, including "popcorn lung," a condition caused by vaping that could lead to serious health problems. He was unsure of how children were obtaining vape products, so more information was needed. He reiterated that these products and vape shop businesses are a major concern in Petersburg's school division.

Mayor Parham closed the public hearing and the matter rested with Council.

Council Member Cuthbert asked how the city of Petersburg ranked in terms of health compared to other cities in the state of Virginia.

Ms. Siodmok acknowledged the City consistently ranked last in health rankings across the state. She noted that Council and the Planning Commission could request staff to research potential text amendments, but outside applicants could also pay a \$1,500 fee and submit a request for a text amendment. She said that this proposal originated from an outside applicant.

Mr. Cuthbert stated that Ms. Siodmok's department is supportive of the proposed amendment.

Ms. Siodmok confirmed that staff is recommending approval to support the recommendation they had made in June and July. Their recommendation was to regulate vape stores and establishments, and had suggested that commercial zoning districts B-1 and B-2, as well as M-1 Industrial, be allowed with a special use permit. This aligned with their original recommendation that had been presented to Council.

Mr. Cuthbert asked why staff was bringing back an item that Council had already denied.

Ms. Siodmok explained that they had a brief conversation at that time about whether it made sense to limit the use to industrial purposes, and since this was a retail use, it also made sense that with the zoning distance requirements and the limitations of a special use permit, the Council could consider the opportunity to have a recreational substance retail establishment. This was all to be considered, and it was not guaranteed by right. The recommendation of the Planning Commission is to deny the request, and the final decision rests with Council.

Council Member Cuthbert noted that Council was very focused on ensuring the corridor around the casino stayed upscale. However, staff recommended that vape shops be permitted by special use permit in any location along South Crater Road.

Ms. Siodmok clarified that there were limitations, including distance requirements from schools, parks, and other facilities. She emphasized that it would never be all up and down the corridor. She reiterated that staff's recommendation is what has been presented.

Council Member Jones expressed concern that City staff told a business owner they could pursue something that they actually were not allowed to do, which ultimately had severely negative impacts to the business owner. He clarified said that Council had already voted on this matter, so bringing it back in this manner was very confusing to everyone. He asked how many vape shops currently existed with special use permits.

Ms. Siodmok replied that they had not had anyone apply for a special use permit since this language had been enacted.

Council Member Jones asked how many vape shops exist on South Crater Road.

Ms. Siodmok answered that she did not have the exact number available today.

Council Member Jones noted that there are many of them on Crater Road, maybe up to 20 vape shops. He asked how many are in the City.

Ms. Siodmok replied that she did not have that number available today.

Council Member Jones asked why Council would change their decision on this item. He asked how many vape establishments the applicant owns currently.

Ms. Siodmok said that it is their first one. She clarified that they were not discussing a specific business. This item is a requested text amendment from the applicant, which would allow them to, if approved, return before Council to request a special use permit for the property. She said that currently, the vape establishment is not permitted at that location. She said that if this amendment is approved, they could then return to request a special use permit. Otherwise, it would remain unallowed at that establishment.

Council Member Jones emphasized that the business owner should have been told that from the beginning before he spent \$100,000. He reiterated that Council had made their ruling on that issue, but someone else was liable for that mistake. He expressed his concern over the amount of vape shops already existing in the City, which posed a severe threat to their community's health and safety.

John Altman, City Manager, said that since the Council had passed the text amendment last year, he did not believe they had received any new applications for special use permits. Regarding those that existed prior to the amendment, he would need to ask previous Zoning Administrators how they allowed them to proliferate. He acknowledged there is a high number of vape shops along the Crater Road corridor.

City Manager Altman said that Council had stated that they did not want to approve any new special use permits, which was determined in the fall. He noted that his question was regarding the timing of Council's decision on this matter and when the individual began doing work on their business. He understood Council Member Jones' point that Council made a clear determination that they are not interested in having vape shops in B-1 or B-2 zones, regardless of whether they were by special use permit or not.

City Manager Altman agreed that this should be consistently communicated to individuals who came in to request a permit. However, he must emphasize that everyone had the right to apply for an amendment; the City could not deny them the opportunity. They could advise those applicants that Council had previously said no, so it would be unlikely that the permit would be successful, but if the individual wished to proceed, they could go through the application process. The other thing to consider is that the recommendation must be consistent with what Council had previously suggested.

Council Member Jones suggested that providing a zoning map to applicants so they could see the M-1 areas where the vape shops are allowed may provide consistency for the whole process. He emphasized that vape shops are a nuisance and any more of them on Crater Road would add to that problem. However, his main concern is that the City had told someone the use was allowed somewhere that it was not. He asked Ms. Siodmok to please make sure this kind of mistake did not happen again.

Vice Mayor Hill stated that he was strongly opposed to this proposal. As the applicant's property

was located in his ward, Ward 2, he appreciated the comments made. He expressed his concern about the unusual process that had unfolded, considering that usually, the Planning Commission was in agreement with staff, but in this case, staff recommended approval while the Planning Commission recommended denial.

Vice Mayor Hill stated that the Council was committed to promoting more respectable types of businesses in the City and transitioning away from predatory and environmentally harmful businesses. He explained that this mindset is essential in order to promote a balanced and vibrant economy in their City. He expressed concern over the fast pace of vape shops becoming established in the City, which suggested tight restrictions on the use are necessary, especially considering the known health impacts on the City's children.

Vice Mayor Hill made a motion to deny the Ordinance request by Crater Center, LLC to amend the Zoning Ordinance of the City of Petersburg to allow recreational substance retail uses in the B-2, General Commercial Zoning District with an approved Special Use Permit and at least 1,000 linear feet from the property line of any child day care center or public, private, or parochial school. Council Member Cuthbert seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

Vice Mayor Hill stated that the reason for denial of this request is due to the fact that Council had already voted this way in the past, as previously stated. He apologized to the applicant for spending money on a use the City did not allow, but ultimately Council must uphold their Zoning Ordinance standards.

- f. A Public Hearing of an Ordinance for a Request by Alexander Graham, Jr., on Behalf of the Warrenton Group, to Rezone Property at 2233 Halifax Road, Parcel ID 076030800, from the A, Agricultural, District to the M-1, Light Industrial, District with Proffers

Naomi Siodmok, Director of Planning and Community Development, presented the staff report for this item. She stated that the subject property is located off Halifax Road and I-85. The request is seeking to rezone this property to M-1, Light Industrial, as per the applicant's request, from its current zoning of A, Agricultural. There are proffers in the packet for consideration, which are conditions voluntarily submitted by the applicant. She explained that the property owner is the City, but there is an option agreement with the Warrenton Group, which allows them to submit an application for rezoning.

Ms. Siodmok provided the existing conditions of the property, noting that they were challenging to depict due to limited access, so the best views of the site are the outside components. The proposed use is data center development, consisting of six two-story data center buildings, approximately 145,000 square feet in area, and two substations, each approximately 4.5 acres in area. The site access for construction and operation is proposed from Halifax Road.

Ms. Siodmok noted that the proffered conditions include limiting residential streets for emergency access and utility infrastructure maintenance. As the final site design and conversations with Dominion Energy continue, certain site components are likely to change. The initial concept for Collier's Yard includes the proposed data center facilities, substations, management of wetlands, and other site components.

Ms. Siodmok reiterated their current data center regulations, which require a minimum 100-foot

setback for principal structures abutting residential or park spaces, as well as a vegetated buffer and berm along those spaces. Pre- and post-construction noise studies must be completed before this project can proceed. Sound mitigation measures are required for mechanical equipment.

Ms. Siodmok continued to explain that a minimum of 35-foot setbacks for anti-intrusion fencing fronting any public street is also required to prevent barbed wire or safety fencing from being placed directly on the public street. These setbacks are intended to set the fencing back into the development. Additionally, in terms of addressing water recycling, a closed-loop cooling system is required if water-based cooling is involved, unless an exception is granted by the Director of Public Works. She clarified that these aforementioned requirements are already outlined in the City Code.

Ms. Siodmok next discussed the proffers submitted by the applicant. The applicant agreed to meet the 100-foot setback requirement as specified in the code, and agreed that the substations would also meet this requirement. The data center and substations would have architectural treatments, which would be presented to the Planning Department for review before implementation. Furthermore, enhanced landscape design for buffer areas would be addressed, as they were adjacent to residential areas.

Ms. Siodmok stated that noise studies, as required by code, would also be conducted. The applicant had also added that generator testing would be limited to weekdays between 8:00 a.m. and 5:00 p.m. to minimize noise impact. The proffers also include that the applicant was committed to utilizing water-based cooling if a water system was used.

Ms. Siodmok said that additional proffers include that the applicant would work with the electric and gas company to avoid power lines that may impact residential development in the area. She said that they would also collaborate with DEQ to mitigate wetland and stream impacts, as the site contained numerous wetlands and they intended to implement mitigation measures. Access to the site during construction would be available on Halifax Road for the operation and construction, while residential streets would be used for emergency access if needed.

Ms. Siodmok continued to state that the applicant would work to abandon existing easements on the site, accommodating easement restrictions where possible, and would obtain necessary permits for new utility infrastructure before presenting it to the Planning Commission, as required to be in accordance with the Comprehensive Plan. So, once they identified the locations of substations, they would need to come before the Planning Commission for review and approval.

Ms. Siodmok explained that the site was located near various zoning designations, including residential, agricultural, and industrial zones. To the north and east, primarily residential spaces could be seen, including the Ramblewood subdivision. To the south, the railroad system, and industrial companies such as Bleach Tech, Inframetals, and Allen Myers Asphalt Plant were located. She said that to the west; another railroad and Halifax Road were present.

Ms. Siodmok explained that the Comprehensive Plan outlined ideal spaces for industrial uses and identified this site as general industrial. The Comprehensive Plan emphasizes the importance of locating industrial sites next to roads and rail and makes the point that if located near residential development, they should have suitable setbacks and buffers. The applicant plans to meet minimum code requirements and address environmental factors, as well as use high-quality building materials.

Ms. Siodmok summarized that the Planning Commission had recommended unanimous approval with the presented proffers. Staff also recommended approval with the proffers but recommended that the applicant explore opportunities to exceed minimum standards for buffers next to residential development. She added that the applicant is also present tonight to address any of Council's

questions.

Mayor Parham opened the public hearing.

James Beck, 1977 Vesonder Road, expressed his opposition to the rezoning request. He stated that he and his wife lived in the last house on the north side of Vesonder Road, adjacent to the parcel proposed for rezoning, and had lived there for over 52 years. He noted that while they opposed this rezoning request, they were not opposed to data centers in general or to having them built in Petersburg. However, they reserved judgment on having one next door to them. He explained that their objection to this rezoning request was based on the lack of transparency in the process thus far, the limited information available on the request, and what they perceived to be the lack of due diligence by the Planning Commission.

Mr. Beck stated that the Warrenton group, the applicant requesting the rezoning of this property, is a real estate development company based in Washington, D.C. The group had experience with housing developments in the D.C. area and claimed to have some expertise in casino development. In their rezoning request described a plan to use 2233 Halifax Road as a site for a large complex of up to six data centers, along with two electrical substations to supply the necessary amount of power.

Mr. Beck said that he believed this was misleading at best. He could find no evidence of the Warrenton Group being involved in any data center operation or having developed any such center. In his view, the group appeared to be land speculators who had advanced the data center idea as a means of getting the property rezoned to M-1, Light Industrial. They had presented only a conceptual plan for the data center complex. He noted that the M-1 zoning classification is not specifically for data centers; in fact, data centers have only recently been added to the list of uses allowed for a Light Industrial site.

Mr. Beck said that it was likely added to the City's Zoning Ordinance code to accommodate Warrenton's pending purchase of the Halifax property from the City. He believed that the Warrenton Group wanted to purchase this property and enhance its value by changing the zoning classification, possibly to resell it for an unspecified use that may or may not involve a data center. Once the property has been rezoned to M-1, it could be used for any one or more of the numerous categories outlined in five pages of the City Zoning Ordinance.

Mr. Beck stated that they were unaware of any data center operator interested in purchasing this land or making the necessary improvements for data centers. He expressed concern that once it has been zoned as M-1, Warrenton could sell it for a use that may be more objectionable than a data center development. He emphasized that he and his wife did not believe the Warrenton Group, or the Planning Commission had been transparent in the information provided to support the request, and the Planning Commission had not thoroughly investigated the Warrenton Group's plans for future use of this property.

Mayor Parham closed the public hearing. He asked if the applicant had a presentation.

Alexander (Sandy) Graham stated that he is an attorney with the law firm Williams Mullen, based in Richmond. He stated that he is representing the Warrenton Group in its petition to rezone the Collier Yard property for use as a data center. The Department of Planning and Community Development provided the background for Council this evening. He thanked the Planning staff for their helpfulness with their questions and for working with them to produce a fine plan for the City.

Mr. Graham explained that their data center project and the rezoning needed to make it happen would be transformative for the City of Petersburg. The Council is already aware of the

pharmaceutical companies located there, including Civica, Flow, and Novo Nordisk, the second largest drug manufacturing company in the world, all companies that had chosen to locate in the City. Additionally, they had recently witnessed the groundbreaking for the new casino and hotel project.

Mr. Graham stated that this data center project made it a trifecta for the City. The development of the data center would bring significant change to the City for the foreseeable future. The data center would result in a substantial increase in real estate taxes and machinery tax revenues, which could be used by the City to fund improvements in public schools and replace aging infrastructure.

Mr. Graham said that the development would transform an underutilized, tax-exempt, City-owned property into a revenue-generating dynamo, contributing significantly to the City's tax base without placing additional burdens on public services. For years, data centers had been criticized for their plain, gray structures, and they had heard this. They had their architects working on this, and they had conducted architectural charrettes, where people had provided feedback on the design.

Mr. Graham indicated three architecturally rendered designs, one of which may be the one used in Petersburg, but all were noteworthy and not the generic gray boxes that others had been accused of creating. The Council's vote to change the land use from agricultural to M-1 light industrial, the highest and best use of this site, would enable his client to purchase the property and proceed with the project.

Council Member Westbrook made a motion to approve the Ordinance approving the request by Alexander Graham, Jr., on behalf of the Warrenton Group, to rezone property at 2233 Halifax Road, parcel ID 076030800, from the A, Agricultural District to the M-1, Light Industrial District. Vice Mayor Hill seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- g. A Public Hearing of an Ordinance for an Amendment to the Zoning Ordinance of the City of Petersburg Pertaining to the Introduction of Civil Penalties for Violations of the Zoning Ordinance

Naomi Siodmok, Director of Planning and Community Development, presented the staff report for this item. She explained that this amendment provides an alternative approach to addressing Zoning Ordinance violations. Currently, these violations were only addressed through criminal misdemeanors, which involves an administrative process where they worked with the applicant to resolve the issue, providing a 30-day notice, followed by an additional 10 days, and it was staff's responsibility to issue a summons and take the matter to court. Unfortunately, they had not seen much success with this process.

Ms. Siodmok stated that to move forward, staff is proposing the introduction of civil penalties, which would allow them to impose a monetary fine. Currently, they had 25 open violations that fell outside of this administrative process. These included five related to abandoned vehicle storage lots, two related to illegal contractor equipment storage, five related to failure to maintain signage, and 13 related to sign permitting issues, such as those involving illegal sign types, signs installed without proper permits, and signs exceeding maximum sign allowance. With civil penalties, they could charge a fine after the administrative period, which would allow them to bypass the criminal route.

Ms. Siodmok explained that for the first offense, they could charge up to \$200. She noted that most of their violations are not committed by homeowners or small business owners, but rather by large-

scale issues such as storage lots. She emphasized that they are not targeting small pockets of individuals, and they had an existing administrative process in place to address these issues. Staff proposed the following civil penalty structure: a \$200 fine for the initial offense, up to \$500 for subsequent offenses, with a cap of \$5,000. Once they reached this threshold, the matter would revert to the criminal process. Notably, they could not charge a fee more than once within a 10-day period.

Ms. Siodmok stated that some benefits of having civil penalties versus criminal penalties included the ability to issue a civil summons across state lines, which would help them reach property owners that may not be located in Virginia and encourage them to comply with their Zoning Ordinance. With civil penalties, violators had the option to either pay the fine or dispute the issue in their general district court. In civil cases, the proof required is a preponderance of evidence, which was a lower threshold than the "beyond a reasonable doubt" standard used in criminal cases.

Ms. Siodmok reiterated that they would always retain the ability to pursue criminal penalties as well. She stated that the Comprehensive Plan addressed this issue, noting the challenges they faced in addressing absentee landowners, particularly those who were out of the City and out of the state. This civil summons provided an opportunity to address those individuals. The Comprehensive Plan also recommended that they review and ensure the penalties for Zoning Ordinance violations were maximized. She noted that what staff presented today is the maximum allowed by the state.

Ms. Siodmok concluded by stating that the Planning Commission had unanimously recommended approval, and staff also recommended approval. She noted there was a change between the Planning Commission meeting and this Council meeting, as they had spoken with the City Attorney, and he advised that they incorporate the fees into the ordinance. She clarified that this change reflected the maximum fees allowed by state code, which was either going to be adopted in a different way or integrated into the ordinance.

Mayor Parham opened the public hearing.

Mary Howard, 608 South Park Drive. She said that she understood the concern about people in violation; however, it would be most beneficial to break down the specific violations and the according fines in order to address specific situations. She explained that different businesses may need to be fined differently.

Gary Talley, 2323 Fort Rice, said that he did not understand why this is a problem. If a business is in violation, the City should pull their license until they comply. There should not be an ongoing cycle of notifying them and them ignoring the City. He stated that if they ignore the second warning, they should just pull the business license, effectively suspending the business until they comply.

Joe Battiston, 1 South Sycamore Street, Petersburg. Mayor Parham, City Council. He explained that he served on the Architectural Review Board (ARB) and currently held the position of chairman. He said that in this role, he strived to assist homeowners who were creating violations. He said that he was not aware if the Council was aware, but there was a significant issue regarding the real estate associations' reluctance to implement ordinances requiring notification to homeowners when purchasing a home in a historic district. He said that the Realtors Association consistently opposed such measures in the House and Senate, making it challenging for individuals purchasing homes in historic districts to be aware of their responsibilities.

Mr. Battison said that as a result, some homeowners were unknowingly renovating or flipping homes without proper knowledge of the historic district's requirements. He explained that he had found himself intervening on occasion to inform contractors who were disregarding the necessary procedures for historic districts. For instance, he recently observed contractors installing vinyl siding

on a home on Washington Street. He stopped them and spoke with the contractor, explaining that vinyl siding was not permitted in historic districts.

Mr. Battison said that he suggested that the contractor contact the owner, who would be notified of the need to appear before the Architectural Review Board. He said that the contractor was about to remove the corbels from a historic home, which would have resulted in significant architectural damage. He said that he spoke with the owner, explaining the situation and the potential costs associated with custom-made corbels. He advised the owner to stop the work and avoid the expense of reinstallation.

Mr. Battison said that when he left, the owner instructed the contractor to proceed, and they subsequently removed all architectural features, replacing them with vinyl siding. This was a situation where the violations would be relevant. However, the Planning Department had struggled to enforce these violations in court, with the courts not consistently siding with Petersburg. He noted that Rosalyn Dance demonstrated exceptional work when she was in the Senate, particularly at the time the blight law was passed, which allowed for criminal prosecution.

Mr. Battison said that he purchased the building from someone who should have faced prosecution for their actions, under an agreement he had with the City Manager at the time that he would demolish the building within 30 days. He said that this was supposed to take approximately two weeks, but it actually came down in just 15 minutes when they simply removed a brick to assess its stability. He said that a significant portion of the building's front facade collapsed, largely due to the fact that a City building inspector in Richmond owned the building here in Petersburg and had been lying to the judge so the judge kept giving the owner more time.

Mr. Battison emphasized that they needed to stop this from happening. He said that as Vice Mayor Hill stated earlier, they wanted to improve the image of this City, and this was how they planned to do it. He said that when they could actually issue fines, they were not targeting homeowners who were simply trying to survive; they were focusing on those who knowingly engaged in wrongdoing. He said that if they could educate homeowners in advance, they would have a better chance of avoiding problems. He had had success with this approach. Councilman Cuthbert informed him about someone who was ripping off slate from a house, and he was able to intervene before they started installing shingles.

Mr. Battison said that he worked with the homeowner to educate him about synthetic slate, which was allowable by the Department of Historic Resources and the Department of Interior. He said that as a result, he was able to avoid significant financial losses. He said that if he had waited for the City to issue a stop work order, he would have lost a lot more money. He said that by being able to explain the process to people as they drove through the City, they could help them avoid costly mistakes. He said that some may argue that they were hurting homeowners, but they needed to strike a balance to avoid losing their historic district designation or penalties from the National Park Service and the Department of the Interior.

Mary Bullock, 311 High Street in Petersburg, expressed her support for the proposed Zoning Ordinance amendment. She stated that she was wondering if people would just continuously pay fines without any further action. She noted that there are many blighted properties in the City. She said that while the Ordinance addresses if anyone is harmed, she has photos of slate falling off of her neighbor's house. She had gone to court, where lies were told. She had only lived in Petersburg for three years, but after reviewing court records, she found that her neighbor had been going to court over this issue for more than 13 years. She agreed that civil penalties are essential, and they have to follow up on them. She appreciated the Council making these small but impactful changes to improve their City.

Marlo Green, 301 Rolfe Street, expressed her support for the Ordinance amendment, but also had a question. She asked if the civil penalties would apply to accessory dwelling units without a primary structure, as there had been difficulty in bringing those properties into court.

Mayor Parham closed the public hearing.

Mayor Parham asked if Ms. Siodmok could address the public comment regarding how many times someone could pay the civil penalty.

Ms. Siodmok answered that once the fees accumulated to \$5,000, the case was returned to the criminal process. As a result, they would receive a summons, take the matter to court, and address it accordingly.

City Manager Altman stated that for example, if the City cited someone and they paid \$200, but did not correct their property, the City would charge them another \$200. The individual could continue to do that until they reached \$5,000, at which point it would become a criminal charge.

Anthony Williams, City Attorney, explained that the key point to acknowledge was that this new option did not diminish the City's ability to issue criminal summons immediately. He said that rather, it provided an additional option. He said that another consideration was that this was not a comprehensive solution. As Ms. Siodmok had mentioned, the amendment was targeting larger entities. However, large entities like Walmart were unlikely to be deterred by a \$200 or \$500 or even a \$5,000 fine. He reiterated that it would be an additional tool for code enforcement.

Mayor Parham asked if Ms. Siodmok could address the question about how this Ordinance would apply to accessory dwelling units.

Ms. Siodmok replied that a use violation was indeed a zoning violation. Examples of pending use violations included vehicle storage lots, so consequently, an accessory dwelling unit that was prohibited would be considered a use violation, and they could pursue civil penalties as an option.

Council Member Jones stated that he understood staff wanting this additional tool as a potential option, but he had concern that they have not been adequately utilizing their ability to criminally charge for violations. The big picture should be harmony and unity, not control. He expressed concern that they had not educated the public enough about what constitutes a zoning violation, and they would be doing them a disservice by fining them without adequate explanation. He agreed with Ms. Howard that these civil penalties should be broken out into specific items in order to provide context for the types of violations, and also agreed with Mr. Talley that they should consider just pulling the business licenses until they get into compliance.

Council Member Jones expressed concern that the fines may be arbitrary and ineffective in achieving the goal. He reiterated that there are many other zoning violations that have been historically unaddressed with the current City policies, and education of the public is essential to resolve these issues in good faith.

Ms. Siodmok clarified that when it came to implementing civil penalties, staff would not simply hand out fee after fee – they would restart the administrative process. They would work with the owner to resolve the issue through the City team and the owner, and if the business failed to comply within the 30-day and 10-day timeframes, they would have the option to impose civil penalties as opposed to immediately going to the criminal process.

Ms. Siodmok noted that the 25 open violations are in addition to other violations her department had addressed administratively, meaning that they resolved them without needing to go to court. They had been making positive progress with many violations, but the 25 violations she shared with

Council are the ones that had reached a standstill and serve as examples of situations where civil penalties could be a beneficial option for enforcement and resolution.

City Manager Altman stated that as a former Planning Director, his experience was that they would regularly explore opportunities to enhance their enforcement capabilities, which they believed would be beneficial in this type of work. He agreed with Council Member Jones that they must be equal in how they dealt with people and find a balance that worked for everyone. He said that the key was to initially work with property owners and find a resolution, and if they could not get the property into zoning compliance, then they would pursue further steps to bring them into compliance.

City Manager Altman stated that this approach allowed them to work with the property owner, educate them, and encourage voluntary compliance. He said that one aspect of this process that he would like to highlight was the ability of Ms. Siodmok's staff to serve civil summonses, which could be done immediately. In contrast, the criminal summonses would be the responsibility of the Police Department and Sheriff's Office, both of whom may not be able to deliver those summonses as quickly due to their respective workloads.

City Manager Altman reiterated that he did not believe this was an attempt to target anyone, but rather an opportunity to utilize this tool in a way that could help move the process forward. By doing so in an educational manner, they could achieve voluntary compliance and find a balance that worked for everyone.

Council Member Jones asked how many active court cases the City had with regard to these issues.

Ms. Siodmok replied there are none.

Council Member Jones asked if this means that staff is not utilizing their ability to take people to court.

Ms. Siodmok explained that as the City Manager mentioned, staff have been working on this issue, but they acknowledged that other departments had competing priorities that did not include addressing an abandoned vehicle storage lot or ensuring that signs were properly maintained. This proposal presented an opportunity for them to work with the City Attorney to serve the necessary violations without diverting resources from other departments.

Vice Mayor Hill said that he appreciated the plan. He noted that one of the public commentators had mentioned how difficult the court process could be when trying to resolve these issues, even when they became safety hazards. He stated that this plan provided another tool for the City to use in such situations. He stated that he believed that civil fines could be an effective way to address this issue. He said that he agreed with Mr. Talley's suggestion of getting licenses for business owners who failed to comply. He said that perhaps this could be a component of the plan. He asked the City Attorney if this proposal is pulling from the state's guidelines for this matter.

City Attorney Williams explained that when he first began working for Petersburg, code enforcement was strictly criminal, similar to zoning, and his recommendation at that time was to implement the civil process they currently use. He always strived to provide their enforcement officers with the necessary tools. He added that Council Member Jones brought up an important issue, namely that before Council adopted civil penalties for code enforcement, they developed a policy on how it would be implemented.

City Attorney Williams stated that Council Member Cuthbert played a significant role in this policy development, ensuring that the power was used uniformly across the board. He said that this meant that one person would not be given a criminal penalty, while another would receive a civil penalty.

He agreed this was an important aspect Council Member Jones highlighted. He agreed that this civil process was a valuable tool, enabling officers to handle cases involving absentee landlords and situations where a criminal penalty might be too severe. He reiterated that it was essential that this power was applied uniformly to maintain consistency.

Vice Mayor Hill stated that they often worked with property owners who resided outside the City, but owned property within City boundaries. He said that these individuals may not be familiar with the day-to-day maintenance of their properties, such as the condition of vegetation, roof shingles, and other aspects. He agreed that this proposed solution could potentially allow them to reach out to these individuals, regardless of their location.

Vice Mayor Hill asked Council Member Jones if he could clarify what he envisioned for this process. He asked how they would inform the public of this process.

Council Member Jones replied that as the City Attorney mentioned, a policy is necessary in order to maintain equity and ensure they are not targeting individuals or make anyone feel targeted. He felt the City Manager could write this policy.

Vice Mayor Hill stated that if he were to be in violation and the City came to him, he would feel like he was being singled out. He said that it may feel that way to someone if one person was notified but they knew of others who had not been notified.

Council Member Jones reiterated that policy is necessary in order to provide guidelines for the City's power and control in these types of situations. Without a policy, they could be risking lawsuits.

Vice Mayor Hill asked the City Attorney if he could work with the Planning Department to draft a policy.

City Attorney Williams stated that he would not write it, but he would share the policy that code enforcement had with Ms. Siodmok, so she could use it as a draft. He said that he would assist her in ensuring that it aligned with their existing policies.

Vice Mayor Hill suggested that they should establish a clear direction for the policy. He asked what specific elements would be in the policy.

City Attorney Williams explained that the primary thing the policy addressed was providing clear guidance on when to use civil penalties versus criminal penalties, rather than leaving it to chance or individual discretion. He said that this gave officials a clear framework for determining when a civil penalty was appropriate and when a criminal penalty was necessary, thereby reducing the potential for bias or favoritism. He said that for example, it ensured that a civil penalty was not given to someone simply because of a personal relationship, but rather because of the severity of the infraction, regardless of the individual involved.

Vice Mayor Hill asked about the feasibility of including language related to revoking a business license associated with a violation.

City Attorney Williams clarified that the state code did not allow that type of action. He stated that if the business meets their zoning requirements, keeps their taxes current, and pays their fees, they must issue the business license.

Council Member Cuthbert agreed with the City Attorney's point that this was an additional tool, and he did not see any way it would threaten the public. It simply provided staff with another option, offering flexibility to charge individuals with civil violations rather than criminal ones. This seemed like a step in the right direction, as it aimed to obtain compliance.

Council Member Cuthbert said that if they could achieve compliance through the civil route, which was a positive outcome. However, if not, he believed it was reasonable to proceed with the criminal route, as they wanted to discourage behavior from absentee landlords that viewed their City as a potential profit center. He said that in any case, he thought they should adopt this motion and move forward. Tabling it would not achieve any significant benefits.

Vice Mayor Hill made a motion to adopt the Ordinance for an Amendment to the Zoning Ordinance of the City of Petersburg pertaining to the introduction of civil penalties for violations of the Zoning Ordinance. Council Member Cuthbert seconded the motion.

Council Member Jones made a substitute motion to table the item until the City staff drafted a policy to provide specific guidance on how to apply the civil penalties.

There was no second to the substitute motion, so the motion died, and the original motion remained on the floor.

Mayor Parham called the vote on the original motion to adopt the Ordinance as presented.

The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: Jones; Abstain: N/A.

- h. A Public Hearing for the Consideration of a Resolution Allocating the Remaining \$132,090 in Community Development Block Grant (CDBG) COVID CARES Act Funds to Support Social Services

Naomi Siodmok, Director of Planning and Community Development, provided background information on the item. She explained that at their last work session, Jennifer Murphy James, their CDBG advisor, had presented the Community Development Block Grant Advisory Board's proposal for allocating \$132,000. She said that staff had previously recommended to Council the avenue to spend this fund amount in October 2024. They had \$264,000 available, with \$132,000 allocated for critical home repairs, so the remaining \$132,000 was still pending.

Ms. Siodmok stated that during that previous discussion, conversations had centered around addressing their local unhoused population. She said that for the next steps, Council had asked staff to hold a meeting with interested parties, including schools, hotels, the Crater Area Coalition on Homelessness, Social Services, and the Community Development Block Grant administrator. She noted that they were currently working on setting up this meeting and had identified points of contact; however, the meeting had not been held yet.

Ms. Siodmok stated that with that in mind, staff was requesting that Council hold a public hearing to gather feedback from the public on the request and recommendation by the Community Development Block Grant Advisory Board to provide \$132,090 to the Department of Social Services for homelessness prevention and remediation. She noted that if Council was open to deferring the item until the meeting with key partners, staff was supportive of that, but they want to hear from the public at this juncture to receive input and feedback.

Mayor Parham opened the public hearing.

Lavera Talley, 938 Hillside Drive in Ward 6, stated that she was here in support of the \$132,090 being allocated to the Department of Social Services. She stated that as the founder of the nonprofit Linden Helping Hands, she had been actively involved in the City of Petersburg, working closely with the unsheltered and homeless populations within the City. She noted that just this past

Sunday, they visited five hotels and encountered a family with seven children in one room, and another family, a mother with four children, in a different hotel.

Ms. Talley emphasized that the issue of homelessness and its impact on the City's children persisted. She and her team had been working directly with the schools to provide support to families in need, and she believed that this allocation would be a valuable resource in addressing the crisis. She stated that her nonprofit wholeheartedly supports Council in allocating this \$132,000 to the Department of Social Services to help those in need within the City.

Mayor Parham closed the public hearing, and the matter rested with Council.

Council Member Myers made a motion that Council distribute the CDBG funds as follows: \$5,000 would go to Black Resilience Advancement Volunteer Empowerment (BRAVE), and \$100,000 to Parks and Leisure, and the residue of \$27,090 to be distributed to the Department of Social Services at the May 6 meeting. Council Member Westbrook seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

- i. A Public Hearing of an Ordinance to Authorize the Purchase of Property Located at 530 E. Washington Street – Tax Parcel ID No. 012280013

John Altman, City Manager, provided background information on this item. He stated that this item is an ordinance to purchase the property at 530 East Washington Street, formerly known as the Howard Johnson's Travel Inn. He said that this property had become available, and they believed that moving forward with the purchase and demolition would yield significant improvements to the Exit 52 interchange. He said that by doing so, they would be able to move forward with improving the interchange in a manner consistent with the location of the casino, which was set to open this fall, and ultimately enhance the overall image of the corridor.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mount Vernon Street, stated that based on the agenda package, she understood that this property was being sold to the City by Dave McCormick. She noted that it appeared that Mr. McCormick had purchased the property at an auction when it was previously for sale. She was curious about the circumstances surrounding this sale. She wondered if there was a quid pro quo involved, with Mr. McCormick receiving special consideration from the City in exchange for selling the property. She was not suggesting anything about Mr. McCormick's character, but rather that the lack of information on this transaction seemed unusual.

Ms. Rudolph noted that Mr. Altman had mentioned that the property would be used to improve the interchange, which was a positive aspect. Considering the City's ownership of three out of the four corners of the interchange, this presented an opportunity for more forward-thinking development. The City's existing properties, where the old Holiday Inn and Ramada had been demolished, could be utilized for a new purpose. This brought to mind another question: would the sale also involve the demolition of the Howard Johnson's, and if so, what would be the associated costs for the City, including the cost of demolishing and preparing the site for future development?

Mayor Parham closed the public hearing.

Council Member Myers made a motion to authorize the City Manager to purchase the property located at 530 East Washington Street, with Tax Parcel ID No. 012280013. Vice Mayor Hill

seconded the motion.

Council Member Jones asked how soon they would be demolishing the building.

Mr. Altman stated that they would be demolishing some other buildings as well, so staff was working on determining the costs of demolishment so they could put it out to bid under one contract.

Council Member Jones emphasized that it was essential to demolish it as quickly as possible, as it was currently an extreme public safety hazard.

The motion was approved on a roll call vote.

On a roll call vote, voting yes: Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: Cuthbert.

Council Member Cuthbert explained his abstention was due to reservations he had about the process that was followed.

10. PUBLIC INFORMATION PERIOD

Dr. Tamara Blow, 1725 Monticello Street, stated that she and Reverend Eugene Blow wanted to briefly discuss the business case for operating a short-term rental in their residential zone, R-1. There had been a demonstrated market demand and economic opportunity for short-term rentals, driven by tourism growth, increased interest in Civil War history and cultural attractions, and a hospitality gap in the City of Petersburg. Petersburg's unique attractions, such as Fort Lee and colleges, contributed to the high demand for short-term rentals.

Dr. Blow added that this type of operation could significantly contribute to local economic development, as it generated taxes and supported local events. As property owners who had been in the area for nearly 30 years, they had observed that short-term rentals had created job opportunities, improved economic development, and supported local events. She proposed that a special use permit be granted for the R-1 zone for a professionally managed short-term rental, with the understanding that there would be necessary limitations. They were willing to comply with any conditions.

Marlo Green, 301 Rolfe Street, stated that she wanted to touch base with Mr. Altman or request an update on the proposed bypass road. Since they were looking into moving the bypass road to the north outside of the floodplain, she had not received an update on that. On a lighter note, she would like to share with them the Pocahontas Island newsletter. There is an exciting initiative they are undertaking through OCR Community Empowerment Group, which she was the president and founder of. They had established the Petersburg Experience, which she believed would highlight the City's unique offerings. She said that Virginia State University was their first participant, and they had sponsored their visit.

Ms. Green stated that they had taken them to the Madhouse, Resist Bookstore, an escape room, and even had a sound bath outside on Pocahontas Island using the breath bar. The Petersburg Experience aimed to showcase their City's businesses, particularly in light of the upcoming casino. It would be a package that could be sold to corporations or City departments, and she would be happy to sponsor an event for the City council if they were interested. They also had a date night experience for married couples.

Ms. Green stated that this initiative would give Petersburg a unique identity and highlight its attractions. Additionally, her nonprofit was working towards using the Union Street train station for their first event, Stories by Candlelight, scheduled for June 26 at 7:00 p.m. This event would be in collaboration with the Petersburg Symphony, and more information would be shared soon. This event would feature the String Quartet from the PSO, surrounded by over a thousand candles. They would be telling the story,

and the first part of the story would be the story of love, set to music by Bruno Mars. She would like to offer a complimentary ticket to each council member, as well as Mr. Altman and Mr. Williams.

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

Council Member Cuthbert asked if City Manager Altman could please update the Council and the public on the planned relocation of their information center to the Southside Depot.

City Manager Altman explained that for years the Tourism Department had been located in the Exchange Building, and as the Council and community were aware, they had been renovating the Southside Depot, initially starting as an opportunity to partner with the National Park Service years ago. As they progressed with the project, their current goal was to locate the Tourism Department and a visitor's contact station for the downtown area at Southside Depot. They are moving forward with the main punch-list items and get those completed in the main portion of Southside Depot.

Mr. Altman further explained that that Ms. Williams and Mr. Copple are working on the interior design and layout of the space, and they were estimating the cost to prepare it for use as a visitor's contact station. The plan was to locate the station on the first floor and utilize the upstairs space for office space for the tourism staff. By investing in the Depot's renovation, they would be able to open the building and utilize it as a trailhead for the Fall Line Trail, which would connect to the Appomattox River Trail at Patton Park. This would provide an opportunity to attract visitors from as far north as Ashland, as well as individuals circulating within their downtown area, who could stop by to explore their historic resources and meet with their staff.

Mr. Cuthbert asked for the timetable for relocating the Tourism Department to the Southside Depot.

City Manager Altman said that when he spoke with Ms. Williams, they were considering a late summer or fall timeline to have the necessary funding in place, allowing them to implement the project in the fall timeframe.

Council Member Cuthbert expressed concern that the timeline would mean they would be missing their main tourism season. He stated that on another note, staff had mentioned a wage study over the past three years, and he was wondering if there was any update on its progress.

City Manager Altman replied that in their upcoming budget meetings with Council, staff would be discussing the plans for implementing the results of the completed class and compensation study.

Council Member Cuthbert clarified that the study had been completed.

City Manager Altman confirmed that was correct.

Council Member Jones stated that he had some before-and-after pictures to share with Council. He thanked everyone in the audience for attending tonight's meeting and for listening to his impassioned remarks. He emphasized that he grew up in Petersburg and cared very deeply about finding the best ways to improve this beloved City. He indicated the photographs he had shared, which depicted a house that had caught on fire, which the Fire Department, Code Compliance Department, and the Fire Marshal's Office had all worked on with Chief Miller. He noted that they had used the tools available to them in order to solve this issue within 30 days. They had demolished the house and removed all the debris quickly, which indicated to him that strict and simple policies would give them the best results. He thanked all the staff for their good work.

Council Member Westbrook stated that he would like to discuss seven key points of emphasis. The first point is that they are currently in the spring season, and he would like to start by acknowledging the ongoing community cleanup initiatives in the greater City. On May 10, from 8:00 a.m. to 12:00 p.m., the Citywide Don't Trash Petersburg initiative would take place, and he encouraged everyone to participate

by disposing of unwanted items, such as household trash and furniture, at designated collection points. This event serves as an opportunity for them to work together and dispose of these items responsibly.

Council Member Westbrook reiterated this point, as it was mentioned in the last city newsletter, and also remind everyone that their community was being watched by the greater region, the state and the United States as a whole. He emphasized that it was essential that they organize and clean up in order to foster community pride. He noted that personally, he believed that before they criticized the world, they should start by setting their own houses in order.

Council Member Westbrook asked that everyone please maintain their lawns, decluttering their homes, and improving curb appeal. By doing so, they would be able to showcase the City's efforts to clean up and take care of each other as a community. His third point was that they were able to return some funds to the Parks and Recreation Department today. He was aware that Social Services would eventually be able to provide assistance as well. However, it was essential that they prioritize their youth, as many of them would advocate for their needs.

Council Member Westbrook stated that the youth are the future, and he wants them to feel appreciated. To that end, he would like to highlight the summer internship program for older youth, which began on June 17. This program would provide valuable opportunities for students and their future leaders to gain professional experience and contribute to the City's future.

He would also like to extend an invitation from Mr. Marquis Allen to support their youth. The youth soccer league, which had partnered with Ettrick, Fort Gregg Adams, and Colonial Heights, had over 100 children enrolled. They also offered youth baseball, and baseball games were starting to take place, along with various events at the sports complex through local partnerships that Mr. Allen was facilitating.

Council Member Westbrook continued that fourth, he would like to express his gratitude to Don Brooks, who hosted a successful fitness weekend. He said that he attended the senior workout and was impressed with the program. Additionally, he would like to highlight some of the other great initiatives happening in Petersburg, such as the historic Petersburg Garden Tour, which takes place on April 29. He said that he hoped that they could show their support for this event, as it attracted visitors from around the area.

Council Member Westbrook expressed his disappointment that they had missed the annual marathon this year, but he would like to work with Mr. Allen to bring their own event, possibly a 5K or 10K, to the City. He noted that he participated in the Ukrops' 10K every year, this year taking 60 VSU students with him, and they all agreed they loved the culture of running and races. He said that he responded by saying, hopefully, they would participate in what he would like to build in the city of Petersburg - an annual race, possibly around back-to-school time in August.

Council Member Westbrook stated that his fifth point is that he wants to emphasize the importance of navigating their current political climate. He acknowledged that national and political challenges posed by the current President affected them. Often, there is a lot of negativity in the news. However, they must emphasize the importance of unity and constructive dialogue within their own community to overcome divisions and work towards common goals. One of those common goals is getting on the same page with the School Board. As they advocate for attending City Council and Planning Commission meetings, he hoped that many people would attend the joint School Board meeting, next Wednesday, April 23.

Council Member Westbrook said that his sixth point is a personal matter for Ward 7. The security police checkpoint on Boydton and Plank Road is knocked down, located about a quarter of a mile from the Dinwiddie sign. Finally, his seventh point is he would like to wish everyone a happy Easter Sunday as they concluded the Lenten season. He asked everyone to remember the serenity prayer and ensure that they grasped the distinction between what they could change, what they could not change, and

recognizing the difference between them.

Council Member Myers stated that on May 8, 2025, Council Member Jones and he would be hosting a joint ward meeting. He said that the meeting location and time are to be determined.

Council Member Smith-Lee said that she would like to invite anyone present and familiar with Ward 6 to take a ride through the area. Starting at McKenzie Street, she had been impressed by the remarkable transformation that had taken place over the past year. She said that she also would like to share about Farmer Street Park. The soldiers from Fort Lee, including herself, Big Boy Shaw, and his wife, had made a significant contribution to the area. The pool is now looking really nice, and she is truly happy about it.

Council Member Smith-Lee stated that on a more serious note, she urged everyone to continue praying for their City, their country, and those who work for the federal government. They are facing challenging times, and many people are feeling uncertain and insecure about their futures. As people lost their jobs and struggled to make ends meet, it could have a ripple effect, leading to loss of homes, cars, and more. She asked everyone to continue to pray for those who were going through this difficult season.

Vice Mayor Hill wished everyone a happy Resurrection Week. He was so glad to see Mr. Robert Bobb in the audience, who he met during trying times and helped them navigate to achieve some of their success today. He thanked the City's Streets Division, as he had noticed the improvements in cleanliness, signage, and overall appearance, and he commended them on their efforts. He noted furthermore, Council Member Westbrook had expressed interest in taxing plastic bags, and he would also like to look into reducing the amount of plastic bags in the City overall.

Mayor Parham noted that last year, he participated in an event in Petersburg Dancing with the Stars, during which he had to salsa, but did not win. He Congratulated Council Member Smith-Lee on her win in the 2025 Dancing with the Stars Best Performance. He also wanted to acknowledge the event itself, which was a fun and successful fundraiser for their local children. He said that he would like to highlight a few other notable events since their last Council meeting. They held a few ribbon-cutting ceremonies, including that for Ice Cream Cakes and Crepes. He noted that the business is a great example of a small business, which had been successfully launched by a husband and wife team from Virginia State University, who also teach at Cool Springs Elementary School. Their story is a testament to the opportunities available in their City, and he believed it was a shining example of what could be achieved through hard work and dedication.

Mayor Parham stated that another excellent ribbon-cutting was for Cool Beans Café, which drew a huge crowd on Washington and Sycamore Street. He said that he had to leave the previous Council meeting due to a significant announcement was made regarding Ansel McCall. They were interested in acquiring the Bleach Tech facility in Petersburg for \$350 million, with plans to expand and ramp up operations. He stated it was a pleasure meeting the individuals who traveled from Trinidad for the event.

Mayor Parham added that they had extended an invitation for him to visit Trinidad, where they claimed to host the most epic carnival in the world. He said that having attended a few carnivals; he was intrigued to learn that Trinidad's carnival was the most exceptional. He said that the live casino vendor fair in Petersburg was a resounding success, with an impressive 700 people turning out. It was a promising sign for the future development of their City. He expressed his gratitude to Warren Williams and the Warrenton Group for all their contributions and partnerships with Petersburg.

Vice Mayor Hill added that he would like for Council to meet with their Economic Development Department to begin recognizing the achievements of both large and small businesses each month.

Mayor Parham thanked Mr. Robert Bobb for attending tonight's meeting.

12. ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the Consent Agenda.

13. FINANCE AND BUDGET REPORT

a. Department of Finance Monthly Update

Garry Cozier, Budget Director, provided the monthly finance update, which is in the midst of their budget season. The report included budget to actuals and the earned interest update. He explained they are in the last quarter of the fiscal year, with the first three quarters being expended, accounting for 75% of the year. Looking at the bottom line, they had spent 70% of their budgeted fund, which is tracking well.

Mr. Cozier stated that their Other Funds, including grants, Streets, Utilities, stormwater, the golf course, and mass transit, are all performing well. He noted that the golf course, being a self-supporting fund, has revenue to support its expenses, and it is currently at 85% of its spend. In terms of interest earnings, as of March for Fiscal Year 25, they have accumulated \$1.7 million, exceeding their adopted budget projection of \$1.4 million and their revised projection of \$2.2 million.

14. UNFINISHED BUSINESS

a. Consideration of an Ordinance Authorizing the City Manager to Execute an Option Agreement and Convey Property Upon Satisfaction of Terms for 3501 Halifax Road

City Manager Altman provided background information on the item. He explained that this is an ordinance for consideration to allow him to execute an option agreement with the Warrenton Group for the purchase of the property at 3501 Halifax Road. This item had been previously discussed at Council's March meeting, where it had been tabled until tonight.

City Manager Altman explained that the revised draft of Section 1, subsection 31, addressed concerns regarding the Bleach Tech property. He said that specifically, there was a five-acre, two-parcel property that straddled the railroad way and served Bleach Tech. He said that discussions with Mr. Booker and Mr. Williams regarding this property indicated that the Warrenton Group was willing to remove it from the purchase, allowing Bleach Tech to acquire it.

City Manager Altman agreed with Mr. Williams, who had expressed the group's desire to be a community partner and work with the City to make these developments happen. He said that the Warrenton Group's willingness to consider this and agree to remove the five acres was greatly appreciated. This evening, Council had the option to proceed, having already conducted the public hearing. He said that staff would recommend removing the five acres from the agreement.

Council Member Westbrook made a motion to authorize the City Manager to execute the option agreement and convey the property upon satisfaction of terms at 3501 Halifax Road, minus 5 acres. Council Member Myers seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A.

b. A Resolution Authorizing the City Manager to Execute an Amendment to the Purchase Agreement Between the City of Petersburg and ECIMED-1, LLC for the Development of 101 West Washington Street Located in Petersburg, VA

Brian Moore, Director of Economic Development, provided background information on the item. He explained this request from ECIMED-1, LLC is for an extension on their purchase agreement. The reason for this request is that they were currently working through legal issues and collaborating with Mr. Williams. The extension is intended to facilitate the inclusion of the VA as part of the project area. To proceed, ECIMED-1 required three tenants to occupy the building. They had already secured their anchor tenant and anticipated signing the remaining two tenants within the next week. Once these tenants were confirmed, they would be able to move forward with the project, utilizing 40,000 square feet of the building. Once the VA was on board, it would add an additional 20,000 square feet. He summarized that ECIMED-1 is seeking approval of this extension tonight so that they can finalize this aspect of the project.

Council Member Myers made a motion to authorize the City Manager to execute an amendment to the purchase agreement between the City of Petersburg and ECIMED-1, LLC for the development of 101 Washington Street located in Petersburg, VA. Vice Mayor Hill seconded the motion.

Council Member Cuthbert asked about the mention of 200 parking spaces.

Mr. Moore replied that the applicant intended to pay the City through a contract to utilize those spaces, which likely would be used by the VA.

Council Member Cuthbert expressed concern over such a large number of parking spaces becoming dedicated to a single tenant.

Mr. Moore clarified that there is currently no agreement regarding parking spaces, and the agreement would only apply during work hours, if necessary.

City Manager Altman noted that part of this extension of the purchase agreement would allow for the City to perform their due diligence and legal work to negotiate the best path forward, as well as giving the VA the time to finalize their location in the building. Additionally, it would allow them to finalize a parking agreement for Council to consider. He reiterated that this item before Council is a request to extend the period of due diligence, with no development or parking agreements being considered tonight.

Council Member Cuthbert asked why the resolution did not simply state they would be extending the due diligence period from the prior time period to a new time period.

City Manager Altman clarified that the extension would be up to June 15 for all agreements, including the due diligence, and that is part of the request. The other agreements would be negotiated as part of this request and Council would consider them after that period.

Council Member Cuthbert made a substitute motion to extend the due diligence period to June 15, 2025.

There was no second to the motion, so the motion died and the original motion remained on the floor.

Council Member Smith-Lee expressed her support for allowing the VA Hospital to use the parking deck, considering it is empty all the time.

Mayor Parham called the vote on the original motion to approve the Resolution as presented.

The motion was approved on a roll call vote.

On a roll call vote, voting yes: Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; no: Cuthbert;

Abstain: N/A.

15. NEW BUSINESS

There was no new business.

16. CITY MANAGER'S REPORT AND SPECIAL REPORTS

John Altman, City Manager, stated that he did not have a report this evening, but he did want to bring attention to their residents and the community regarding a scam targeting their community. He said that scammers were posing as Sheriff's deputies, falsely claiming that someone had missed a court date or meeting and demanding large sums of money, threatening arrest if payment was not made. He said that the Sheriff's Office had issued a statement warning that this was a scam.

City Manager Altman advised the public not to panic if they received such a message. The Sheriff's Office would never call to request money for any reason. He cautioned against falling for it, as scammers may try to intimidate individuals by threatening arrest if they hung up the phone. He urged citizens to stay calm and not provide any personal information or send money if they received a suspicious call. He asked that if they received a suspicious call, to please report it to the Sheriff's Office and Police Department so they could track it.

City Manager Altman reiterated that he wants to ensure that their residents are aware of this scam and that it does not cause unnecessary panic. Unfortunately, they had had recent cases where individuals panicked and attempted to pay large sums of money. One individual, for example, was on the verge of paying \$13,000 to the scammer, but fortunately, they were able to seek assistance from one of their City employees. He urged everyone to be vigilant and aware of this scam. He reiterated that the Sheriff's Office would not call to demand money, so if they receive such a call, they should not comply.

17. BUSINESS OR REPORTS FROM THE CLERK

Tangi Hill, City Clerk, encouraged citizens who are interested in serving on one of the City's boards and commissions to submit their applications. Council will be considering appointments for the Arts Council, CDBG Advisory Board, and making recommendations for the Board of Zoning Appeals (BZA) at their second meeting in May. If anyone is interested in serving, please visit their website and submit their application so that they can be considered. She added that she would like to extend her gratitude to Joanne and Ella for taking the lead with the tour. She said that Virginia Municipal League (VML) Executive Director Michelle Gowdy will be visiting their city on April 22, taking a tour and meeting with their Mayor and City Manager. She said that hopefully they would be featured in the VML Magazine very soon.

18. BUSINESS OR REPORTS FROM THE CITY ATTORNEY

Mr. Williams stated that he had no report this evening.

19. ADJOURNMENT

Mayor Parham made a motion to adjourn. All members of the Council present voted in the affirmative. Meeting adjourned.

The City Council adjourned at 7:51 p.m.

APPROVED:

A handwritten signature in black ink, appearing to read "Paul Pearson", written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in brown ink, appearing to read "Jange R. Hill", written over a horizontal line.

City Clerk