

The work session meeting of the Petersburg City Council was held on Tuesday, July 15, 2025, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:05 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/349809>

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 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

There were no items under this portion of the agenda.

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

a. Minutes of Previous Meetings

- June 17, 2025 City Council Meeting
- July 1, 2025 City Council Special Meeting
- July 1, 2025 City Council Closed Session
- July 1, 2025 City Council Work Session

Vice Mayor Hill made a motion to adopt the consent agenda as presented. Council Member Smith-Lee seconded the motion.

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

8. OFFICIAL PUBLIC HEARINGS

a. A Public Hearing for Consideration of an Amendment to the FY26 Grants Fund

Garry Cozier, Budget Manager, stated that the Sheriff's Department received a grant from the Virginia Department of Criminal Justice Services related to wellness of the officers and amounted to \$21,800. He stated that no local match was required, and the grant was entirely reimbursable, so staff was simply requesting to amend the Grants Fund in that amount.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing.

Vice Mayor Hill made a motion to approve the amendment to the FY26 Grants Fund in the amount of \$21,800. Council Member Myers seconded the motion.

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

b. A Public Hearing for Consideration of an Amendment to the FY26 General Fund

Garry Cozier, Budget Manager, stated that this amendment pertained to the FY26 General Fund. He said that the total amount of the amendment was \$3.3 million, which was allocated as follows: \$2 million for implementing the class and compensation plan study, \$1 million for the city beautification project, \$197,000 for broadband feasibility studies, \$70,000 for pharmaceutical feasibility studies, and \$90,000 for parking studies. Staff was requesting that the budget be amended to include these items.

Mayor Parham opened the public hearing.

Gary Talley, 2323 Fort Rice Street, asked if someone could explain what the broadband feasibility project and the pharma feasibility project actually entailed.

Barb Rudolph, 1675 Mount Vernon Street, said that she had the same questions as Mr. Talley. Additionally, she thought there already was \$2 million for the class and comp study included in the budget. She asked if this amendment would increase that amount already budgeted.

Sarah Melissa Witiak, 22 Centre Hill Court, stated that she was curious about the details of the plan for cleaning up downtown. They had heard about it but had not yet seen the actual plan. She added that the City should be getting input from residents and businesses who resided in the downtown area so that the plan was accurate.

Mayor Parham closed the public hearing. He asked if the City Manager could answer some of the questions raised by their citizens.

March Altman, City Manager, stated that the broadband feasibility study would assess the ability to implement broadband service throughout the City, connecting City properties, and economic development areas, including pharmaceutical and other sectors, to a fiber loop that would provide

redundancy for City services and business entities. The pharmaceutical feasibility study involved looking at the potential for a pharmaceutical training facility in the City. The requested funding would help conduct a feasibility study on that facility to determine the costs involved, including their pharmaceutical cluster and other stakeholders, and evaluate the development of such a facility. They had toured a similar facility at North Carolina State called the Biomanufacturing Training and Education Center (BTEC).

Mr. Altman explained that the funding of \$2 million was in addition to existing budget allocations and would enable them to complete the salary study as part of the implementation of the class and comp study and address a prior error regarding the public safety portion of that study. Finally, the additional \$1 million has been allocated by City Council for downtown area improvements. He stated that they were developing a plan for this, which would involve discussing the project with the business community, gathering their input, and exploring how businesses could prepare for the arrival of the casino and capitalize on this effort. There would be community conversations and discussions about these efforts.

Vice Mayor Hill made a motion to approve the amendment to the FY26 General Fund in the amount of \$3.3 million. Council Member Jones seconded the motion.

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

PRESENTATION

Main Street Petersburg

Senithia Martin stated that she was a resident and small business owner in addition to being the Board President for Main Street Petersburg. She said that they were here tonight to ensure that the community was aware of their presence and to also inform the Council about the purpose of Main Street Petersburg. She explained that Main Street Petersburg is a 501(c)(3) charitable organization founded to improve and revitalize Petersburg's downtown area, which is currently undergoing that process. Their Board of Directors follows the Main Street approach, promoting volunteerism and stakeholder involvement as the best path to a more thriving and livable downtown.

Ms. Martin said that she would like to take a moment to clarify what Main Street Petersburg is. As part of the Main Street America program, their organization is part of a national initiative founded in 1980 through the National Trust for Historic Preservation. Over the past 40 years, the National Main Street America Network has helped generate over \$100 billion in local reinvestment, rehabilitated over 300,000 buildings, and created over 800,000 jobs. She emphasized that Main Street Petersburg is not just an entity on its own; it is part of this national program, facilitated at the state level through the Department of Housing and Community Development.

Ms. Martin said that their efforts focus on promoting downtown Petersburg through dining, arts and entertainment, neighborhood amenities, and tourism, which is accomplished through design, economic vitality, and promotions. She explained that Main Street Petersburg encompasses most of downtown Petersburg, including Old Town, and extends from Halifax Triangle north to the Appomattox River and from I-95 West to Market Street. She clarified that it was not just limited to Old Town, and it includes the historic Halifax Triangle, one of their downtown's most significant features.

Ms. Martin stated that they have been working on several initiatives through their Economic Vitality Committee. This August, they will be hosting business workshop series, which will help

the business community prepare for the casino traffic and extend their hours. They are also developing a new website, featuring a downtown business directory and event calendar, allowing residents and visitors to submit events for approval and display on the calendar. One of their common complaints is the lack of a central location for residents and others to find out what was happening in their downtown and Petersburg area. They aim to assist the community and the City, which is already doing a great job with the Visit Petersburg newsletter, by promoting events as they become available.

Ms. Martin said that they have also hired a restaurant week coordinator to host the event from September 13 – 20, which was made possible by a grant from the Cameron Foundation. She said that in addition, they have been working in partnership with the City to improve wayfinding signage and gateway signage, which is showcased in the marquee signs. She said that they have also completed facade improvement drawings to help downtown building owners who need repairs and renovations, aiming to enhance the overall appearance of downtown.

Ms. Martin said that furthermore, they have developed branding for the Visit Petersburg, Virginia, as part of the grant award, which will also aid in landscaping and planting. Given their previous discussion about the casino, she noted that Danville is also a Main Street community and has won the National Main Street Community of the Year award. This program can benefit and support the revitalization of Petersburg by providing additional resources and expertise.

Ms. Martin said that the City is already doing a great job, but they all need to work together as a team to achieve higher goals. As citizens, businesses, and nonprofit organizations, they can all contribute to this effort. She added that if someone is interested in joining them, they can scan the QR codes to learn more about their organization, how to get involved, or how to support them.

Mayor Parham asked if Main Street Petersburg could assist local businesses in getting started and ensuring they had all the proper permitting in place.

Ms. Martin replied that yes; Main Street Petersburg is currently in the process of breaking up their area into sections and assigning members as “block captains” who could serve as direct contacts for local business owners and help them navigate through the business licensing process or direct them to relevant resources.

Vice Mayor Hill stated that the City would be hosting a town hall meeting with Council Members, City staff, and local business owners to discuss the business environment and permitting processes in the City. He said that they would be announcing the dates of this town hall meeting shortly, so he asked the public to stay tuned.

c. Public Hearing for Antwan Harris to Appeal a Decision Made by the Architectural Review Board Regarding 605 West Washington Street in the Folly Castle Historic District

Jared Crews, Planning Manager, provided a summary of the item. He said that they would be holding a public hearing regarding a requested appeal of an Architectural Review Board (ARB) decision, which can be broken down into two main points. Firstly, the applicant installed vinyl siding and vinyl windows without prior approval of a Certificate of Appropriateness (CoA). Secondly, the decorative corbels on the home were removed without approval. The applicant is seeking to overturn the ARB's decision, which would allow the vinyl siding and windows to remain in place and the corbels to remain removed.

Mr. Crews explained that the subject property is located at 605 West Washington Street, located in the Folly Castle Historic District. He further provided background information on the case. He explained that in late April, the current ARB Chair became aware of the ongoing work over the weekend and spoke with the contractor on site, warning them that exterior changes on such a

historic property would require a Certificate of Appropriateness. Despite this warning, the work was completed. The following week, the owner was notified that they were in violation of the Zoning Ordinance unless a Certificate of Appropriateness was issued.

Mr. Crews stated that the applicant submitted an application for retroactive approval of installing new vinyl windows and siding. The request was heard and denied by the Architectural Review Board on May 14, 2025, which determined that those changes did not abide by the City's historic district design guidelines. As a result, the decision means that the windows and siding would need to be removed and restored to their original state, and the corbels would need to be reinstalled. The applicant is requesting that the decision be overturned in full, meaning the windows and siding would remain, while the corbels would not be reinstated. He indicated the provided photographs that show the original windows and siding, as well as the construction while it was underway.

Mr. Crews stated that the reasoning behind the denial is that it is out of compliance with the historic district guidelines, specifically Chapter 4, which addresses the rehabilitation of building elements, including the retention of original windows, historically significant hardware, and decorative elements when possible to retain these elements. It is recommended to preserve any and all architectural elements that contribute to the overall historic character of the building, including functional and decorative features. Their Ordinance has specific guidance on sensitive remodeling, and when original architectural features were unable to be repaired, their replacements should match the original features in style and material.

Mr. Crews summarized that with this context, the decision before the Board was whether to affirm, reverse, or modify the decision made by the Architectural Review Board. Affirming the decision would require the removal of vinyl windows and the installation of acceptable replacements, vinyl siding should be removed to restore the original wood siding or a to-be-determined acceptable alternative, and finally, decorative corbels would need to be placed back on the exterior of the building.

Mr. Crews explained that overturning the decision in its entirety would mean the house could remain as it was in the initial image, with vinyl windows, siding, and no decorative corbels. Alternatively, the Board has the option to modify the decision, allowing them to uphold or overturn individual elements of the decision. He has Mr. Battison with him from the Architectural Review Board, who can speak to the ARB's perspective on the case, as well as the applicant, who can provide his perspective.

Mayor Parham opened the public hearing.

Joe Battison, 1 South Sycamore Street, stated that he was the former Chair of the ARB as of this past Wednesday. He said that he would like to explain the situation here. He happened to be in his office over a certain weekend and was on his way west on Washington Street when he noticed they were putting vinyl siding on the subject house. He stopped and observed that they were starting to remove the corbels. He said that he asked the contractor to contact the owner and explained that they could not proceed without an Architecture Review Board Certificate of Appropriateness, and that they would be required to put these materials back on the house. He said that he suggested that they hold off until the owner went through the ARB process.

Mr. Battison explained that the next morning, the owner had already taken off the architectural pieces, trim, and corbels, and continued with the vinyl siding. He believed the owner was aware of the potential consequences and chose to proceed without the necessary approval. He said that if one looked at the house to the right, one would see that it had the same architectural features that were removed from this house. The green house to the right had the same corbels and decorative features, and this house had new windows and siding that covered the original

features. He stated that he attempted to help the owner by telling him he should hold off on the work until the ARB approved it as necessary, but he ignored his advice and proceeded anyway.

Antwan Harris stated that he was the owner of this property, which was one of his properties in the VHASH Program. He explained that this program specifically provided housing to veterans. This house was on a parcel with five other properties, and all but one had vinyl siding and all of them had vinyl windows. He had used the same company that installed the windows as two other houses, so none of them had original wooden windows. He noted that when he bought the house, the ARB had not mentioned that only the front portion of the home was wooden, and the rear of the house was vinyl. He believed the upgrades were appropriate because the other half of the home already was in vinyl and matched the other houses on the block that were now in vinyl. He further believed the home was more appealing now with this renovation.

Mayor Parham closed the public hearing.

Council Member Cuthbert asked if the ARB guidelines were applied uniformly to everyone who comes before the ARB.

Mr. Crews replied yes; those guidelines were applied to every case that came before the ARB. However, there may be some cases where the ARB was less stringent on sections of the house, such as the rear of the house mentioned by the applicant. However, the ARB prioritized the street-facing and front facades of homes to ensure the most prominent historic architectural features were preserved.

Council Member Cuthbert asked if anyone had asked for permission to put up the vinyl siding on the back of the house.

Mr. Crews replied that he did not have an answer to that; however, he was aware that vinyl siding was almost always rejected as an option. In his own tenure with the City, he had not seen any vinyl siding approved for historic homes.

Mr. Battison clarified that vinyl siding was never allowed on any portion of a house. However, they may allow composite materials such as Hardy Plank, especially because composites may last longer than just wood because newer lumber was not as strong as wood used in the past.

Council Member Cuthbert asked if Mr. Harris had provided an explanation for why the work was not stopped despite Mr. Battison's caution to his contractor.

Mr. Battison replied no; the owner hung up when he tried to speak with him on the phone, and by the end of the weekend the work had been finished.

Council Member Cuthbert asked if the ARB would have disapproved of the vinyl if the owner had come before the ARB prior to the renovations.

Mr. Battison confirmed that the ARB would have disapproved of it.

Council Member Cuthbert asked if the guidelines permitted vinyl siding at all.

Mr. Battison replied no; they did not.

Council Member Myers said that he had discussed this issue with Mr. Harris, but in their conversation, he had omitted the fact that he and his contractor knowingly removed historic features from a building located in a historic district in Petersburg. He was sympathetic to Mr.

Harris's intent and his good work in the community, but everyone must adhere to the guidelines and decisions of the ARB and City of Petersburg. He said that he supported the ARB's decision with respect to this case; this situation should not have happened, and the work should have stopped when Mr. Battison advised them to wait for approval.

Council Member Myers made a motion to uphold the decision of the Architectural Review Board. Council Member Cuthbert seconded the motion.

Council Member Jones expressed concern that there had been many historic houses, such as the one to the left of the subject house, that illegally put up vinyl siding but had not been brought into compliance. He felt there was an issue with the process because the uneven application of their guidelines caused confusion in cases like Mr. Harris's.

Mr. Battison clarified that the ARB did not have the authority to enforce stop work orders; their Code Compliance Office would need to do that, but that staff was not available over the weekends, which was when most of this work was being done.

Council Member Jones asked Mr. Harris why he had not stopped the work after Mr. Battison had asked him to.

Mr. Harris explained that he did not listen to Mr. Battison because he was aggressive and demeaning in their conversations.

Council Member Jones asked if people who purchased properties in the historic district were informed of the limitations on renovations, so they were educated and did not make these kinds of mistakes.

Mr. Crews explained that when someone was buying a house, realtors were obligated to inform buyers that the property was located in a historic district; however, there was no way to ensure that realtors did so. Additionally, the City's Preservation Planner had ensured they sent out postcards twice per year to all owners of historic district property owners. They also were compiling a list of realtors to provide that information directly to them.

Council Member Jones expressed concern that the City and the ARB were not addressing this type of issue in a proactive way.

Mr. Battison clarified that at the state level, there was an ongoing attempt to require realtors to notify homebuyers that their property was historic, but it was not yet mandated.

Council Member Jones said that the ARB needed to do a better job of enforcing the historic restrictions.

Vice Mayor Hill acknowledged that it was difficult to remedy the situation at this stage. He believed there was an ongoing issue in the City where people did whatever they wanted, regardless of what was told to them, and then asked for forgiveness later, which they could not let continue. He noted that the other buildings with vinyl siding may have been grandfathered in, but they had not investigated those situations. The history of Petersburg was a high priority, and although he admired Mr. Harris for providing housing for their veterans, the historic architecture of this house had been destroyed and needed to be reinstated. He supported upholding the ARB's decision in this case.

Mayor Parham called the vote on upholding the ARB's decision.

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

- d. Public Hearing for Consideration of an Ordinance to Approve an Amendment to the Subdivision Ordinance of the City of Petersburg for the Purpose of Updating the City's Subdivision Regulations and Bringing the Ordinance into Compliance with the Code of Virginia

Jared Crews, Planning Manager, provided background information on the item. He explained that the Subdivision Ordinance, which is part of City Code, governed how land could be divided or reconfigured for sale or development purposes. Subdivisions were approved through plats, which were reviewed either administratively or by the Planning Commission for larger projects. The City's current subdivision ordinance was adopted in 1981, but it was outdated and no longer compliant with State Code.

Mr. Crews stated that as a Dillon Rule state, local ordinances must reflect State Code. Recently passed legislation took effect on July 1, 2025, further putting the city out of compliance. The proposed text amendment aimed to refresh the ordinance and bring it into compliance with State Code. The Planning Commission held a public hearing on the text amendment and voted 6-0 in favor of its approval on June 5, 2025. The current ordinance had two definitions, one for subdivision and one for street. To address existing issues, staff was seeking to add clarity to the ordinance, particularly in defining what constituted a subdivision and the process involved.

Mr. Crews stated that currently, the ordinance required a preliminary plat for all subdivisions, but State Code only allowed this for subdivisions of more than 50 lots. The ordinance did not distinguish between major and minor subdivisions, which could lead to confusion. For example, if a large parcel was split in half, the process was the same as for a subdivision of 50 lots. The fees and ordinance were outdated and did not reflect the level of review required. Additionally, the City lacked provisions for simple reconfigurations, such as combining two lots or moving a property line. The state-mandated changes that took effect this month included requiring all plats to be reviewed by an administrative agent, which meant localities could no longer require plats to be reviewed by the Planning Commission or governing body.

Mr. Crews stated that the appeals process also now went to the Circuit Court rather than the local governing body. The second bill reduced some of the timelines for reviewing plats. He summarized that proposed definitions included: a subdivision agent, who represented the City and enforced regulations; a plat, which was a document capturing and approving a subdivision; and a preliminary plat, which was a broad overview before specific platting. He continued to explain that they were also seeking to distinguish between minor and major subdivisions, with anything less than 10 lots considered a minor subdivision, as long as it did not require new streets, public facilities, or utilities. A major subdivision would be 10 or more lots or any subdivision that would require new utilities and streets.

Mr. Crews stated that the City would only require a preliminary plan for subdivisions of more than 50 lots. For major subdivisions, a site plan would be required prior to approval of the final plat. This was because major subdivisions involved more technical site development, including right-of-way dedication, utility installation, and lot layouts. In contrast, minor subdivisions and simpler reconfigurations would only require a single plat for review. All reviews would be completed administratively. Under State Code, the subdivision agent would be the planning director, and other City departments or state departments would be routed in for larger reviews.

Mr. Crews stated that if a plat was denied, the applicant could appeal according to the state code. The timeframes for these processes would be directly referenced in State Code, allowing for automatic updates. They also wanted to review and update its review fees, which would vary depending on the subdivision type. For major subdivisions, the fee would be \$150 plus \$10 per

lot, exclusive of the parent parcel. For standard plats, the fee would be \$150. He said that currently, their fee is \$25, regardless of the number of lots created. This fee did not reflect the amount of technical review and time involved in reviewing these documents.

Mr. Crews stated that the Comprehensive Plan mentioned that their subdivision ordinance was one of their regulatory tools for implementing the future land use map and framework. It also emphasized the importance of regularly reviewing and updating the ordinance to meet current and future goals.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing.

Council Member Cuthbert made a motion to adopt the proposed Ordinance to Approve an Amendment to the Subdivision Ordinance of the City of Petersburg for the Purpose of Updating the City's Subdivision Regulations and Bringing the Ordinance into Compliance with the Code of Virginia. Vice Mayor Hill seconded the motion.

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

- e. Public Hearing for Consideration of a Resolution to Adopt the City of Petersburg Community Development Block Grant (CDBG) 2025-2029 Consolidated Plan

Jennifer James, representing the Community Development Block Grant, stated that this consolidated plan would cover five years, from program year 2025 to program year 2029, and would conclude with the ending Fiscal Year 2030. The consolidated plan served as a five-year strategy for the Community Development Block Grant, aligning their approach with Housing and Urban Development (HUD) guidelines, as HUD provided the funding for the program.

Ms. James said that the focus of this consolidated plan was on improving access to affordable housing, public services, infrastructure improvements, and it was informed by public input, the Advisory Board, surveys, and public hearings. Key objectives and priorities for the plan included enhancing their parks and recreational spaces, which would support youth development and engagement. They also aimed to promote economic initiatives and infrastructure upgrades towards neighborhood revitalization.

Ms. James stated that a public hearing had been held in March, and an online survey had received 40 responses. The Advisory Board had held meetings with community organizations and community members, and the Chair had met with City Council members individually. A 30-day public comment period had been held, with notices advertised in the newspaper and on the City website, and posted in local venues such as the library. Their past performance had demonstrated their capacity to administer a CDGB program. Their 2023 and 2024 progress report had been well-received by HUD, with the agency acknowledging their timely performance and effective results.

Ms. James stated that they were nearing the completion of their 2024-25 projects and were working on collecting reporting data. They would submit their Consolidated Annual Performance Evaluation Report (CAPER) to HUD in September, which would be transparent and open to public comment. When conducting the needs assessment, they had collected data from the census and other organizations, such as the Cameron Foundation, Virginia Tech, and the Crater Health District. The data revealed that 63% of the community was renter-occupied, with an average housing stock age of 53 years. According to the data, 22% of residents lived in poverty, and there was a need to promote employment opportunities.

Ms. James stated that the top needs identified by the assessments included financial literacy, youth programs, job training, and access to safe and affordable housing. She indicated the next slide that presented the market trend data, which was automatically populated from the census data from HUD. This data indicated that the average home price in the City had increased by 21.5%. The current median home value in the city was approximately \$240,000. They did identify a need for more multi-bedroom units, Americans with Disabilities Act (ADA)-compliant housing, and home ownership support. To address this, they had included collaboration with local and state organizations, such as housing authorities and service providers, in their consolidated plan.

Ms. James stated that this five-year plan would focus on coordination and long-term planning. They also recognized a need for public facilities improvements, including infrastructure upgrades like roads, sidewalks, and utility repairs. They planned to utilize future Community Development Block Grant (CDBG) funding for these improvements. Additionally, they were currently working on park and green space improvements. Looking ahead, their goals included enhancing public services, expanding affordable housing, and improving overall infrastructure and amenities. Their consolidated plan was aligned with the PetersburgNEXT Plan, ensuring they were working together effectively.

Mayor Parham opened the public hearing.

Shanika McClelland, Executive Director of Peoples Advantage Helping Hands, stated that the CDBG plan presentation did not address homelessness, despite acknowledging affordable housing was an issue.

Ms. James stated that reducing and eliminating homelessness was included in their plan, although she had not mentioned it in the presentation. She explained that they had learned that Petersburg was facing affordability issues because of rising rents and aging housing stock. She noted that they would be working with Peoples Advantage and the Crater Area Coalition on Homelessness to develop plans for emergency shelters and permanent supportive housing, along with youth services and other special needs populations. She noted the Peoples Advantage would be offering 0% to low-interest loans for elderly and disabled community members to access critical home repairs that they otherwise could not afford. She added that their full five-year plan was available to the public to review in its entirety.

David Betts stated that in addition to aging housing stock, the City had a major issue of aging infrastructure. He asked if CDBG could help address infrastructure issues such as the recurring drainage issues around the City.

Ms. James said that CDBG funds could be used for infrastructure development, which was included in their plan. In year one, they did not fund any particular infrastructure projects but would be working with Parks and Recreation on community spaces. However, in the subsequent years, they would be reviewing the plan and creating an annual action plan for each year. If infrastructure was identified as a priority through their community engagement, it could definitely be funded by CDBG if the City decided to do so.

Sarah Melissa Witiak, 22 Centre Hill Court, stated that she appreciated the inclusion of green space and parks in the plans for this funding. She noted that with regard to the last speaker's comments, parks and green space could be used to mitigate runoff, and if done properly and with adequate coordination, they could prevent flooding. Additionally, she hoped they would review the Comprehensive Plan and focus some of the green space to be located in the heat islands, which were identified in the Comprehensive Plan as the most in need of trees and green space.

Mayor Parham closed the public hearing.

Council Member Myers thanked Ms. James and the CDBG Advisory Board for all their hard work and working with City Council to formulate a good plan. He believed this plan would help them achieve the future goals for their City.

Council Member Myers made a motion to adopt the Resolution to Adopt the Community Development Block Grant (CDBG) Advisory Board 2025-2029 Consolidated Plan. Vice Mayor Hill seconded the motion.

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

- f. Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Execute the Purchase Agreement Between the City of Petersburg and ACUNA PROPERTIES LLC for the Development of 436 Byrne Street, Located in Petersburg, VA

Brian Moore, Director of Economic Development, stated that this was a public hearing regarding the redevelopment of 436 Byrne Street. He explained that this project would be redeveloped as a single-family residence, and the offer was 125% of the property's value.

Priscilla Acuna, 95 Byrne Street, stated that their proposal was to purchase the lot from the City and built a newly constructed home, which they did previously at 86 Byrne Street. The assessed value was \$10,400 and they were offering \$13,000. She had also submitted a copy of the design for the house.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing.

Council Member Myers made a motion to adopt the Ordinance authorizing the City Manager to execute the purchase agreement between the City of Petersburg and ACUNA PROPERTIES, LLC for the development of 436 Byrne Street. Council Member Westbrook seconded the motion.

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

- g. Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Execute the Purchase Agreement Between the City of Petersburg and SQUARE ACRE PROPERTY for the Development of 201 Virginia Ave, Located in Petersburg, VA

Brian Moore, Director of Economic Development, stated that this public hearing was regarding the proposed development of 201 Virginia Avenue. The proposal was to construct a single-family home, with the offer at 100% of the assessed value.

Timon Darfield stated that he recently built a home at 303 Webster Street and one on 124 Pine Street, so this would be a continuation of that work.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing.

Council Member Myers made a motion to adopt the Ordinance authorizing the City Manager to execute the purchase agreement between the City of Petersburg and SQUARE ACRE PROPERTY for the development of 201 Virginia Avenue. Vice Mayor Hill seconded the motion.

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

- h. Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Execute the Purchase Agreements Between the City of Petersburg and NUWAVE for the Development of 215 S. Jones Street, 1420 Ferndale Avenue, 1150 Rome Street, 1162 Hinton Street, 201 Terrace Avenue, 417 S. Jefferson Street, 921 Priam Street, 851 East Bank Street, Located in Petersburg, VA

Brian Moore, Director of Economic Development, stated that this public hearing was regarding a proposed single-family development, with an offer of 100% of the assessed value.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing.

Council Member Smith-Lee made a motion to adopt the Ordinance authorizing the City Manager to execute the purchase agreements between the City of Petersburg and NUWAVE for the development of 215 S. Jones Street, 1420 Ferndale Avenue, 1150 Rome Street, 1162 Hinton Street, 201 Terrace Avenue, 417 S. Jefferson Street, 921 Priam Street, 851 East Bank Street. Council Member Myers seconded the motion.

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

- i. Public Hearing for Consideration of an Ordinance Authorizing the City of Petersburg and STEPPING STONES PROPERTIES, LLC for the Development of 10. N. Foley Street and 340 Mistletoe Street Located in Petersburg, VA

Brian Moore, Director of Economic Development, stated that this public hearing was in regard to proposed development of single-family homes, with an offer of 75% of the assessed value.

Mayor Parham opened the public hearing.

Gary Talley, 2323 Fort Rice Street, stated that he was supportive of the City's past practice of accepting 100% of the assessed value, and he would recommend that they not accept anything less than that.

Barb Rudolph, 1675 Mount Vernon Street, stated that she did not see how the offer was 75%; \$6,000 out of \$11,700 was closer to 50%.

David Betts stated that he did not have any issue with people building houses, but he believed the developer needed to have insurance and ensure they were not affecting the neighboring properties, which he had seen happen with other contractors in the City who refused to take responsibility for damages to neighbors' property.

Council Member Myers made a motion to adopt the Ordinance authorizing the City Manager to execute the purchase agreements between the City of Petersburg and STEPPING STONES PROPERTIES, LLC for the development of 10. N. Foley Street and 340 Mistletoe Street. Vice Mayor Hill seconded the motion.

Vice Mayor Hill asked Mr. Moore if 100% of the assessed value could be the purchase price.

Mr. Moore said that the applicant had wanted to keep it at 50%, and staff had requested 75%. However, the Council could table this item and try to come to an agreement with the applicant.

Council Member Myers acknowledged that they should be seeking 100% of the appraised value, but if they got the property developed and back on the tax rolls, they would make up the difference.

Mayor Parham called the vote.

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

- j. A Public Hearing for Consideration of an Ordinance Authorizing the City Manager to Execute a Deed of Easement Between the City of Petersburg and Virginia Electric and Power Company to Install a Transformer and Associated Underground Conduits and Cables for the Poor Creek Pumping Station Project on City Property Located at 960 Winfield Road

Brian Copple, City Engineer, stated that their paper was for an easement request from Dominion Power to install additional transformers and additional underground lines for the Poor Creek Pump Station. He explained that this was necessary to keep the project moving forward, and staff therefore recommended approval.

Mayor Parham opened the public hearing.

Sarah Melissa Witiak, 2 Centre Hill Court, stated that she was glad to hear the conduits would be going underground, and she believed the City should do everything it could to keep electrical lines underground in their future developments, which would improve and beautify their City.

Mayor Parham closed the public hearing.

Vice Mayor Hill made a motion to adopt the Ordinance authorizing the City Manager to execute a deed of easement between the City of Petersburg and Virginia Electric and Power Company to install a transformer and associated underground conduits and cables for the Poor Creek Pumping Station project on City property located at 960 Winfield Road. Council Member seconded the motion.

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

9. PUBLIC INFORMATION PERIOD

Vice Mayor Hill asked if the City Manager and other public safety staff could address the City's response to the heavy rainfall, they had recently experienced.

March Altman, City Manager, stated that he would like to address the significant rainfall they experienced last night and the preceding days. The rain was not limited to last evening, but rather, it was a prolonged period of heavy precipitation that began on Saturday, Sunday, which had continued through the week leading up to those days. The equivalent of 100-year storms occurred each evening, resulting in substantial rainfall that overwhelmed their creeks and drainage system.

City Manager Altman stated that according to their report, they received at least five inches of rain on Saturday, but he believed the actual amount was closer to 10 inches, given the storm's looping pattern and reformation over the City. The flooding was widespread, with significant damage reported throughout the City. On Sunday evening, the storm brought heavy rain, and they experienced flooding on several roads. The storm also resulted in approximately 1,100 citizens losing power, with about 400 still without power last night due to a transformer fire on one of their Dominion poles. Fortunately, power has been restored. While there were no fatalities or injuries, there was property damage, including several vehicles that were abandoned or damaged by floodwaters.

City Manager Altman said that they are currently working with a Virginia Department of Emergency Management (VDEM) crew to assess damage and will be providing updates on their social media channels and through an email address set up specifically for community members to report damage. The email address is em@petersburg-va.org. He said that they will be tracking and reporting all damage to FEMA, although it was unclear at this time whether any FEMA funds will be available as no state or federal state of emergency had been declared.

City Manager Altman said that they have declared a local emergency state of emergency, as previously done by Council, and will be conducting damage assessments and reports. Today, he will be out and about in the City, and he will provide an update on the damage. At the time of their meeting, the only road closed was 460 between Pine Tree Apartments and Wagner Road, due to water overtopping and sheet flow across all four lanes. They also had floodwaters in the harbor. He would like to commend the Police, Fire, Public Works, and Petersburg Area Transit (PAT) staff for their efforts last night, as it was a team effort. All personnel responded well to the situation, and their team worked diligently to protect the citizens.

City Manager Altman stated that he wanted to publicly commend them for their efforts and the work they undertook on behalf of their citizens. The PAT buses were utilized to provide a safe shelter for those residents from the Woodmere Apartments, who had been evacuated due to flooding from the lake behind the complex. Once the water subsided, they were able to return to their apartments. Throughout the day, water was sitting in various areas of the City, making for a long and challenging night for their staff.

Travis Christian, Police Chief, stated that their public safety staff had been working all night long to ensure everyone in the City was safe. He wanted to caution that in the event anyone saw high waters in the City, to please make sure travel was avoided in those areas, either in vehicle or by foot. While some waters may be shallow, they sometimes only appeared shallow and if the water was moving swiftly enough, it could wash vehicles away and trap people in deep water. Additionally, they had to evacuate some residents who became trapped in apartments. He was grateful that there had been no casualties, and they asked everyone to please stay safe and take precautions, as they were expecting more rain.

Wayne Hoover, Fire Chief, expressed his gratitude to all the public safety staff who had worked tirelessly to keep everyone safe. They became overwhelmed with calls for service by around 10:00 p.m. due to the rapid rise of water. They quickly deployed every available resource to the field, and upon recognizing that the situation was escalating, they activated the Crater Regional Technical Rescue Team for their swift water rescue boat crews. They successfully brought in those crews and also received mutual aid units from surrounding jurisdictions to continue to help with the call load. The apartment buildings posed the biggest threat to life safety due to the rapid rise of water.

Chief Hoover said that they used boats and all public safety personnel participated in removing residents from the building. PAT again demonstrated their capabilities by providing buses, which helped shelter those residents in place until the water receded, and then assisted them back in. He stated that they established a partial Emergency Operations Center at the new Fire Administration Building and worked extensively on logistical matters from that location. Their emergency management team operated from there as well. VDEM had been on site all day, as City Manager Altman had mentioned. He said that they could not express their gratitude enough to the state for their support.

Chief Hoover stated that as he was returning to work this morning, he received a call from Governor Youngkin, offering every resource he could provide to ensure everyone's safety. He said that they did suffer some infrastructure damage last night, particularly to their communications system. However, they were now up and running, and local and state resources had been on scene. He was pleased to report that their infrastructure was now solid, and they remained in a response mode. As he had mentioned to the media today, if a similar situation were to occur this afternoon, they would be fully prepared.

Mayor Parham read the rules for public comment.

Lynn Harrison, 19 Kennedy Court, stated that Ms. Harrison said that she did not wish to be there today, but she had been compelled to attend, and Council was aware of why she was here. She stated that the following information was her personal opinion, supported by documents, emails, text messages, social media posts, and personal experience. To establish her credibility for what she would be discussing today, she wanted to explain that in 1978, she was the first female and minority president of the Greater St. Louis Police Academy. She worked for a police department with 1,200 employees and 900 sworn officers.

Ms. Harrison said that among those 900 sworn officers, there were fewer than 24 officers of minority backgrounds. She held three higher education degrees in criminal justice, and she had taught at several universities and colleges in criminal justice, serving as an associate professor of administration of justice, an adjunct professor, a guest lecturer, and an instructional designer with expertise in homeland security. Her work had been published in the Encyclopedia of Criminology, she had served on several federal and state boards of directors for criminal justice, and she had developed over 50 intellectual properties for law enforcement training.

Ms. Harrison stated that she had also held the position of professor by courtesy, serving as a civilian pro bono for the Federal Bureau of Investigation (FBI) National Academy for a police department under a consent decree, was a former member of the National Organization of Black Law Enforcement Executives (NOBLE), and was a graduate of the Commonwealth of Virginia Certification Magistrate School and a former magistrate of Petersburg.

Ms. Harrison explained that on May 3, 2025, I had filed an internal affairs complaint against a command-level officer of the Petersburg Police Department and the department itself for failure to comply with state law regarding a Freedom of Information Act (FOIA) request. The complaint listed the officer for misuse of public office, defamation, fitness for duty, and knowingly submitting altered, edited, and false evidence of information on an official document. The complaint contained all the supporting evidence of her claims. The complaint was available to the public through a FOIA request and was not exempt from personnel records because no action had been taken, and the complaint itself was not exempt.

Ms. Harrison stated that if the public were aware of the content of this complaint, the Council would be pressed for answers, citizens would be outraged, and they would undoubtedly make national news. Unlike Petersburg, Colonial Heights understood the legal liability for failing to respond to a FOIA request. This particular officer, a high-ranking officer, had solicited from Colonial Heights Police Department, altered and edited an officer's body camera footage and presented it as evidence in her background investigation from the department.

Marlo Green, 301 Rolfe Street, commended the Fire and Rescue Squad and Public Works on their phenomenal work in response to the flooding events. She noted that there had been no flooding on Pocahontas Island, which she was thankful for. She said that she had repeatedly discussed the Appomattox River Trail with this Council, and again she wanted to state that the high grass was being cut inconsistently and needed to be maintained more responsibly. Also, she frequently visited Patton Park and Poplar, and it was appalling to her that they took care of those properties but ignored the Appomattox River Trails. She requested the City to please get that on their maintenance schedule.

Ms. Green said that regarding the sale of City-owned property, she believed that there needed to be some kind of provision in writing that ensured properties were sold rather than rented after the development was approved by Council. Regarding home repairs, Rebuilding Together will be at the Pocahontas Chapel tomorrow, which was a phenomenal opportunity for people to get information about free home repairs in Petersburg. She encouraged anyone in need of free home repair services to come out to the chapel.

Barb Rudolph, 1675 Mount Vernon Street, stated that she was surprised this morning when she was driving on South Crater Road and saw the vape shop that had concerned Council so greatly on April 15.

She reread the minutes and the local Progress Index story, which indicated that Council Members felt passionately that the proliferation of such vape shops needed to stop, and they voted unanimously to turn down the ordinance proposed that would facilitate the opening of this vape shop. At the very least, he should have needed a special use permit, but at 8:30 a.m. this morning, it was open for business. She asked if Council had any information about how this rejected business still was able to open and operate as it now was. She said that there seemed to be very little consistency, and the decisions of Council had no bearing on what would actually happen in the City.

Sarah Melissa Witiak, 22 Centre Hill Court, stated that she wanted to state that in their haste to develop City property, especially near wetlands, they needed to think about a long-term plan and prepare for future flooding. They needed to ensure they protected the land that could absorb floodwaters before people's houses were affected. On another note, she wanted to address the new courthouse project. The new website allowed people to ask questions, but no answers had been provided for over two weeks, so she requested that answers be provided in a timelier manner so they could have continuing conversations throughout the project. She asked if the master plan that included the courthouse project could be posted so the public could see how the courthouse fit into the overall plan and existing infrastructure.

Dr. Witiak stated that additionally, the public had requested to have traffic studies posted on the website for review, but it had been a month since then and the studies had not yet been posted. Furthermore, there have been discussions about how the new courthouse fits into the use of the Hastings Courthouse. She noted that there had been no mention of how the houses in Centre Hill would be considered as part of this plan, despite them being even closer to the new courthouse than the old one. She asked the City to please work with the developer of the new courthouse to ensure Centre Hill was represented in their designs and that their neighborhood's needs were considered.

Johnny Saku, 20 West Old Street, stated that he was the owner of the Art Exchange. He stated that in his time here, he had noticed that Petersburg was a reactionary town. He noticed this distinctly with the flooding they just experienced. He had repeatedly requested for the storm drains on his street to be cleaned but had received no response. He added that he felt it was disrespectful when Mr. Moore had called small business owners "hobbyists." He continued that last night, along with the Police and Fire Departments, he had to personally use sandbags to protect the historic building his business was in, so it did not go underwater in the flooding. He understood the flooding issues in the City had been going on for years, and the building had been there since 1847, so he wondered what the City's plan was to address this longstanding issue.

Mr. Saku stated that he was excited about the new casino and the benefits it would bring to the City and his business, but he must question how the City planned to support the great things they had going on. He emphasized that infrastructure was key in this aspect, and if they did not have working sewers and a plan for drainage, they could not revitalize any part of the City. As a veteran, he understood the importance of following a plan to ensure success and safety, and he was deeply concerned about the consequences if Petersburg did not have a plan for its future.

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

Council Member Cuthbert stated that Council Member Jones brought to his attention two weeks ago a fire hydrant outside of the Circuit Courthouse that had been out of service for weeks now. He requested the City Manager to provide Council with a total number of out-of-service fire hydrants at their September meeting, including the addresses of each hydrant, how long they had been out of service, and when the City expected them to come back into service. Additionally, they needed to address the infrastructure needs on West Bank Street, which was disproportionately impacted by flooding.

Council Member Jones stated that regarding vape shops, he was concerned that despite the City's attempts to curb the number of them, they were dealing with business owners who thought they could just call them convenience stores and get around the will of the City. He believed they needed to be more

aggressive with these businesses, which was unfortunate because not all businesses were doing this, but there were some people who wanted to take advantage of Petersburg. Additionally, he felt it was essential that City staff take inventory of every issue in the City and report it to the City Manager and then to City Council so they could resolve things expediently.

Council Member Jones noted that “Operation Gateway” had successfully cleaned up the East Washington Street corridor in a very efficient and collaborative manner, so he would like to have this operation expanded to the other areas of the City. He emphasized that he knew that all of their City staff cared deeply about doing good work, but they could not do it well unless they do it as a team. He said that related to their flooding and drainage issues, he wanted to note that in the past, development of the City had allowed for blockage of waterways, but they no longer did that. However, the problems of those past decisions had resulted in poor water drainage in the City and they would be working to address it.

Council Member Westbrook thanked the Progress-Index for publishing a story about a month ago about the potential plastic bag tax for Petersburg. He noted that there already was widespread use of reusable and biodegradable bags in Virginia, so he thought it would be easy for Petersburg to adopt it as a local practice. He wanted to let their local business owners know that it would be easy for them to get branded bags as a marketing strategy as well as improve their environment. He emphasized that this tax would not hurt the City and was not meant to generate revenue; it was solely focused on being more environmentally friendly as a City and doing everything they could do to clean up litter and fund art projects. In addition to hopefully implementing a plastic bag tax, he wanted to address how artificial intelligence (AI) was being used in their City and how they could implement it in their future work. He hoped that using AI would allow them to make their processes more efficient. He invited everyone to join them for National Night Out on August 5, 2025.

Council Member Smith-Lee stated she would like to give a shout out to Mr. Nelson, who has a community garden on the corner of Wythe and Washington Street, next to the old Owens Printing Company. She said that anyone can visit his garden, which offers a variety of fruits and vegetables, including plums, strawberries, cucumbers, and more. Additionally, they have a community garden on Farmer Street, maintained by Craig Tucker. She recently visited his garden and picked up some cucumbers, onions, potatoes, kale, and collards. She encouraged everyone to visit the community gardens and enjoy the fresh local produce.

Vice Mayor Hill stated that he wanted to clarify that the City did have a plan, which was evident in how properties were being renovated, and economic development opportunities were underway. He agreed with members of the public that infrastructure was a major concern and they were trying to rectify that in their planning, but it took a lot of funding and their needs cost more than their available funding. He wanted to assure the public that they were trying to fix the problems in smaller, more manageable portions rather than all at once.

Vice Mayor Hill expressed concern regarding the vape shop that had been mentioned earlier in the meeting, which should not have been awarded a business license but somehow was approved for one by their City staff, despite the Council’s clear direction that they should not operate. He requested the City Manager to please ensure that the direction given by Council was carried out by every level of their staff and the results were evident to the public. He was concerned about this lack of continuity, which damaged confidence in their local government and the operations of the City. He believed that the situation with the vape shop may mean that someone needs to be fired, because it was an appalling oversight and spoke to a greater problem of their staff not fulfilling their duties. He reiterated that all their staff needed to do better.

Mayor Parham stated that next month they would start having back-to-school events, so he encouraged everyone to look out for those announcements. He commended the Petersburg Fire Department for extinguishing a fire at the Phlow Corporation facility, where they responded within five minutes and allowed the operations to continue uninterrupted. Furthermore, he wanted to thank the Petersburg Police

Department for their patience while the City fixed their pay scales, and he was glad they had finally implemented them and were paying people appropriately for their years of service. He thanked the members of the public who came to tonight's meeting.

11. ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items under this portion of the agenda.

12. FINANCE AND BUDGET REPORT

There was no report.

13. UNFINISHED BUSINESS

- a. Consideration of a Resolution Authorizing the City Manager to Execute a Development Agreement Between the City of Petersburg and J.C. BYNUM CONSTRUCTION LLC for the Development of 741 Blick Street Located in Petersburg, VA

Brian Moore, Director of Economic Development, provided background information on the item. He stated that this was a request to update a 2020 development agreement. The property had been paid for by Bynum Construction, but had not been included in the past agreement, so this requested agreement would remedy that. Therefore, staff recommended approval of the proposed resolution.

Council Member Jones made a motion to adopt the Resolution authorizing the City Manager to execute a development agreement between the City of Petersburg and J.C. BYNUM CONSTRUCTION LLC for the development of 741 Blick Street. Vice Mayor Hill seconded the motion.

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

14. NEW BUSINESS

- a. Update by Berkley Group on Comprehensive Overhaul of Zoning and Subdivision Ordinance

Tori Haynes, Senior Planner with the Berkeley Group, stated that tonight she would be giving Council an update on their progress with the Zoning and Subdivision Ordinance. In their overall project schedule, they were in Phase 2 ordinance development, which would conclude in September. They would then move into the final adoption phase, including public review of the full draft ordinance, a joint work session with the Planning Commission, and a final public hearing and vote to adopt in early 2026.

Ms. Haynes stated that when they last spoke with Council in September, they had given an overview of the first phase, which focused on public engagement. Here in the second phase of ordinance development, they have completed eight of 11 proposed articles, and they have working drafts of the remaining articles currently in development. The eight drafted articles included general and administrative provisions, permits and applications, district standards, a use matrix and use performance standards, community development standards, and nonconformities.

Ms. Haynes stated that they had also drafted definitions relevant to each of these articles, which would be compiled into Article 11. Planning staff had reviewed and provided comments on all drafts so far, and they were currently incorporating those edits. Drafting of the final set of articles was in progress. Those would involve overlay districts and subdivisions, and these were slated to be reviewed with the Planning Commission at their next work session in two weeks. As they reviewed the ordinance tonight, it should be kept in mind that these were working drafts, so there was a lot of room to make edits, corrections, and incorporate comments from the public, staff, Planning Commission, and City Council.

Ms. Haynes stated that Article 1 included general provisions and establishment clauses, combining language from their current ordinance and establishing new language needed. It was largely driven by State Code, with references to applicable code sections included in the text. Article 2 established the powers, duties, and procedures for City Planning staff, Zoning staff, the Planning Commission, the Board of Zoning Appeals (BZA), and the Architectural Review Board, as well as provisions related to enforcement and penalties. It also established the fee schedule to be adopted by City Council.

Ms. Haynes noted that the fee schedule was currently adopted within Article 31, they were establishing the language for the fee schedule in the administrative article, but they recommended adopting the actual list of fees separately as an appendix, making it easier to update fees without triggering a full ordinance text amendment process. She continued to explain that Article 3 outlined permits and applications, providing requirements and processes for different types of applications, as well as procedures for administrative determinations, appeals, and public notifications. Currently, this information was scattered throughout the ordinance, and they had compiled it into one concise article. They had also updated public notice requirements to be consistent with recent state code amendments, streamlined the BZA process to focus on variances and appeals, and retained recent amendments such as the new site plan requirements.

Ms. Haynes stated that Article 4 established primary zoning districts and related standards, including setbacks, lot sizes, and measurement guidelines for consistency and plan review. This article also included tables showing development standards for each district, with additional regulations following the table. In the draft versions, they used footnotes as review guides to help with formatting, which may appear slightly off at this stage. They would refine this in any final version. Article 6 dealt with use permissions, covering by-right uses, SUP requirements, accessory uses, and prohibited uses.

Ms. Haynes stated that they had consolidated and revised uses to streamline the ordinance and provide consistency across districts. A use matrix had been created, replacing the waterfall list format, and included modern uses and terms. This matrix categorized all uses and contained associated standards. Article 7 provided use performance standards, outlining provisions and regulations for specific uses that may impact the City. She introduced new standards for existing and newly established uses, as well as clarified uses required by state code. Article 8 was a comprehensive article addressing community development and design standards.

Ms. Haynes stated that they had incorporated items such as outdoor amenity and open space standards, landscaping standards, which had been written to be consistent with the new tree protection ordinance. Additionally, related to landscaping, they introduced new provisions for transitional screening and buffers between uses that may be in conflict. They had also established fence and wall standards, access, and parking standards, and updated the sign ordinance to be compliant with the Supreme Court case Reed versus Gilbert and had introduced outdoor lighting standards.

Ms. Haynes stated that they were still working on street design standards, which would be covered in the Subdivision and may also be addressed here. They were also working on adding graphics from a third-party consultant to better understand dimensional and design standards. Article 9 related to nonconforming uses, lots, and structures, which were heavily dictated by State Code and offered limited flexibility. They had revised and updated definitions from the existing ordinance, State Code, or best practice.

Ms. Haynes stated that the remaining articles included Article 5, Overlay Districts, primarily the historic overlay district. They also had a question from the Planning Commission that she would address momentarily regarding a potential new overlay district in the downtown area. Article 10 would deal with Subdivision, updating Appendix A. She understood that staff had made State Code compliance changes, and they would ensure consistency with that and provide best standards in their

subdivision ordinance. She explained that the Planning Commission had raised two questions that Berkley Group would appreciate City Council direction on.

Ms. Haynes said that they had not pursued these items yet, but they wanted to know how the City would like to proceed. The first question involved data center permission, specifically whether it should be by right or with a Special Use Permit (SUP). Currently, it was drafted as by right in their industrial districts, with applicable performance standards. The Planning Commission had expressed interest in permitting data centers as SUP rather than by right. Either way, the use of performance standards would apply, so they would like to know whether city council would be most comfortable with by right with standards or SUP with standards.

City Manager Altman noted that Council had already taken action on data centers with the adoption of data center standards and a Zoning Ordinance amendment.

Ms. Haynes said that their main concern was whether the use should be by right or by SUP.

City Manager Altman reiterated that Council had voted on this issue and the Ordinance they passed included the information on how they wanted to handle it, so if the Planning Commission was seeking guidance, he would refer them to that document.

Council Member Cuthbert stated that he would like for Council to consider the option of only allowing data centers by SUP. He asked if that option could be included in the draft ordinance for Council to consider.

Ms. Haynes replied that the use would either need to be listed as by right or by SUP in the use matrix of the Ordinance. She understood Council's decision was to keep the use as by right, but the Planning Commission had raised it as an issue and therefore they wanted to confirm that was still the City's intent.

Mayor Parham suggested that Council Member Cuthbert work with their Berkley Group consultants to draft some potential alternatives to present to Council at a later date.

Ms. Haynes said that the second question from Planning Commission was whether the City should consider researching an entertainment overlay district in the downtown area, distinct from the entertainment, resort, and casino district. This could include topics such as open container allowances for strip and stroll events, street performers, outdoor entertainment, and noise flexibility for events and activities. They had considered some of these ideas, and if there was interest, they may need to determine whether they should be included in City Code or Zoning regulations. For example, some activities, like outdoor events, could be established through State Code, but not through Zoning. They would need to discuss the distribution of responsibilities between departments, potential boundaries of the districts, and any necessary project or scope amendments.

Ms. Haynes said that this concept was not currently drafted, and they had not begun working on it. Their question to the City Council was: if there was interest in pursuing this type of overlay, what activities should be explored, and which departments should be responsible for administering and enforcing these regulations? If they did wish to pursue this research, what goal would Council like to achieve?

City Manager Altman noted that this had already been discussed by City Council, and he understood the Planning Commission's interest in seeing if Council may reconsider, but Council had already agreed not to move forward with that idea.

Ms. Haynes replied that the clarification was helpful. She stated that the full contents of their work so far were included in the packet. If Council had any follow-up questions, they were free to email them, and they would address them more directly and in more depth. Looking ahead, they would be back

here in two weeks for a work session with the Planning Commission. If they had any comments on tonight's materials, they were encouraged to submit them to them within the next two weeks by July 29, 2025. Further ahead, they would have a final work session with the Planning Commission in September, followed by the public engagement phase around December, and ultimately, a public hearing and final adoption early next year.

15. CITY MANAGER'S REPORT AND SPECIAL REPORTS

March Altman, City Manager, stated that he had nothing to report this evening.

16. BUSINESS OR REPORTS FROM THE CLERK

Tangi Hill, City Clerk, stated that volunteers were needed for the Summer 2025 Point-in-Time Count. The Crater Area Coalition on Homelessness (CACH) would be conducting the count on July 23 and 24, 2025. She asked anyone interested in volunteering to please contact her office, who could put them in touch with CACH. Additionally, CACH was requesting donations for hygiene kits for their homeless residents.

17. BUSINESS OR REPORTS FROM THE CITY ATTORNEY

Anthony Williams, City Attorney, stated that he had nothing to report this evening.

18. 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 8:14 p.m.

Adopted: 09/16/2025



Mayor, Samuel Parham

ATTEST:



City Clerk, Tangi R. Hill