



**City of Petersburg
Virginia**

www.petersburgva.gov

**May 2, 2023 - City Council
Work Session**

**May 2, 2023
Petersburg Public Library
201 West Washington Street
Petersburg, VA 23803
5:00 PM**

City Council

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

City Manager

John March Altman, Jr.

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Public Comments**
 6. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District. **(Page 3)**
 - b. A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District. **(Page 7)**
 - c. A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District. **(Page 11)**
 - d. A request to schedule a Public Hearing and consideration of a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District. **(Page 15)**
 - e. A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District. **(Page 19)**
 - f. A Request to schedule a Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget. **(Page 23)**
 - g. A Request to schedule a public Hearing for Consideration to approve and appropriate the budget for Petersburg City Public Schools for FY23-24. **(Page 60)**
 - h. A request to schedule a public hearing on an Ordinance to Amend and Re-Adopt the Petersburg City Code to Rescind Section 118-94. **(Page 63)**

- i. A request to hold a public hearing on June 20, 2023, to receive public comments for the consideration of funding recommendations and availability for the CDBG 2023-2024 Action Plan. **(Page 72)**
- j. Minutes: **(Page 75)**
 - April 18, 2023 - Closed Session
 - April 18, 2023 - Regular City Council Meeting
 - April 25, 2024 - Special City Council Meeting

7. Special Reports

- a. Presentation from Boys to Men Mentoring.
- b. Recognition of students on the Forensic Team at Petersburg High School.

8. Monthly Reports

9. Finance and Budget Report

10. Capital Projects Update

- a. Presentation of an update from JMT on Poor Creek Project.

11. Utilities

12. Streets

13. Facilities

14. Economic Development

15. City Manager's Agenda

16. Business or reports from the Clerk

17. Business or reports from the City Attorney

18. Adjournment

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District. (Page 3)**

PURPOSE: To consider an ordinance approving the petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

REASON: To comply with policies, procedures and laws regarding Special Use Permits.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an ordinance approving the petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the use of the property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B Zoning.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0502_2023OrdinanceSUP1242WWashingtonSt
2. 0504_2023AgendaItemSummary1242WWashingtonSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)
FOR USED AUTO SALES AND CAR RENTAL AT 1242 W WASHINGTON STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit used Auto Sales and Car Rental;
and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Residential; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for used Auto Sales and Car Rental at 1242 W Washington Street, PIN: 024250001.



City of Petersburg Planning Commission Agenda Item

Case No: 2023-SUP-02
Public Hearing Date: May 4, 2023
Property Address: 1242 W Washington Street
Parcel ID: 024250001
Agent: Mr. Russell Johnson

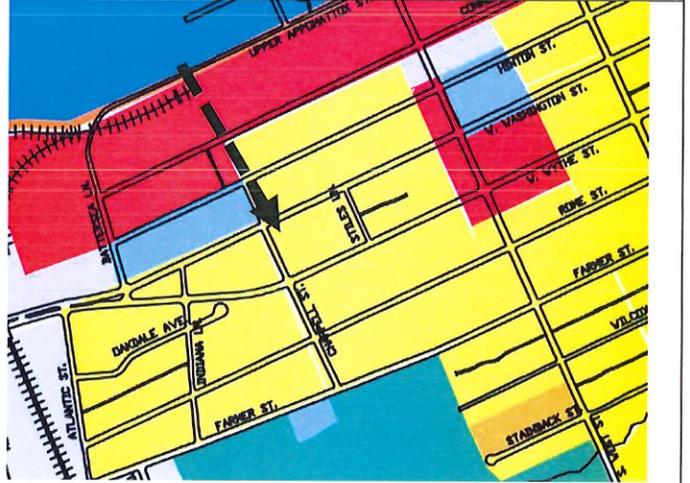
Request	Staff Recommendation
Petition for a Special Use Permit (SUP)	TBD

Summary of Proposal
 A Petition for a Special Use Permit (SUP) for used Auto Sales and Car Rental at 1242 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

Parcel ID	Acreage	Current Zoning Designation
024250001	.202 acres	B-2 General Commercial District



Photo	Comprehensive Plan Designation
	Residential



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District. (Page 7)

PURPOSE: To consider an ordinance approving the petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

REASON: To comply with policies, procedures and laws regarding Special Use Permits.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the use of the property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B Zoning.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0502_2023OrdinanceSUP1841AnchorAvenue
2. 0504_2023AgendaItemSummary1841AnchorAveSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)
FOR AUTOMOTIVE REPAIR AND DETAILING AT 1841 ANCHOR AVENUE**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a M-1 Light Industrial District; and

WHEREAS, the purpose of the Special Use Permit is to permit Automotive Repair and Detailing; and

WHEREAS, the proposed use is permitted in the M-1 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Light Industrial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for Automotive Repair and Detailing at 1841 Anchor Avenue, PIN: 028320007.



City of Petersburg Planning Commission Agenda Item

Case No: 2023-SUP-03
Public Hearing Date: May 4, 2023
Property Address: 1841 Anchor Avenue
Parcel ID: 028320007
Agent: Mr. Devante Thomas

Request	Staff Recommendation
Petition for a Special Use Permit (SUP)	TBD

Summary of Proposal

A Petition for a Special Use Permit (SUP) for Automotive Repair and Detailing at 1841 Anchor Avenue. The property is located in a M-1 Light Industrial Zoning District.

Parcel ID	Acreage	Current Zoning Designation
028320007	.202 acres	M-1 Light Industrial District

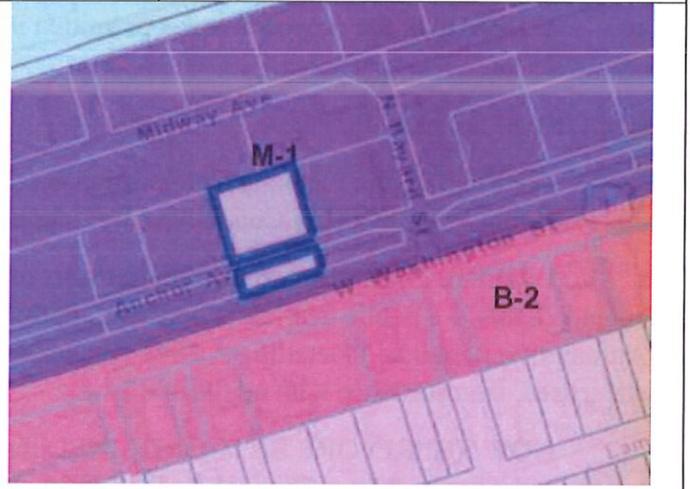
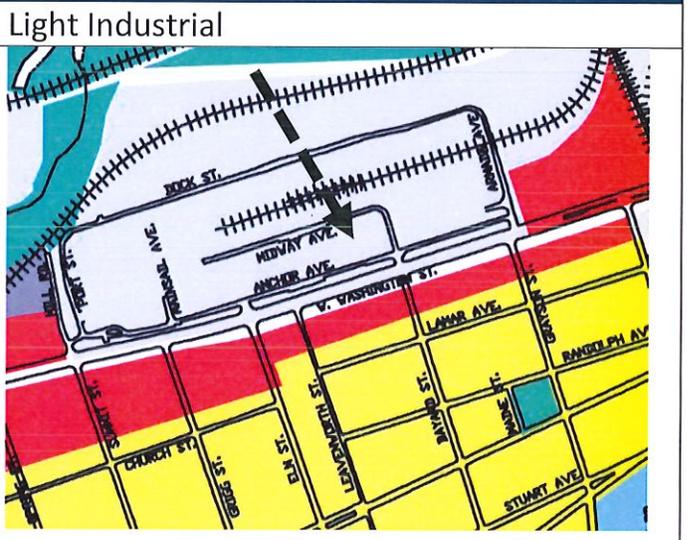
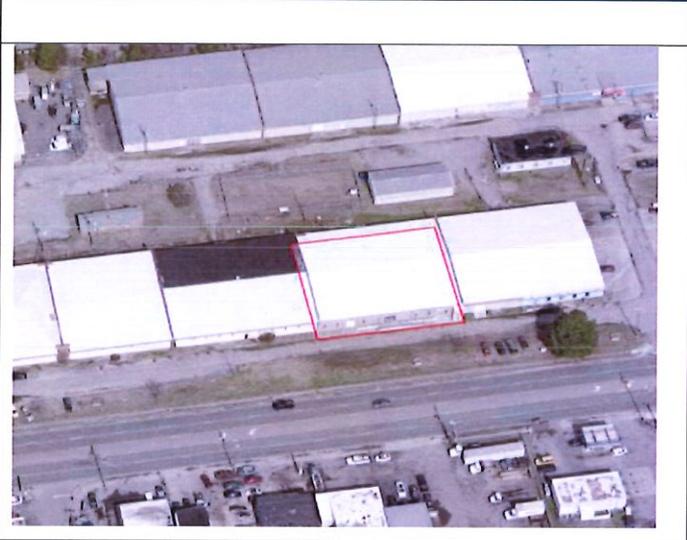


Photo Comprehensive Plan Designation



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for a Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District. (Page 11)

PURPOSE: To consider an ordinance approving the petition for a Special Use Permit (SUP) for Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

REASON: To comply with policies, procedures and laws regarding Special Use Permits.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for Multi-Family residential development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the development of the property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City Code Appendix B Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0502_2023OrdinanceSUP712HighStreet
2. 0504_2023AgendaItemSummary712HighStreetSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)
FOR MULTI-FAMILY DEVELOPMENT AT 712 HIGH STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street, PIN: 023020005; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit Multi-Family development; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as University Boulevard Development Corridor; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street, PIN: 023020005, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for Multi-Family development at 712 High Street, PIN: 023020005.



City of Petersburg Planning Commission Agenda Item

Case No: 2023-SUP-04
Public Hearing Date: May 4, 2023
Property Address: 712 High Street
Parcel ID: 023020005
Agent: Southside Community Development and Housing Corporation (SCDHC)

Request	Staff Recommendation
Petition for a Special Use Permit (SUP)	TBD

Summary of Proposal
 A Petition for a Special Use Permit (SUP) for Multi-Family development at 712 High Street. The property is located in a B-2 General Commercial Zoning District.

Parcel ID	Acreage	Current Zoning Designation	
023020005	.28 acres	B-2	General Commercial District

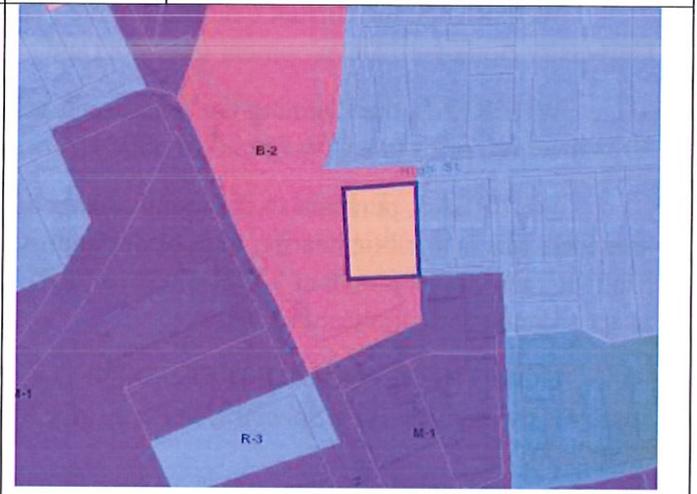
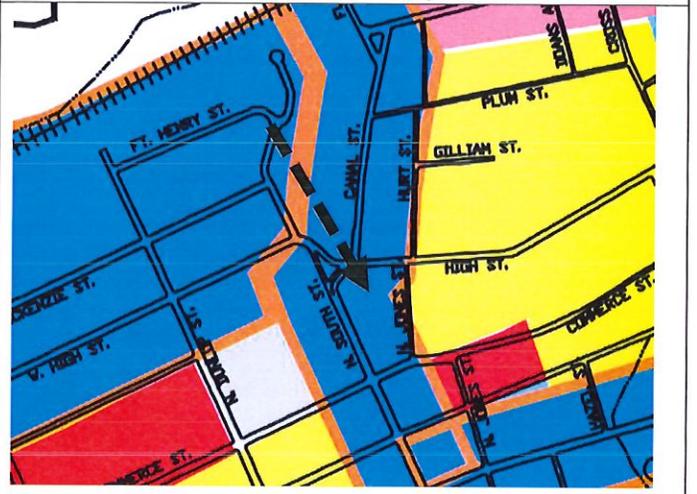


Photo	Comprehensive Plan Designation
	University Boulevard Development Corridor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to schedule a Public Hearing and consideration of a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District. (Page 15)**

PURPOSE: To consider an ordinance approving the petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

REASON: To comply with policies, procedures and laws regarding Special Use Permits.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and consideration of an Ordinance approving a Petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

BACKGROUND: The City of Petersburg received a petition for a Special Use Permit (SUP) for a Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the use of the property

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B Zoning.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0502_2023OrdinanceSUP1602WWashingtonStreet
2. 0504_2023AgendaItemSummary1602WWashingtonStSUP

**AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT (SUP)
FOR CAR WASH AND AUTOMOTIVE DETAILING AT 1602 W WASHINGTON
STREET**

WHEREAS, the City of Petersburg received a Petition for a Special Use Permit (SUP) for Car Wash and Automotive Detailing at 1602 W Washington Street, PIN: 028040012; and

WHEREAS, a Special Use Permit is required for the proposed use in accordance with the City Code, Appendix B. Zoning; and

WHEREAS, the property is located in a B-2 General Commercial Zoning District; and

WHEREAS, the purpose of the Special Use Permit is to permit a Car Wash and Automotive Detailing use; and

WHEREAS, the proposed use is permitted in the B-2 district with a Special Use Permit; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Commercial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a Petition for a Car Wash and Automotive Detailing use at 1602 W Washington Street, PIN: 028040012, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition for a Special Use Permit for a Car Wash and Automotive Detailing use at 1602 W Washington Street, PIN: 028040012.



City of Petersburg Planning Commission Agenda Item

Case No: 2023-SUP-05
Public Hearing Date: May 4, 2023
Property Address: 1602 W Washington Street
Parcel ID: 028040012
Agent: Mr. Sada Allen

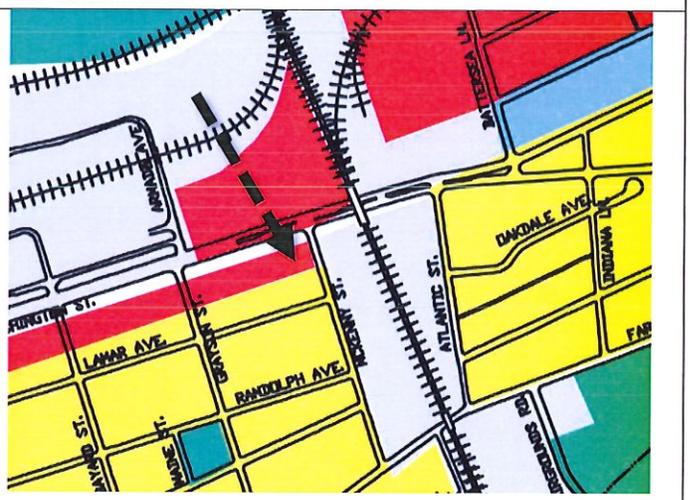
Request	Staff Recommendation
Petition for a Special Use Permit (SUP)	TBD

Summary of Proposal
 A Petition for a Special Use Permit (SUP) for Car Wash and Automotive Detailing at 1602 W Washington Street. The property is located in a B-2 General Commercial Zoning District.

Parcel ID	Acreage	Current Zoning Designation	
028040012	.386 acres	B-2	General Commercial District



Photo	Comprehensive Plan Designation
	Commercial



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to schedule a Public Hearing and consideration of an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District. (Page 19)**

PURPOSE: To consider an ordinance approving the petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

REASON: To comply with policies, procedures and laws regarding the rezoning of properties.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and consideration of an Ordinance approving a Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the development of the property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Prince George County. The development includes property in both Prince George County and the City of Petersburg.

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B. Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0502_2023OrdinanceRezoning3287CountyDrive
2. 0504_2023AgendaItemSummary3287CountyDrREZ

AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 3287 COUNTY DRIVE, PIN 061020001, FROM GENERAL COMMERCIAL DISTRICT (B-2) TO LIGHT INDUSTRIAL DISTRICT (M-1).

WHEREAS, the City of Petersburg received a petition to rezone the property located at 3287 County Drive, PIN 061020001, from General Commercial District (B-2) to Light Industrial District (M-1); and

WHEREAS, the purpose of the rezoning is to permit the construction of buildings for the operation of a light industrial and warehouse uses; and

WHEREAS, the proposed use is permitted in the M-1 district; and

WHEREAS, the current Comprehensive Plan Future Land Use Plan identifies the property as Commercial; and

WHEREAS, the Planning Commission is scheduled to consider the petition during the May 4, 2023 meeting, prior to a City Council Public Hearing and consideration of the petition; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of a petition to rezone the property located at 3287 County Drive, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition to rezone the property located at 3287 County Drive, PIN 061020001, from General Commercial District (B-2) to Light Industrial District (M-1).



City of Petersburg Planning Commission Agenda Item

Case No: 2023-REZ-04
Public Hearing Date: May 4, 2023
Property Address: 3287 County Drive
Parcel ID: 061020001
Agent:

Request	Staff Recommendation
Petition to Rezone Property from B-2 to M-1	TBD

Summary of Proposal
 A Petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

Parcel ID	Acreage	Current Zoning Designation	
061020001	4.805 acres	B-2	General Commercial District

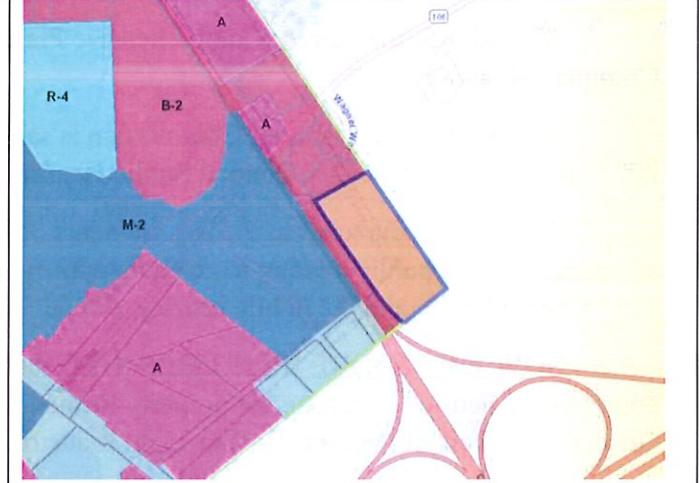
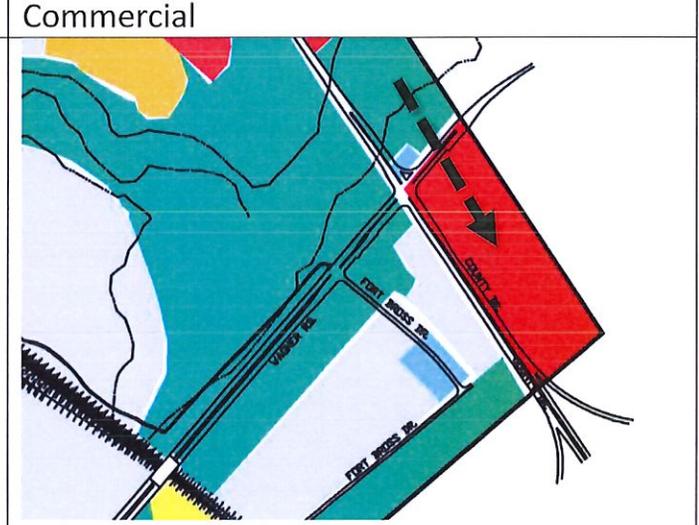


Photo	Comprehensive Plan Designation
	Commercial



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Stacey Jordan

RE: A Request to schedule a Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget. (Page 23)

PURPOSE: A Public hearing for Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget.

REASON: A Public Hearing is requested to be held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the proposed budgets of the various funds, known as All Funds, in the amount of \$117,271,252. The All Funds Budget for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024 requires approval, adoption and appropriation by City Council..

RECOMMENDATION: Staff recommends that City Council adopts and approves the City of Petersburg's FY2023-24 Proposed Operating Budget and Appropriation Ordinance following the public hearing.

BACKGROUND: The City Manager has proposed an operating spending plan of \$117,271,252 for FY2023-24. The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. There were two community budget work sessions held on April 26th and April 27th and an official public hearing will be held on May 16th. The final step in the budget process is for City Council to adopt the FY2023-24 Proposed Operating Budget and approve the Appropriation Ordinance.

COST TO CITY: 117,271,252

BUDGETED ITEM: NA

REVENUE TO CITY: 117,271,252

CITY COUNCIL HEARING DATE: 5/16/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. All Funds Budget 04.25.23
2. FY 2023-24 Proposed Operating Budget-04.25.23 Revised



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 26, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: John 'March' Altman, Jr., City Manager

FROM: Stacey Jordan

RE: **A Request to schedule a Public Hearing for the Consideration of the City of Petersburg's FY2023-24 Proposed Operating and Appropriation Ordinance**

PURPOSE: Consideration of the City of Petersburg's FY2023-24 Proposed Operating Budget Appropriation Ordinance to include rate of taxation on real property.

REASON: The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. A Public Hearing is requested to be held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the proposed budgets of the various funds, known as All Funds, in the amount of \$117,271,252. The All Funds Budget for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024 requires approval, adoption and appropriation by City Council..

RECOMMENDATION: Staff recommends that City Council adopts and approves the City of Petersburg's FY2023-24 Proposed Operating Budget and Appropriation Ordinance.

BACKGROUND: The City Manager has proposed an operating spending plan of \$117,271,252 for FY2023-24. The Department of Finance will present the FY2023-24 Proposed Operating Budget to City Council on May 2, 2023. There were two community budget work sessions held on April 26th and April 27th and an official public hearing will be held on May 18th. The final step in the budget process is for City Council to adopt the FY2023-24 Proposed Operating Budget and approve the Appropriation Ordinance.

COST TO CITY: \$117,271,252

BUDGETED ITEM: N/A

REVENUE TO CITY: \$117,271,252

CITY COUNCIL HEARING DATE: 5/18/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: ALL

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

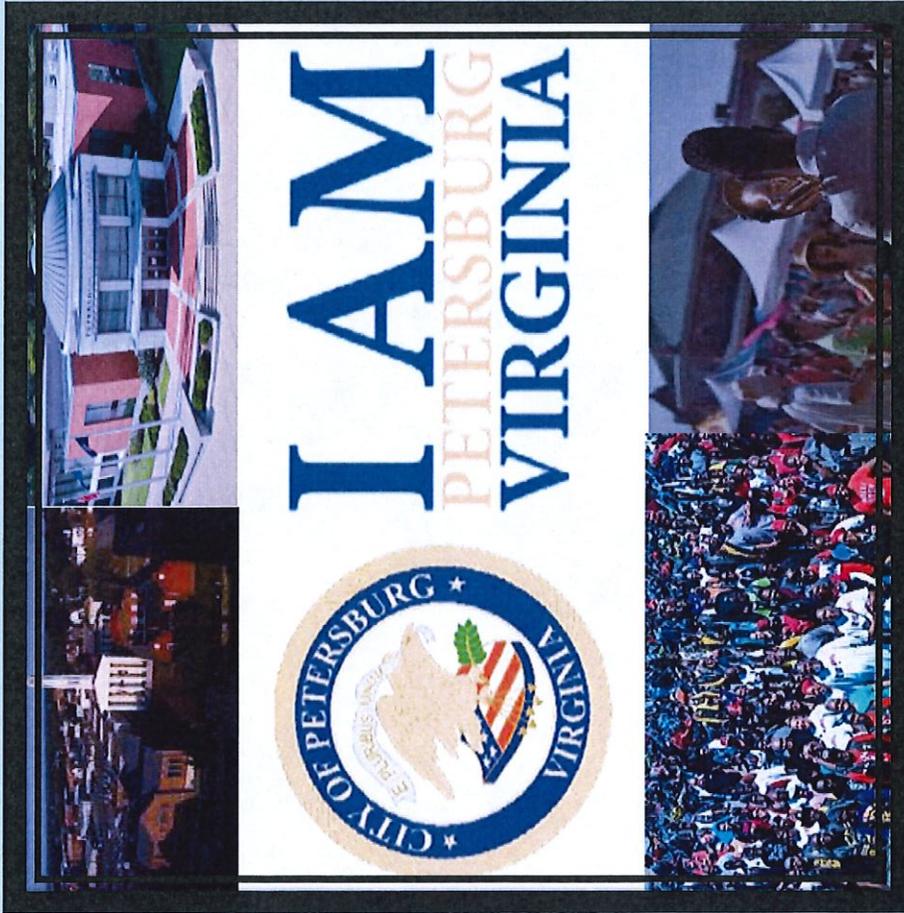
1. FY2023-2024 Proposed All Funds Budget 03.30.2023



FY 2023-24 PROPOSED OPERATING BUDGET

"WE ARE PETERSBURG"
PETERSBURG PROUD

City of Petersburg
VIRGINIA



CITY COUNCIL

City Council Members

Mayor
Samuel Parham
Ward 3

Vice Mayor
Darrin Hill
Ward 2

Councilmember
Marlow Jones
Ward 1

Councilmember
Charlie Cuthbert
Ward 4

Councilmember
W. Howard Myers
Ward 5

Councilmember
Annette Smith-Lee
Ward 6

Councilmember
Arnold Westbrook, Jr.
Ward 7

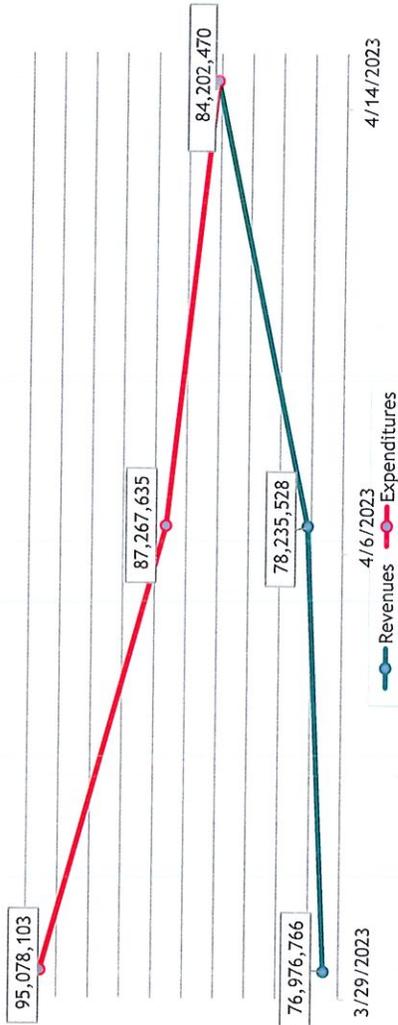


INTRODUCTION AND EXECUTIVE SUMMARY

MARCH ALTMAN
CITY MANAGER

Timeline of General Fund Budget Development

As of 3/29/2023	As of 4/6/2023	As of 4/14/2023
Revenues: \$76,976,766	Revenues: \$78,235,528	Revenues: \$84,202,470
Expenditures: \$95,078,103	Expenditures: \$87,267,635	Expenditures: \$84,202,470
Variance: (\$18,101,337)	Variance: (\$9,032,107)	Variance: (\$0)



Funding from original revenues listed for 3/29/23, increased due to receiving additional data from the City Assessor and the Commissioner of the Revenue as well as an increase to State Funding received for salary increases (also refer to 2021-2022 actuals).



FY 2023-24 Proposed Operating Budget Highlights

City Absorbed Incremental Cost for FY2023-24

The FY23-24 General Fund Revenue & Expenditures have increased by 8.86% compared to the FY22-23 Amended budget. The two main components that play a part in that increase are as follows:

1. The 8.8% health insurance increase that will be absorbed by the City. For FY22-23 there was an increase of 16%.
2. The transfer amount provided to the City of Petersburg School System has increased from the annual allotment of \$10m to an additional \$2.3m raising the transfer amount to \$12,361,477 for FY23-24.

- The City is looking to take part in the Davenport Vehicle Program to help with replacing the older and worn vehicles. There were numerous request for the FY23-24 budget to replace vehicles throughout the City.



BOND RATING IMPROVEMENT



PETERSBURG CREDIT RATING ANALYSIS

Summary: Moody's overall rating for the City was (Aa3 very strong) the fund balance and cash reserves have grown steadily over the last three fiscal years, supported by strong property tax collections. Although, the city plans to issue a significant amount of debt for capital projects in the near term resulting in an above average yet manageable leverage burden. The rating also reflects the city's strong management and commitment to maintaining balanced operations.

Credit strengths: Healthy liquidity and reserves, expanding local economy and low fixed costs. The City has neutral to low exposure to environmental risks, including physical climate risk, natural capital, and waste and pollution as well as strengths in the institutional structure. The score also considers the city's policy credibility, transparency, and strong management and budgeting practices.

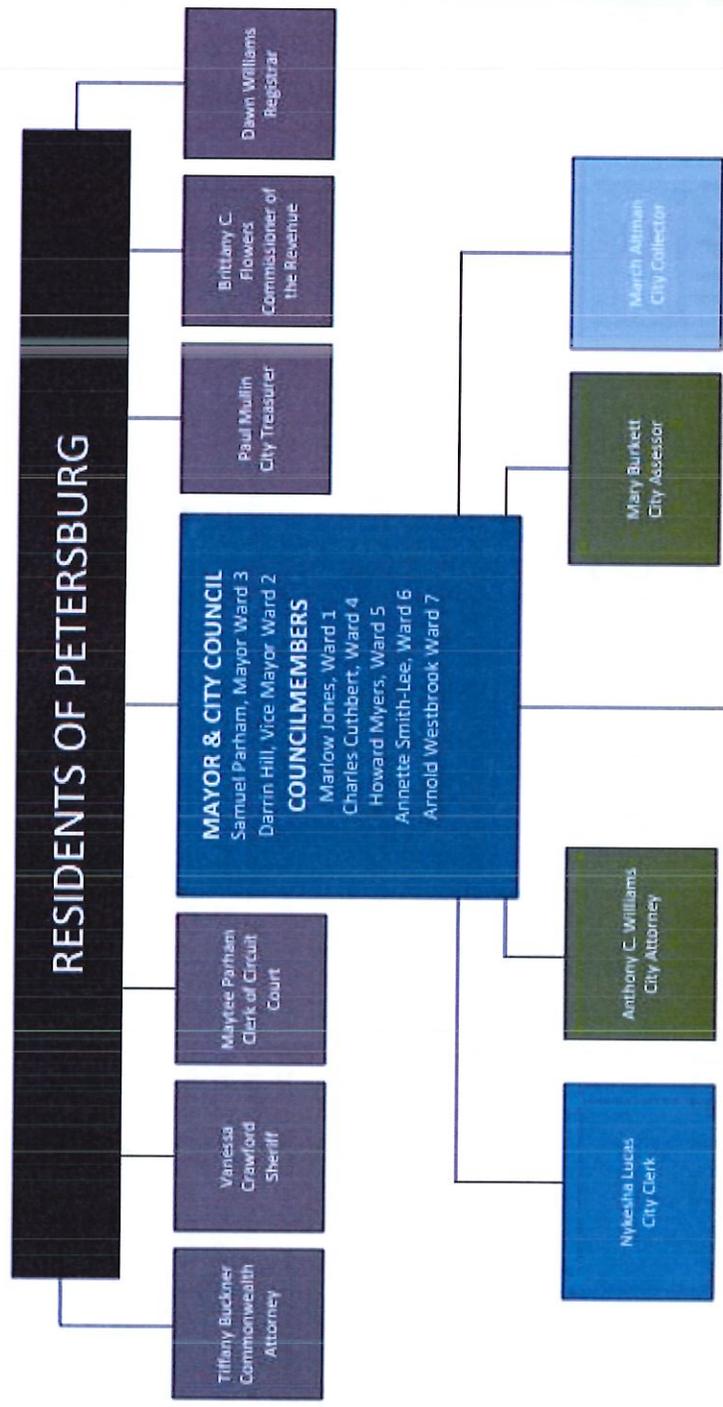
Credit challenges: Below average resident income and wealth levels as well as moderate debt burden expected to grow over the near term. The city's educational attainment metrics lag the state and the city's health and safety metrics are below the state's greater trends.

Factors that could lead to an upgrade: Material increases in reserves, significant declines in fixed costs, improving resident income levels.

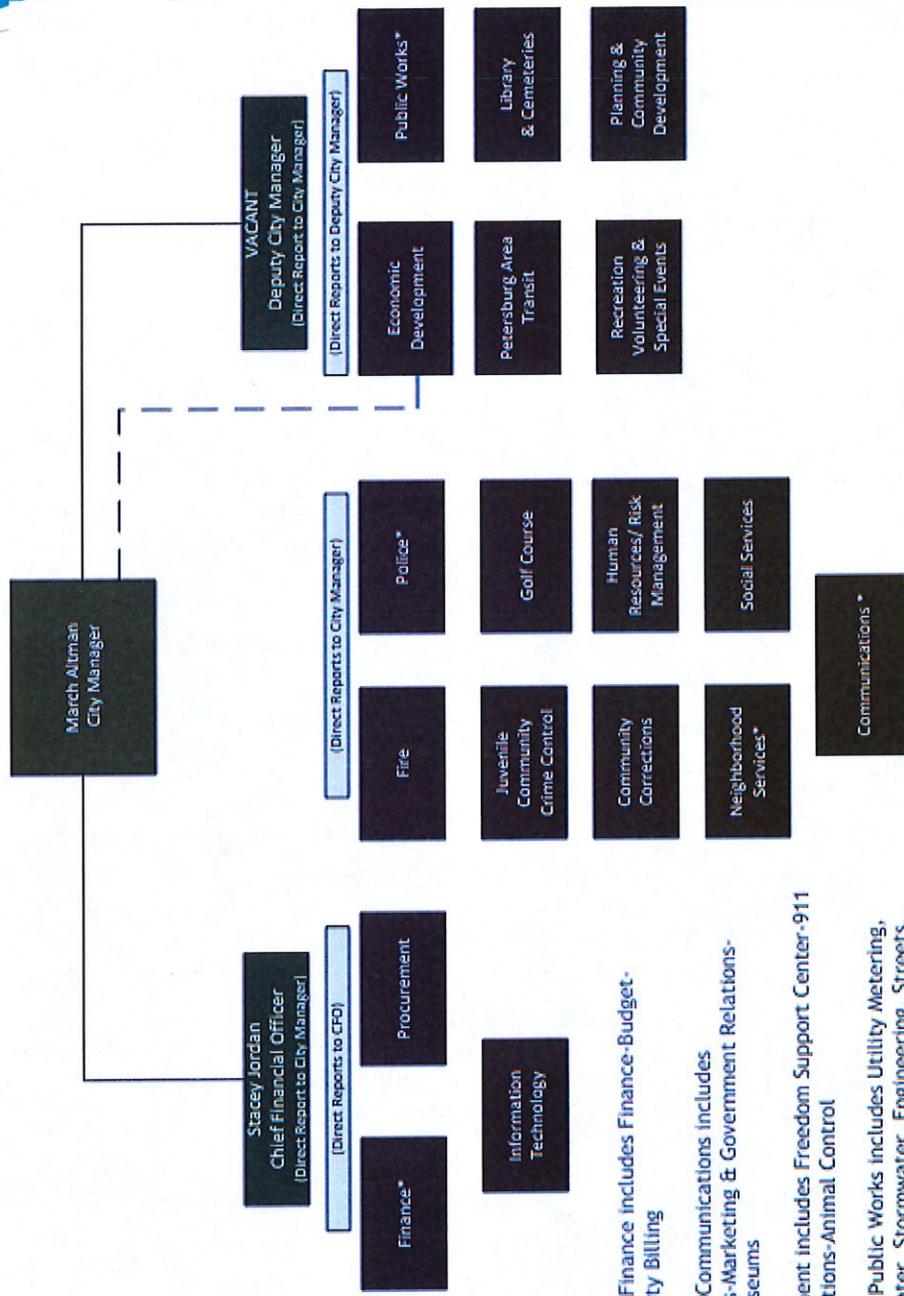
Factors that could lead to a downgrade: Material draws on reserves, increases in leverage and fixed costs, worsening resident income levels.

City of Petersburg - Current Organizational Chart

CITY OF PETERSBURG ORGANIZATIONAL CHART



City of Petersburg - Current Organizational Chart Cont.



*Department of Finance includes Finance-Budget-Collections-Utility Billing

*Department of Communications includes Communications-Marketing & Government Relations-Tourism and Museums

*Police Department includes Freedom Support Center-911 Telecommunications-Animal Control

*Department of Public Works includes Utility Metering, Water, Wastewater, Stormwater, Engineering, Streets, Facilities and Grounds

BUDGET EXPLANATION

STACEY JORDAN
CHIEF FINANCIAL OFFICER

JEANETTE JOHNSON
BUDGET MANAGER

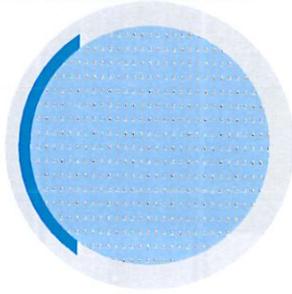
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STRATEGIC PLAN GOALS

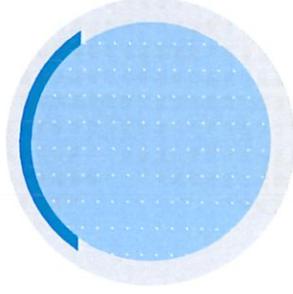
Promote	Promote Economic Development to Attract New Businesses and Strengthen the City's Tax Base
Support	Support Community Development Activities to Enhance Neighborhoods and Improve Housing
Provide	Provide Good Governance for Efficient, Effective, and Equitable Service Delivery, Productive Citizen Engagement, and Community Improvement
Celebrate	Celebrate Petersburg's History and Culture



FY 2023-2024 BUDGET "ABC'S"



ACCOUNTING for structural changes within **ALL** governmental operations



BALANCING the continuity of operations with finite resources

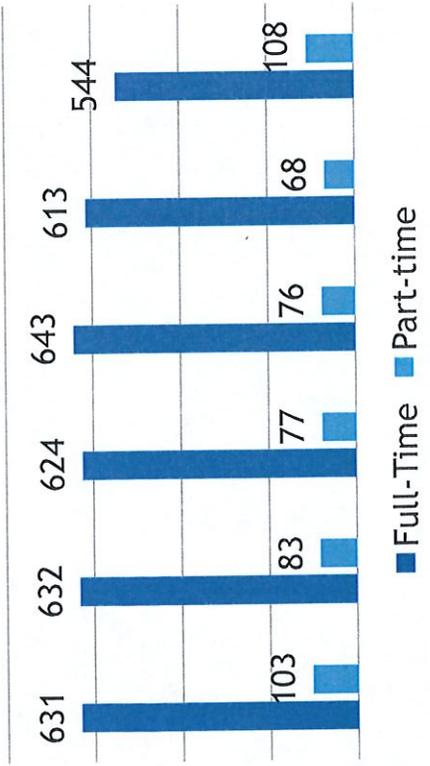


CONTINUE to build the Fund Balance by a minimum of \$500 thousand annually.



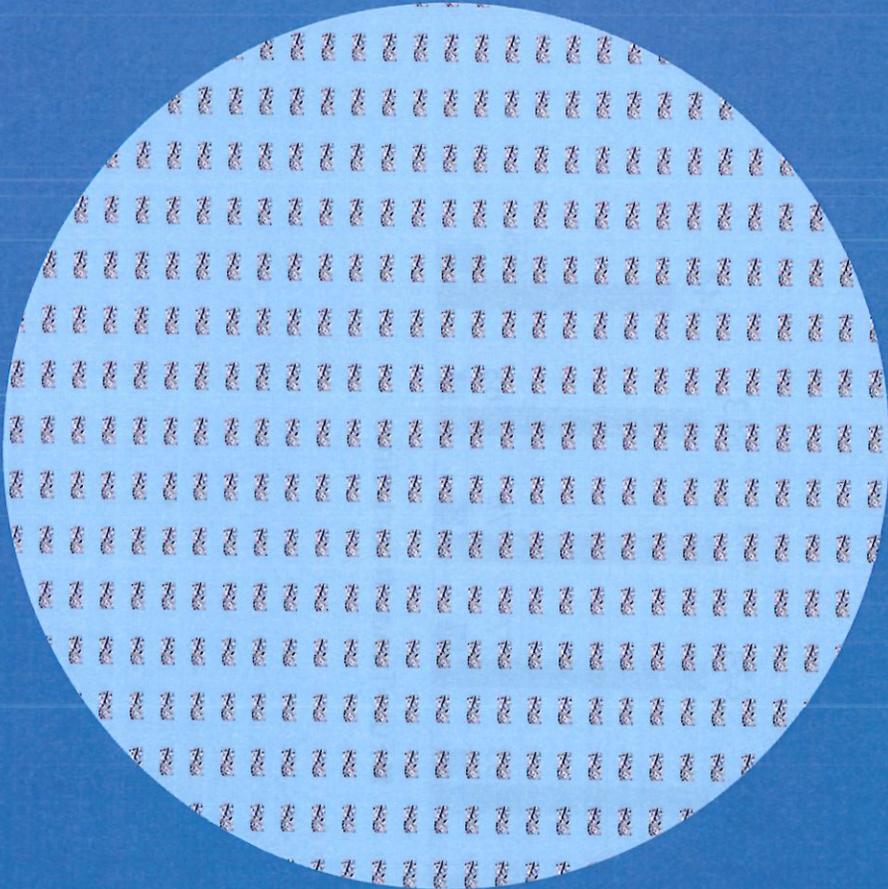


Full-time Personnel Summary for FY2023-24

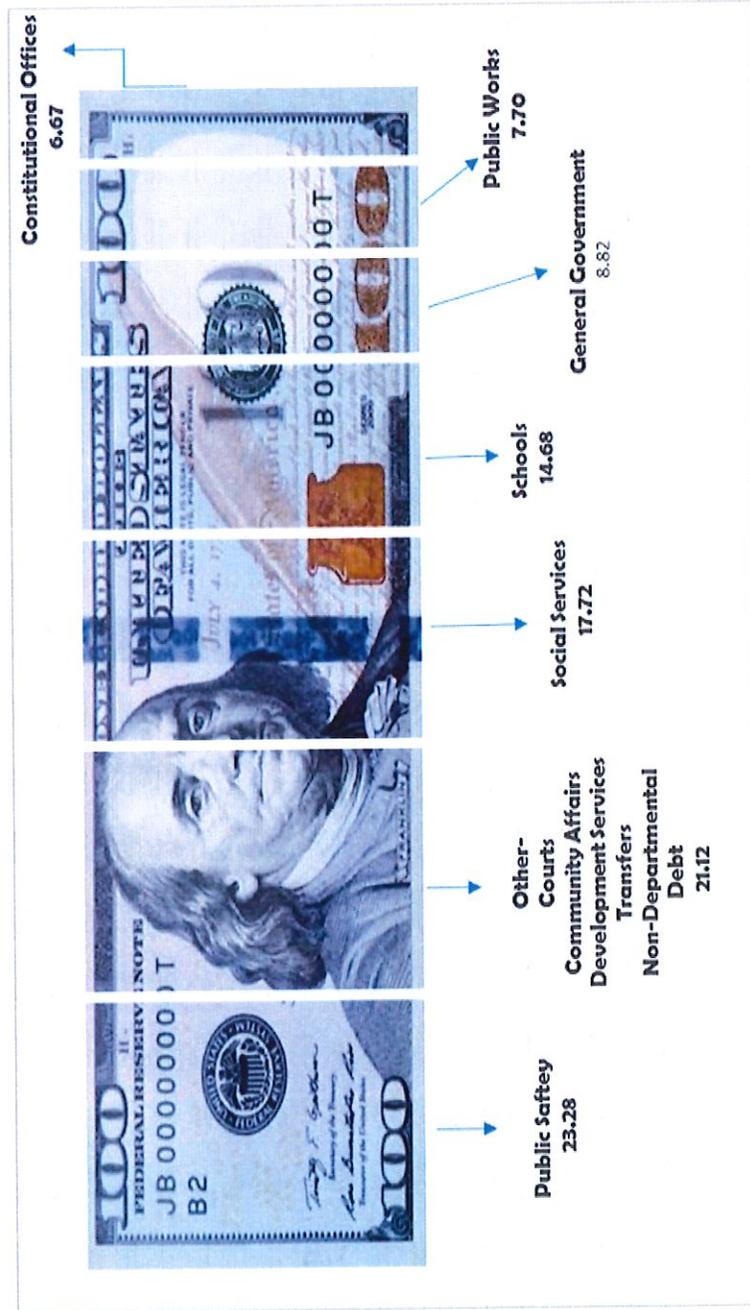




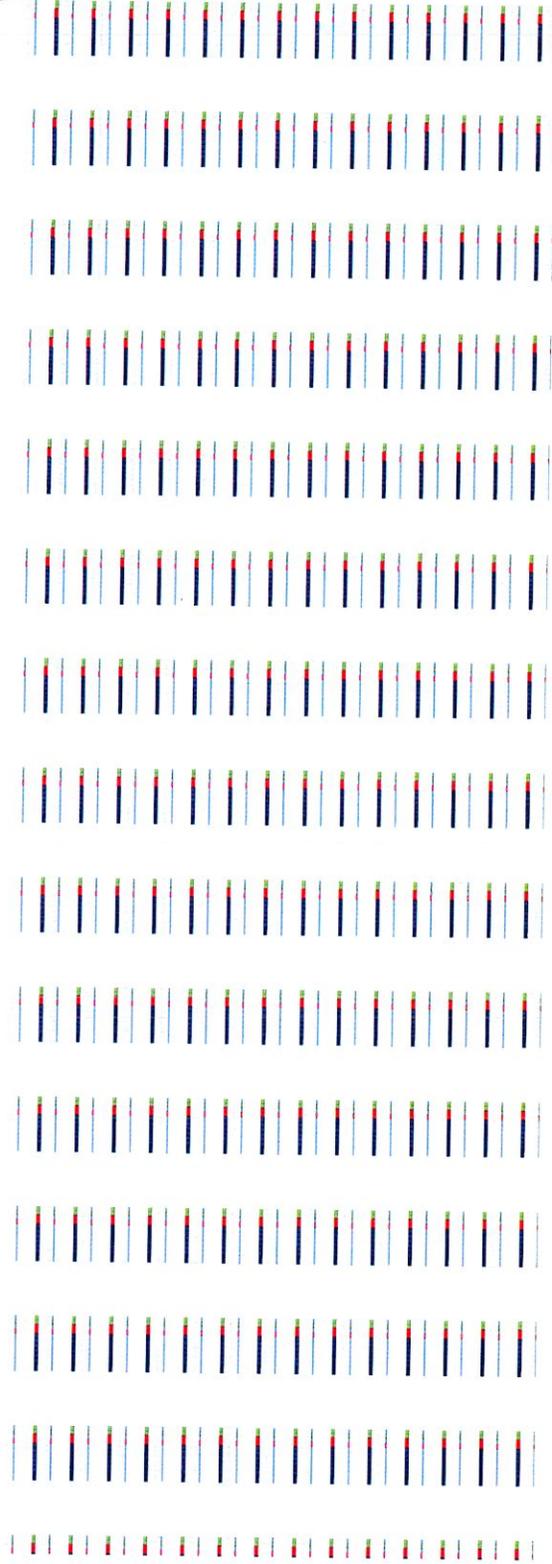
FY2023-24 BUDGET OVERVIEW



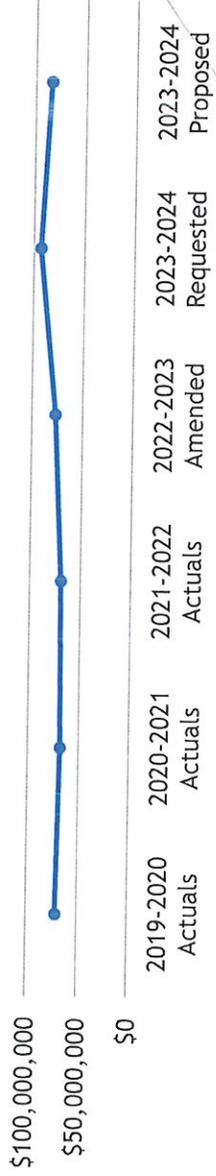
How is the General Fund Revenue spent?



FY 2023-24 General Fund Expenditure Summary



General Fund Expenditures since FY2019-2020



FY 2023-24 Public Safety Summary

Category	2023	2024
Police	\$1,200,000	\$1,200,000
Fire	\$1,200,000	\$1,200,000
Public Safety	\$1,200,000	\$1,200,000
Emergency Services	\$1,200,000	\$1,200,000
Community Policing	\$1,200,000	\$1,200,000
Crime Prevention	\$1,200,000	\$1,200,000
Public Safety Training	\$1,200,000	\$1,200,000
Public Safety Equipment	\$1,200,000	\$1,200,000
Public Safety Vehicles	\$1,200,000	\$1,200,000
Public Safety Facilities	\$1,200,000	\$1,200,000
Public Safety Personnel	\$1,200,000	\$1,200,000
Public Safety Programs	\$1,200,000	\$1,200,000
Public Safety Services	\$1,200,000	\$1,200,000
Public Safety Supplies	\$1,200,000	\$1,200,000
Public Safety Technology	\$1,200,000	\$1,200,000
Public Safety Tools	\$1,200,000	\$1,200,000
Public Safety Uniforms	\$1,200,000	\$1,200,000
Public Safety Vehicles	\$1,200,000	\$1,200,000
Public Safety Facilities	\$1,200,000	\$1,200,000
Public Safety Personnel	\$1,200,000	\$1,200,000
Public Safety Programs	\$1,200,000	\$1,200,000
Public Safety Services	\$1,200,000	\$1,200,000
Public Safety Supplies	\$1,200,000	\$1,200,000
Public Safety Technology	\$1,200,000	\$1,200,000
Public Safety Tools	\$1,200,000	\$1,200,000
Public Safety Uniforms	\$1,200,000	\$1,200,000

- Overall 5.26% increase for Public Safety
- 2% salary increase for the Fire Department
- Due to 10% cut in Federal Funds received, the City will absorb the additional funds of \$26k need to fund Victim Witness





FY 2023-24 Courts & Other Public Safety Summary

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- Overall 1.89% increase to Courts & Other Public Safety
- 11th District Court will see a 2% increase in rent as well as an increase to the cleaning services that are provided.





FY 2023-24 Social Services Summary

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
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Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

Agency	Position	Rate	Step	Salary
...

- Overall 2.6% increase
- 7% salary increase
- Currently there are 29 vacancies; 20 will be funded in January 2024



FY 2023-24 Leisure & Community Engagement Summary

Category	2023	2024	% Change
Programs	1,200,000	1,400,000	16.7%
Personnel	800,000	850,000	6.3%
Materials	150,000	180,000	20.0%
Travel	50,000	60,000	20.0%
Utilities	100,000	100,000	0.0%
Other	100,000	110,000	10.0%
Total	2,400,000	2,700,000	12.5%

Category	2023	2024	% Change
Programs	1,100,000	1,300,000	18.2%
Personnel	750,000	800,000	6.7%
Materials	140,000	170,000	21.4%
Travel	45,000	55,000	22.2%
Utilities	90,000	90,000	0.0%
Other	95,000	105,000	10.5%
Total	2,280,000	2,520,000	10.5%

Category	2023	2024	% Change
Programs	1,000,000	1,100,000	10.0%
Personnel	700,000	750,000	7.1%
Materials	130,000	160,000	23.1%
Travel	40,000	50,000	25.0%
Utilities	80,000	80,000	0.0%
Other	90,000	100,000	11.1%
Total	2,140,000	2,340,000	9.3%

Category	2023	2024	% Change
Programs	1,150,000	1,350,000	17.4%
Personnel	780,000	830,000	6.4%
Materials	145,000	175,000	20.7%
Travel	48,000	58,000	20.8%
Utilities	95,000	95,000	0.0%
Other	102,000	112,000	9.8%
Total	2,320,000	2,620,000	12.9%

Category	2023	2024	% Change
Programs	1,050,000	1,250,000	19.0%
Personnel	730,000	780,000	6.8%
Materials	135,000	165,000	22.2%
Travel	45,000	55,000	22.2%
Utilities	90,000	90,000	0.0%
Other	95,000	105,000	10.5%
Total	2,200,000	2,440,000	10.9%

Category	2023	2024	% Change
Programs	950,000	1,050,000	10.5%
Personnel	680,000	730,000	7.4%
Materials	125,000	155,000	24.0%
Travel	38,000	48,000	26.3%
Utilities	75,000	75,000	0.0%
Other	85,000	95,000	11.8%
Total	1,973,000	2,153,000	9.1%

Category	2023	2024	% Change
Programs	1,250,000	1,450,000	16.0%
Personnel	850,000	900,000	5.9%
Materials	155,000	185,000	19.4%
Travel	50,000	60,000	20.0%
Utilities	100,000	100,000	0.0%
Other	110,000	120,000	9.1%
Total	2,465,000	2,715,000	10.1%

Category	2023	2024	% Change
Programs	1,150,000	1,350,000	17.4%
Personnel	780,000	830,000	6.4%
Materials	145,000	175,000	20.7%
Travel	48,000	58,000	20.8%
Utilities	95,000	95,000	0.0%
Other	102,000	112,000	9.8%
Total	2,320,000	2,620,000	12.9%

Category	2023	2024	% Change
Programs	1,050,000	1,150,000	9.5%
Personnel	730,000	780,000	6.8%
Materials	135,000	165,000	22.2%
Travel	45,000	55,000	22.2%
Utilities	90,000	90,000	0.0%
Other	95,000	105,000	10.5%
Total	2,200,000	2,440,000	10.9%

- Overall 18.65% increase
- Recreation & Community Engagement due to additional position Recreation Specialist Special Event & Programs
- Turf Division removed from Grounds and placed to Recreation & Community Engagement
- Library upgrade computers



FY 2023-24 Development Services Summary

Table 1: Planning Services

Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Planning	395,861	397,393	323,568	400,125
Economic Development	313,186	347,260	243,820	423,231
Government Relations	72,675	50,133	79,740	76,894
Neighborhood Services	558,837	685,500	1,046,422	977,055

Table 2: Economic Development

Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Economic Development	313,186	347,260	243,820	423,231
Government Relations	72,675	50,133	79,740	76,894
Neighborhood Services	558,837	685,500	1,046,422	977,055

Table 3: Government Relations

Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Government Relations	72,675	50,133	79,740	76,894
Neighborhood Services	558,837	685,500	1,046,422	977,055

Table 4: Economic Development

Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Economic Development	313,186	347,260	243,820	423,231
Government Relations	72,675	50,133	79,740	76,894
Neighborhood Services	558,837	685,500	1,046,422	977,055

Table 5: Government Relations

Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Government Relations	72,675	50,133	79,740	76,894
Neighborhood Services	558,837	685,500	1,046,422	977,055

Table 6: Neighborhood Services

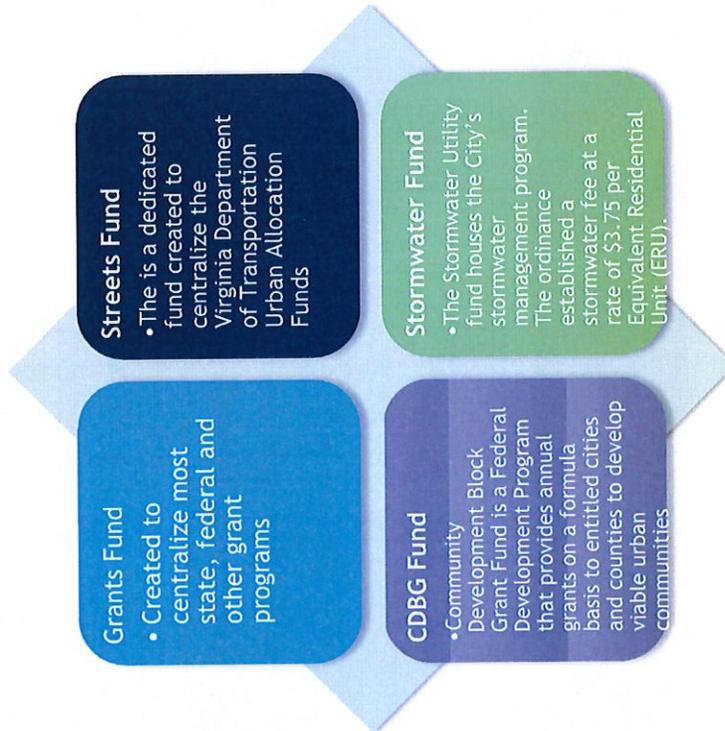
Category	2023-24 Actual	2023-24 Budget	2022-23 Actual	2022-23 Budget
Neighborhood Services	558,837	685,500	1,046,422	977,055

- Planning increased by 23.18% due to addition of the Planning Director
- Government Relations 18.28% increase due to the cost of the quarterly newsletter.





SPECIAL REVENUE FUNDS



FY 2023-24 Special Revenue Funds Summary

REVENUES							
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED	
Grants Fund	3,714,735	5,987,466	(9,341,739)	1,032,077	801,376	1,829,951	
Streets Fund	8,484,548	6,236,171	6,262,816	6,746,448	8,356,606	6,756,606	
CDBG Fund	504,863	883,690	801,995	583,253	583,253	583,253	
Stormwater Fund	968,524	1,349,345	1,511,484	1,243,066	1,322,156	1,322,156	
TOTAL	107,037,356	107,796,978	106,445,371	109,240,640	107,264,156	117,271,252	
EXPENDITURES							
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED	
Grants Fund	2,021,680	5,653,301	974,611	1,032,077	843,716	1,829,951	
Streets Fund	4,768,988	5,912,019	5,846,490	6,746,448	8,789,815	6,756,606	
CDBG Fund	572,332	862,593	393,055	583,253	583,253	583,253	
Stormwater Fund	507,442	931,761	579,529	1,243,066	1,322,156	1,322,156	
TOTAL	96,480,657	100,589,433	92,888,682	109,240,639	126,273,785	117,271,252	

- CDBG budget is currently based on last year's figure until the funding for FY23-24 has been received/established.



Enterprise Funds



Golf Course Fund

Accounts for all funding associated with the City's Golf Course



Mass Transit Fund

Accounts for all funds associated with the Petersburg Area Transit both revenue and expenditure



Utilities Fund

Accounts for all revenue and expenditures associated with the Water and Wastewater Services

FY 2023-24 Enterprise Funds Summary

REVENUES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Utilities Fund	14,575,031	14,696,657	12,347,358	14,719,890	14,600,000	15,000,000
Golf Fund	1,100,241	1,151,139	1,112,170	1,357,925	1,086,150	1,104,550
Transit Fund	5,367,414	4,149,754	5,108,189	6,815,205	4,827,849	6,472,267
TOTAL	107,037,356	107,796,978	106,445,371	109,240,640	107,264,156	117,271,252
EXPENDITURES						
FUND	2019-2020 ACTUALS	2020-2021 ACTUALS	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 REQUESTED	2023-2024 PROPOSED
Utilities Fund	12,198,350	12,683,017	9,828,383	14,719,890	15,724,886	15,000,000
Golf Fund	740,569	1,221,634	846,602	1,357,925	1,086,150	1,104,550
Transit Fund	4,645,204	5,340,561	5,330,299	6,815,205	4,827,849	6,472,267
TOTAL	96,480,657	100,589,433	92,888,682	109,240,639	126,273,785	117,271,252



*Thank
you*

We want to say a special thank you to the following:

- ◆ City Council for their support
- ◆ City Manager Altman for his support during the budget development process
- ◆ Budget Department
- ◆ City of Petersburg staff for their cooperation and understanding during this process

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023
TO: The Honorable Mayor and Members of City Council
THROUGH: March Altman, Jr., City Manager
FROM: Jeff Ryder, Stacey Jordan
RE: **A Request to schedule a public Hearing for Consideration to approve and appropriate the budget for Petersburg City Public Schools for FY23-24. (Page 60)**

PURPOSE: To approve and appropriate the budget for Petersburg City Public Schools for FY23-24

REASON: The City of Petersburg City Council must approve and appropriate the budget for Petersburg City Public Schools.

RECOMMENDATION: Staff recommends that City Council adopts and approves the Petersburg City Public Schools FY2023-24 Proposed Budget and Appropriation Ordinance.

BACKGROUND: The total budget for Petersburg City Public Schools is \$82,065,599 which includes the following breakdown:

- Local Fees: \$292,908
- Erate: \$225,000
- Sales Tax: \$5,099,254
- State: \$40,803,292
- City Transfer: \$12,361,437
- Food Service: \$2,750,000
- Grants: \$20,533,708

COST TO CITY: \$12,361,478

BUDGETED ITEM: N/A

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 5/16/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Petersburg City Public Schools

AFFECTED AGENCIES: Petersburg City Public Schools

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. School Revenue Budget FY 2024

Petersburg City Public Schools

		FY 23 Adopted	FY 24 School Board Proposed	Difference FY 23 to FY 24
Operating Fund	Local Fees	\$346,000	\$292,908	(\$53,092)
	ERATE	\$225,000	\$225,000	\$0
	Sales Tax	\$5,412,356	\$5,099,254	(\$313,102)
	State	\$38,396,716	\$40,803,292	\$2,406,576
	City Transfer	\$10,000,000	\$12,361,437	\$2,361,437
Total Operating		\$54,380,072	\$58,781,891	\$4,401,819
Food Service		\$3,118,262	\$2,750,000	(\$368,262)
Special Revenue (Grants)		\$44,427,255	\$20,533,708	(\$23,893,547)
Total All funds		\$101,925,589	\$82,065,598	(\$19,859,990)

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023
TO: The Honorable Mayor and Members of City Council
THROUGH: March Altman, Jr., City Manager
FROM: Anthony Williams
RE: A request to schedule a public hearing on an Ordinance to Amend and Re-Adopt the Petersburg City Code to Rescind Section 118-94. (Page 63)

PURPOSE: In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

REASON: In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

RECOMMENDATION: Adopt the Ordinance.

BACKGROUND: In 2004 the State Code was amended to invalidate local ordinances adopted prior to July 1, 2004 pertaining to possession and transportation of firearms unless expressly authorized by State Code. The City of Petersburg had previously adopted Section 118-94 of the City Code prohibiting the possession and transportation of weapons including firearms by taxicab drivers. This section is not expressly authorized by state code and requires rescission in order to be in compliance with the statute. The issue was brought to the attention of the City by the Virginia Citizens Defense League.

COST TO CITY: 0

BUDGETED ITEM: n/a

REVENUE TO CITY: n/a

CITY COUNCIL HEARING DATE: 5/16/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Rescind 118-94

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 2 - Va. Code Ann. § 15.2-915
2. AN ORDINANCE TO AMEND AND RE
3. 1 - EMAIL WITH ORDINANCE



User Name: anthony williams

Date and Time: Monday, April 17, 2023 2:12:00PM EDT

Job Number: 195107471

Document (1)

1. [Va. Code Ann. § 15.2-915](#)

Client/Matter: -None-

Search Terms: 15.2-915

Search Type: Natural Language

Narrowed by:

Content Type
Statutes and Legislation

Narrowed by
Jurisdiction: Virginia

[Va. Code Ann. § 15.2-915](#)

Current through Acts of the 2023 Session Effective March 15, 2023

Code of Virginia 1950 > Title 15.2. Counties, Cities and Towns. (Subts. I—IV) > Subtitle II. Powers of Local Government. (Chs. 9—28.2) > Chapter 9. General Powers of Local Governments. (Arts. 1—5) > Article 1. Public Health and Safety; Nuisances. (§§ 15.2-900—15.2-926.4)

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

A. No locality shall adopt or enforce any ordinance, resolution, or motion, as permitted by [§ 15.2-1425](#), and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in [§ 37.2-100](#), that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in [§ 9.1-101](#), from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. Any local ordinance, resolution, or motion adopted prior to July 1, 2004, governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, “workplace” means “workplace of the locality.”

E. Notwithstanding the provisions of this section, a locality may adopt an ordinance that prohibits the possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof (i) in any building, or part thereof, owned or used by such locality, or by any authority or local governmental entity created or controlled by the locality, for governmental purposes; (ii) in any public park owned or operated by the locality, or by any authority or local governmental entity created or controlled by the locality; (iii) in any recreation or community center facility operated by the locality, or by any authority or local governmental entity created or

controlled by the locality; or (iv) in any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. In buildings that are not owned by a locality, or by any authority or local governmental entity created or controlled by the locality, such ordinance shall apply only to the part of the building that is being used for a governmental purpose and when such building, or part thereof, is being used for a governmental purpose.

Any such ordinance may include security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.

The provisions of this subsection shall not apply to the activities of (i) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of [10 U.S.C. § 2101](#) et seq. or (ii) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities shall follow strict guidelines developed by such institutions for these activities and shall be conducted under the supervision of staff officials of such institutions.

F. Notice of any ordinance adopted pursuant to subsection E shall be posted (i) at all entrances of any building, or part thereof, owned or used by the locality, or by any authority or local governmental entity created or controlled by the locality, for governmental purposes; (ii) at all entrances of any public park owned or operated by the locality, or by any authority or local governmental entity created or controlled by the locality; (iii) at all entrances of any recreation or community center facilities operated by the locality, or by any authority or local governmental entity created or controlled by the locality; and (iv) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

History

1987, c. 629, § 15.1-29.15; 1988, c. 392; [1997, cc. 550, 587](#); [2002, c. 484](#); [2003, c. 943](#); [2004, cc. 837, 923](#); [2009, cc. 735, 772](#); [2012, c. 757](#); [2020, cc. 1205, 1247](#).

Annotations

Notes

Editor's note.

At the direction of the Virginia Code Commission, “July 1, 2004,” was substituted for “the effective date of this act” in subsection B.

Pursuant to Acts [1997, c. 587](#), cl. 6, effect has been given in this section, as set out above, to Acts [1997, c. 550](#), which amended § 15.1-29.15, the comparable former version of the section. In accordance with c. 550, the amendment added the third sentence of the second paragraph.

The 2002 amendments.

The 2002 amendment by c. 484 substituted “resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing” for “to govern” following “ordinance” in the first sentence of the first paragraph, added the final sentence of the first paragraph, and inserted the second and third sentences of the second paragraph.

The 2003 amendments.

The 2003 amendment by c. 943 in the second paragraph, deleted the former fourth sentence, which read: “Nothing in this section shall have any effect on any pending litigation,” and rewrote the last sentence, which formerly read: “However, no person may be prosecuted or convicted of a violation of any ordinance regulating the transportation of a firearm if he is (i) in lawful possession of the firearm and he has a valid concealed handgun permit issued pursuant to § 18.2-308 or (ii) otherwise transporting the firearm in a lawful manner,” and added the last paragraph.

The 2004 amendments.

The 2004 amendment by c. 837 inserted the A designation at the beginning of the first paragraph and in the first sentence, deleted “From and after January 1, 1987” at the beginning, and inserted “or enforce” and deleted the former first and last sentences in the second paragraph; and added subsection B.

The 2004 amendment by c. 923 inserted “storage” following “carrying” in the first paragraph in subsection A.

The 2009 amendments.

The 2009 amendments by cc. 735 and 772 are identical, and added subsection C.

The 2012 amendments.

The 2012 amendment by c. 757, in subsection A, added the second sentence in the second paragraph and added “or state-governed entity, department, or agency” to the third paragraph; and added subsection D.

The 2020 amendments.

The 2020 amendments by cc. 1205 and 1247 are identical, and added subsections E and F.

Opinion Notes

OPINIONS OF THE ATTORNEY GENERAL

Local resolutions to opt out of gun safety laws have no legal effect. —

Localities and local constitutional officers cannot nullify state laws and must comply with gun violence prevention measures that the General Assembly may enact. See opinion of Attorney General to The Honorable Jerrauld C. Jones, Member, Virginia House of Delegates, 19-059, (12/20/19).

Employees of local school boards are not local government employees. —

Local public school boards have authority over the care, management, and control of the property of the school division and as such are separate and apart from the local government and the employees of the school board are not local government employees for purposes of [§ 15.2-915](#). Therefore, local school districts may prohibit an employee from storing a lawfully possessed firearm and ammunition in a locked private motor vehicle on school district property. See opinion of Attorney General to the Honorable Tony O. Wilt, Member, House of Delegates, 13-052, [2013 Va. AG LEXIS 64 \(8/2/13\)](#).

Local zoning authority. —

A local government has authority to enact a zoning ordinance regulating the location of establishments that sell firearms, provided such ordinance is for a permissible purpose and is reasonably related to the governmental purpose it seeks to accomplish. Such an ordinance is not prohibited by [§ 15.2-915](#) because the statute does not pertain to the location of firearms sales facilities, nor does the statute express a clear intent to preempt local zoning regulations. See opinion of Attorney General to The Honorable Sam Rasoul, Member, Virginia House of Delegates, 18-069, [2019 Va. AG LEXIS 25 \(8/23/19\)](#).

Voter intimidation. —

Where activity near polling places makes voters fear for their safety while waiting to cast their vote, or leads them to believe that they would be harmed for supporting a particular candidate, such activity may be considered harassment of a voter under state and federal law. See opinion of Attorney General to The Honorable Marcus B. Simon, Member, Virginia House of Delegates, 20-046, (9/24/20).

Research References & Practice Aids

Hierarchy Notes:

[Va. Code Ann. Title 15.2, Subtit. II, Ch. 9, Art. 1](#)

Code of Virginia 1950
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AN ORDINANCE TO AMEND AND RE-ADOPT THE PETERSBURG CITY CODE TO RESCIND SECTION 118-94 PERTAINING TO POSSESSION OF WEAPONS BY TAXICAB DRIVERS

WHEREAS, the City of Petersburg adopted Section 118-94 of the City Code in year 1981 prohibiting taxicab drivers from having in their possession or within their vehicles any weapon as specified in the Ordinance including but not limited to firearms; and

WHEREAS, in year 2004, the Commonwealth of Virginia amended Section 15.2-915 of the Code of Virginia to include subsection (b) which invalidates local ordinances governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than expressly authorized by statute; and

WHEREAS, there is no state enabling legislation expressly authorizing Section 118-94; and

WHEREAS, the need to rescind the Ordinance in order to be in compliance with state code has been brought to the attention of the City by the Virginia Citizen's Defense League.

NOW therefore be it ORDAINED that the City Code is hereby amended and readopted to rescind Section 118-94 and ordered to be removed from the City's published Code of Ordinances as follows:

~~Sec. 118-94. -- Possession of weapons by drivers.~~

~~It shall be unlawful for a driver to operate or drive a taxicab at any time while having in his possession or within the vehicle any weapon, which shall include, but not be limited to, firearms in which ammunition may be used or discharged by explosion, pneumatic pressure or mechanical contrivance.~~

~~(Code 1981, § 37-102)~~

Philip

On Feb 8, 2023, at 5:32 PM, VCDL President <president@vcdl.org> wrote:

Dear Mr. Williams,

This Petersburg ordinance applying to taxicabs has been preempted since 2004. Looks to have fallen through the cracks, but needs to be repealed:

Sec. 118-94. - Possession of *weapons* by drivers.

It shall be unlawful for a driver to operate or drive a taxicab at any time while having in his possession or within the vehicle any *weapon*, which shall include, but not be limited to, *firearms* in which ammunition may be used or discharged by explosion, pneumatic pressure or mechanical contrivance.

(Code 1981, § 37-102)

Richmond had an almost identical ordinance back then, but was repealed after the firearm preemption laws were changed in 2004.

Let me know if you have any questions. I will be glad to testify when this comes up before the City Council.

Philip Van Cleave

Philip Van Cleave
President
Virginia Citizens Defense League
P.O. Box 513
Newington, VA 22122

Cell: (804) 874-8235
[Email: president@vcdl.org](mailto:president@vcdl.org)

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City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Brian Moore, Vincent Mani, Community Development Block Grant Administrator

RE: **A request to hold a public hearing on June 20, 2023, to receive public comments for the consideration of funding recommendations and availability for the CDBG 2023-2024 Action Plan. (Page 72)**

PURPOSE: To receive public comments for the consideration of funding recommendations and availability of funding for the CDBG 2023-2024.

REASON: To receive public comments for the consideration of funding recommendations and availability of funding for the CDBG 2023-2024.

RECOMMENDATION: To hold public hearing and receive city comments for the consideration of funding recommendations.

BACKGROUND: The CDBG 2023-2024 Action Plan will start on July 1, 2023, and ends on June 30, 2024. The estimated amount of funding the City of Petersburg will receive from the U.S. Department of Housing and Urban Development (HUD) for 2023-2024 is \$583,000. Please note that at the time of this notice, the 2023-2024 funding amounts have not yet been issued by HUD. CDBG funds will be used to support the following three activities: Housing Rehabilitation, Public Service, and Public Facilities/ infrastructure, which are described in the 2020-2024 Consolidated Plan. The CDBG 2023-2024 Action Plan draft will be available for public review and comment from May 16, 2023, to June 16, 2023. The draft document will be available electronically on the City of Petersburg website and in the Department of Planning and Community Development., City Hall, 135 N. Union Street, Room 304, Petersburg, Virginia 23803. Members of the public who wish to provide feedback on the draft document, including funding recommendations, may do so at the public hearing or by submitting written comments to Vincent Mani (vmani@petersburg-va.org). The deadline for receiving written comments on the draft Action Plan and preliminary funding recommendations is June 16, 2023, at 5:00 PM. If you have questions, please email Vincent Mani at vmani@petersburg-va.org.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 6/20/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Draft CDBG Action Plan Recommendations FY 2023 - 2024 (1)

#	Grantee	Amount	Comment
	City Admin	\$ 116,000.00	
	City Code enforcement:	\$ 60,000.00	
	City Demo:	\$ 100,000.00	
	City Parks	\$ 178,000.00	
	Rebuilding Together	\$ 50,000.00	already spent some of the funds from last year
	Habitat:	\$ 40,000.00	first year funding
	Go Forward:	\$ 2,800.00	
	River Street Market	\$ 20,000.00	
	Downtown Churches:	\$ 16,200.00	(if for food/not admin)
	Total	\$ 583,000.00	
	<u>Not Recommended for Funding</u>		<u>Reason</u>
	Hebron	\$ -	No money available
	Project Homes	\$ -	Has significant amount of money and wants to use money for admin also
	YMCA	\$ -	Still has money from previous years
	Lending Helping Hands	\$ -	does not have DUNS number
	Art League	\$ -	\$156,680 is too much for a non-profit that can sell or use the building for whatever it wants. They can only have a class if they have a safe facility.
	Pretty Purposed:	\$ -	No money available
	River Street Market	\$ -	No money available
	James House	\$ -	No money available
	Kung Fu temple:	\$ -	We cannot pay someone else to buy property if they are not low/mod. It will be out of our control.
	PAAL	\$ -	I Did not recive Application - VM

City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 2, 2023
TO: The Honorable Mayor and Members of City Council
THROUGH:
FROM:
RE: Minutes: (Page 75)
-April 18, 2023 - Closed Session
-April 18, 2023 - Regular City Council Meeting
-April 25, 2024 - Special City Council Meeting

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. April 18, 2023 Closed Session Meeting Minutes
2. April 18, 2023- regular city council minutes
3. April 25, 2023 - Special City Council Meeting

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, April 4, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:04 p.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Annette Smith-Lee
Council Member W. Howard Myers
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: Council Member Marlow Jones (absent during roll call)
Council Member Arnold Westbrook, Jr. (absent during roll call)

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. **CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance, assignment and appointment of a specific public officer of the City of Petersburg; and under §2.2-3711(A)(29) of the Code of Virginia for the purpose of discussion regarding the subject matter of a public contract involving the expenditure of funds and terms or scope of such contract where discussion in an open session would adversely affect the bargaining or negotiating strategy of the public body, specifically including but not limited to the discussion of the award and terms of public contract. under §2.2-3711(A)(7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion matters requiring the legal advice of the City Attorney.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Smith-Lee seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Hill, and Parham; Absent: Jones and Westbrook

The City Council entered closed session at 3:05 p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the

foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mayor.”

Vice Mayor Hill made a motion to return the City Council into open session and certify the purposes of the closed session. Council Member Cuthbert seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

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

23-R-30 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

The City Council returned to open session at 5:11 p.m.

3. ADJOURNMENT:

City Council adjourned at 5:12 p.m.

Clerk of City Council

APPROVED:

Mayor

The regular meeting of the Petersburg City Council was held on Tuesday, April 18, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:12 p.m.

1. **ROLL CALL:**

Present:

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

Absent: None

Present from City Council Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony C. Williams

Mayor Parham stated that he would like to begin the meeting with a moment of silence for Mr. Richard A. Stewart.

All in attendance participated in a moment of silence for Mr. Richard A. Stewart.

2. **PRAYER:**

Vice Mayor Hill led the city council meeting in the opening 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 determined with the presence of all city council members.

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

Thomas Hairston, Trash Czar, stated that he has 89 soldiers that will be distributing bags across the city and encourage citizens to fill them with trash in celebration of Earth Day. He stated that it was brought to his attention today that pay a certain amount for each bag. And that the city does not have 2,500 to give him to give to the soldiers. They are trying to figure out how to get them now. He stated that he moved the soldiers to the May 6th city-wide clean-up. There are six locations for the dumpsters and there is one in each ward.

- a. A presentation from Interface Studio, LLC on the Downtown 2040 Master Plan for Petersburg, VA.

Brian Moore, Director of Economic Development, stated that they meet with consultants from Interface Studio every two weeks, and they ask them to come present at the council meeting. He introduced Mindy Watts who is the principal of Interface Studio.

Ms. Watts stated that she is back with a quick update.

Key notes:

- Downtown is the historic heart of Petersburg and is adjacent to major attractions, institutions, and transportation infrastructure.
- In 2022 the VSU Student Body was 4,648 and the Fort Lee population in 2020 was 9,874.
- In downtown, most of the permit activity has been for building renovations.
- Old buildings within the city are seeing new uses.
- Downtown has a mix of land uses that draw people from a variety of places.
- Commercial and institutional uses make up 50% of downtown. Nearly 30% of parcels are vacant or dedicated to surface parking.
- There is a residential population downtown as well, but it is small and scattered. And there are fewer than 2,000 people that live in the downtown area.
- There are great restaurants and stores but also a number of vacant buildings.
- 60% of developed parcels on Sycamore Street have a vacant ground floor and many buildings have vacant upper floors too.
- Parking lots cover about one-third of the downtown area.
- The Appomattox River is a great natural asset, but it can be a threat to downtown with the recurring flooding.
- There are great hidden places and walkways but there are no central gathering spaces in the downtown area.
- The Kick-Off with Downtown Master Plan Advisory Committee will be on Wednesday, April 19, 2023. And the next step is holding additional stakeholder interviews and anticipating a public event in May.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated that responses to previous public information period is under the council communications.

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

- a. Minutes:
-April 4, 2023 – Closed Session Meeting
- b. A request to schedule a public hearing on the consideration of an appropriation ordinance for grants for Poor Creek Service Area, South Central Wastewater Treatment Plant, Lock's Watermain, & Emergency Public Safety Communications System, Virginia Tourism Corporation Marketing at the May 16, 2023, regular city council meeting.

Vice Mayor Hill made a motion to approve the consent agenda. Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

8. OFFICIAL PUBLIC HEARINGS:

Mayor Parham stated that the public hearings will be held at the special city council meeting on April 25th.

9. PUBLIC INFORMATION PERIOD: A public information period, limited in time to 30 minutes, shall be

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

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

Cheryl Brown, 1860 Weaver Avenue, stated, "I just want to quickly offer kudos and heart felt thanks to Petersburg City Officials, municipal workers, staff, and community volunteers. Thank you for the beautiful newsletter that informs us. And to say that I notice a difference. I moved here a year ago from Boston. And the entrance to the city was quite unsightly with debris when I left the Richmond area. There was a lot of debris right when I entered Petersburg. But now when you enter off 95, I notice a difference that it is cleaner. I just want to thank whoever is responsible. The highway is cleaner, and the streets are cleaner, and the building owners seem to have a better presentation perhaps as a result of your work and your gentle nudging from the city manager and others. I do not know specifically. But while we meet often and discuss woes, today I offer only kudos. Thank you for the beautiful new welcome sign. We may have a long way to go but I am thankful that we started this journey together for a prettier Petersburg."

Otis Hill, 2306 N. Whitehill Drive, stated, "I have talked to a few death people that live here in Petersburg. And two women that live here have joined me and we are waiting for you. We have given you copies to look at and decide on what you can do for the best price. And let me know so that we can fill out the papers. We will be happy with whatever you guys decide on those. Let me know what you think by next month and we will know what to do."

Mayor Parham thanked Mr. Hill for the information and stated that they will get back to him next month.

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

Council Member Cuthbert stated that Ward 1 and Ward 4 will have a follow-up meeting on April 27th at 5:30pm. The meeting will be at Bethany Missionary Baptist Church located at 613 East Wythe Street. The discussion will be an array of issues that were brought to Councilman Jones attention and his when they met earlier this month. They will also continue the discussion on blight. He stated that he also wanted to acknowledge the death of a committed constitute of his, Richard Stewart. He stated that he was a dedicated resident of Petersburg. He stated that he acknowledges Mr. Stewarts service and life.

Council Member Jones stated that he wanted to give special recognition to Mr. Stewart. He stated that Mr. Stewart was a powerhouse in the community. He stated that he salutes Mr. Stewart. He stated that he wanted to thank everyone in all the wards in the city for believing in the city council. He stated that the intent of the council is to be most effective and that he appreciates that out of the council. He stated that they do have a Mother's Day event coming up on May 7th. It will be at the library with 300 years of gospel groups and content. It will begin at 3pm. He stated that the city is moving in the right direction and being most effective.

Council Member Westbrook stated that he would like to thank Ms. Cheryl Brown for her comments on the beautification. He stated that he would still like to keep pressing on with the littering in the city. He stated that you cannot think that public works can do it all the time, but the citizens can chip in and help the city. He stated that grass is starting to grow, and spring is here so to please cut your lawns. He stated that if you see high grass call public works and let your neighbor know that they need to maintain their lawns. He stated that the walking trail by the river has graffiti on the bridge. He stated that walked the bridge this past week and there are three pieces of obscene language graffiti. He stated that he will report the properties but that these

properties have obscene language on it for views. He asked Mr. Altman if there is a policy for memorials in front of citizen's homes. He stated that they are up longer than they need to be. He stated that he was able to represent the council in the half marathon this past weekend that was hosted in the city. He thanked Tri-Cities Habitat for Humanity and Aetna in the 7th Ward. They have gotten down their first blighted property on 310 Summit Street. He stated that he would also like to acknowledge the passing of Mr. Richard Stewart as well. He stated that he would like to congratulate the great things that are being done in the 7th Ward.

Mr. Altman stated that he has to look and see if there is a written policy on it and then he will report back.

Council Member Myers stated that he has no comments.

Council Member Smith-Lee stated that Ward 6 will be having a meeting on May 11th at 6pm at Cool Springs Elementary School. She thanked Mr. Harriston for leading and wanting to keep the city clean. She gave her condolences to Mr. Richard Stewart. She stated that he was her mom's friend. She stated that he was an amazing person and that he would be missed. She stated that also on May 13th VSU will be having their graduation.

Vice Mayor Hill stated that he would like to thank Ms. Brown for her comments and that it is good to get recognition. He stated that he wants to also thank public works for all the hard work that they put in along with the police department when they hosted the governor the first-class affair. He stated that they cleaned up and blocked off the streets and things of that nature. He stated that he would like to thank the public works and the police department for those efforts. He spoke on the words of encouragement that Mr. Stewart gave him when they were standing in line at the bank last week. He stated that he remembered that Mr. Stewart is always pushing out Pocahontas Island and the City of Petersburg. He stated that he will be missed. He stated that the funeral is Saturday at 11am at Tabernacle Baptist Church. He stated that he did the welcome for the mayor on behalf of the city for the 5k run. He stated that Petersburg is on the rise and there are a lot of positive things going on.

Mayor Parham stated that he wanted to piggy-back off the comments of Vice Mayor Hill on Mr. Stewart. He stated that Mr. Stewart will be missed. He stated that he is so used to seeing him in front of the council meetings. He stated that Mr. Stewart always gave such great dialogues on all subjects that they discussed as a council. He stated that he will be missed, and the city council will put together a resolution to honor him at the funeral on Saturday. He stated that just as Vice Mayor Hill stated the 5k was a wonderful event and they do a good job of bringing people into the city to see the beautiful downtown and all of the history in the City of Petersburg has. He stated that the same day they were at Richard Bland College for the "Jazz in the Grove" event. He stated that there were over 2,000 people in attendance. He stated that also coming up is the redesignation of Fort Lee to Fort Gregg-Adams. He stated that he asks everyone to join them for the celebration. He stated that also on April 24th they have a Joint Ward 3 Meeting with himself and School Board Chairman Kenneth Pritchett at Vernon Johns Middle School at 6pm. The guest speakers will be the City Manager, March Altman and the new Superintendent, Dr. Tamara Sterling. He thanked Mr. Richard Harris for keeping the city clean and thanked the Petersburg Police Department for keeping the city safe.

Council Member Cuthbert stated that he would like to thank Neighborhood Services for the progress that is being made at 618 Grove Avenue. He stated that the property is being rehabbed and there is a freshly cleared lot across the street. He also stated that North Jefferson Street has never looked as good as it looks now in the last 10 years. He stated that it is due to large investments.

Mayor Parham stated that tomorrow will be the first game of Richard Bland College and they are playing at the Sports Complex. He stated a big kudos to Marquis Allen for bringing the sports complex back to life. He stated that he will be throwing the first pitch at the game. He stated that Mr. Charles Koonce at Transit

had a great day with the opening of a restaurant and the dedication of the Park and Ride. He stated that the restaurant inside Petersburg Area Transit is called Heavenly Hands.

11. ITEMS REMOVED FROM CONSENT AGENDA:

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

12. FINANCE AND BUDGET REPORT:

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

13. UNFINISHED BUSINESS:

- a. Consideration of an ordinance to amend and re-adopt the City Code to include Section 98 – Streets, Sidewalks, and other Public Places, to include Section 98-25 – Bollards for Historic Properties.

BACKGROUND: The City Council previously considered an ordinance to amend the City Code to add provisions that permit and regulate the installation of bollards in local historic districts to protect historic assets including historic fencing. Following deliberations, the City Council directed the City Manager and City Staff to review the ordinance and provide any revisions and recommendations.

Properties located within local historic districts in the City include historic elements that are irreplaceable. Such historic elements and pedestrians are threatened by motor vehicle drivers who may crash into them, causing damage and/or injury. Owners of historic properties have indicated that they would be willing to contribute the cost of bollards for protection of their properties if the City were willing to allow installation of the bollards within the public right of way.

Bollards can be decorative, protective or both. Decorative Bollards would provide no crash protection and would primarily serve an aesthetic purpose and visual cue for drivers further distinguishing the roadway from the pedestrian way. Protective Bollards would provide crash protection, which can be increased based on the speed of vehicles along the roadway. Bollards to protect from speeding vehicles increase in cost as the speed protection rating increases, as the cost of a bollard to protect from autos traveling at 35 mph would be higher in cost than those providing protection from autos traveling at 25 mph. Often, Protective Bollards are installed without decoration, however, they can be purchased with decorative coverings. Because the bollards would be located within Historic Districts, they would also need to be decorative so as not to detract from the City's historic assets they are protecting.

The ordinance considered would amend the City of Petersburg Code of Ordinances, Chapter 98 - Streets, Sidewalks and Other Public Places, Article I. - In General, to add Section 98-25, to include the following provisions:

1. Within historic districts, at the request and expense of a property owner, and upon a showing of good cause, the City will install stout bollards within the City's right of way to protect Historic Landmarks, Resources and elements that may include the cast-iron fences, granite corner fence posts, buildings, and the property on which they are located, provided the bollards do not unduly interfere with pedestrian or vehicular traffic.
2. The property owner shall obtain a Certificate of Appropriateness (COA) from the Architectural Review Board prior to the approval of the installation of the requested bollards.
3. The location of such bollards shall be determined at the sole discretion of the City, with consideration including but not limited to adequate right of way to accommodate Pedestrians, to accommodate access for Emergency Vehicles, to accommodate signal infrastructure, to accommodate utilities, to accommodate requirements of Americans with Disabilities Act (ADA) requirements and spacing between bollards to allow for

pedestrian and wheelchair access.

4. The cost of such bollards and associated equipment shall be determined at the sole discretion of the City in accordance with all applicable legal requirements and payments by a property owner shall be considered a donation to the City accepted by Council upon receipt of the funds by the City.
5. Costs associated with the repair, maintenance, replacement, or removal of installed bollards as required, will be paid by the property owner through an additional donation.
6. The bollards and associated equipment shall be deemed City property in all respects.
7. This process shall be managed by an Administrative Procedure developed by the City Manager.
8. Citizens wishing to participate in this program shall submit their request to the City Manager or his designee in writing, identifying the location where such bollards are being requested.
9. Where possible, bollard installations should be combined with other traffic safety measures to enhance safety, reduce speeding, and protect people and property.
10. Bollards should be included in City-wide plans to enhance traffic safety.

RECOMMENDATION: It is recommended that the City Council adopts the ordinance amending the City Code of Ordinances Chapter 98 – Streets, Sidewalks, and other Public Places to add Section 98-25 as written in Exhibit A.

Reginald Tabor, Department of Planning and Community Development, gave a brief overview of the request.

There was discussion among the City Council on the pricing of historic bollards.

Council Member Cuthbert made a motion to approve the ordinance amending and readopting the City Code Chapter 98 to include Section 98-25. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-22 AN ORDINANCE TO AMEND AND RE-ADOPT THE CITY CODE TO INCLUDE CHAPTER 98 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, ARTICLE I. – IN GENERAL, SECTION 98-25 – BOLLARDS FOR HISTORIC PROPERTIES.

14. NEW BUSINESS:

- a. Consideration of a resolution approving the development agreement for Development of 703 Bank Street, 716 Wythe Street, and 801 Bank Street, Petersburg, Virginia Between the City of Petersburg and New Light, LLC.

BACKGROUND: On July 19, 2022, the City of Petersburg entered into a development agreement with Tri-Cities Habitat for Humanity for the development of property located at 835 Commerce Street. The construction timeline was for a period not to exceed six months except by the written consent of the City as approved by Petersburg City Council (letter F). The development schedule calls for the project to be completed within six months after closing on the property. Closing occurred on August 11, 2022, and as of March 29, 2023, a Certificate of Occupancy has not been obtained. Tri-Cities Habitat for Humanity is requesting an extension for a period of six months to commence on April 18, 2023.

RECOMMENDATION: Staff recommends City Council makes a motion to approve the development agreement by resolution.

Brian Moore, Director of Economic Development, gave a briefing on the request.

Vice Mayor Hill made a motion to approve the resolution. Council Member Myers seconded the motion.

There was discussion on the motion.

Council Member Cuthbert made a substitute motion to table action until the April 25th, special city council meeting. Council Member Jones seconded the motion. There was discussion on the motion and property of 703 Bank Street not being a buildable lot. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; Voting No: Myers

- b. Consideration of a resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Tri-Cities Habitat for Humanity for the property at 835 Commerce Street.

BACKGROUND: On July 19, 2022, the City of Petersburg entered into a development agreement with Tri-Cities Habitat for Humanity for the development of property located at 835 Commerce Street. The construction timeline was for a period not to exceed six months except by the written consent of the City as approved by Petersburg City Council (letter F). The development schedule calls for the project to be completed within six months after closing on the property. Closing occurred on August 11, 2022, and as of March 29, 2023, a Certificate of Occupancy has not been obtained. Tri-Cities Habitat for Humanity is requesting an extension for a period of six months to commence on April 18, 2023.

RECOMMENDATION: Staff recommends the City Council make a motion to amend the development agreement by resolution.

Brian Moore, Director of Economic Development, gave an overview of the request.

Vice Mayor Hill made a motion to approve the resolution. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-31 A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PETERSBURG AND TRI-CITIES HABITAT FOR HUMANITY FOR THE PROPERTY AT 835 COMMERCE STREET.

- c. Consideration of a resolution affirming the commitment to fund the locality share of projects under agreement with the Virginia Department of Transportation (VDOT) and provide signature authority to the City Manager to execute all agreements and/or addendums for any approved projects with (VDOT).

BACKGROUND: The Locally Administered Projects Manual (LAP) provides guidance on project administration for all locally administered projects. The provisions applicable to state funded projects are noted throughout the LAP Manual. The program is administered by the Department of Transportation, in cooperation with the participating localities, under the authority of §33.2-357 of the Code of Virginia (Appendix A) and the Commonwealth Transportation Board's Revenue Sharing Program Policy (Appendix B). A resolution from the governing body which identifies the allocation request, provides the locality's commitment to fully fund the project (s), and provides signatory authority to an authorized local officer, is also necessary to apply for program funding.

RECOMMENDATION: The Department of Public Works & Utilities recommends that this resolution be approved.

Randall Williams, Public Works and Utilities, gave an overview of the request.

Council Member Myers made a motion to approve the resolution. Vice Mayor Hill seconded the motion.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-32 A RESOLUTION AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECTS UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY.

- d. Consideration of an appropriation ordinance for the Commonwealth of Virginia Department of Fire Programs Fund – Aid to Localities, Funding Carryover – 2nd Reading

BACKGROUND: The City of Petersburg receives the Virginia Department of Fire Programs Aid to Localities grant annually to assist with specific training and designated firefighting equipment. Any unspent funds provided shall not be forfeited to the City or back to the Commonwealth of Virginia. Unspent funds shall remain available to the agency in accordance with Code of Virginia Title §38.2-401, Fire Programs Fund.

RECOMMENDATION: Recommend that the Council carryover unspent funding from the Virginia Department of Fire Programs – “Aid-to-Localities” in the amount of \$94,636.49 and approve the approve the appropriation ordinance.

There was discussion among City Council Members and staff.

Council Member Myers made a motion to approve the resolution. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-23 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023, FOR THE GRANTS FUND IN THE AMOUNT OF \$94,636.49.

- e. Consideration of a resolution approving the submission of the grant application, the Virginia Opioid Abatement Authority Cooperative Agreement and authorize the City Manager to execute all necessary documents on behalf of the City.

BACKGROUND: There are four (4) sources of funding related to the Opioid Abatement Settlement Funds. The first are funds that are dispersed directly to localities. The second source is funding the Opioid Abatement Authority (OAA) is holding for localities. The third source is a cooperative grant program managed by the OAA, and the fourth source is a competitive planning grant process for localities. The OAA has not revealed the amount of funding available for the planning grants.

To be eligible for the cooperative grant program, at least two (2) localities from the same Department of Behavioral Health and Development Services (DBHDS) region. The City of Petersburg is part of the Department of Behavioral Health and Development Services Region 4. The city along with the City of Colonial Heights, Powhatan County and Chesterfield County are applying for a cooperative grant in the amount of \$1,509,746. Chesterfield County is coordinating the cooperative grant application to provide mobile wrap-around treatment and recovery services to the citizens of Petersburg (see attached grant breakdown). The City's portion of the grant will be \$285,815, of which the city will is required to provide a 10% match, or \$28,581. The grant submission deadline is May 5, 2023. The city will need to provide a letter of support for the grant application (see attached). Chesterfield County will serve as the fiscal agent for the grant.

RECOMMENDATION: City Council approve the resolution approving the submission of the grant application, the Virginia Opioid Abatement Authority Cooperative Agreement and authorize the City Manager to execute all necessary documents on behalf of the City.

Vice Mayor Hill made a motion to approve the resolution. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-33 A RESOLUTION APPROVING THE SUBMISSION OF THE GRANT APPLICATION, THE VIRGINIA OPIOID ABATEMENT AUTHORITY COOPERATIVE AGREEMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS ON BEHALF OF THE CITY.

15. CITY MANAGER'S AGENDA:

Mr. Altman stated that he wanted to give kudos to all the city department and that he appreciates everything that they do. He thanked the police department as well for everything that they did when the Governor came to the city. He thanked Mr. Allen in recreation for the great job that he is doing with all the events. He stated that they will be having more work done to revitalize the Sports Complex. He stated that he wanted to thank everyone for all that they have done to make the city and community better.

Council Member Myers stated that he would like to thank Richard Harris and Chief Christian for all that they did with VDOT to make the street closure take place without a hitch.

16. BUSINESS OR REPORTS FROM THE CLERK:

Mrs. Lucas stated that she has no items.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

Mr. Williams stated that he has no items.

18. ADJOURNMENT:

The City Council adjourned at 6:30 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Tuesday, April 25, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 5:03 p.m.

1. **ROLL CALL:**

Present:

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

Absent: None

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. **OFFICIAL PUBLIC HEARINGS:**

- a. A public hearing and consideration of an ordinance approving a petition to rezone the property located at 113 Wes Bank Street from M-1 to PUD for April 18, 2023.

BACKGROUND: The City of Petersburg received a Petition from Waukeshaw Development, Inc. to rezone the property located at 113 West Bank Street from M-1 to PUD.

The proposed use is mixed-use. Per the Petitioner, the current zoning of M-1 is obsolete, and it is not viable for manufacturing. They believe the highest and best use of the property is mixed-use. The current zoning, M-1 District, does not permit residential use. Impacts would include removal of blight, and reinvestment in the neighborhood. The project will serve to protect and preserve the historic character of the neighborhood. The proposed development would add market rate residential units in the historic downtown.

The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control.

The minimum number of acres required should be waived because a planned unit development is in the public interest and that one or more of the following conditions exist: (1)Because of unusual features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the city; (2)The property or its neighborhood possesses an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; or (3)The property is adjacent to or across the street from property which has been developed or redeveloped under the Planned Unit Development District, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring property. The acreage requirement could be waived because the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development.

The Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023, Planning Commission meeting.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and adopts an ordinance approving the petition to rezone the property located at 113 West Bank Street from M-1 District to Planned Unit Development (PUD).

Reginald Tabor, Department of Planning and Community Development, gave an overview of the request.

Mayor Parham opened the floor for public comments.

Michelle Murrills, 131 S. Market Street, stated that Richmond City Council last night got rid of all set parking spaces based on any development. She stated that she knows that with this hearing and the next public hearing on the agenda that people were complaining about was how many people and cars this would bring in if it was changed. She stated that she thinks that it is a good idea to have it and have him change the zoning. She stated that Petersburg should follow Richmond and now worry so much about the parking that is associated with the buildings. She stated that she thinks that the parking structure that the city has should be open 24hrs a day. She stated that there is another one that is supposedly being built soon. She stated that she thinks that the city should allow the developments to go through.

Dave McCormack, 245 East Bank Street, stated that this particular building is parking restrained. He stated that they want to work under the standards of the Department of Historic Resources and National Park Services like they have done many in town. He stated that he is excited about this project and that he appreciates the city's support.

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

There was a discussion among the City Council, Mr. McCormack, and staff.

Council Member Myers made a motion to approve the ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1, Light Manufacturing District to PUD, Planned Unit Development. Council Member Myers seconded the motion. There was discussion among the City Council. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-24 AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 113 WEST BANK STREET, PIN 011130038, FROM LIGHT MANUFACTURING DISTRICT (M-1) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD).

Mayor Parham thanked Mr. McCormack for all that he does with setting the bar for the brand of growth in the City of Petersburg.

- b. A public hearing and consideration of an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1, Light Manufacturing District to PUD, Planned Unit Development for April 18, 2023.

BACKGROUND: The City of Petersburg received a Petition from Waukeshaw Development, Inc. to rezone the property located at 221 Bollingbrook Street from M-1 to PUD.

The proposed use is residential. Per the Petitioner, the current zoning M-1 is obsolete, and it is not viable for

manufacturing. They believe the highest and best use of the property is residential. The current zoning, M-1 District, does not permit residential use. Impacts would include removal of blight, reinvestment in the neighborhood and it will serve to protect and preserve the historic character of the neighborhood. The proposed development would add 70+ market rate residential units in the neighborhood. The project represents a major investment in a blighted historic structure.

The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control. The minimum number of acres required should be waived because a planned unit development is in the public interest and that one or more of the following conditions exist:

(1) Because of unusual features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the city; (2) The property or its neighborhood possesses an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; or (3) The property is adjacent to or across the street from property which has been developed or redeveloped under the Planned Unit Development District, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring property. The acreage requirement could be waived because the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development.

The Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023, Planning Commission meeting.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and adopts an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1 District to Planned Unit Development (PUD).

Reginald Tabor, Department of Planning and Community Development, gave an overview of his request.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1, Light Manufacturing District to PUD, Planned Unit Development. Council Member Westbrook seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-25 AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 221 BOLLINGBROOK STREET, PIN 011040009, FROM LIGHT MANUFACTURING DISTRICT (M-1) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD).

3. UNFINISHED BUSINESS:

- a. Consideration of a resolution approving the development agreement for development of 703 Bank Street, 716 Wythe Street, and 801 Bank Street, Petersburg, Virginia between the City of Petersburg and New Light, LLC.

BACKGROUND: The City of Petersburg City Council approved an ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 703 Bank Street, 716 Wythe Street, 801 Bank Street on February 21, 2023. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the city's conveyance of the Property to New Light, LLC shall perform the redevelopment of the property strictly in compliance with the project summary documents and in accordance with the terms in the agreement.

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the property from the city to New Light, LLC. The deed shall include provisions for the reverter described in the Development Agreement.

RECOMMENDATION: Staff recommend the City Council make a motion to approve the development agreement by resolution.

Brian Moore, Director of Economic Development and Planning & Community Development, gave an overview of the request.

Council Member Myers made a motion to approve the resolution. Vice Mayor Hill seconded the motion. There was discussion among the City Council and staff. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-34 A RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF 703 BANK STREET, 716 WYTHE STREET, AND 801 BANK STREET, PETERSBURG, VIRGINIA BETWEEN THE CITY OF PETERSBURG AND NEW LIGHT, LLC.

4. ADJOURNMENT:

The City Council adjourned at 5:46 p.m.

Clerk of City Council

APPROVED:

Mayor