



City of Petersburg Virginia

www.petersburgva.gov

Special City Council Meeting

**June 15, 2021
Virtual Meeting
12:00 PM**

City Council

Samuel Parham, Mayor – Ward 3
Annette Smith-Lee, Vice-Mayor – Ward 6
Treska Wilson-Smith, Councilor – Ward 1
Darrin Hill, Councilor – Ward 2
Charlie Cuthbert, Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
John A. Hart, Sr., Councilor – Ward 7

Interim City Manager
Kenneth Miller

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Proclamations/Recognitions/Presentation of Ceremonial Proclamations**
 - a. Proclamation designating June 17, 2021 as AMPAC Day in the City of Petersburg.
 6. **Responses to Previous Public Information Posted**
 7. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. ABC Application for TTT Enterprises LLC (Monarays)
 - b. ABC Application for 115 North Sycamore Street
 - c. Request to schedule a Public Hearing on July 20, 2021 regarding a proposal to purchase City-owned property located at 115 Jolly Alley, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Joel Erb towards the sale of City-owned property.
 - d. Request to schedule a Public Hearing on July 20, 2021 regarding a proposal to purchase City-owned property located at 357 University Boulevard, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Robert Jones, Jr. and Crystal Jones towards the sale of City-owned property.
 - e. Minutes of the June 1, 2021, Closed Session and the Special Work Session City Council Meeting of June 1, 2021.
 8. **Official Public Hearings**
 - a. A Public Hearing regarding a proposed ordinance to amend and re-adopt sections 114-178, 114-208, and 114-236 and to adopt section 114-219 of the Petersburg City Code to establish a Sanitary Lateral Repair Program.
 - b. A Public Hearing for the potential renaming of Poplar Lane to Rev. R.A. Diggs Ln.

- c. A Public Hearing and consideration of an Ordinance to amend the text of the City's Zoning Ordinance regarding the Chesapeake Bay Preservation Act.
- d. A Public Hearing and consideration of an Ordinance to amend the text of the City's Subdivision Ordinance regarding the Chesapeake Bay Preservation Act.
- e. A Public Hearing and consideration of an Ordinance amending the allocation of Community Development Block Grant Corona Virus (CDBG-CV) Funding, as approved and appropriated for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.
- f. A public hearing and consideration of an ordinance to authorize the release of funds from the Petersburg Public Library Endowment Fund by the City of Petersburg.
- g. A public hearing and consideration of a Memorandum of Understanding with the Petersburg Preservation Task Force.
- h. A Public Hearing and consideration of an Ordinance making appropriations for the Fiscal Year commencing July 1, 2020, and ending June 30, 2021 “The Cameron Foundation Grant For The Stabilization Of The Jarratt House In The City Of Petersburg,” carrying over the balance of the Grant from two previous Fiscal Years which ended on June 30, 2019 and June 30, 2020.

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 removed from consent agenda**

10. Business or reports from the Mayor or other Members of City Council

11. Items removed from Consent Agenda

12. Finance and Budget Report

13. Unfinished Business

14. New Business

- a. A Resolution approving the Development Agreement between the City of Petersburg and BLW Solutions for development of single family residential rental property located at 1157 West Washington Street and 1203 West Washington Street Petersburg, Virginia
- b. A Resolution approving the Development Agreement between the City of Petersburg and Little Creek Kung Fu Wudang Daoist Temple of Virginia for development of a Daoist Temple located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North and 115 Burch Street North Petersburg, Virginia

- c. Consideration of appointing Tangela Innis as the primary to the Appomattox River Water Authority (ARWA) Board.
- d. Consideration of appointing Tangela Innis as primary to the South Central Wastewater Treatment Authority Board.
- e. Consideration of appointment to the Architectural Review Board.
- f. Consideration of re/appointment to the Petersburg Redevelopment and Housing Authority.

15. City Manager's Report

- a. COVID-19 Update

16. Business or reports from the Clerk

17. Business or reports from the City Attorney

18. Adjournment

Petersburg



Virginia

Proclamation

WHEREAS, the City of Petersburg was chosen by AMPAC as a groundbreaking effort to begin a new phase of production on or about three years ago; and

WHEREAS, we the members of City Council, as well as our Administration support ventures that provide our Citizens with gainful opportunities for employment; and

WHEREAS, AMPAC took over a State-of-the-Art facility lodged in the City of Petersburg and invested in its transformation; and

WHEREAS, AMPAC Fine Chemicals (AFC), is a leading manufacturer of Active Pharmaceutical Ingredients in the U.S.; and

WHEREAS, AMPAC solves problems through technology and innovation to reliably deliver quality products that save and improve lives; and

WHEREAS, AMPAC has mastered challenging chemistries, enabling them to provide the highest quality services to their customers; and

WHEREAS, their facilities specialize in process development, scale-up, and production from kilograms to multi-ton quantities and it has expanded its capabilities to include contract analytical services; and

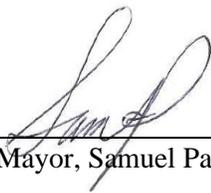
WHEREAS, they specialize in energetic chemistries, high potency APIs, chromatographic separations, continues processing, U.S. DEA Controlled Substances and specialized chemical capabilities;

NOW, THEREFORE, I, Samuel Parham, Mayor of the City of Petersburg, do hereby recognize

June 17, 2021
as
“AMPAC DAY”

in the City of Petersburg.

Dated: 06/15/2021



Mayor, Samuel Parham

ATTEST:


Clerk of Council, Nykeshia D. Jackson



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Christopher Walker

RE: **ABC Application for TTT Enterprises LLC (Monarays)**

PURPOSE: To receive comments from City Council in regard to the application for an ABC license for property located at 40 Halifax St Petersburg VA 23803-4208.

REASON: Except for applicants for wine shipper’s, beer shipper’s, wine and beer shipper’s licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application.

RECOMMENDATION: Staff recommends City Council to review information on the ABC license application request and provide comments or questions to the chief law enforcement officer.

BACKGROUND: Letter Attached

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 6/15/2021

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. Monarays Notification Letter



May 28, 2021

To Whom It May Concern:

This is to inform you that a retail application has been received from an establishment that is located in your city/county. The following is the basic information pertaining to the application:

License Number: 755401
Company Name: TTT Enterprises LLC
Trade Name: Monarays
Address, City, State & Zip Code: 40 Halifax St Petersburg VA 23803-4208
Type of Establishment: Restaurant
Type of License Applied For: Wine and Beer On Premises Mixed Beverage Restaurant
Date of Receipt: May 25, 2021

You are receiving this email notification per Code §4.1-230-B, which states:

“Except for applicants for wine shipper’s, beer shipper’s, wine and beer shipper’s licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application.”

Please feel free to contact our office at (804) 204-2302 if you have any questions, need any further information or wish to file any objections against the above listed application. Please be sure to reference the license number listed above.

Thank you,

Emma A Mercer

Emma A Mercer
Licensing Technician
804-204-2302

Emma.Mercer@abc.virginia.gov





City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Christopher Walker

RE: **ABC Application for 115 North Sycamore Street**

PURPOSE: To receive comments from City Council in regard to the application for an ABC license for property located at 115 North Sycamore Street

REASON: Except for applicants for wine shipper’s, beer shipper’s, wine and beer shipper’s licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application.

RECOMMENDATION: Staff recommends City Council to review information on the ABC license application request and provide comments or questions to the chief law enforcement officer.

BACKGROUND: Letter Attached

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

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. Notification Letter - Nicoles House of Beauty

2. Mail - Christopher Walker - Nicoles House of Beauty

Virginia Alcoholic Beverage Control Authority

Chief Executive Officer
Travis G. Hill



Chair
Maria J. K. Everett

Vice Chair
Beth G. Hungate-Noland

Board of Directors
William D. Euille
Gregory F. Holland
Mark E. Rubin

June 4, 2021

To Whom It May Concern:

This is to inform you that a retail application has been received from an establishment that is located in your city/county. The following is the basic information pertaining to the application:

License Number: 755411
Company Name: Nicoles House of Beauty LLC
Trade Name: Nicoles House of Beauty
Address, City, State & Zip Code: 115 N Sycamore St Petersburg VA 23803-3246
Type of Establishment: Day Spa
Type of License Applied For: Day Spa
Date of Receipt: May 26, 2021

You are receiving this email notification per Code §4.1-230-B, which states:

“Except for applicants for wine shipper’s, beer shipper’s, wine and beer shipper’s licenses, and delivery permits, the Board shall notify the local governing body of each license application through the county or city attorney or the chief law-enforcement officer of the locality. Local governing bodies shall submit objections to the granting of a license within 30 days of the filing of the application.”

Please feel free to contact our office at 804.213.4665 if you have any questions, need any further information or wish to file any objections against the above listed application. Please be sure to reference the license number listed above.

Thank you,

S. May Guthrie

Licensing Technician

804.213.4665

sheryl.guthrie@virginiaabc.com



(No subject)

Christopher Walker <cwalker@petersburg-va.org>

Fri 6/4/2021 9:36 AM

To: Christopher Walker <cwalker@petersburg-va.org>







Sent from my iPhone

This e-mail message and any attached files are for the sole use of the intended recipient(s) and may contain privileged, confidential or otherwise protected from disclosure information. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Lionel Lyons, Deputy City Manager of Development and Operations

FROM: Reginald Tabor, Cynthia Boone

RE: **Request to schedule a Public Hearing on July 20, 2021 regarding a proposal to purchase City-owned property located at 115 Jolly Alley, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Joel Erb towards the sale of City-owned property.**

PURPOSE: Request to schedule a Public Hearing on July 20, 2021, regarding a proposal to purchase City-owned property located at 115 Jolly Alley 031-050038, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Joel Erb towards the sale of City-owned property.

REASON: Consideration an Ordinance authorizing the City Manager to execute a Purchase Agreement towards the sale of the City-owned property located at 115 Jolly Alley

RECOMMENDATION: The Department of Economic Development is recommending City Council consideration of the ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Joel Erb towards the sale of City Owned property located at 115 Jolly Alley.

BACKGROUND: The Department of Economic Development received a proposal from Joel Erb to purchase City Owned Property Located at 115 Jolly Alley which is currently a vacant lot. He is requesting to add this property to his adjacent property located at 414 Harrison St and maintain it. In doing so, it will provide him additional acreage.

The proposed purchase price for the parcel is \$6800 which is 50% of the assessed value, \$13600. To support the proposal, Joel Erb has provided a financial statement to support he have the funding to purchase the property at the proposed purchase price of \$6800.

This proposal is in compliance with the Guidelines for the Disposition of City Real Estate Property, Zoning, and the Comprehensive Land Use Plan

Property Information

The zoning for each parcel is R3. The proposed use meets the current zoning requirements.

Tax Map ID Address Zoning

031-050038 115 Jolly Alley R3

COST TO CITY: Costs associated with the conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 115 Jolly Ally
2. 115JollyAlleyPurchaseAgreement
3. 115 Jolly Alley - Proposal - FINAL (1)
4. 115 Jolly Alley
5. Recommendation Summary For Council - Joel Erb115JollyAlley
6. 0720_2021PublicHearing115JollyAlley

Proposal to Purchase City-Owned Property



Purchaser			
Project Name	115 Jolly Ally		
Property Address	115 Jolly Ally		
Parcel Number	031-050038	Acreage	1.23 Bldg SF
Year Constructed	NA		
Project Developer	Joel Erb		
Contact Name	Joel Erb		
Address	414 Harrison St	Phone	804-402-9305
	Petersburg, VA		
Email	falcon@joelerb.com		
Experience/Qualifications	NA		

Development Description	As it adjoins my current home, the lot is dire need of cleanup (significance trash dump), grading, and water drainage		
Offered Purchase Price	\$6,800	Construction Costs	\$ -
		Total Investment	\$ 6,800.00
Description of Financing (%)	self financed/ cash		
Community Benefit	Cleaning of brush and trash (current dumping ground)		
Due Diligence Period (months)	90		
Construction Start Date	NA	Completion Date	NA
Number of Projected Jobs	Temp/Const. Jobs	Permanent Jobs	0
Average Wage			
Contingencies	Zoning Permits		

City Assessment

Outstanding Obligations			
Proposed Land Use	Residential	Yes	No
Comp Plan Land Use	Residential	Conformance	<input type="checkbox"/>
Zoning	R-3	Conformance	<input type="checkbox"/>
Enterprise Zone	NA		<input type="checkbox"/>
Rehab/Abatement			<input type="checkbox"/>
New Construction	NA		<input type="checkbox"/>
Historic District	Yes		<input type="checkbox"/>
Assessed Value	\$ 13,600.00	Appraised Value	\$ - Date

City Revenue from Sale	\$ (6,800.00)			
Projected Tax Revenue	Abatement	Year 1	Year 5	Year 20
Real Estate Tax	\$ -	\$ 183.60	\$ 918.00	\$ 2,295.00
Personal Property Tax	\$ -	\$ -	\$ -	\$ -
Machinery and Tools Tax	\$ -	\$ -	\$ -	\$ -
Sales and Use Tax	\$ -	\$ -	\$ -	\$ -
Business License Fee	\$ -	\$ -	\$ -	\$ -
Lodging Tax	\$ -	\$ -	\$ -	\$ -
Meals Tax	\$ -	\$ -	\$ -	\$ -
Other Taxes or Fees	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ 183.60	\$ 918.00	\$ 2,295.00
Total Tax Revenue		\$ 183.60	\$ 918.00	\$ 2,295.00
Waivers & Other Costs to the City		\$ -	\$ -	\$ -
City ROI (Revenue - Cost)	\$ -	\$ 183.60	\$ 918.00	\$ 2,295.00

Proposal to Purchase City-Owned Property



Staff Recommendation	_____	Comm. Review Date	_____
Last Use Public	_____	Council Review Date	_____
Council Decision	_____	Ord Date	_____
Disposition Ord #			

REAL ESTATE PURCHASE AGREEMENT

Assessed Value: \$13600

Consideration: \$6800

Tax Map No.: 031-050038

This Real Estate Purchase Agreement (the "Agreement") is dated July 20, 2021, between the CITY OF PETERSBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to a "Seller" and party of the first part, Joel Erb, hereinafter referred to as "Purchaser", and party of the second part, and Pender & Coward (the "Escrow Agent") and recites and provides the following:

RECITALS:

The Seller owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as: 115 Jolly Alley, Petersburg VA 031-050038 (Property).

Purchaser desires to purchase the Property and Seller agrees to sell the Property subject to the following terms and provisions of this Agreement:

1. **Sale and Purchase:** Subject to the terms and conditions hereof, Seller shall sell and Purchaser shall purchase, the Property. The last date upon which this Agreement is executed shall be hereinafter referred to as the "Effective Date".
2. **Purchase Price:** The purchase price for the Property is six thousand eight hundred (\$6,800) (the "Purchase Price"). The Purchase Price shall be payable all in cash by wired transfer or immediately available funds at Closing.
3. **Deposit:** Purchaser shall pay ten percent (10%) of the Purchase Price, six hundred eighty dollars (\$680.00), (the "Deposit") within fifteen (15) business days of the Effective Date to the Escrow Agent which shall be held and disbursed pursuant to the terms of this Agreement.
4. **Closing:** Closing shall take place on or before ninety (90) business days after the completion of the Due Diligence Period described in Section 5. Purchaser may close on the Property prior to completion of the Due Diligence Period with reasonable advance notice to Seller. At Closing, Seller shall convey to Purchaser, by Deed Without Warranty, good and marketable title to the Property in fee simple, subject to any and all easements, covenants, and restrictions of record and affecting the Property and current taxes.

In the event a title search done by Purchaser during the Due Diligence Period reveals any title defects that are not acceptable to the Purchaser, Purchaser shall have the right, by giving written notice to the Seller within the Due Diligence Period, to either (a) terminate this Agreement, in which event this Agreement shall be null and void, and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party and the entire Deposit is refunded to the Purchaser or (b) waive the title objections and proceed as set forth in this Agreement. Seller agrees to cooperate with Purchaser to satisfy all reasonable requirements of Purchaser's title insurance carrier.

5. **Due Diligence Period:** Not to exceed one hundred twenty (120) calendar days after the Effective Date. The Purchaser and its representatives, agents, employees, surveyors, engineers, contractors and subcontractors shall have the reasonable right of access to the Property for the purpose of inspecting the Property, making engineering, boundary, topographical and drainage surveys, conducting soil test, planning repairs and improvements, and making such other tests, studies, inquires and investigations of the Property as the Purchaser may deem necessary. The Purchaser agrees that each survey, report, study, and test report shall be prepared for the benefit of, and shall be certified to, the Purchaser and Seller (and to such other parties as the Purchaser may require). A duplicate original of each survey, report, study, test report shall be delivered to Seller's counsel at the notice address specified in Section 15 hereof within ten (10) days following Purchaser's receipt thereof.

Purchaser shall be responsible for paying all closing costs associated with this purchase including but not limited to the real estate commission, Seller's attorney fees, applicable Grantor's tax and the cost associated with the preparation of the deed and other Seller's documents required hereunder. All closing costs shall be paid by the Purchaser.

- a. At or before the extinguishing of the Due Diligence Period, the Purchaser shall draft a Development Agreement in conformance with the proposal presented to City Council on July 20, 2021. Such proposal shall be reviewed by the City to determine its feasibility and consistency with the original proposal made on July 20, 2021. Approval and execution of the Development Agreement shall not be unreasonably withheld by either party, and execution of the Development Agreement by all parties shall be a condition precedent to closing on the property. The Development Agreement shall be recorded by reference in the deed of conveyance to the Property which shall include reverter to the City in the event that the Developer fails to comply with the terms of the Development Agreement.
- b. During the Due Diligence Period, the Purchaser and any of their paid or voluntary associates and/or contractors must agree to sign a 'Hold Harmless Agreement' prior to entering vacant property located at 115 Jolly Alley, Petersburg VA 031-050038 (Property). This agreement stipulates that to the fullest extent permitted by law, to defend (including attorney's fees), pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees, volunteers, and others working on behalf of the City against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or

recovered against or from the City, its elected and appointed officials, employees, volunteers, or others working on behalf of the City, by any reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof which arise out of or is in any way connected or associated with entering the vacant property located at 115 Jolly Alley, Petersburg VA 031-050038 (Property).

6. Termination Prior to Conclusion of Due Diligence Phase:

- a. If Purchaser determines that the project is not feasible during the Due Diligence Period, then, after written notice by Purchaser delivered to Seller, nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent and the Purchaser waives any rights or remedies it may have at law or in equity.
- b. If during the Due Diligence phase Seller determines that Purchaser does not possess sufficient resources to complete the Development Agreement, then nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent.
- c. If the parties are unable to agree on the terms of the Development Agreement as required by paragraph 5(a) of this Agreement after good faith efforts by the parties, then nine percent (9%) of the Purchase Price shall be returned to the Purchaser and one percent (1%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent. If either party fails to exercise good faith in the efforts to reach a Development Agreement, then the other party shall be entitled to one hundred percent (100%) of the Deposit

7. Seller's Representations and Warranties: Seller represents and warrants as follows:

- a. To the best of Seller's knowledge, there is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Seller relating to the Property or against the Property. Seller is not subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator which results in a material adverse effect on the Property or the operation thereof.
- b. To the best of Seller's knowledge, there are no pending or threatened (in writing) condemnation or eminent domain proceedings which affect any of the Property.
- c. To the best of Seller's knowledge, neither the execution nor delivery of the Agreement or the documents contemplated hereby, nor the consummation of the conveyance of the Property to Purchaser, will conflict with or cause a breach of any of the terms and conditions of, or constitute a default under, any agreement, license, permit or other instrument or obligation by which Seller or the Property is bound.
- d. Seller has full power, authorization and approval to enter into this Agreement and to carry out its obligations hereunder. The party executing this Agreement on behalf of Seller is fully authorized to do so, and no additional signatures are required.

- e. The Property has municipal water and sewer lines and has gas and electric lines at the line. Seller makes no representation as to whether the capacities of such utilities are sufficient for Purchaser's intended use of Property.
- f. Seller has not received any written notice of default under, and to the best of Seller's knowledge, Seller and Property are not in default or in violation under, any restrictive covenant, easement or other condition of record applicable to, or benefiting, the Property.
- g. Seller currently possesses and shall maintain until Closing general liability insurance coverage on the Property which policy shall cover full or partial loss of the Property for any reason in an amount equal to or exceeding the Purchase Price.

As used in this Agreement, the phrase "to the best of Seller's knowledge, or words of similar import, shall mean the actual, conscious knowledge (and not constructive or imputed knowledge) without any duty to undertake any independent investigation whatsoever. Seller shall certify in writing at the Closing that all such representations and warranties are true and correct as of the Closing Date, subject to any changes in facts or circumstances known to Seller.

8. Purchaser's Representations and Warranties:

- a. There is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Purchaser, nor is Purchaser subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator, that would affect Purchaser's ability and capacity to enter into this Agreement and transaction contemplated hereby.
- b. Purchaser has full power, authorization and approval to enter into this Agreement and to carry out its obligation hereunder. The party executing this Agreement on behalf of Purchaser is fully authorized to do so, and no other signatures are required.

9. **Condition of the Property:** Purchaser acknowledges that, except as otherwise set forth herein, the Property is being sold "AS IS, WHERE IS AND WITH ALL FAULTS", and Purchaser has inspected the Property and determined whether or not the Property is suitable for Purchaser's use. Seller makes no warranties or representations regarding the condition of the Property, including without limitation, the improvements constituting a portion of the Property or the systems therein.

10. **Insurance and Indemnification:** Purchaser shall indemnify Seller from any loss, damage or expense (including reasonable attorney's fees and costs) resulting from Purchaser's use of, entry upon, or inspection of the Property during the Due Diligence Period. This indemnity shall survive any termination of this Agreement. Notwithstanding any other provision of this Agreement, Purchaser's entry upon the subject property and exercise of due diligence is performed at Purchaser's sole risk. Purchaser assumes the risk and shall be solely responsible for any injuries

to Purchaser, its employees, agents, assigns and third parties who may be injured or suffer damages arising from Purchaser's entry upon the property and the exercise of Purchaser's due diligence pursuant to this Agreement.

11. **Escrow Agent:** Escrow Agent shall hold and disburse the Deposit in accordance with the terms and provisions of this Agreement. In the event of doubt as to its duties or liabilities under the provisions of this Agreement, the Escrow Agent may, in its sole discretion, continue to hold the monies that are the subject of this escrow until the parties mutually agree to the disbursement thereof, or until a judgment of a court of competent jurisdiction shall determine the rights of the parties thereto. In the event of any suit where Escrow Agent interpleads the Deposit, the Escrow Agent shall be entitled to recover a reasonable attorney's fee and cost incurred, said fees and cost to be charged and assessed as court costs in favor of the prevailing party. All parties agree that the Escrow Agent shall not be liable to any party or person whomsoever for mis-delivery to Purchaser or Seller of the Deposits, unless such mis-delivery shall be due to willful breach of this Agreement or gross negligence on the part of the Escrow Agent. The Escrow Agent shall not be liable or responsible for loss of the Deposits (or any part thereof) or delay in disbursement of the Deposits (or any part thereof) occasioned by the insolvency of any financial institution unto which the Deposits is placed by the Escrow Agent or the assumption of management, control, or operation of such financial institution by any government entity.
12. **Risk of Loss:** All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by Seller until Closing. In the event of a loss or damage to the Property or any portion thereof before Closing, Purchaser shall have the option of either (a) terminating this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall then be deemed null and void and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party, or (b) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any applicable policy or policies of insurance and pay over to Purchaser any sums received as a result of such loss or damage. Seller agrees to exercise reasonable and ordinary care in the maintenance and upkeep of the Property between the Effective Date and Closing. Purchaser and its representatives shall have the right to make an inspection at any reasonable time during the Due Diligence Period or prior to Closing.
13. **Condemnation:** If, prior to Closing, all of any part of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the right to (1) complete the purchase, in which event all condemnation proceeds or claims thereof shall be assigned to Purchaser, or (2) terminate this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall be terminated, and this Agreement shall be deemed null and void and none of the parties hereto shall then have any obligation to any other party hereto or to any third party, except as otherwise provided in this Agreement.
14. **Notices:** All notices and demands which, under the terms of this Agreement must or may be given by the parties hereto shall be delivered in person or sent by Federal Express or other comparable overnight courier, or certified mail, postage prepaid, return receipt requested, to the respective hereto as follows:

SELLER:

The City of Petersburg
Kenneth Miller
Interim City Manager
135 North Union Street
Petersburg, VA 23803

Anthony C. Williams, City Attorney
City of Petersburg, Virginia
135 N. Union Street
Petersburg, VA 23803

PURCAHSER:

Joel Erb

414 Harrison Street

Petersburg, VA 23803

COPY TO:

Notices shall be deemed to have been given when (a) delivered in person, upon receipt thereof by the person to whom notice is given, (b) as indicated on applicable delivery receipt, if sent by Federal Express or other comparable overnight courier, two (2) days after deposit with such courier, courier fee prepaid, with receipt showing the correct name and address of the person to whom notice is to be given, and (c) as indicated on applicable delivery receipt if sent via certified mail or similar service.

15. **Modification:** The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by the Seller and Purchaser.

16. **Assignment; Successors:** This Agreement may not be transferred or assigned without the prior written consent of both parties. In the event such transfer or assignment is consented to, this Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.
17. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one of the same instrument.
18. **Survival:** All of the representations, warranties, covenants and agreements made in or pursuant to this Agreement made by Seller shall survive the Closing and shall not merge into the Deed or any other document or instrument executed and delivered in connection herewith.
19. **Captions and Counterparts:** The captions and paragraph headings contained herein are for convenience only and shall not be used in construing or enforcing any of the provisions of this Agreement.
20. **Governing Law; Venue:** This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of Virginia. Any dispute arising out of performance or non-performance of any term of this Agreement shall be brought in the Circuit Court for the City of Petersburg, Virginia.
21. **Entire Agreement:** This Agreement contains the entire agreement between Seller and Purchaser, and there are no other terms, conditions, promises, undertakings, statements or representations, expressed or implied, concerning the sale contemplated by this Agreement. Any and all prior or subsequent agreements regarding the matters recited herein are hereby declared to be null and void unless reduced to a written addendum to this Agreement signed by all parties in accordance with Section 16.
22. **Copy or Facsimile:** Purchaser and Seller agree that a copy or facsimile transmission of any original document shall have the same effect as an original.
23. **Days:** Any reference herein to "day" or "days" shall refer to calendar days unless otherwise specified. If the date of Closing or the date for delivery of a notice or performance of some other obligation of a party falls on a Saturday, Sunday or legal holiday in the Commonwealth of Virginia, then the date for Closing or such notice of performance shall be postponed until the next business day.
24. **Title Protection:** Deed to this property is conveyed without warranty. During the due diligence period, purchaser may research title issues associated with the property and may purchase title insurance at his own expense or terminate the agreement in accordance with the provisions of this contract in the event that issues regarding title are discovered.

25. **Development Agreement:** A Development agreement detailing the development scope, budget, funding, schedule and any other agreed upon performance requirements of the Developer will be executed prior to the transfer of the deed for the property.
26. **Reversion Provision:** The deed of conveyance to this property shall contain a provision that this property will revert back to the City if performance requirements are not met by the Developer within the time period specified in the Development Agreement upon Notice of Breach to Developer and failure to timely cure.
27. **Compliance with Zoning, land use and Development requirements:** Execution of this document shall not be construed to affect in any way the obligation of the purchaser to comply with all legal requirements pertaining to zoning, land use, and other applicable laws.

28. IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

PURCHASER: Joel Erb

By: Joel Erb 

Title: _____

Date: 5/28/2021

SELLER:

The City of Petersburg, Virginia

By: _____, Kenneth Miller

Title: Interim City Manager

Date: _____

ESCROW AGENT:

By: _____,

Title: _____

Date: _____

Approved as to form:

Date: _____

By: _____, Anthony Williams

Title: City Attorney

115 Jolly Alley Property Purchase Proposal

Prepared for The City of Petersburg

May 26, 2021

Executive Summary

This proposal is for the vacant lot located at 115 Jolly Alley that is currently for sale by the City of Petersburg, of which adjoins my personal residence located at 414 Harrison Street. My intention is to purchase 115 Jolly Alley in an effort to protect the existing wildlife, clean the lot of its significant refuse and debris and address the significant water drainage issues which are affecting my property and 115 Jolly Alley.

As you will notice in the images provided within this proposal, 115 Jolly Alley has served as a hidden dumping location for those within the surrounding area. With the wildlife that reside in this area, including several white-tail deer, the increase in waste is affecting not only the appearance of the local community but also it's non-human residents.

There would be no plan adjust zoning of the property nor conflict with any of the existing requirements given its location within the historic Poplar Lawn District.

While property is assessed at \$13,600, my offer for purchase at the amount of \$6,800 is due to the current condition of the property and the labor / associated costs required to bring the wooded lot to a clean and acceptable condition that would align with the City Requirements.

Financial Statement

The purchase of 115 Jolly Alley, should it be accepted, will be paid via check. Funds are available and financing will not be required for this purchase. I'm currently employed by Padilla, a communications agency in Richmond, Virginia and serve as the Vice President of Digital. Should you require additional information to satisfy my financial wherewithal for this property, I can provide that information.

Tentative Site Development Plans

As you will notice in the images provided, the lot is completely wooded. My plan for the development of the site is to:

- Survey property of water drainage needs
- Survey the existing trees and identify ones that will need to be removed due to their health and future risk of falling
- Clear the lot of existing refuse and waste
- Remove overgrowth, unhealthy trees and unwanted growth (ivy, kudzu, grape vines and other invasive species)
- Address the water drainage issue

These plans will likely take 6-12 months to complete once started given the size of the lot, but will be revised once landscape specialists have been contacted and confirm a plan that I will move forward with.

Contingencies

Given the current status of the property, I want to ensure that this lot has not historically been a dumping site that would require hazardous waste removal (chemicals, underground oil tanks, ground water contamination, etc.), and thereby would not place additional restrictions or requirements other than what has been listed in my Site Development Plan above.

Anticipated Due Diligence Period

The anticipated due diligence period is slated at 90-days from the acceptance from the City for the purchase of 115 Jolly Alley. During that time, I would request the City's support in understanding any additional requirements for cleanup as stated in the Contingencies section above and time to complete the required surveys and plans.

Appendix

On the following pages you will find the following:

Images of the Property
City Property Report



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Harrison Street (Wooded Area is 115 Jolly Alley)



View from Harrison Street (Wooded Area is 115 Jolly Alley)



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley



View from Jolly Alley

Petersburg, Virginia

Parcel: 031050038

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	Poplar Lawn
Owner Mailing Address	135 N. Union St Petersburg , VA 23803	Enterprise Zone:	Yes
Property Use	700	Opportunity Zone:	
State Class:	7	VA Senate District:	16
Zoning:	R-3	Va House District:	63
Property Address	115 JOLLY ALLEY PETERSBURG , VA	Congressional District:	4
Legal Acreage:	1.259	City Ward:	4
Legal Description:	207-159X265	Polling Place:	Tabernacle Baptist Church
Subdivision:	Charlton	Primary Service Area:	
Assessment Neighborhood Name:	Charlton	Census Tract:	8107
Local Historic District:	Poplar Lawn	Elementary School:	Cool Springs
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:	0	Bedrooms:	
Detached Garage:		Full Baths:	0
Enclosed Porch:		Half Baths:	0
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/25/2003	\$7,500	2003-1758

Assessments

Valuation as of	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	January 1, 2020
Effective for Billing:	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Reason	Land Book				
Land Value	\$13,600	\$13,600	\$13,600	\$13,600	\$13,600
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$13,600	\$13,600	\$13,600	\$13,600	\$13,600

Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

Parcel: 031050038

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	Poplar Lawn
Owner Mailing Address	135 N. Union St Petersburg , VA 23803	Enterprise Zone:	Yes
Property Use	700	Opportunity Zone:	
State Class:	7	VA Senate District:	16
Zoning:	R-3	Va House District:	63
Property Address	115 JOLLY ALLEY PETERSBURG , VA	Congressional District:	4
Legal Acreage:	1.259	City Ward:	4
Legal Description:	207-159X265	Polling Place:	Tabernacle Baptist Church
Subdivision:	Charlton	Primary Service Area:	
Assessment Neighborhood Name:	Charlton	Census Tract:	8107
Local Historic District:	Poplar Lawn	Elementary School:	Cool Springs
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:	0	Bedrooms:	
Detached Garage:		Full Baths:	0
Enclosed Porch:		Half Baths:	0
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/25/2003	\$7,500	2003-1758

Assessments

Valuation as of	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	January 1, 2020
Effective for Billing:	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Reason	Land Book				
Land Value	\$13,600	\$13,600	\$13,600	\$13,600	\$13,600
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$13,600	\$13,600	\$13,600	\$13,600	\$13,600

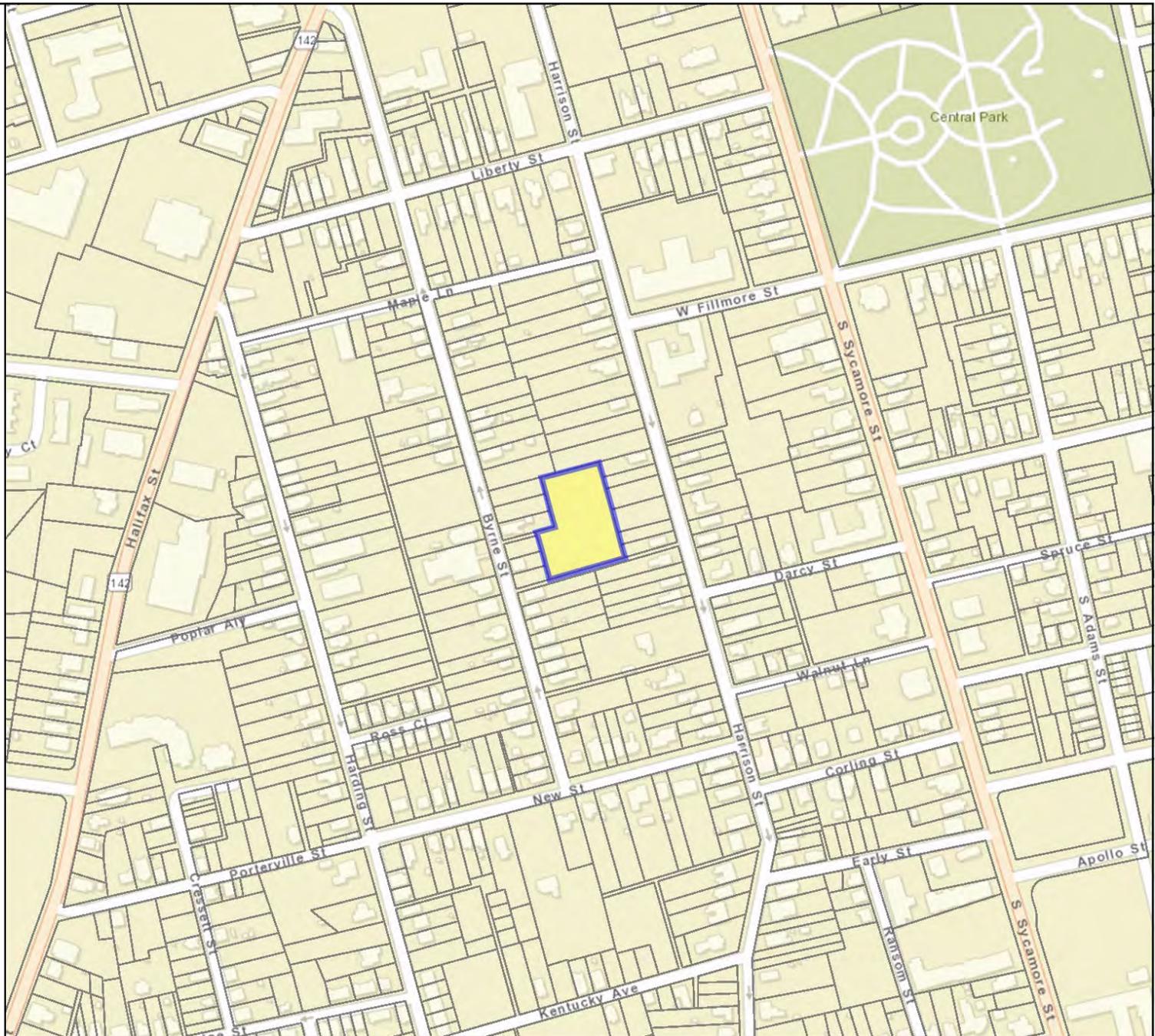
Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

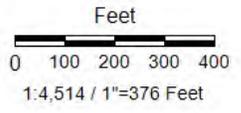
Legend

- County Boundaries
- Parcels



Parcel #: 031050038

Date: 3/4/2021



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

Proposal to Purchase City-Owned Property



Purchaser			
Project Name	115 Jolly Alley		
Property Address	115 Jolly Alley, Petersburg, VA 23803		
Parcel Number	031050038	Acreage	1.259 Bldg SF N/A
Year Constructed	N/A		
Project Developer	Joel Erb		
Contact Name	Joel Erb		
Address	414 Harrison Street, Petersburg, VA 23803	Phone	804-402-9305
Email	falcon@joelerb.com		
Experience/Qualifications	N/A		
Development Description	As it adjoins my current home, the lot is in dire need of cleanup (significant trash dumped), grading and water drainage.		
Offered Purchase Price	\$6,800	Construction Costs	\$ -
		Total Investment	\$6,800
Description of Financing (%)	Self-financed, cash		
Community Benefit	Cleaning of brush and trash (current dumping ground)		
Due Diligence Period (days)	90		
Construction Start Date	N/A	Completion Date	N/A
Number of Projected Jobs	Temp/Const. Jobs	Permanent Jobs	0
Average Wage			
Contingencies	Need insure this is not a former dumping ground or has environmental issues due to previous use.		

City Assessment			
Outstanding Obligations	_____		
Proposed Land Use	_____	Yes	No
Comp Plan Land Use	_____	Conformance	
Zoning	_____	Conformance	
Enterprise Zone	_____		
Rehab/Abatement	_____		
New Construction	_____		
Historic District	_____		
Assessed Value	_____	Appraised Value	\$ - Date
City Revenue from Sale	\$ -		
Projected Tax Revenue	Abatement	Year 1	Year 5 Year 20
Real Estate Tax	\$ - \$	- \$	- \$ -
Personal Property Tax	\$ - \$	- \$	- \$ -
Machinery and Tools Tax	\$ - \$	- \$	- \$ -
Sales and Use Tax	\$ - \$	- \$	- \$ -
Business License Fee	\$ - \$	- \$	- \$ -
Lodging Tax	\$ - \$	- \$	- \$ -
Meals Tax	\$ - \$	- \$	- \$ -
Other Taxes or Fees	\$ - \$	- \$	- \$ -
Total	\$ - \$	- \$	- \$ -
Total Tax Revenue	\$ - \$	- \$	- \$ -
Waivers & Other Costs to the City	\$ - \$	- \$	- \$ -
City ROI (Revenue - Cost)	\$ - \$	- \$	- \$ -
Staff Recommendation	_____		
Last Use Public	_____	Comm. Review Date	_____
Council Decision	_____	Council Review Date	_____
Disposition Ord #	_____	Ord Date	_____

115 Jolly Alley



City of Petersburg

Property Disposition Summary

Executive Summary

The Department of Economic Development received a proposal from Joel Erb to purchase City Owned Property Located at 115 Jolly Alley which is currently a vacant lot. He is requesting to add this property to his adjacent property located at 414 Harrison St and maintain it. In doing so, it will provide him additional acreage.

The proposed purchase price for the parcel is \$6800 which is 50% of the assessed value, \$13600. To support the proposal, Joel Erb has provided a financial statement to support he have the funding to purchase the property at the proposed purchase price of \$6800.

This proposal is in compliance with the Guidelines for the Disposition of City Real Estate Property, Zoning, and the Comprehensive Land Use Plan

Property Information

The zoning for each parcel is R3. The proposed use meets the current zoning requirements.

Tax Map ID	Address	Zoning
031-050038	115 Jolly Alley	R3

BUYER	<i>Joel Erb</i>
ADDRESS	<i>115 Jolly Alley</i>
COMP PLAN LAND USE	<i>Residential (R-3)</i>
PARCEL #	<i>031-050038</i>
WARD	<i>4</i>
COUNCIL MEMBER	<i>Cuthbert</i>
ASSESS VALUE	<i>\$13800</i>
PROPOSED PURCHASE PRICE	<i>\$6800</i>
INVESTMENT	<i>NA</i>
PROPOSED USE	<i>Maintenance of Lots</i>
PROOF OF FINANCING	<i>Finance Statement Attached</i>
SITE PLANS	<i>Maintenance and cleaning of lot</i>
BUSINESS PLAN	<i>Executive Summary Attached</i>
OED RECOMMENDATION	<i>Recommend Disposition</i>

An Ordinance authorizing the City Manager to execute a Purchase Agreement toward the Sale of City-owned property at 115 Jolly Alley, Parcel 031050038

WHEREAS, the City of Petersburg has received a proposal from Joel Erb to purchase the City-owned property at 115 Jolly Alley Parcel ID: 031050038; and

WHEREAS, Joel Erbs owns the adjacent property located at 414 Harrison St; and

WHEREAS, the property is zoned R-3, 207 x 265 width and 54,855 square feet in area; and

WHEREAS, per the City's Zoning Ordinance, the minimum dimensions for a single-family dwelling in a R-3 District are 50 feet wide and 5,000 square feet in area, and the minimum dimensions for a two-family dwelling in a R-3 District are 60 feet wide and 6,000 square feet in area; and

WHEREAS, the property at 115 Jolly Alley does meet the minimum dimensions for a single or two family dwelling; and

WHEREAS, Joel Erb proposes to use the property as open space; and

WHEREAS, the potential benefits to the City include a reduction in the number of City-owned lots to be maintained and an inclusion of the property on the City's list of taxable properties; and

WHEREAS, in accordance with applicable legal requirements, a public hearing was held prior to consideration of an ordinance authorizing the sale of City-owned property on July 20, 2021; and

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the ordinance authorizing the City Manager to execute a Purchase Agreement with Joel Erb toward the sale of City-owned property at 115 Jolly Alley.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Lionel Lyons, Deputy City Manager of Development and Operations

FROM: Reginald Tabor, Cynthia Boone

RE: **Request to schedule a Public Hearing on July 20, 2021 regarding a proposal to purchase City-owned property located at 357 University Boulevard, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Robert Jones, Jr. and Crystal Jones towards the sale of City-owned property.**

PURPOSE: Request to schedule a Public Hearing on July 20, 2021, regarding a proposal to purchase City-owned property located at 357 University Boulevard 010-150029, and consideration of an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Robert Jones, Jr., and Crystal Jones towards the sale of City-owned property.

REASON: Consideration an Ordinance authorizing the City Manager to execute a Purchase Agreement towards the sale of the City-owned property located at 357 University Boulevard

RECOMMENDATION: The Department of Economic Development is recommending City Council consideration of the ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Robert Jones, Jr. and Crystal Jones towards the sale of City Owned property located at 357 University Boulevard.

BACKGROUND: The Department of Economic Development received a proposal from Robert Jones, Jr., and Crystal Jones to purchase City Owned Property Located at 357 University Boulevard which is currently a single-family residential home. The proposed use is to renovate the home for occupancy by the buyer.

The proposed purchase price for the parcel is \$35,250 which is 50% of the assessed value, \$70,500. To support the proposal, Robert and Crystal has provided the pre-approval letter for an FHA 203(K) renovation loan to support they have the funding to purchase the property at the proposed purchase price of \$35,250 and the funds for the proposed remodel cost.

This proposal is in compliance with the Guidelines for the Disposition of City Real Estate Property, Zoning, and the Comprehensive Land Use Plan

Property Information

The zoning for each parcel is R3. The proposed use meets the current zoning requirements.

Tax Map ID Address Zoning
010-150029 357 University Blvd R3

COST TO CITY: Costs associated with the conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Recommendation Summary For Council - 357 University Blvd
2. CoverLetter
3. 357ProposalPresentation
4. 0720_2021PublicHearing357UniversityBlvd

City of Petersburg

Property Disposition Summary

Executive Summary

The Department of Economic Development received a proposal from Robert Jones, Jr., and Crystal Jones to purchase City Owned Property Located at 357 University Boulevard which is currently a single-family residential home. The proposed use is to renovate the home for occupancy by the buyer.

The proposed purchase price for the parcel is \$35,250 which is 50% of the assessed value, \$70,500. To support the proposal, Robert and Crystal has provided the pre-approval letter for an FHA 203(K) renovation loan to support they have the funding to purchase the property at the proposed purchase price of \$35,250 and the funds for the proposed remodel cost.

This proposal is in compliance with the Guidelines for the Disposition of City Real Estate Property, Zoning, and the Comprehensive Land Use Plan

Property Information

The zoning for each parcel is R3. The proposed use meets the current zoning requirements.

Tax Map ID	Address	Zoning
010-150029	357 University Blvd	R3

BUYER	<i>Robert Jones Jr & Crystal Jones</i>
ADDRESS	<i>357 University Boulevard</i>
COMP PLAN LAND USE	<i>Residential (R-3)</i>
PARCEL #	<i>010-150029</i>
WARD	<i>5</i>
COUNCIL MEMBER	<i>Cuthbert</i>
ASSESS VALUE	<i>\$70,500</i>
PROPOSED PURCHASE PRICE	<i>\$35,250</i>
INVESTMENT	
PROPOSED USE	<i>Single Family Residential</i>
PROOF OF FINANCING	<i>Pre-Approval for FHA Loan</i>
SITE PLANS	<i>Single Family Residential</i>
BUSINESS PLAN	<i>Power Point/Cover Letter</i>
OED RECOMMENDATION	<i>Recommend Disposition</i>

To Whom it May Concern:

Attached you will find a proposal for the purchase and renovation of 357 University Boulevard, Petersburg Virginia, 23803 by Robert Jones, Jr. and Crystal Jones from the city of Petersburg Virginia, for use as a single family home.

Robert and Crystal are a newly married couple. Robert is a long-time resident of the city of Petersburg. The couple is currently seeking a place to build a foundation for their family and they want to make the city of Petersburg their home.

Included in this proposal is a statement of community benefit, but we would like to reiterate those contents in this cover letter:

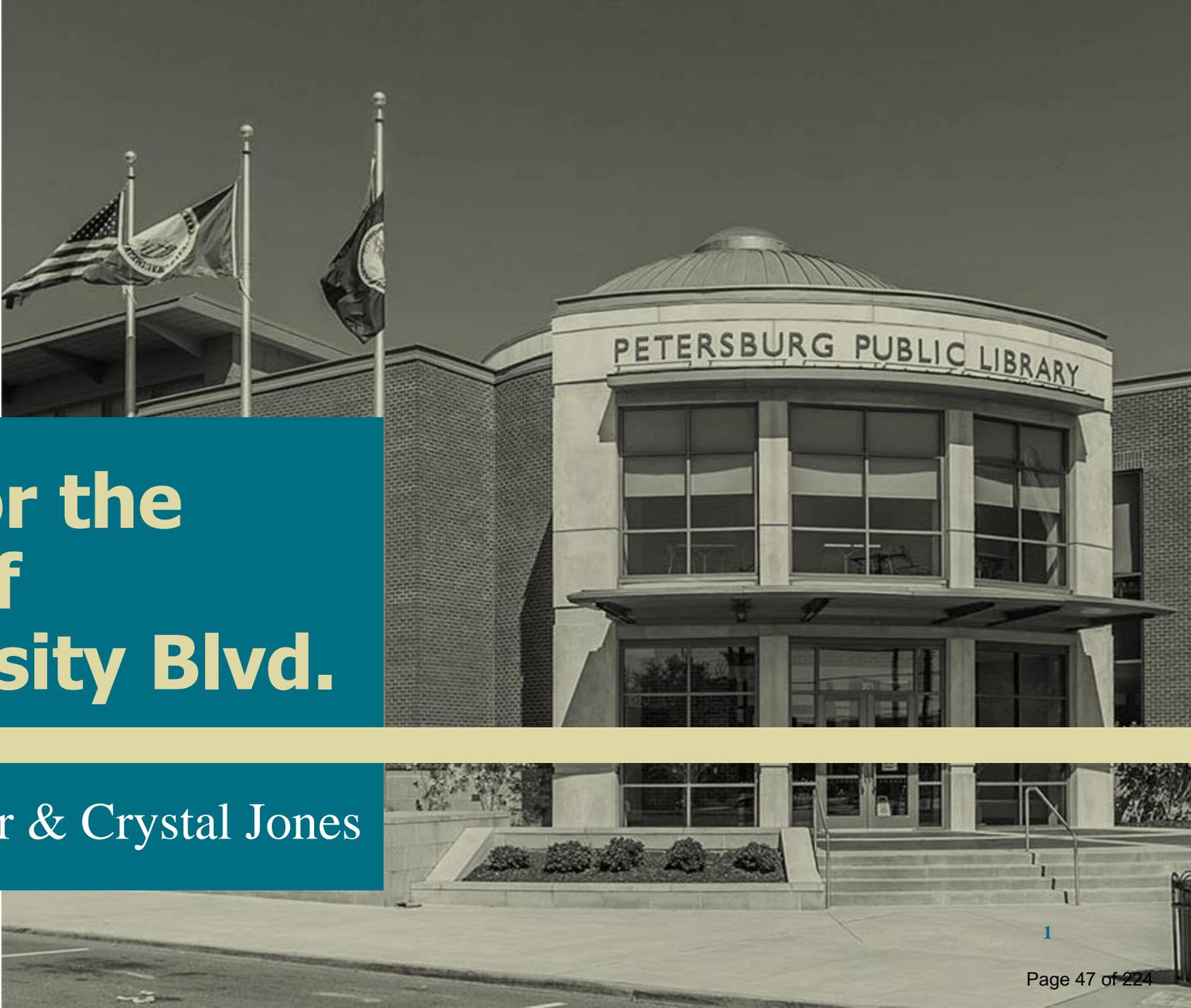
The sale of this property would result in an estimated \$63,175 in property tax revenue to the city over the course of ten years. In addition to the property tax revenue, the family will also provide revenue in the form of local sales, VAT and excise taxes. This aligns with the strategic plan for the city of Petersburg's Goal 1 of Economic Development, specifically in that it would meet objective three of broadening the city's tax base.

Additionally the sale of the property would align with the city's second goal of Neighborhood vitality. Support community development activities to enhance neighborhoods and improve housing, specifically objective I, preventing blight and deterioration. As the primary residence for the family, the occupied home will have updates to the interior and exterior as well as regular landscaping.

If there are any questions or need for further information, please, do not hesitate to reach at the contact information contained within. We look forward to hearing from you all.

Thank you,

Robert Jones, Jr & Crystal Jones



Proposal for the purchase of 357 University Blvd.

by Robert Jones, Jr & Crystal Jones



#twobecomeJones

03 | 03 | 2021

ABOUT US

Robert and Crystal Jones

Robert and Crystal are a newly married couple. Robert is a long-time resident of the city of Petersburg. The couple is currently seeking a place to build a foundation for their family and they want to make the city of Petersburg their home.



Purchase Proposal

Purchasers

Robert Leroy Jones, Jr.

Crystal Lauren Jones

Project Type: Single Family Home

Lot Size: 0.112 Acres

Property Address: 357 University Blvd
Petersburg VA, 23803

Building: 2 Story Single Family Unit
4 bedrooms
2 bathrooms

Parcel ID: 010-150029

Assessment: Land \$15,100
Building \$55,400



Purchase Proposal

Purchasers

Robert Leroy Jones, Jr.

Crystal Lauren Jones

Robert Jones, Jr.

Employer: City of Petersburg Department of Social Services

Position: Family Services Supervisor

Crystal Jones

Employer: Heart and Mind Therapy Services

Position: Marriage and Family Therapist

CONTACT INFORMATION

Phone Numbers:

1 (804) 943-0739 *Robert's Cell

1 (804)-861-4720 ext 3057 *Robert's Work

1 (804) 922-1837 *Crystal's Cell

Email:

rlj5h@virginia.edu



Purchase Proposal

Purchasers

Robert Leroy Jones, Jr.

Crystal Lauren Jones

Development Description:

Remodel of single family home for use as primary residence of the purchasers.

Offered Purchase Price:

\$2115 (cash)

(3% of assessed value)

Description of Financing:

Purchase – Cash on Hand

Repairs – Home Improvement Loan, Gifts
& Personal Loan

An aerial photograph of a city street intersection. A large, multi-story brick building with many windows is the central focus. The street has several lanes and cars are visible. In the background, there are more buildings and a hillside with trees under a clear sky.

Community Benefit

How does this proposal relate to the plans, goals and objectives identified by the city of Petersburg?

from the City of
**Petersburg Strategic
Plan**

Goal 1: Economic Development

- Promote Economic Development to Attract New Business and Strengthen the City's Tax Base
 - Objective 3: Diversify and Broaden the City Tax Base

estimated
**Property Tax
Revenues**

\$5569

**Year 1
estimate Tax
Revenue
(+sale price)**

\$28,980

**Year 5
Estimated Tax
Revenue
(+sale price)**

\$63,175

**10 year total
estimated tax
revenue
(+sale price)**

The sale of this property would result in an estimated \$63175 in property tax revenue to the city. In addition to the property tax revenue, the family will also provide revenue in the form of local sales, VAT and excise taxes.

Proposed Investments in Property and Estimated Increase in Value (10 years)

Year	Value	Investment	Estimated Increase (45% of investment)	Estimated Property Tax Revenue
1	\$ 70,500.00	\$ 75,000.00	\$ 33,750.00	\$ 3,454.50
2	\$ 104,250.00	\$ 25,000.00	\$ 11,250.00	\$ 5,108.25
3	\$ 115,500.00	\$ 25,000.00	\$ 11,250.00	\$ 5,659.50
4	\$ 126,750.00	\$ 10,000.00	\$ 4,500.00	\$ 6,210.75
5	\$ 131,250.00	\$ 10,000.00	\$ 4,500.00	\$ 6,431.25
6	\$ 135,750.00	\$ 5,000.00	\$ 2,250.00	\$ 6,651.75
7	\$ 138,000.00	\$ 5,000.00	\$ 2,250.00	\$ 6,762.00
8	\$ 140,250.00	\$ 2,500.00	\$ 1,125.00	\$ 6,872.25
9	\$ 141,375.00	\$ 2,500.00	\$ 1,125.00	\$ 6,927.38
10	\$ 142,500.00			\$ 6,982.50
10 year anticipated tax revenue from property				\$ 61,060.13

from the City of
**Petersburg Strategic
Plan**

Goal 2: Neighborhood Vitality

- Support community development activities to enhance neighborhoods and improve housing
 - Objective I. Prevent blight and deterioration



Artistic rendering of potential upgrades to exterior

Exterior Improvements Forecasted:

- Clearing overgrowth from property
- Installation of Solar power system
- Remolding of front entrance
- Installation of HVAC system
- General landscaping of property
- Destruction of dilapidated shed
- Regular lawn maintenance
- Replacing exterior siding and repairing damage to exterior molding and roofing



References

*For character references
related to the couple you may
contact*



Robert Jones, Sr.

Sheriff of Nottoway County VA

1 (434) 298-7752

rjones@nottowaysheriff.org



Venus Bolton

Realtor

1 (804) 467-5066

venus@ruckartre.com



Jerel Blackwell, Sr.

*Elder, Universal
Cathedral Ministries*

1 (804) 585-9441

blkx5@comcast.net

An Ordinance authorizing the City Manager to execute a Purchase Agreement toward the Sale of City-owned property at 357 University Boulevard, Parcel 010150029

WHEREAS, the City of Petersburg has received a proposal from Robert Jones, Jr and Crystal Jones to purchase the City-owned property at 357 University Boulevard Parcel ID: 031050038; and

WHEREAS, the property is zoned R-3, the width of the property is 41.4x118 and the square footage of the property is 4885.2; and

WHEREAS, per the City's Zoning Ordinance, the minimum dimensions for a single-family dwelling in a R-3 District are 50 feet wide and 5,000 square feet in area, and the minimum dimensions for a two-family dwelling in a R-3 District are 60 feet wide and 6,000 square feet in area; and

WHEREAS, the property at 357 University Boulevard does meet the minimum dimensions for a single or two family dwelling; and

WHEREAS, Robert Jones, Jr. and Crystal Jones proposes to renovate the existing structure and occupy the dwelling; and

WHEREAS, the potential benefits to the City include a reduction in the number of City-owned lots to be maintained and an inclusion of the property on the City's list of taxable properties; and

WHEREAS, in accordance with applicable legal requirements, a public hearing was held prior to consideration of an ordinance authorizing the sale of City-owned property on July 20, 2021; and

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the ordinance authorizing the City Manager to execute a Purchase Agreement with Robert Jones, Jr., and Crystal Jones toward the sale of City-owned property at 357 University Boulevard.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: Minutes of the June 1, 2021, Closed Session and the Special Work Session City Council Meeting of June 1, 2021.

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. June 1, 2021 Closed Session Meeting Minutes
2. June 1, 2021 Work Session City Council Meeting Minutes

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, June 1, 2021, on live stream. Council Member Parham called the Special Called Closed Session Meeting to order at 11:05 a.m.

1. ROLL CALL:

Present:

Council Member Treska Wilson-Smith
 Council Member W. Howard Myers
 Council Member Darrin Hill
 Vice Mayor Annette Smith-Lee
 Mayor Samuel Parham

Absent:

Council Member Charles H. Cuthbert, Jr
 Council Member John A. Hart, Sr. (arrived after roll call)

Present from City Administration:

Interim City Manager Kenneth Miller
 City Attorney Anthony Williams
 Clerk of Council Nykesha D. Jackson

2. CLOSED SESSION:

Mayor Parham stated, "I would entertain a motion to add a closed session to today's meeting to receive legal advice and discuss the Ramada, street closures and an administrative proceeding involving a city employee, and personnel matters including the Interim Manager's recommendations regarding personnel appointments and removals.

Council Member Hill made a motion to add a closed session to today's meeting to receive legal advice and discuss the Ramada, street closures and an administrative proceeding involving a city employee, and personnel matters including the Interim Manager's recommendations regarding personnel appointments and removals. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Hill, Smith-Lee and Parham; Absent: Cuthbert and Hart

- a. The purpose of this meeting is to convene in the closed session pursuant to §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 concerning the old Ramada property; street closure for certain events; and an administrative proceeding involving a City employee; and pursuant to §2.2-3711(A)(1) of the Code of Virginia 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 assignment, appointment, and performance of specific public employees including the Interim City Manager's recommendations regarding personnel appointments and removals.

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

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

*Audio available upon request.

Hart

City Council entered closed session at 11:06a.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening 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 so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor."

Council Member Hill made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Wilson-Smith. There was no discussion on the motion.

The motion was approved on roll call vote.

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

21-R-52 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to opened session at 12:33 p.m.

Council Member Wilson-Smith made a motion to authorize the City Manager to take the personnel actions as described in closed session. The motion was seconded by Council Member Hill. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Wilson-Smith, Myers, Hart, Hill, Smith-Lee and Parham; Absent: Cuthbert

3. ADJOURNMENT:

City Council adjourned at 12:35 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.

The Work Session meeting of the Petersburg City Council was held on Tuesday, June 1, 2021, live streamed. Mayor Parham called the meeting to order at 12:35 p.m.

1. ROLL CALL:

Present:

Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member John A. Hart, Sr.
Council Member Darrin Hill
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: Council Member Charles H. Cuthbert, Jr.

Present from City Council Administration:

Interim City Manager Kenneth Miller
City Attorney Anthony C. Williams
Clerk of City Council Nykesha D. Jackson

2. PRAYER:

Mayor Parham stated, "Councilman Hill will lead us in our opening prayer."

Council Member Hill led the council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

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

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum is present.

5. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):

- a. Minutes of May 18, 2021, Closed Session City Council Meeting, May 18, 2021, Special Regular City Council Meeting Minutes and May 25, 2021, Special City Council Meeting Minutes.
- b. ABC Application for Gas and Go Inc.
- c. A request to schedule a public hearing and consideration of an ordinance making appropriations for the Fiscal Year commencing July 1, 2020, and ending June 30, 2021 "The Cameron Foundation Grant for The Stabilization of The Jarratt House in the City of Petersburg," carrying over the balance of the Grant from two previous fiscal years which ended on June 30, 2019 and June 30, 2020.
- d. A request to schedule a public hearing and consideration of an ordinance to amend the text of the City's Zoning Ordinance regarding the Chesapeake Bay Preservation Act.
- e. A request to schedule a public hearing and consideration of an ordinance to amend the text of the City's Subdivision Ordinance regarding the Chesapeake Bay Preservation Act.
- f. A request to schedule a public hearing and consideration of a Memorandum of understanding with the Petersburg Preservation Task Force.
- g. A request to schedule a public hearing and consideration of an ordinance to authorize the release of funds from the Petersburg Public Library Endowment Fund by the city of Petersburg.

*Audio available upon request.

- h. Request for the City Council to hold a public hearing on June 15, 2021, regarding a proposed ordinance to amend and re-adopt sections 114-178, 114-208, and 114-236 and to adopt section 114-219 of the Petersburg City Code to establish a Sanitary Lateral Repair Program.
- i. Request to schedule a public hearing on June 15, 2021, for the potential renaming of Poplar Lane to Rev. R.A. Diggs Ln.
- j. A request to schedule a Public Hearing and consideration of an Ordinance amending the allocation of Community Development Block Grant Corona Virus (CDBG-CV) Funding, as approved, and appropriated for the Fiscal Year commencing July 1, 2020, and ending June 30, 2021.

Council Member Myers made a motion to approve the consent agenda. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Myers, Hart, Hill, and Parham; Absent: Cuthbert and Smith-Lee; Abstain: Wilson-Smith

Council Member Wilson-Smith stated, "I just wanted to state that I think I had to abstain because the minutes of last council meeting were included, and I was not present. So, since everything is put together, I could not vote on that."

6. **SPECIAL REPORTS:**

- a. Presentation by Davenport & Company LLC to explain a potential debt refunding opportunity for the City of Petersburg.

BACKGROUND: Davenport & Company LLC discussed with the Interim City Manager and staff a potential debt refunding opportunity for the City of Petersburg in early May. After the meeting, the Interim City recommended that the City of Petersburg move forward with this and bring it to City Council.

RECOMMENDATION: Staff recommends that City Council allow Davenport & Company LLC to present the potential debt refunding opportunity.

Mayor Roland Kooch, Representative from Davenport, gave an overview with a PowerPoint presentation.

Key points:

- Davenport and Company routinely reviews the City's debt portfolio for refunding opportunities.
- It would generally take about 90 days to implement this transaction.
- The city is in a good position of potential refunding which has resulted in the structurally balanced budgets, which have allowed the city to improve its fiscal health, balance, and liquidity.
- It has also eliminated the reliance on cash flow Revenue Anticipation Notes.
- The city currently has a BBB+ Rating which is a positive outlook.
- The FY2020 audited financial statements, which is necessary to access the public markets.
- Because of the City's Improved Bond Ratings, the City can eliminate the need for the Debt Service Reserve Fund (DSRF) and quarterly Trustee sinking fund payments under the 2017A&B Bonds.
- The elimination of the DSRF helps to enhance the cash flow savings and by eliminating the need for a Trustee, the city simplifies its payment structure.

There was discussion among City Council and representatives from Davenport.

- b. Update on Process of Special Events

*Audio available upon request.

Darnetta Tyus, Deputy City Manager, gave an overview of the process of special events.

Key points:

- The Special Events Committee is an internal committee that meets on the first Wednesday of every month.
- The event planners and City Council are covered, and they protect the residents of the City of Petersburg.
- The Fire Department covers them to make sure that everything they are doing including setup is safe.
- There is an area on the City webpage in which you can fill out the information to request having special events at certain places that are City property like the sports complex.

c. COVID-19 Update

Darnetta Tyus, Deputy City Manager, gave an update on COVID-19.

Key points:

- In the City of Petersburg, they have administered 20,734 doses of the vaccine. There are 12,020 with at least one dose of the vaccine and 9,541 that have been fully vaccinated.
- Testing is still being done at Pathways and the testing is also being provided at CVHS, located at 321 C Popular Drive in Petersburg, VA.
- They have moved to onsite registration for most of the clinics that are taking place.
- They now have onsite registration for the vaccines. The dates are June 2nd, 3rd, 4th, and 8th.
- City Hall is physically prepared to receive people in terms of opening the doors of City Hall offices.
- The goal is that effective June 4, 2021, the City is ready to open for public business.
- City Council meetings will remain virtual during the months of June and July.
- Old Town Square Street Closing will be prepared to reopen on June 28, 2021.
- The city will continue to do temperature checks throughout the city. If staff has a temperature of 100.4 degrees, they are allowed to begin the workday. If the employee has a temperature above 100.4 degrees, then they are encouraged to go home and/or visit a doctor.
- All must continue to wear a mask when walking through the common hallways and common areas. Mask do not have to be work at individual workstations. Disposable mask are available upon request. All visitors must wear on mask upon entering the buildings unless they have a health issue.
- Will continue to clean and regulate sanitation and if cleaning and sanitation supplies are needed then they will be provided.
- The Interim City Manager has instructed staff that is working remotely to return to work immediately.
- The library will open with a maximum of 25 customers, and it will be by appointment. Park facilities will be open for a soft opening.

There was discussion among City Council Members and staff.

7. **MONTHLY REPORTS:**

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

8. **FINANCE AND BUDGET REPORT:**

*Audio available upon request.

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

9. CAPITAL PROJECTS UPDATE:

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

10. UTILITIES:

- a. Presentation regarding a proposed ordinance to amend and re-adopt sections 114-178, 114-208, and 114-236 and to adopt section 114-219 of the Petersburg City Code to establish a Sanitary Lateral Repair Program.

BACKGROUND: Adoption of a Sanitary Lateral Repair Program will cause all sanitary sewer laterals located within a public Right-of-Way to become the City's maintenance and repair responsibility, with no out-of-pocket expense to customers. The program will impose a \$3/month fee to customers with an escalation of \$0.50 every 5 years, beginning in 2025.

RECOMMENDATION: Staff recommend that the City Council adopt this item.

Andrew Barnes, City Engineer and General Manager of Utilities, gave a PowerPoint presentation the Sanitary Lateral Repair Program.

Key points:

- Chesterfield County maintains the portion of lateral within the ROW, except when damaged by the property owner.
- Colonial Heights accepts the portion of the lateral within the ROW if it has a cleanout. If a cleanout is not present, it can be installed for \$200.
- Prince George County, if the cleanout is not present or usable, the property owner is responsible from the house to the sewer main.
- When the portion of the lateral within the ROW deteriorates (either due to old age, material failure, or root intrusion) the problem typically results in a sewer backup affecting the dwelling. The customer will call a plumber to unclog the line. The plumber will inform the customer that the issue is on the City's side. Without a City Cleanout, the city requires the customer to get a new "Sewer Tap." The sewer tap will typically cost between \$3,000 and \$5,000.
- The installation of new City cleanouts at, or within reasonable proximity to, the property line to facilitate City maintenance. This shall apply where cleanouts do not currently exist or where existing cleanouts do not meet existing City standards.
- Operational and administrative costs for a FOG (Fats, Oils, Grease) program. The FOG Program will be aimed at minimizing the misuse of the wastewater system for disposal purposes.
- City staff shall develop Standard Operating Procedures for the Sewer Lateral Repair Program, including standard construction details, forms, and other information necessary for executing the Program. Staff will inventory properties to determine where the City cleanouts are required. A work plan will be developed to address the necessary work.

There was discussion among City Council Members and staff.

- b. Presentation on Wastewater Capacity and Infrastructure Improvements within the Poor Creek Sewer Service Area.

*Audio available upon request.

BACKGROUND: See attached PowerPoint presentation.

RECOMMENDATION: For informational purposes only.

Andrew Barnes, City Engineer and General Manager of Utilities, gave a PowerPoint presentation on the Wastewater Capacity and Infrastructure Improvements within the Poor Creek Sewer Service Area.

Key points:

- Poor Creek Pump Station was constructed circa 1973-1975 in response to the 1972 Annexation of portions of Prince George.
- The Poor Creek Sewer Service Area (PCSSA) is the area of land whose wastewater effluent is conveyed to the Poor Creek Pump Station.
- The Poor Creek Sewer Service Area is approximately 7.21 square miles and represents 31.4% of the City's land area.
- Currently a Pharmaceutical Hub that is likely spark developer interest in the area.
- The market is swinging back towards residential development.
- With the Civics/Phlow/Ampac MOU, the city has committed to meet the developments' ongoing and future utility needs. Poor Creek Pump Station improvements and relocation, respectively, are calculated at almost \$17,000,000. An additional \$13,000,000 in water infrastructure improvements is also necessary.
- The Poor Creek Sewer Service Area is especially susceptible to Inflow and Infiltration due to extensive surface and ground water conditions (Blackwater Creek/Swamp) and the extent of large interceptor pipes.
- A significant reduction in Inflow & Infiltration could reduce peak flow that otherwise has to be accounted for. This could potentially free up capacity.
- Staff will coordinate with consultants to conduct an Inflow & Infiltration study for the PCSSA and determine if relining the interceptor lines would be beneficial.
- Upon direction from the Council, staff will evaluate the option of imposing a development moratorium within the Poor Creek Sewer Service Area.

There was discussion among City Council and staff.

Mr. Lyons stated, "Just to remind you Mayor, with the Phlow and Civica meeting, their team is scheduled to come in later this month. And we will be outreaching to the entire City Council to engage them in this process. Their leadership will be coming to town to focus, specifically on that project. And we will be inviting some of our state congressional partners as well."

Mayor Parham stated, "Thank you."

11. STREETS:

*No items for this portion of the agenda.

12. FACILITIES:

a. Report on 400 Farmer Street Building Assessment

Tangela Innis, Director of Public Utilities and Capital Projects, stated, "We had our consultants to go out and do a building assessment of 400 Farmer Street. And I am going to ask Mr. VanVoorhees to let in Mr. Turner and Mr. Autery. And then in the end Ms. Tyus and Mr. Norris is going to talk about information as it relates to their budgeting and things like that."

*Audio available upon request.

Mr. Mills and Autery gave a briefing on the PowerPoint presentation.

Key points:

- Tam Consultants was a firm that was established in 2002. It is a staff of 15 people and three offices.
- They have an expertise in property condition assessments: PCA, roofing, waterproofing & envelope, structural engineering in-house, testing etc.
- The problem was that staff identified mold and water intrusion in 2019. The building has been vacant since June 2019.
- There are two overarching concerns. There are four different sources of water intrusion occurring at various locations of the building providing moisture for mold growth and damage in the building. And there is outside air infiltration/HVAC. The building is negatively pressured, and the aged HVAC system is at the end of life.
- The solution is to fix the source and fix the damage. There are various kinds of repairs to exterior to prevent water intrusion. There are repairs needed to interior that was damaged by water. There needs to be updating and mold concerns that need fixing. It is recommended that 100% of the carpet, ceiling and walls be painted.
- It is also recommended that repairs restore the remaining useful life of the majority of the high \$ components/systems.
- Replace damaged and aged HVAC mechanical system.

There was discussion among City Council and staff.

13. **ECONOMIC DEVELOPMENT:**

- a. A presentation on the economic impact of the film industry on the City of Petersburg. (Formerly 13d)

BACKGROUND: A presentation on the economic impact of the film industry on the City of Petersburg.

RECOMMENDATION: For informational purposes.

Andrew Edmunds, representative with The Virginia Film Industry, gave a presentation on the economic impact of the film industry in the City of Petersburg.

Key points:

- The film, television, and streaming industry has experienced exponential growth over the past decade, with demand for content seeing a monumental upward trend.
- This competitive industry provides high-wage jobs for Virginians and touches Virginia businesses large & small, both during filming and for years after thanks to the global spotlight placed on each filming location.
- The total economic impact of Virginia's film industry in 2019 was \$862M, creating 5,600 high-wage jobs for Virginians.
- Film and television projects act like super tourists, spending huge amounts of money in short periods of time. In addition to housing and wages for Virginians, productions provide immediate economic stimulation to location owners, neighborhood restaurants, shops, local businesses, and vendors.
- This competitive industry provides high-wage jobs for Virginians and touches Virginia businesses large and small, both during filming and for years after thanks to global spotlight

*Audio available upon request.

placed on each filming location.

There was discussion among City Council and staff.

- b. To provide the City Council an overview of a selection of major incentive programs available to Petersburg businesses and developers. (Formerly 13a)

Clay Mansell, Department of Economic Development, gave an overview of a selection of major incentive programs available to Petersburg businesses and developers.

Key points:

- The Department of Economic Development maintains a list of federal, state, and local incentive to support local businesses and help them thrive.
 - An Opportunity Zone is an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment on capital gains taxes.
 - Temporary deferral of capital gains taxes until 2026.
 - Exclusion of taxable capital gains income earned from Opportunity Zone investment.
 - Businesses and investors are not required to report their dealings to the city or the State. At present, Staff is not aware of any ongoing Opportunity Zone projects in Petersburg.
 - The Small Business Administration's HUBZone program fuels small business growth in historically underutilized business zones with a goal of awarding at least three percent of federal contract dollars to HUBZone-certified companies each year. To qualify, the business must be a small business, at least 51% owned and controlled by U.S. citizens, have its principal office located in a HUBZone and have at least 35% of its employees living in HUBZone.
 - Credits are available from both the Federal government and the state of Virginia. The amount of the credit is based on total rehabilitation costs.
 - In some cases, taxpayers can qualify under both programs, allowing them to claim credits of 45% of their eligible rehabilitation expenses.
 - Real Property Investment Grants: Projects that cost \$5 million or less are eligible to receive up to \$100,000 in funding, Projects that cost \$5 million or more are eligible to receive up to \$200,000 in funding.
 - Projects are eligible for up to \$800 per year for each new permanent full-time position earning at least 200% of federal minimum wage with health benefits.
 - Façade Improvement is a grant equal to not more than 50% of the cost of the façade renovations. Capped at \$5,000.
 - Architectural Assistance is a grant equal to not more than 50% of interior renovations that is capped at \$2,500.
 - A tax credit that for five years, with an option to renew for an additional five years for a total of ten, provides a 100% exemption of the Machinery & Tools Tax for new or leased equipment for qualifying industrial businesses located within the Technology Zone. At present, the only companies that benefit from this program are the three pharmaceutical companies (AMPAC, Civica, and Phlow).
 - This incentive is what secured AMPAC and Civica for Petersburg in the face of national competition by qualifying as the City's local match for the Commonwealth Opportunity Fund.
 - The Department of Economic Development maintains a list of federal, state, and local incentives to support local businesses and help them thrive.
- c. An update on Economic Development Marketing. (Formerly 13b)

BACKGROUND: An update on Economic Development Marketing.

*Audio available upon request.

RECOMMENDATION: For informational purposes.

Clay Hamner, Public Relations/Petersburg Virginia Economic Development Presentation, gave overview with a PowerPoint presentation.

Key points:

- The current projects included the blog post in National League of Cities, article in National League of Cities Magazine, an article in the Richmond Family Magazine, entering past year of work in VML Innovation Awards to be judged in September 2021 and awarded at the annual conference in Leesburg, Virginia October 2021, rebranding Communication Media, and an upcoming article in VML Magazine in June.
- d. An update on the City of Petersburg Disposition Guidelines and purchases of City-owned Real Estate Property. (Formerly 13c)

BACKGROUND: An update on the City of Petersburg Disposition Guidelines and purchases of City-owned Real Estate Property.

RECOMMENDATION: For informational purposes.

Cynthia Boone, Administrative Assistant of the Department of Economic Development, gave overview with a PowerPoint presentation of the City of Petersburg Disposition Guidelines and purchases of City-owned Real Estate Property.

Key points:

- March 19, 2019 – City Council approved the Disposition Guidelines and list of surplus properties.
- December 8, 2020 – The City Council approved revisions to the Disposition Guidelines.
- Staff provided guidance on the process for disposition of City owned real estate property to include: identification of the process for accepting and evaluating proposals to purchase City owned real estate property, development of the purchase agreement, development of the due diligence period, development of the claw back provisions, development of the requirements for the buyer to submit a Development Agreement and approval process, and the process for the presentation, review and adoption by City Council. And the surplus list was adopted by City Council that identified City-owned real estate property that were available for disposition. (Took place at the May 19, 2019, meeting)
- At the December 8, 2020, meeting, the general restructuring of the City's Dispositions process.
- Staff prepares a packet for the City Council to review at the time of the consideration of the adoption of the ordinance to execute the Purchase Agreement. This packet outlines the proposed use of the property. Staff pre-assessment ensures compliance with zoning and the Comprehensive Land Use Plan.
- The Purchase Agreement and the Development Agreement is included into the deed of the property to ensure the compliance with agreements.
- In the circumstances when a development agreement is not approved and closing does not occur, the buyer is refunded 9% of the earnest deposit and the city retains 1%.
- In the circumstances when the property is sold but not developed in accordance with the Development Agreement, ownership reverts to the City per the reverter clause (claw back provision) in the purchase agreement.
- The City retains the purchase payment, and the property with any improvements.
- After the purchase agreement is executed by the City Manager, the proposal, if applicable, a

*Audio available upon request.

due diligence period will commence.

- During the due diligence period, impact statements will be requested from relevant City departments.
- The impact statements will be presented to the City Council along with the Development Agreement.
- Impact statements will provide the City Council and City staff better quantitative insight into the impact of developments on City services, such as the public schools, utilities, etc.

There was discussion among staff and City Council.

14. **CITY MANAGER'S AGENDA:**

a. Billing and Collections Concerns Presentation

Stacey Jordan, Interim Finance Director, gave a presentation on billing and collections.

Key points:

- The delay stemmed from the lockbox issue as previously stated at the council meetings.
- The payments are received through the dropbox and the P.O. Box. The payments were being sent to the lockbox for processing. Atlantic Union was processing the payments which clears it from the customer's account. They sent a report in turn that had to be uploaded to the system and AS400 to hit the customers account and that was not being done in a timely fashion which showed the delay.
- The Utility Rate Study will be presented to council at the next meeting by Davenport.
- As of today, the city has not turned off any services. Come July 1st, that they can start cutting off services that are plus 90 days past due.
- There are currently 37 books that must be reviewed. Each book could house anywhere from 100 to over 1000 accounts. These accounts must be reviewed manually one by one to determine the correct designation. This will continue to be a lengthy process as the errors contribute to the ability to pull an accurate collection report.
- The Department of Finance continues to work tremendously hard to ensure that the residents bills are being processed accurately, that their accounts are clean, and all issues are being addressed in a timely fashion.
- Payments are no longer being sent to the lockbox. All payments are being processed in house.

There was discussion among City Council and staff.

15. **BUSINESS OR REPORTS FROM THE CLERK:**

*No items for this portion of the agenda.

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

*No items for this portion of the agenda.

17. **PUBLIC COMMENTS:**

Barbara Rudolph, 1675 Mt. Vernon Street, stated, "Good afternoon Council. I too appreciate the presentations made by Mr. Barnes and particularly the explanation of wastewater. Because it was not only pertinent to what he was discussing but also seemed to me to fit with the earlier discussion of the reopening of the city or the non-reopening of the city as part of the COVID report. All of that conversation about preparing

*Audio available upon request.

Union Station or meetings sounds like that expression of moving deck chairs or rearranging deck chairs on the titanic. Does it take two months to figure out how to move the chairs further apart so that people are safe. I do appreciate the several comments that Councilor Wilson-Smith said about the consistency among the City's approach to this. Because it seems like you really all are very advent about the city protecting everybody when it comes to not having meetings. It gives the appearance to citizens like you are afraid of us, or you do not want to deal with us. So, I hope that because of your concern that you all are going to forgo going to church and indoor meetings to clubs and fraternal organizations and other things that you are doing just because you are so concerned about keeping yourself and others safe. Thank you."

18. ADJOURNMENT:

Council Member Hill made a motion to adjourn. The motion was seconded by Council Member Myers. The motion passed on voice vote. Voting yes: Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

City Council adjourned at 4:10 p.m.

Clerk of City Council

APPROVED:

Mayor

*Audio available upon request.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Lionel Lyons, Deputy City Manager of Development and Operations
Tangela Innis, Director of Public Works and Utilities
Kenneth Miller, Interim City Manager

FROM: Andrew Barnes

RE: **A Public Hearing regarding a proposed ordinance to amend and re-adopt sections 114-178, 114-208, and 114-236 and to adopt section 114-219 of the Petersburg City Code to establish a Sanitary Lateral Repair Program.**

PURPOSE: A public hearing regarding a proposed ordinance to amend and re-adopt sections 114-178, 114-208, and 114-236 and to adopt section 114-219 of the Petersburg City Code to establish a Sanitary Lateral Repair Program.

REASON: To create a Sanitary Lateral Repair Program

RECOMMENDATION: Staff recommend that the City Council adopt this item.

BACKGROUND: Adoption of a Sanitary Lateral Repair Program will cause the portion of all sanitary sewer laterals located within a public Right-of-Way, or a public Wastewater Utility Easement, to become the City's maintenance and repair responsibility, with no out-of-pocket expense to customers. The program will impose a \$3/month fee to customers with an escalation of \$0.50 every 5 years, beginning in 2025. A \$30 "trip" fee will be assessed when the City is called to resolve a sewer backup and the issue is determined to be on the Customer's property.

COST TO CITY:

Repair and replacement responsibility for portions of sanitary sewer laterals located within the Right-of-Way

BUDGETED ITEM:

REVENUE TO CITY:

\$3/account per month, with \$0.50 escalation every 5 years

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Public Works and Utilities

Finance
Billing and Collections

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: A new program will have to be implemented

ATTACHMENTS:

1. Sewer Lateral Repair Program
2. Ordinance to establish a Sewer Lateral Repair Program
3. SLRP - Financial Model Criteria
4. SLRP - Financial Model
5. Sewer Lateral Repair Program Proposal and Report

The Department of Public Works and Utilities

City of Petersburg
VIRGINIA

**Sewer Lateral Repair Program,
Andrew Barnes, P.E.
General Manger of Utilities
June 15, 2021**

Sewer Lateral Repair Program – Definitions



Wastewater

Also referred to as Sewage. The untreated waste discharge from a plumbing system. Mostly “greywater” (sinks, showers, washers), partially “blackwater” (toilets), and industrial discharge.

Sewer Main

Large diameter pipes, typically located in the center of the street, that convey wastewater by gravity from individual properties to pump stations and/or treatment plants.

Lateral

Small diameter pipes that convey wastewater from a structure or dwelling to the sewer main.

Cleanout

A vertical pipe that connects to the lateral. A cleanout serves as an access point for maintenance and delineator for public/private responsibility.

Sewer Lateral Repair Program – Definitions Continued



Right-of-Way (ROW)

An area of public land that includes the street, curb, sidewalk, and ends at the property line of a private property.

Easement

The City's right for access, maintenance, or construction over private property for the purpose of public utilities.

Sewer Tap

A new lateral connection to an existing sewer main that terminates with a new city cleanout at the property line.

Sewer Lateral Repair Program - Background



- The City's Department of Public Works and Utilities is responsible for the maintenance, repair, and replacement of public wastewater infrastructure within the Right-of-Way or within public utility easements.
- Property owners are responsible for the maintenance, repair, and replacement of private infrastructure located on their property.
- With the portion of a private lateral that enters the ROW (where it connects to the sewer main) there is often confusion over who is responsible.
- Across Virginia, and the country, the responsibility for private laterals within the ROW is handled differently depending on the locality.
 - Many municipalities take responsibility for the portion of lateral in the ROW.
 - Many municipalities place entire responsibility on the property owner.

Petersburg has “hybrid” policy that requires the existence of a “City Cleanout” for the City to take maintenance responsibility.

Sewer Lateral Repair Program – Around the Region



- Chesterfield (Sect. 18-59)
County maintains the portion of lateral within the ROW, except when damaged by the property owner.
- Colonial Heights (Sect. 238-6)
City accepts the portion of the lateral within the ROW as long as it has a cleanout. If a cleanout is not present, it can be installed for \$200.
- Prince George (Sect. 82-433)
If a cleanout is not present or usable, the property owner is responsible from the house to the sewer main.

Sewer Lateral Repair Program – Petersburg's Legal Text



Sec. 114-178. - Maintenance or replacement of sewer laterals within street rights-of-way.

The city shall repair or replace all sanitary sewer laterals within the right-of-way limits of all public streets. If a lateral in need of repair or replacement was installed by the city or as a part of a subdivision, and a clean-out was installed, the entire cost of such replacement or repair shall be borne by the city. If a lateral was installed for a property owner, under an old ordinance, by a private plumbing contractor, the property owner shall pay the fee for a replacement lateral, whereupon the city shall replace or repair the lateral, install a clean-out and become responsible for future maintenance of the lateral. Where records of the city do not show city installation of the lateral, it shall be presumed that the lateral was installed for a property owner by a private plumbing contractor. (Code 1981, § 27-5)

Sewer Lateral Repair Program – The Problem



- When the portion of the lateral within the ROW deteriorates (either due to old age, material failure, or root intrusion) the problem typically results in a sewer backup affecting the dwelling.
 - The customer will call a plumber to unclog the line (sometime multiple times).
 - The plumber will (often) inform the customer that the issue is on the City's side.
 - Without a City Cleanout, the City requires the customer to get a new "Sewer Tap".
 - A sewer tap will typically cost between \$3,000 and \$5,000.

Sewer Lateral Repair Program – The Problem Continued



- A “Sewer Tap” is essentially a replacement lateral connection to the sewer main and includes a new City Cleanout at the property line.
 - The City will takeover maintenance for the new portion of the lateral.
- The unexpected expense of a Sewer Tap results in a lengthy process, resulting in protracted unsanitary conditions.
 - Media, lawyers, and elected officials occasionally end up getting involved.
 - Staff time is wasted with unnecessary coordination efforts.
- Revenue from Sewer Taps is included in the Utility’s financial model. Performing the work without the revenue would adversely affect the Utility’s overall revenue.

Sewer Lateral Repair Program – The Problem Continued



- The existing City Code section has number of technical issues that staff are unable to reconcile:
 - The standard for City Cleanouts has changed over time and is not documented.
 - Historic ledgers (1914) show payments for sewer laterals, but these properties do not have City Cleanouts.
 - It can be assumed that the various annexations included the acceptance of existing streets, ROW, and utilities.
 - The 1972 annexation included extensive utility extensions to the new customers and included the construction of laterals.
 - Poor record keeping means it is increasingly difficult to verify payment or installation of City Cleanouts.

Sewer Lateral Repair Program – Poor Record Keeping



19

Sewer Fee acct. year ending June 30 - 1914.

Account No.	Name	Address	Rate	Amount	Notes
	Barst fund			554.13	
Aug 14	Neil Perkins	237 Carter	1378	8.50	
15	H. E. Moore	Wythe St.	1378	8.50	
16	C. J. Catano	cor. Lomb Federal	1378	8.50	
16		2d Ave + Federal	1378	8.50	
18	Geo Tiasie	Jones St.	1378	8.50	
18	Geo Bradman	246 "	1378	8.50	
18	G. Deamon	151 Terrace Ave	1378	8.50	
19	H. D. Parks	51 Perry	1378	8.50	
20	C. H. Collean	79 Terrace Ave	1378	8.50	
21	H. C. Bridges	Jones St.	1378	8.50	
21	Watts - Day Co.	cor. Perry + Kenner	1378	8.50	
21	Geo Shiner	72 Terrace Ave.	1378	8.50	
22	Geo M. Farthing	108 Shore	1378	8.50	
23	J. B. Buehler	Plum St.	1378	8.50	
25	J. A. Jones	Kirkham St.	1378	8.50	
25	Abraham Phipps	Jones St.	1378	8.50	
25	Mrs F. P. Cummings	616 Nilex	1378	8.50	
26	Kathlan Scott	510 Nilex	1378	8.50	
26	E. J. Wall	226 Carter	1378	8.50	
26	J. H. Wilson	213 Plum	1378	8.50	
26	D. Milkemon	cor. Wallace Carter	1378	8.50	
26	M. A. Coleman	295 Carter	1378	8.50	
27	H. W. Verlan	232 Jones	1378	8.50	
28	H. P. Roberts	404 Nilex	1378	8.50	
28	Mrs D. K. Torres	Kirkham St.	1378	8.50	
29	Viney Merritt	292 Carter	1378	8.50	
29	T. E. Clarke	409 1/2 Nilex	1378	8.50	
Sept 2	M. R. Cary	cor. Clinton + Willmore	1378	8.50	
2	By Auditor's Receipt			133.65	
1	C. R. Walsh	233 Plum	1378	8.50	
2	J. P. Kibart	234 Carter	1378	8.50	
4	Wad Holmes	Wythe St.	1378	8.50	
4	Geo. W. Krue	221 Plum	1378	8.50	
4	S. W. Alley	56 Pine	1378	8.50	
4	Maggie Smith	Plum St.	1378	5.00	
5	Mrs M. E. Butler	Walnut Ave	1378	5.00	
6	H. J. Surt	at Catala Ave	1378	8.50	
	Forward			853.13	807.78

18

Shore St. 8" Sewer, from Ransom to Harrison

laid by Brockwell - October 1910. Stems to curb line

Stems 3" - 5" - enhance jct 5"

Measured from N.H. at Ransom Shore St.	
Young West	Young West
North	South
20.6 ft	57.4 ft
50.6 ft	120.1 ft
76.1	167.2
105.2	206.8
173.8	219.3
210.6	268.7
267.9	307.2
278.4	326.0
339.9	394.8

Shore St. Sewer 8" from Ransom to Syracuse

from N.H. at Ransom Shore St. Young East

North	South
16.8 ft.	9.6 ft
58.2	71.0
99.8	115.6
167.7	185.4

Measured from Sand trap South East Side from East Bank to Harry W. East corner of E. Bank young South

5" marked on curb

101

165.5

180.5 this stem connects to 18" sewer

Sewer Lateral Repair Program – The Plan



- 1 . The City shall accept the maintenance, repair, and replacement responsibility for all existing sanitary sewer laterals located within the City’s public Right-Of-Ways and all future laterals within the ROW that are constructed from an approved plan and meeting accepted standards.
2. **All properties within the City for which a Stormwater Fee is assessed shall pay a monthly Sewer Lateral Repair Fee in the amount of \$3.00. This monthly fee shall escalate by \$0.50 every five years beginning in 2025, by action of the City Council, unless otherwise modified by City Council.**
3. Revenue originating from the SLRP fee shall be routed through a unique revenue account established by the Finance Department and shall generally represent a sinking fund, from which funds may only be used for qualifying purposes, enumerated below.



Sewer Lateral Repair Program –

Qualifying Uses for SLRP Revenue would include the following:

- Operations and Maintenance costs associated with the maintenance, repair, and replacement of the portion of a sewer lateral located within the public Right-Of-Way. This will extend up to existing sewer cleanouts within reasonable proximity to the property line (generally no more than 3 feet), or that portion of private property necessary to install a proposed cleanout within reasonable proximity to the property line.
- The installation of new City cleanouts at, or within reasonable proximity to, the property line to facilitate City maintenance. This shall apply where cleanouts do not currently exist or where existing cleanouts do not meet existing City standards.



Sewer Lateral Repair Program –

Qualifying Uses for SLRP Revenue would include the following

Continued:

- Operational and administrative costs for a FOG (Fats, Oils, Grease) program. The FOG program will be aimed at minimizing the misuse of the wastewater system for disposal purposes.
- Reimbursement for qualifying tap fees paid to the City by current customers or property owners between 2010 and the adoption date of the program. Reimbursement shall be subject to administrative procedures established by the Director of Public Works & Utilities and the Chief Financial Officer.
- When approved by the City Council, up to 50% of the existing SLRP Sinking Fund balance may be transferred to the Utilities CIP budget for use on approved wastewater projects, only when the fund balance has had positive increases for the previous five consecutive fiscal years.

Sewer Lateral Repair Program – The Plan Continued



4. Beginning in the 3rd year of the Program, the City would accept and process reimbursement applications for qualifying tap fees that were paid to the City dating back to 2010, only by either current customers or homeowners. Qualifying tap fees includes those situations where a tap fee was assessed for the replacement of the failed sewer lateral within the public Right-of-Way. Qualifying Tap Fee reimbursements shall be submitted on a Department form and reviewed for administrative approval.

5. City Staff shall develop Standard Operating Procedures for the Sewer Lateral Repair Program, including standard construction details, forms, and other information necessary for executing the Program. Staff will inventory properties to determine where City Cleanouts are required. A work plan will be developed to address the necessary work.

If the Program is implemented, customers may assume that the City will provide coverage for private plumbing issues. Any public discussion of the program should include well-articulated literature, diagrams, and sketches indicating the extent of City maintenance responsibility.

Sewer Lateral Repair Program – Program Oversight



- Processes will be implemented to disincentivize abuse of City forces for standard plumbing issues:
 - When a customer initiates a lateral replacement request of their own volition, a standard application form must be attested to by a licensed plumber, contracted by the homeowner. A licensed plumber shall be an individual licensed by the Department of Professional and Occupational Regulation's (DPOR) Board for Contractors, holding a valid license as a Tradesman and holding a "Plumber" specialty.

Sewer Lateral Repair Program – Program Oversight Continued



- The Plumber attestation shall be to the effect that any plumbing drainage issues have been determined to be the result of a lateral blockage or failure outside of the customer's property.
- A service fee of \$30 per incident will be assessed when City staff respond to a service request where the sewer backup is subsequently determined to be the homeowner's maintenance responsibility.
- Lateral replacements would continue on an as-needed basis, so staff will not experience a dramatic increase in work. Provisions of the proposed program should limit spurious requests for new sewer laterals.

Sewer Lateral Repair Program – Program Benefits



- Streamline the sewer tap process to benefit both staff and customers.
- Allow the Wastewater Section of Utilities to move towards a proactive position as opposed to reactive.
- Resolve unsanitary conditions in an expedited manner without waiting for a customer to pay for a sewer tap. No need to negotiate payment plans or go to the media.
- Attenuate large, one-time sewer tap fees over the life-cycle of a lateral, to the benefit of the customers.
- Generate a steady revenue stream, allowing for routine “City Cleanout” installation, lateral maintenance, and potentially funding larger wastewater projects.

Sewer Lateral Repair Program - Alternatives



The existence of any aging utility infrastructure (in this case, sewer laterals) poses a financial liability; the main question of this proposal is who should bear that financial responsibility and how it should be handled. Several alternatives are available to the City and are described below:

1. Proposed Program

Adopt the proposed Program as outlined in this document. Staff support this option.

2. Null Response

The City may opt not to take any action regarding a formal program and continue to use the existing business processes. Citizen-centric issues raised in this document will persist and the frequency will increase as infrastructure continues to age.

3. Existing Conditions with Code Clarification

The City could revise the relevant Code sections to eliminate ambiguity, without any revision to fees or blanket acceptance of laterals within the ROW. If this is done, the City Attorney should determine whether the City's Annexations have any impact on the status of a lateral or cleanout. A Public Hearing regarding the Code revision would allow for Public Comment and discussion.

Sewer Lateral Repair Program – Alternatives Continued



4. Modify the Proposed Program with Optional Participation

The proposed program could be offered as an enrollment-based option. Or similarly as an optout option. Optional enrollment or opt-out scenarios would severely affect projected overall cashflow and the program may not be cost-neutral or revenue-positive. Without understanding customer perception of the program, reduced participation cannot be estimated, and the financial impact could be damaging.

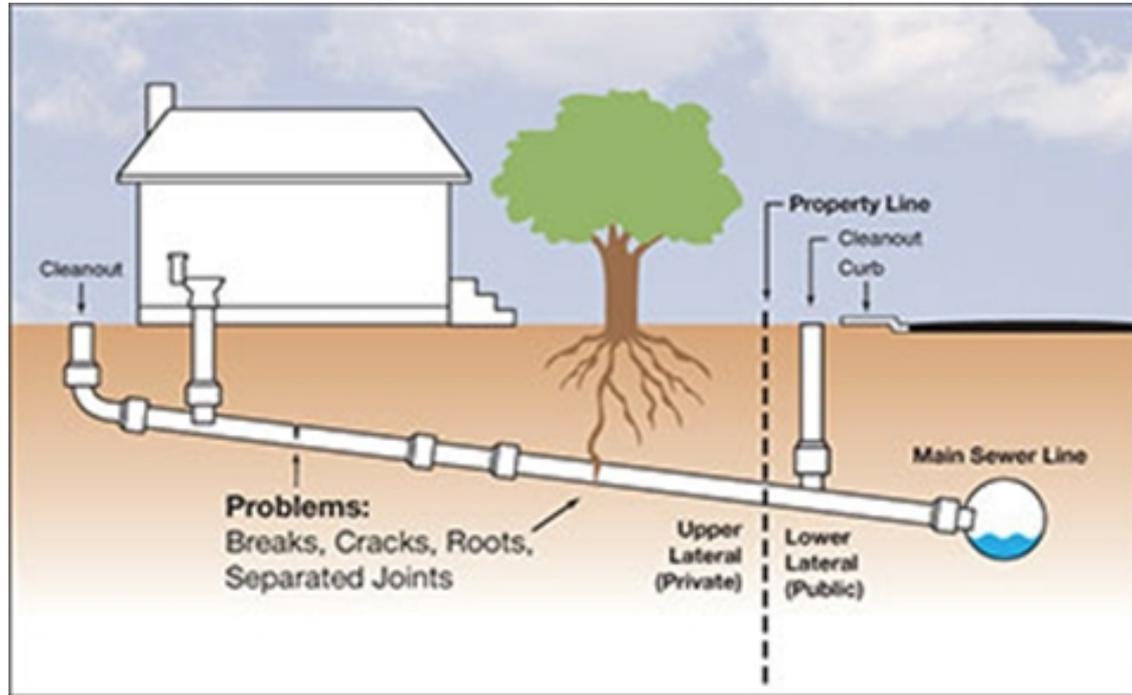
5. Modify the Proposed Program with Payment-upon-Failure

Accept all laterals and enroll customers in a monthly repayment program at the time of infrastructure failure. This would eliminate upfront customers costs until they require the benefits of the program. The City would bear the upfront financial burden of repairs, severely impacting its financial position. Additional components of the program would not be funded.

6. Modify the Proposed Program with Zero (additional) Customer Cost

The City could accept all sewer laterals within the ROW for City maintenance without implementing any new fees. This would streamline the process but would have a serious negative financial impact on the Utility fund.

Sewer Lateral Repair Program



This is a generic depiction of sewer lateral. In most cases, properties in the City do not have a cleanout at the property line. In these situations, the full responsibility for repair/replacement belongs with the customer.

Sewer Lateral Repair Program Recommendation



- The City holds a Public Hearing for June 15, 2021.
- After the Public Hearing City Council approves the Amendment and Re-adoption of sections 114-178 and 114-204 of the Petersburg City Code.
- Allowing the City's Public Works and Utilities Staff to move forward with the implementation of the SLRP for **All properties within the City for which a Stormwater Fee is assessed shall pay a monthly Sewer Lateral Repair Fee in the amount of \$3.00. This monthly fee shall escalate by \$0.50 every five years beginning in 2025, by action of the City Council, unless otherwise modified by City Council.**

AN ORDINANCE TO AMEND AND RE-ADOPT SECTIONS 114-178, 114-208, AND 114-236 AND TO ADOPT SECTION 114-219 OF THE PETERSBURG CITY CODE FOR THE PURPOSE OF ESTABLISHING A SANITARY LATERAL REPAIR PROGRAM.

WHEREAS, City Council understands and appreciates the need to streamline the sewer tap process to benefit customers and public health; and

WHEREAS, City Council understands that the City's infrastructure is aging and major sewer lateral repairs pose a serious and unexpected cost to customers; and

WHEREAS, City Council believes that this program will attenuate large, one-time sewer tap fees over the life cycle of the lateral; and

WHEREAS, City Council believes that this program will allow Public Utilities to move into a more proactive position; and

WHEREAS, it is the belief of City Council that the establishment of such a program will be in the best interests of the City of Petersburg.

NOW therefore be it ORDAINED that Sections 114-178, 114-208, and 114-236 are hereby AMENDED and RE-ADOPTED and Section 114-219 is hereby ADOPTED as follows:

[REVISIONS, DELETIONS, AND INSERTIONS IN RED]

Sec. 114-178. - Maintenance or replacement of sewer laterals within street rights-of-way.

The city shall **maintain**, repair, ~~or and~~ replace all all the portions of sanitary sewer laterals within the right-of-way limits of all public streets or within the limits of public utility easements dedicated for the purpose of maintaining public wastewater infrastructure. ~~If a lateral in need of repair or replacement was installed by the city or as a part of a subdivision, and a clean-out was installed,~~ **the entire cost of such replacement or repair, within the right-of-way limits or dedicated easements, shall be borne by the city, except in cases where a sewer lateral has been damaged through the customer's negligence, an intentional malicious act, or as otherwise expressly stated in 114-208.** ~~If a lateral was installed for a property owner, under an old ordinance, by a private plumbing contractor, the property owner shall pay the fee for a replacement lateral, whereupon the city shall replace or repair the lateral, install a clean-out and become responsible for future maintenance of the lateral. Where records of the city do not show city installation of the lateral, it shall be presumed that the lateral was installed for a property owner by a private plumbing contractor.~~

Sec. 114-208. - General responsibilities of owner with reference to building sewer.

All costs and expenses incident to the **initial** installation and connection of the building sewer lateral, including any improvements or modifications, thereafter, shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation and connection of the building sewer lateral. **Installation and construction shall conform to City standards.**

Sec. 114-219. – Sanitary Lateral Repair Program

(1). Fees collected pursuant to section 114-236 (e) shall be deposited into a dedicated account within the Utility Enterprise Fund. Monies shall be disbursed from that dedicated account solely for the following purposes:

(a) Operations and Maintenance costs associated with the maintenance, repair, and replacement of the portion of a sewer lateral located within the public Right-Of-Way. This will extend up to existing sewer cleanouts within reasonable proximity to the property line (generally no more than 3 feet), or that portion of private property necessary to install a proposed cleanout within reasonable proximity to the property line;

(b) The installation of new City cleanouts at, or within reasonable proximity to, the property line to facilitate City maintenance. This shall apply where cleanouts do not currently exist or where existing cleanouts do not meet existing City standards;

(c) Operational and administrative costs for a FOG (Fats, Oils, Grease) program. The FOG program will be aimed at minimizing the misuse of the wastewater system for disposal purposes;

(d) Reimbursement for qualifying tap fees paid to the City by current customers or property owners between 2010 and the adoption date of the program. Reimbursement shall be subject to administrative procedures established by the Director of Public Works and the Chief Financial Officer or Director of Finance;

(1). Reimbursement requests for qualifying tap fees may be submitted to the City beginning in the 3rd year of the program.

(2). Qualifying tap fees includes those situations where a fee was assessed for the replacement of the failed sewer lateral within the public Right-of-Way.

(e) When approved by the City Council, up to 50% of the existing SLRP Sinking Fund balance may be transferred to the Utilities CIP budget for use on approved wastewater projects, only when the fund balance has had positive increases for the previous five consecutive fiscal years.

(2) If a customer initiates a lateral replacement request of their own volition, an application must be attested to by a licensed plumber, contracted by the homeowner. A licensed plumber shall be an individual licensed by the Department of Professional and Occupational Regulation's (DPOR) Board for Contractors, holding a valid license as a Tradesman and holding a "Plumber" specialty.

(3) A service fee of \$30 per incident will be assessed when City staff respond to a service request where the sewer blockage or failure is subsequently determined to be located between the customer's dwelling, building, or structure and the right-of-way or a public utility easement.

Sec. 114-236. - Imposed; amount generally.

[...]

e. Sanitary Lateral Repair Program charge. A monthly Sanitary Lateral Repair fee of \$3.00 shall be charged to all properties for which a Stormwater Fee is assessed. The fee shall be escalated by \$0.50 every five years beginning in 2025, by action of the City Council, unless otherwise amended or revised by City Council. Fees collected pursuant to this section shall only be expended in accordance with Section 114-219 of the Code.

Sanitary Later Repair Program Financial Model - Criteria	
Monthly SLRP Fee, per account	\$ 3.00
Utility Accounts	12,000
Start year (Revenue)	2022
Inflation, % (est.)	2%
Escalation Term, Years	5
Escalation \$, per term	\$ 0.50
Lateral Repair Cost	\$ (3,000.00)
Lateral Lifecycle, Years	100
Expected Lateral repairs per year	120
Expected Startup Expenditures per year	\$ (360,000.00)
Minimum Fund Value	\$ 72,000.00
Minimum Fund Value Year	2022

Sanitary Later Repair Program Financial Model						
Year	Monthly Fee	Revenue	Expenditures	Net Income	Fund Value (End of Yr)	Notes
2022	\$3.00	\$432,000.00	(\$360,000.00)	\$72,000.00	\$72,000.00	Start Year
2023	\$3.00	\$432,000.00	(\$367,200.00)	\$64,800.00	\$136,800.00	
2024	\$3.00	\$432,000.00	(\$374,544.00)	\$57,456.00	\$194,256.00	Begin Reimbursement
2025	\$3.50	\$504,000.00	(\$382,034.88)	\$121,965.12	\$316,221.12	
2026	\$3.50	\$504,000.00	(\$389,675.58)	\$114,324.42	\$430,545.54	
2027	\$3.50	\$504,000.00	(\$397,469.09)	\$106,530.91	\$537,076.45	
2028	\$3.50	\$504,000.00	(\$405,418.47)	\$98,581.53	\$635,657.98	
2029	\$3.50	\$504,000.00	(\$413,526.84)	\$90,473.16	\$726,131.14	
2030	\$4.00	\$576,000.00	(\$421,797.38)	\$154,202.62	\$880,333.76	
2031	\$4.00	\$576,000.00	(\$430,233.32)	\$145,766.68	\$1,026,100.44	
2032	\$4.00	\$576,000.00	(\$438,837.99)	\$137,162.01	\$1,163,262.45	
2033	\$4.00	\$576,000.00	(\$447,614.75)	\$128,385.25	\$1,291,647.70	
2034	\$4.00	\$576,000.00	(\$456,567.05)	\$119,432.95	\$1,411,080.65	
2035	\$4.50	\$648,000.00	(\$465,698.39)	\$182,301.61	\$1,593,382.26	
2036	\$4.50	\$648,000.00	(\$475,012.35)	\$172,987.65	\$1,766,369.91	
2037	\$4.50	\$648,000.00	(\$484,512.60)	\$163,487.40	\$1,929,857.31	
2038	\$4.50	\$648,000.00	(\$494,202.85)	\$153,797.15	\$2,083,654.45	
2039	\$4.50	\$648,000.00	(\$504,086.91)	\$143,913.09	\$2,227,567.54	
2040	\$5.00	\$720,000.00	(\$514,168.65)	\$205,831.35	\$2,433,398.89	
2041	\$5.00	\$720,000.00	(\$524,452.02)	\$195,547.98	\$2,628,946.87	
2042	\$5.00	\$720,000.00	(\$534,941.06)	\$185,058.94	\$2,814,005.81	
2043	\$5.00	\$720,000.00	(\$545,639.88)	\$174,360.12	\$2,988,365.93	
2044	\$5.00	\$720,000.00	(\$556,552.68)	\$163,447.32	\$3,151,813.24	
2045	\$5.50	\$792,000.00	(\$567,683.74)	\$224,316.26	\$3,376,129.51	
2046	\$5.50	\$792,000.00	(\$579,037.41)	\$212,962.59	\$3,589,092.10	
2047	\$5.50	\$792,000.00	(\$590,618.16)	\$201,381.84	\$3,790,473.94	
2048	\$5.50	\$792,000.00	(\$602,430.52)	\$189,569.48	\$3,980,043.42	
2049	\$5.50	\$792,000.00	(\$614,479.13)	\$177,520.87	\$4,157,564.29	
2050	\$6.00	\$864,000.00	(\$626,768.71)	\$237,231.29	\$4,394,795.57	
2051	\$6.00	\$864,000.00	(\$639,304.09)	\$224,695.91	\$4,619,491.49	
2052	\$6.00	\$864,000.00	(\$652,090.17)	\$211,909.83	\$4,831,401.32	
2053	\$6.00	\$864,000.00	(\$665,131.97)	\$198,868.03	\$5,030,269.34	
2054	\$6.00	\$864,000.00	(\$678,434.61)	\$185,565.39	\$5,215,834.73	
2055	\$6.50	\$936,000.00	(\$692,003.31)	\$243,996.69	\$5,459,831.42	
2056	\$6.50	\$936,000.00	(\$705,843.37)	\$230,156.63	\$5,689,988.05	
2057	\$6.50	\$936,000.00	(\$719,960.24)	\$216,039.76	\$5,906,027.81	
2058	\$6.50	\$936,000.00	(\$734,359.44)	\$201,640.56	\$6,107,668.37	
2059	\$6.50	\$936,000.00	(\$749,046.63)	\$186,953.37	\$6,294,621.74	
2060	\$7.00	\$1,008,000.00	(\$764,027.57)	\$243,972.43	\$6,538,594.17	
2061	\$7.00	\$1,008,000.00	(\$779,308.12)	\$228,691.88	\$6,767,286.05	
2062	\$7.00	\$1,008,000.00	(\$794,894.28)	\$213,105.72	\$6,980,391.78	
2063	\$7.00	\$1,008,000.00	(\$810,792.16)	\$197,207.84	\$7,177,599.61	
2064	\$7.00	\$1,008,000.00	(\$827,008.01)	\$180,991.99	\$7,358,591.60	
2065	\$7.50	\$1,080,000.00	(\$843,548.17)	\$236,451.83	\$7,595,043.44	
2066	\$7.50	\$1,080,000.00	(\$860,419.13)	\$219,580.87	\$7,814,624.30	
2067	\$7.50	\$1,080,000.00	(\$877,627.51)	\$202,372.49	\$8,016,996.79	
2068	\$7.50	\$1,080,000.00	(\$895,180.06)	\$184,819.94	\$8,201,816.73	
2069	\$7.50	\$1,080,000.00	(\$913,083.67)	\$166,916.33	\$8,368,733.06	
2070	\$8.00	\$1,152,000.00	(\$931,345.34)	\$220,654.66	\$8,589,387.72	
2071	\$8.00	\$1,152,000.00	(\$949,972.25)	\$202,027.75	\$8,791,415.48	
2072	\$8.00	\$1,152,000.00	(\$968,971.69)	\$183,028.31	\$8,974,443.79	
2073	\$8.00	\$1,152,000.00	(\$988,351.12)	\$163,648.88	\$9,138,092.66	
2074	\$8.00	\$1,152,000.00	(\$1,008,118.15)	\$143,881.85	\$9,281,974.52	
2075	\$8.50	\$1,224,000.00	(\$1,028,280.51)	\$195,719.49	\$9,477,694.01	
2076	\$8.50	\$1,224,000.00	(\$1,048,846.12)	\$175,153.88	\$9,652,847.89	
2077	\$8.50	\$1,224,000.00	(\$1,069,823.04)	\$154,176.96	\$9,807,024.84	

2078	\$8.50	\$1,224,000.00	(\$1,091,219.50)	\$132,780.50	\$9,939,805.34	
2079	\$8.50	\$1,224,000.00	(\$1,113,043.89)	\$110,956.11	\$10,050,761.45	
2080	\$9.00	\$1,296,000.00	(\$1,135,304.77)	\$160,695.23	\$10,211,456.68	
2081	\$9.00	\$1,296,000.00	(\$1,158,010.87)	\$137,989.13	\$10,349,445.81	
2082	\$9.00	\$1,296,000.00	(\$1,181,171.08)	\$114,828.92	\$10,464,274.73	
2083	\$9.00	\$1,296,000.00	(\$1,204,794.51)	\$91,205.49	\$10,555,480.22	
2084	\$9.00	\$1,296,000.00	(\$1,228,890.40)	\$67,109.60	\$10,622,589.82	
2085	\$9.50	\$1,368,000.00	(\$1,253,468.20)	\$114,531.80	\$10,737,121.62	
2086	\$9.50	\$1,368,000.00	(\$1,278,537.57)	\$89,462.43	\$10,826,584.05	
2087	\$9.50	\$1,368,000.00	(\$1,304,108.32)	\$63,891.68	\$10,890,475.73	
2088	\$9.50	\$1,368,000.00	(\$1,330,190.49)	\$37,809.51	\$10,928,285.25	
2089	\$9.50	\$1,368,000.00	(\$1,356,794.30)	\$11,205.70	\$10,939,490.95	
2090	\$10.00	\$1,440,000.00	(\$1,383,930.18)	\$56,069.82	\$10,995,560.77	
2091	\$10.00	\$1,440,000.00	(\$1,411,608.78)	\$28,391.22	\$11,023,951.99	Fund Value Inflection Pt.
2092	\$10.00	\$1,440,000.00	(\$1,439,840.96)	\$159.04	\$11,024,111.03	
2093	\$10.00	\$1,440,000.00	(\$1,468,637.78)	(\$28,637.78)	\$10,995,473.25	
2094	\$10.00	\$1,440,000.00	(\$1,498,010.54)	(\$58,010.54)	\$10,937,462.71	
2095	\$10.50	\$1,512,000.00	(\$1,527,970.75)	(\$15,970.75)	\$10,921,491.97	
2096	\$10.50	\$1,512,000.00	(\$1,558,530.16)	(\$46,530.16)	\$10,874,961.81	
2097	\$10.50	\$1,512,000.00	(\$1,589,700.76)	(\$77,700.76)	\$10,797,261.04	
2098	\$10.50	\$1,512,000.00	(\$1,621,494.78)	(\$109,494.78)	\$10,687,766.26	
2099	\$10.50	\$1,512,000.00	(\$1,653,924.67)	(\$141,924.67)	\$10,545,841.59	
2100	\$11.00	\$1,584,000.00	(\$1,687,003.17)	(\$103,003.17)	\$10,442,838.42	
2101	\$11.00	\$1,584,000.00	(\$1,720,743.23)	(\$136,743.23)	\$10,306,095.19	
2102	\$11.00	\$1,584,000.00	(\$1,755,158.10)	(\$171,158.10)	\$10,134,937.09	
2103	\$11.00	\$1,584,000.00	(\$1,790,261.26)	(\$206,261.26)	\$9,928,675.84	
2104	\$11.00	\$1,584,000.00	(\$1,826,066.48)	(\$242,066.48)	\$9,686,609.35	
2105	\$11.50	\$1,656,000.00	(\$1,862,587.81)	(\$206,587.81)	\$9,480,021.54	
2106	\$11.50	\$1,656,000.00	(\$1,899,839.57)	(\$243,839.57)	\$9,236,181.97	
2107	\$11.50	\$1,656,000.00	(\$1,937,836.36)	(\$281,836.36)	\$8,954,345.61	
2108	\$11.50	\$1,656,000.00	(\$1,976,593.09)	(\$320,593.09)	\$8,633,752.52	
2109	\$11.50	\$1,656,000.00	(\$2,016,124.95)	(\$360,124.95)	\$8,273,627.57	
2110	\$12.00	\$1,728,000.00	(\$2,056,447.45)	(\$328,447.45)	\$7,945,180.12	
2111	\$12.00	\$1,728,000.00	(\$2,097,576.40)	(\$369,576.40)	\$7,575,603.73	
2112	\$12.00	\$1,728,000.00	(\$2,139,527.93)	(\$411,527.93)	\$7,164,075.80	
2113	\$12.00	\$1,728,000.00	(\$2,182,318.48)	(\$454,318.48)	\$6,709,757.32	
2114	\$12.00	\$1,728,000.00	(\$2,225,964.85)	(\$497,964.85)	\$6,211,792.46	
2115	\$12.50	\$1,800,000.00	(\$2,270,484.15)	(\$470,484.15)	\$5,741,308.31	
2116	\$12.50	\$1,800,000.00	(\$2,315,893.83)	(\$515,893.83)	\$5,225,414.48	
2117	\$12.50	\$1,800,000.00	(\$2,362,211.71)	(\$562,211.71)	\$4,663,202.77	
2118	\$12.50	\$1,800,000.00	(\$2,409,455.94)	(\$609,455.94)	\$4,053,746.82	
2119	\$12.50	\$1,800,000.00	(\$2,457,645.06)	(\$657,645.06)	\$3,396,101.76	
2120	\$13.00	\$1,872,000.00	(\$2,506,797.96)	(\$634,797.96)	\$2,761,303.80	
2121	\$13.00	\$1,872,000.00	(\$2,556,933.92)	(\$684,933.92)	\$2,076,369.87	End 1st Life Cycle

**City of Petersburg – Public Utilities
Sewer Later Repair Program**

Relevant City Code

Legal Text:

Sec. 114-178. - Maintenance or replacement of sewer laterals within street rights-of-way.

The city shall repair or replace all sanitary sewer laterals within the right-of-way limits of all public streets. If a lateral in need of repair or replacement was installed by the city or as a part of a subdivision, and a clean-out was installed, the entire cost of such replacement or repair shall be borne by the city. If a lateral was installed for a property owner, under an old ordinance, by a private plumbing contractor, the property owner shall pay the fee for a replacement lateral, whereupon the city shall replace or repair the lateral, install a clean-out and become responsible for future maintenance of the lateral. Where records of the city do not show city installation of the lateral, it shall be presumed that the lateral was installed for a property owner by a private plumbing contractor. (Code 1981, § 27-5)

Line-by-Line:

1. The city shall repair or replace all sanitary sewer laterals within the right-of-way limits of all public streets.
2. If a lateral in need of repair or replacement was installed by the city or as a part of a subdivision, and a clean-out was installed, the entire cost of such replacement or repair shall be borne by the city.
3. If a lateral was installed for a property owner, under an old ordinance, by a private plumbing contractor, the property owner shall pay the fee for a replacement lateral, whereupon the city shall replace or repair the lateral, install a clean-out and become responsible for future maintenance of the lateral.
4. Where records of the city do not show city installation of the lateral, it shall be presumed that the lateral was installed for a property owner by a private plumbing contractor.

Sec. 114-204. - Connection fees.

(f) *Connection.* The city shall connect a use or structure to the sewer system upon (i) payment of the fees pursuant to subsection (e); and (ii) completion of any final inspection by the public utilities division, except that the department director may authorize connection prior to completion of a final inspection for good cause shown. (Code 1981, § 27-29; Ord. No. 06-32, 3-21-2006; Ord. No. 08-93, § 3, 10-28-2008; Ord. No. 17-30, 7-11-2017)

Public Utilities has identified the following issues with the existing Code:

- A. Lines 2 and 3 of 114-178 contradict line 1, without being presented as exclusions.
- B. Line 2 of 114-178 precludes City maintenance responsibility in situations where the City did not – or was unable to – enforce standards.
- C. 114-178 does not account for varying standards over time. There is no evidence that public “City Cleanouts” have always been a standard.
- D. Line 4 is undermined by the age of the City’s Sewer System, the necessary age of those records, and the City’s/Department’s records retention policy.
- E. 114-204(f) implies that connected sewer laterals have been inspected, and thereby accepted, by the City.
- F. Building permit applications for reconstruction/redevelopment pose a conflict for the City. In most cases where an existing dwelling has been demolished, the owner/builder is told to connect to the existing utilities, at no cost, if the lines are acceptable. If the property does not have a City Cleanout, the City would not take ownership of the lateral, despite instructing the owner to connect.

Basis for Proposal

Public Utilities routinely receives customer service calls related to sewer backups at private residences. Mostly, the issue is located within the Right-of-Way (ROW) and consists of root intrusion, collapsed pipes, crushed pipes, or slipped joints. When the issue is within the ROW, field staff inform customers that without a “City Cleanout”, the entire repair responsibility belongs to the customer. This determination is made based on the text of City Code 114-178. The latter part of the relevant Code section relies on City installation records, which are generally nonexistent, inaccessible, or incomplete.

City repairs related to this issue are informally referred to as ‘sewer taps’, whereby City staff construct a new sewer lateral connection adjacent to the failed connection. This new connection includes a new 6” lateral within the ROW and terminates at the property line with a new “City Cleanout”. This work averages between \$3,000 and \$5,000 dollars and usually occurs only after a customer has spent considerable resources hiring a private plumber only to trace the problem to the portion of the lateral within the ROW.

Rightfully, most customers are taken aback at the cost. An unplanned \$3,000 - \$5,000 dollar expense is unaffordable for many of the City’s customers. There have been numerous instances where customers opt to continue the use of their sewer system while coordinating with the City – all the while discharging raw wastewater effluent to their yards and to the Street. In these situations, the local Health Department has ultimately directed the City to effect repairs without any guarantee for payment. Some of these situations have resulted in press coverage.

Extensive staff time is spent coordinating with customers, explaining the City Code, generating cost estimates, and escalating the matter through Administration and City Leadership. As customers coordinate payment or battle the validity of the charge, unsanitary conditions continue.

The portion of sewer lateral between the main and the property line, regardless of maintenance responsibility, is especially susceptible to unseen deterioration and lack of maintenance. The age of the City’s infrastructure guarantees an increased rate of failure as time progresses.

Uncertain Conditions

Currently, the “Sewer Tap” process does not have a formal procedure, written process, or outline. In this absence, staff must rely on a single City Code section and anecdotal information from long-time staff.

There is procedural ambiguity surrounding the City’s various annexations of Prince George County and Dinwiddie County. In areas that had existing infrastructure (including sewer laterals), it would be presumed that utilities would have been accepted by the City upon execution of the annexation. In other areas, the City embarked on extensive water and sewer infrastructure construction (reference the “F” series construction plans) in the early-to-mid 1970’s, specifically to bring public utilities to the unserved areas of the 1972 annexation. Most of these properties today do not possess a “City cleanout”; however, some of the construction plans show proposed laterals as part of the project.

Further confusion exists when reviewing City Code section 114-204.f, which indicates that “...The City shall connect a structure to the sewer system upon...completion of any final inspection by the public

utilities division...". This could be construed to mean that connected sewer laterals have been inspected, and thereby accepted, by the City.

Finally, a significant portion of the City's sewer system was constructed prior to modern standards. Public Utilities possesses three to four account ledgers dating to around 1914. These ledgers itemize the cost and location for sewer 'stems' (historical term for laterals) and include addresses and owners that paid the connection and construction fees. Current City staff have spot checked some addresses and not found clean outs, despite having records detailing payment and installation. This is indicative of a City Sewer connection that did not include a "City Cleanout."

Proposed Program

Utilities Staff recommend and propose the following Program related to sanitary sewer lateral maintenance and repair for all portions of laterals within City Rights-of-Way:

Upon approval of the Sewer Lateral Repair Program, the City shall accept the maintenance, repair, and replacement responsibility for all existing sanitary sewer laterals located within the City's public Right-Of-Ways and all future laterals within the ROW that are constructed from an approved plan and meeting accepted standards.

All properties within the City for which a Stormwater Fee is assessed shall pay a monthly Sewer Lateral Repair Fee in the amount of \$3.00. This monthly fee shall escalate by \$0.50 every five years beginning in 2025, by action of the City Council, unless otherwise modified by City Council.

Revenue originating from the SLRP fee shall be routed through a unique revenue account established by the Finance Department and shall generally represent a sinking fund, from which funds may only be used for qualifying purposes, enumerated below.

Qualifying Uses for SLRP Revenue shall include the following:

1. Operations and Maintenance costs associated with the maintenance, repair, and replacement of the portion of a sewer lateral located within the public Right-Of-Way. This will extend up to existing sewer cleanouts within reasonable proximity to the property line (generally no more than 3 feet), or that portion of private property necessary to install a proposed cleanout within reasonable proximity to the property line.
2. The installation of new City cleanouts at, or within reasonable proximity to, the property line to facilitate City maintenance. This shall apply where cleanouts do not currently exist or where existing cleanouts do not meet existing City standards.
3. Operational and administrative costs for a FOG (Fats, Oils, Grease) program. The FOG program will be aimed at minimizing the misuse of the wastewater system for disposal purposes.
4. Reimbursement for qualifying tap fees paid to the City by current customers or property owners between 2010 and the adoption date of the program. Reimbursement shall be subject to administrative procedures established by the Director of Public Works and the Chief Financial Officer.
5. When approved by the City Council, up to 50% of the existing SLRP Sinking Fund balance may be transferred to the Utilities CIP budget for use on approved wastewater projects, only

when the fund balance has had positive increases for the previous five consecutive fiscal years.

Beginning in the 3rd year of the Program, the City will accept and process reimbursement applications for qualifying tap fees that were paid to the City dating back to 2010, only by either current customers or homeowners. Qualifying tap fees includes those situations where a tap fee was assessed for the replacement of the failed sewer lateral within the public Right-of-Way. Qualifying Tap Fee reimbursements shall be submitted on a Department form and reviewed for administrative approval.

City Staff shall develop Standard Operating Procedures for the Sewer Lateral Repair Program, including standard construction details, forms, and other information necessary for executing the Program. Staff will inventory properties to determine where City Cleanouts are required. A work plan will be developed to address the necessary work.

If the Program is implemented, customers may assume that the City will provide coverage for private plumbing issues. Any public discussion of the program should include well-articulated literature, diagrams, and sketches indicating the extent of City maintenance responsibility.

Processes will be implemented to disincentivize abuse of City forces for standard plumbing issues.

When a customer initiates a lateral replacement request of their own volition, a standard application form must be attested to by a licensed plumber, contracted by the homeowner. A licensed plumber shall be an individual licensed by the Department of Professional and Occupational Regulation's (DPOR) Board for Contractors, holding a valid license as a Tradesman and holding a "Plumber" specialty.

The Plumber attestation shall be to the effect that any plumbing drainage issues have been determined to be the result of a lateral blockage or failure outside of the customer's property.

A service fee of \$30 per incident will be assessed when City staff respond to a service request where the sewer backup is subsequently determined to be the homeowner's maintenance responsibility.

Lateral replacements would continue on an as-needed basis, so staff will not experience a dramatic increase in work. Provisions of the proposed program should limit spurious requests for new sewer laterals.

Program Objective

The proposed program, while not a true Asset Management Program, should be considered a form of Lifecycle Management. The fee and escalation factor are designed to recuperate the increasing cost of lateral repair for an 80-100 year period, while maintaining positive fund reserves throughout.

Significant staff time, unsanitary conditions, and customer dissatisfaction are typical of each “sewer tap” transaction. By implementing the Program as proposed, the City can hope to achieve the following:

1. Streamline the sewer tap process to benefit both staff and customers.
2. Allow the sewer section of Utilities to move towards a proactive position as opposed to reactive.
3. Resolve unsanitary conditions in an expedited manner without waiting for a customer to pay for a sewer tap. No need to negotiate payment plans or go to the media.
4. Attenuate large, one-time sewer tap fees over the life-cycle of a lateral, to the benefit of the customers.
5. Generate a steady revenue stream, allowing for routine “City Cleanout” installation, lateral maintenance, and potentially funding larger wastewater projects.

Alternatives

The existence of any aging utility infrastructure (in this case, sewer laterals) poses a financial liability; the main question of this proposal is who should bear that financial responsibility and how it should be handled. While Utilities staff have drafted what is assumed to be a best-fit program, several options are available to the City as described below:

1. Proposed Program

Adopt the proposed Program as outlined in this document. Staff support this option.

2. Null Response

The City may opt not to take any action regarding a formal program and continue to use the existing business processes. Citizen-centric issues raised in this document will persist and the frequency will increase as infrastructure continues to age.

3. Existing Conditions with Code Clarification

The City could revise the relevant Code sections to eliminate ambiguity, without any revision to fees or blanket acceptance of laterals within the ROW. If this is done, the City Attorney should determine whether the City's Annexations have any impact on the status of a lateral or cleanout. A Public Hearing regarding the Code revision would allow for Public Comment and discussion.

4. Modify the Proposed Program with Optional Participation

The proposed program could be offered as an enrollment-based option. Or similarly as an opt-out option. Optional enrollment or opt-out scenarios would severely affect projected overall cashflow and the program may not be cost-neutral or revenue-positive. Without understanding customer perception of the program, reduced participation cannot be estimated, and the financial impact could be damaging.

5. Modify the Proposed Program with Payment-upon-Failure

Accept all laterals and enroll customers in a monthly repayment program at the time of infrastructure failure. This would eliminate upfront customers costs until they require the benefits of the program. The City would bear the upfront financial burden of repairs, severely impacting its financial position. Additional components of the program would not be funded.

6. Modify the Proposed Program with Zero (additional) Customer Cost

The City could accept all sewer laterals within the ROW for City maintenance without implementing any new fees. This would streamline the process but would have a serious negative financial impact on the Utility fund.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis

RE: **A Public Hearing for the potential renaming of Poplar Lane to Rev. R.A. Diggs Ln.**

PURPOSE: A Public Hearing for the potential renaming of Poplar Lane to Rev. R.A. Diggs Ln.

REASON: To change the name to Rev. R.A. Diggs Ln, per request.

RECOMMENDATION: Recommend Council adopt the attached Resolution.

BACKGROUND:

Reverend Diggs has served the community in the City of Petersburg for all of his life. The applicant felt it would be appropriate to honor him by renaming Poplar lane after the Reverend.

COST TO CITY: Paid for by Tabernacle Baptist Church

BUDGETED ITEM: N/A

REVENUE TO CITY: \$200 Administrative Fee

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES:

Public Works/Utilities,
 Fire,
 Planning,
 Post Office,
 CPDC

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

Code 1981, § 2-11; Ord. No. 14-24, 4-15-2014

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Policy and Application
2. Rev. R.A. Diggs Lane, Council Resolution

Petersburg Public Work and Utilities Policy	EFFECTIVE DATE April 2, 2014	REVIEW DATE
SUBJECT Street Name Change Policy	SPECIAL REMARKS <input checked="" type="checkbox"/> New Order <input type="checkbox"/> Amends <input type="checkbox"/> Replaces 85-1	
REFERENCES:		
_____ Director of Public Works and Public Utilities		

PURPOSE

This document sets forth the policy about citizens' request to change the name of public and private streets in the City. The purpose of this policy is to provide a standardized and expedient method of obtaining name changes for existing streets and roadways within the City of Petersburg. All costs associated with such requests are to be borne by the citizen making the request. Because street name changes affect people and inconvenience them, street name changes may only be approved by City Council. The Department of Public Works and Public Utilities reserves the right to modify or update these policies at any time.

POLICY

1) A citizen, hereinafter referred to as the "petitioner", files a request with the Director of Public Works (or his designee) requesting the street name change. Request shall include the following:

- A petition that includes the current street name, the proposed street name, a contact name and number (address, phone number and email address if available), reason for the change and statement that the petitioner agrees to pay all costs associated with the request, including the cost of new street sign(s). (PETITION ATTACHED FOR COMPLETION ALONG WITH CHECKLIST)
- An Administrative Fee of **\$200.00** (two hundred dollars) to cover review, advertising, etc. (This fee shall not be waived – **no exceptions**)...when due?
- A map showing the location of the street.
- A listing of property owner's affected by the proposed street name and their addresses. Affected property owners include owners of all properties that abut the street in question whether containing an occupied dwelling or not.

2) The Director of Public Works (or his designee) reviews the package for completeness and confirms accuracy of listing of the names and addresses of property owners affected by the proposed street name change. The Director of Public Works (or his designee) also determines if the proposed street name meets the following criteria:

- is not a duplicate
- no directions in the name
- no change of arterial or collector streets, only changes to local streets may be recommended
- is not offensive (to include vulgarity, crudeness or other unacceptable language)

- no public safety implications
 - no way-finding complications (broken street name segments)
 - is designated with a suffix (Drive, Court, etc.) according to the type of roadway based on the City's Street Naming classification
 - no more than 18 characters including spaces
- 3) If the Director of Public Works (or his designee) determines that the street name request can proceed, a letter will be prepared to the affected property owners. The letter must contain the following:
- current street name
 - proposed street name
 - check box indicating whether or not the property owner agrees to the street name change
 - date on which property owners must respond
 - name and phone number in case there are questions

See attached form letter

- 4) The request to change the name must be approved by one hundred (100%) of all affected property owners prior to forwarding to City Council for final approval unless the request is due to a duplicate street name. If denied, the Director of Public Works (or his designee) will prepare a letter to the petitioner with reasons why the request is denied and a refund of one half (1/2) of the original amount will be accompanied.
- 5) If one hundred percent (100%) of the property owners concur with the request, the request will be forwarded to City Council for final consideration. If approved by City Council, the street name change will not be effective for sixty (60) days so that sign costs can be paid by the petitioner and the signs can be fabricated and posted. A letter is sent to the petitioner informing him/her of the results and costs for making and installing the new street sign. The new street sign will not be made nor installed until the City receives full payment from the petitioner. Once the required payments are made by the petitioner, the Director of Public Works will send a memorandum to the Street Operations Division verifying receipt of the required payment and to fabricate and post the street sign. ***
- 6) The petitioner(s) has six (6) months from the date of approval by City Council to provide the full payment of the sign fabrication and installation. If the six (6) months elapse, the permit will no longer be valid and a new application request must be submitted. No refunds will be given for failure to meet the six (6) months deadline.
- 7) The Director of Public Works (or his designee) notifies all affected property owners, City Departments and agencies, the Post Office, all utility companies and all applicable entities of the street name change and effective date. A notice will be placed in the local newspaper and on the City Website to make Petersburg city residents aware of the change.

DEFINITIONS (STREETS)

STREET

A public right-of-way which offers a primary means of vehicular access to properties, or provides for through traffic, whether designated as a highway, parkway, turnpike, street, avenue, road, boulevard, thoroughway, land, place or any other thoroughfare. A street shall be deemed the total length and width of the strip of land dedicated or designed for public travel, including such improvements as may be required.

STREET, ARTERIAL, MAJOR

A thoroughfare which carries the major portion of traffic entering and leaving the urban, suburban and rural areas such as between the central business districts and outlying residential areas, between major inner city communities or between major suburban centers.

STREET, ARTERIAL, MINOR

A thoroughfare which connects with and augments the major arterial street system and provides service for traffic of moderate trip length at a somewhat lower level of service.

STREET, COLLECTOR, MAJOR

A street, or system of streets, that distributes traffic from the arterials through the area to the ultimate destination which may be a local or minor collector street. The major collector also collects traffic from local and minor collector streets in the neighborhood and channels such traffic into the arterial systems.

STREET, COLLECTOR, MINOR

The principal entrance street or a residential development and the principal circulating street within a development.

STREET, LOCAL

A street of limited continuity used primarily for access to & butting properties and serving local needs of a neighborhood.

Sec. 98-51. - City street and city building names, changes thereto.

- (a) In order to further the public health, safety and welfare, the city council shall name new city streets and new city buildings, and existing city streets and city buildings that have not been previously named. The city council may, whenever it deems advisable, change the name of city streets and city buildings. Prior to the naming or renaming of a street, the proposed name shall be forwarded to the appropriate regional authority to avoid duplication of street names within the region.
- (b) In determining the names of city streets and city buildings, consideration shall be given to local citizens who have made positive contributions to the city.
- (c) Reserved.
- (d) Any citizen (hereinafter "petitioner") interested in renaming streets within the City of Petersburg must file a request with the director of public works, or his/her agent, which shall include:
- (1) The current street name, the proposed street name, a contact name and number (address, phone number and email address if available), reason for the change;
 - (2) Statement that the petitioner agrees to pay all costs associated with the request, including the cost of new street sign(s);
 - (3) An administrative fee of \$200.00, due upon completion and submission of the application (this fee shall not be waived);
 - (4) A map showing the location of the street; and
 - (5) A listing of property owner's affected by the proposed street name and their addresses. Affected property owners include owners of all properties that abut the street in question whether containing an occupied dwelling or not.
- (e) The request for a name change must be approved by 100 percent of all affected property owners.
- (f) If the name change has 100 percent approval, the request will then go before city council for a public hearing.
- (g) Upon approval by city council, the street name change will not be effective for 60 days so that sign costs can be paid by the petitioner and the signs can be fabricated and posted. Petitioner has no more than six months from the date of council approval to provide full payment.

- (h) If the six months elapse, the permit will no longer be valid and a new application request must be submitted. No refunds will be given for failure to meet the six-month deadline.
- (i) The director of public works, or his/her agent, shall notify all affected property owners, and all applicable entities, to include city departments, the post office, and utility companies, of the street name change and effective date. A notice will be placed in the local newspaper and on the city website to make city residents aware of the change.
- (j) Failure of the director of public works to notify all entities and owners shall not void city council approval.
- (k) The street names established under this section shall take precedence over any other designation except those primary highways conforming to Code of Virginia, § 33.1-12, and shall be employed in references to property abutting thereon.

(Code 1981, § 2-11; Ord. No. 14-24, 4-15-2014)

State Law reference— Similar provisions, Code of Virginia § 15.2-2019.



CITY OF PETERSBURG

DEPARTMENT OF PUBLIC WORKS AND PUBLIC UTILITIES

103 WEST TABB STREET, PETERSBURG, VIRGINIA 23803

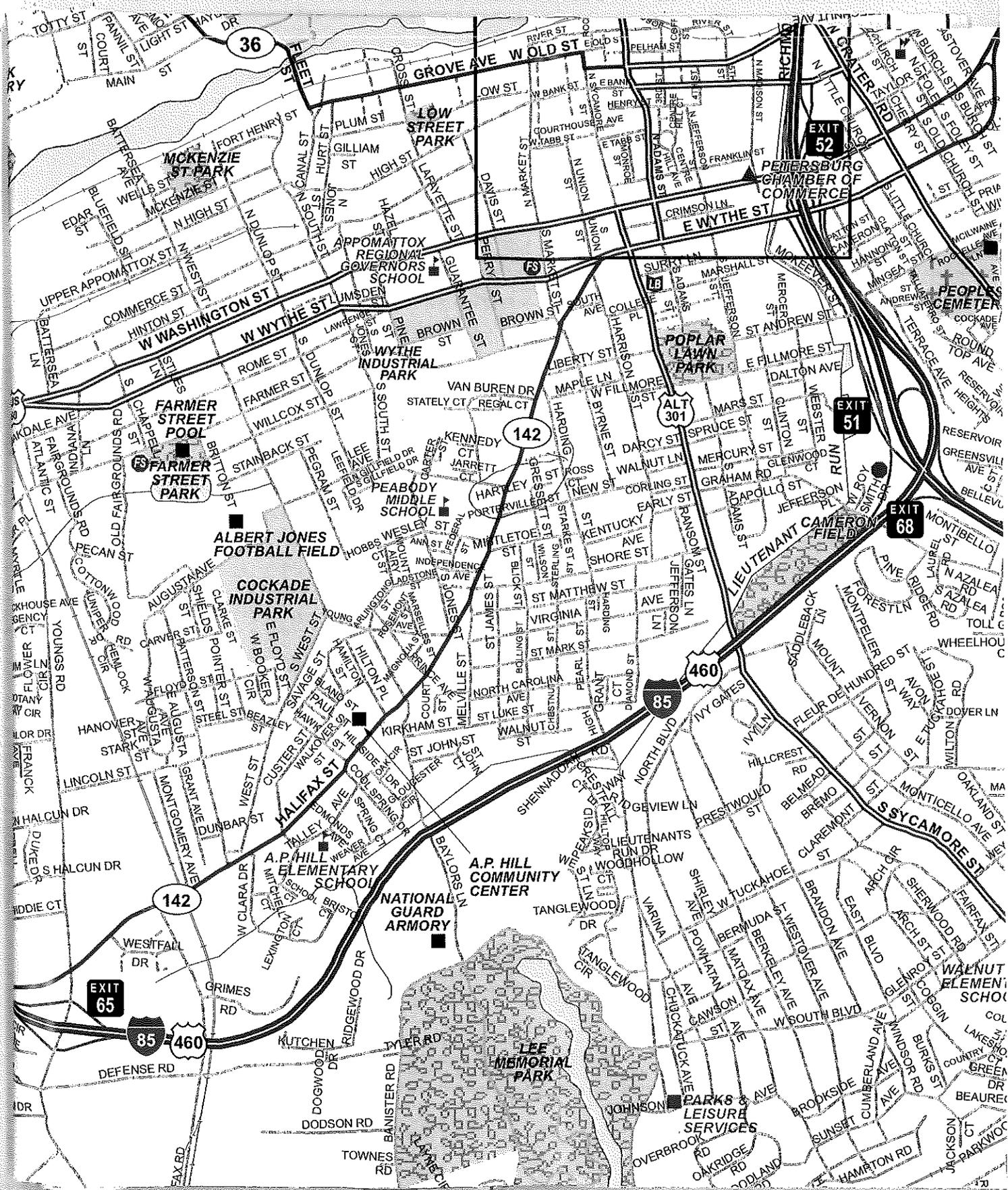
PHONE (804) 733-2353 FAX (804) 732-2030

PETITION TO CHANGE STREET NAME

(Please type or print neatly)

1. **Petitioner(s) Name:** Zilphia Harris
Petitioner(s) Address: 418 Halifax St.
Daytime Phone: 804-733-6541 / 536-6122
Fax Number: 804-733-6860
Email Address: 444halifaxcle@gmail.com
2. **Current Street Name and Route Number (if applicable):**
Poplar Lane
3. **Proposed Street Name:**
REV. R.A. Diggs ~~Way~~ Lane Ln
4. **Please describe the reason(s) why you are seeking the street name change:**
Because of the Community work
would like to honor Rev. Robert
A. Diggs, Sr.

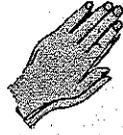
this is a Lane with no homes on the Lane.



Poplar Lane

THIS DOCUMENT IS PRINTED ON TONER ADHESION PAPER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES AND ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW



TABERNAACLE BAPTIST CHURCH
A CONCERNED CHURCH FOR ALL PEOPLE
418 HALIFAX STREET
PETERSBURG, VA 23803
(804) 733-6541

TOWNE BANK
800 EAST CANAL STREET
RICHMOND, VA 23219
68-8941514

5899

PAY
TO THE
ORDER OF

Department Of Public Works & Public Utilities

Two Hundred and 00/100

\$ 200.00

DOLLARS

DATE

5/5/2021

VOID AFTER 60 DAYS



MEMO

street sign

⑈005899⑈ ⑆051408949⑆0284009644⑈

HEAT SENSITIVE RED IMAGE DISAPPEARS WITH HEAT

**A RESOLUTION TO RENAME POPLAR LANE
TO REV. R.A. DIGGS LN**

WHEREAS, pursuant to §98-51 of the Petersburg City Code, Council for the City of Petersburg, Virginia desires to rename Poplar Lane to Rev. R.A. Diggs Ln; and

WHEREAS, the City of Petersburg’s Department of Public Works and Utilities has determined that the adjacent property owners are the applicant, Tabernacle Baptist Church, and the City of Petersburg; and

WHEREAS, no other property owners are on this lane; and

WHEREAS, to avoid duplication, the proposed name change was submitted to the Crater Planning District Commission (CPDC) which found the name Rev. R.A. Diggs Ln does not exist elsewhere in south central Virginia; and

WHEREAS, the new name Rev. R.A. Diggs Ln will honor Reverend R.A. Diggs who served the community for all his life.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Petersburg, Virginia that the Poplar Lane is hereby renamed to Rev. R.A. Diggs Ln.

Samuel Parham, Mayor

ATTEST:

Nykesha D. Jackson, Clerk of Council

Adopted by the Council of Petersburg, Virginia, this ___ day of _____, 2021.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Jeremy Tennant, Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance to amend the text of the City's Zoning Ordinance regarding the Chesapeake Bay Preservation Act.**

PURPOSE: A Public Hearing and consideration of an ordinance amending the City's Zoning Ordinance to include language regarding the Chesapeake Bay Preservation Act.

REASON: To hold a Public Hearing and consider an ordinance amending the City's Zoning Ordinance as required by the City's Code and procedures.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and approves an Ordinance amending the text of the City's Zoning Ordinance regarding the Chesapeake Bay Preservation Act.

BACKGROUND: The City's Zoning Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act. Such provisions are required by the Commonwealth of Virginia.

The Planning Commission considered the provisions during the June 2, 2021 Planning Commission meeting and approved a resolution recommending approval by the City Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Environmental Quality.

AFFECTED AGENCIES: Public Works, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City of Petersburg Zoning

Ordinance.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0601_2021ZoningOrdinanceAmendment
2. 0601_2021ZoningOrdinanceAmendmentOrdinance
3. 0601_2021ZoningOrdinanceAmendmentResolution

Proposed City of Petersburg Zoning Ordinance Amendment
Chesapeake Bay Preservation Areas

Art. 31, § 3

APPENDIX A-ZONING

Art. 32, § 1

- (1) All persons, firms or corporations applying for an amendment to the zoning ordinance, or a change in the classification of the district or a portion thereof, necessitating the publication of notices in the newspaper, shall be required to pay, in advance, two hundred dollars (\$200.00) for expenses relative thereto.
- (2) The payment of such money in advance to the city clerk shall be deemed a condition precedent to the consideration of such appeal, special permit or amendment. (Ord. No. 85-105, §§II, ill, 10-1-85)

ARTICLE 32. INTERPRETATION, PURPOSE
AND CONFLICT

Section 1. [Ordinance to be minimum requirements; error or omission in zoning map.]

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this ordinance to interfere with, or abrogate or annul, any easements, covenants, or other agreement between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings or requires larger open spaces than are imposed or required by other ordinances, rules or regulations, or by easements, covenants, or agreements, the provisions of this ordinance shall govern. If, because of error or omission in the zoning district map, any property in the City of Petersburg is not shown as being a zoning district, the classification of such property shall be classified "R-1" Single- Family Residence District, until changed by amendment.

Section 2. Chesapeake Bay Preservation Areas

In any case where a parcel of land has been designated as a Chesapeake Bay Preservation Area as defined in the City of Petersburg Code of Ordinances Section 122-31 of Chapter 122. Waterways, as either a resource protection area or a resource management area, then the City of Petersburg Code of Ordinances Chapter 122 Article II. Chesapeake Bay Preservation Areas will apply, in addition to the requirements of this ordinance.

Supp. No. 5

An Ordinance Amending the text of the City of Petersburg Zoning Ordinance to add provisions pertaining to the Chesapeake Bay Act

WHEREAS, the City's Zoning Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act; and

WHEREAS, such provisions are required by the Commonwealth of Virginia.

WHEREAS, the City of Petersburg Planning Commission will consider the provisions during the June 2, 2021 Planning Commission meeting and provide a recommendation to the City Council.

NOW THEREFORE BE IT ORDINAINED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG THAT:

The text amendments to the City of Petersburg Zoning Ordinance pertaining to the Chesapeake Bay Act are approved.

A Resolution Recommending Approval of an Amendment to the text of the City of Petersburg Zoning Ordinance to add provisions pertaining to the Chesapeake Bay Act

WHEREAS, the City's Zoning Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act; and

WHEREAS, such provisions are required by the Commonwealth of Virginia.

WHEREAS, the City of Petersburg Planning Commission will consider the provisions during the June 2, 2021 Planning Commission meeting and provide a recommendation to the City Council.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETERSBURG THAT:

The text amendments to the City of Petersburg Zoning Ordinance pertaining to the Chesapeake Bay Act are recommended for approval by the City Council.

This Resolution was approved unanimously by the Planning Commission June 2, 2021.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Jeremy Tennant, Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance to amend the text of the City's Subdivision Ordinance regarding the Chesapeake Bay Preservation Act.**

PURPOSE:

A Public Hearing and consideration of an Ordinance amending the City's Subdivision Ordinance to include language regarding the Chesapeake Bay Preservation Act.

REASON: To hold a Public Hearing and consider an Ordinance amending the City's Subdivision Ordinance as required by the City's Code and procedures.

RECOMMENDATION:

It is recommended that the City Council holds a Public Hearing and approves an Ordinance amending the text of the City's Subdivision Ordinance regarding the Chesapeake Bay Preservation Act.

BACKGROUND:

The City's Subdivision Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act. Such provisions are required by the Commonwealth of Virginia.

The Planning Commission considered the provisions during the June 2, 2021 Planning Commission meeting and approved a resolution recommending approval by the City Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Environmental

Quality.

AFFECTED AGENCIES: Public Works, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City of Petersburg Subdivision Ordinance.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0601_2021SubdivisionOrdinanceAmendment
2. 0601_2021SubdivisionOrdinanceAmendmentOrdinance
3. 0601_2021SubdivisionOrdinanceAmendmentResolution

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

ARTICLE II. PLATS

Sec. 33-19. Conference prior to application for plat approval.

Before filing application for approval of a plat under this article, the subdivider is required to confer with the planning director and such other department heads as the director deems necessary. Such action does not require formal application, fees, or filing of a plat and is not to be construed as application for approval of a plat in computing time limitations in relation thereto. (Code 1964, § 39-9)

Sec. 33-20. Plat review fees.

At the time preliminary plats are presented under this article, a fee of twenty-five dollars (\$25.00) per plat shall be paid. In addition, a fee of two dollars (\$2.00) per lot, exclusive of the original parcel, shall be paid at the time of submission, for examination and approval, of final sub-division plats. Such fee shall be payable to the treasurer of the city. (Code 1964, § .39-2)

State law reference-Authority to impose fees or charges for review of plats and plans, Code of Virginia, § 15.1-466(i).

Sec. 33-21. Preparation and contents of preliminary plat.

Each subdivider shall cause to be prepared a preliminary plat of the subdivision. The preliminary plat shall be at a scale of not less than one-inch equals one hundred (100) feet and may be of one or more sheets as necessary. The plat shall include the following:

- (1) Name of subdivision (not duplicating the name of an existing subdivision), names and addresses of owners of record, the subdivider and the person or firm responsible for preparation of the preliminary plat, date of drawing, date of revisions, number of sheets, north point and scale.
- (2) A boundary survey or survey of record, including map book and page reference, locating and identifying adjacent or abutting streets (existing or platted), subdivisions, unsubdivided parcels, easements, water areas and all visible monuments.
- (3) Location and identification of existing features and improvements within the tract, including streets, structures, water areas by type (including areas in marsh or subject to frequent inundation), wooded areas, easements, installed utilities and other important details. Information on soil and subsoil conditions shall be provided in the form and manner indicated in the specifications of the department of public

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

works. Plats of tracts abutting on or containing natural or artificial bodies of water shall show the top of banks and toe of slope.

- (4) Location and identification of proposed uses within the tract.
- (5) Location, identifications, grades and widths of proposed streets, alleys and easements.
- (6) Location of proposed water mains, sanitary sewer and storm sewers and catch basins, with indication of proposals for disposal of surrounding drainage, if other than, or in addition to, storm drains.
- (7) Lot lines, with dimensions and areas in square feet. Where sewerage is to be by septic tanks or similar devices, percolation test results will be required for each lot or selected lots at locations as indicated by the state health department.
- (8) Location, dimensions and areas in square feet of all parcels proposed to be dedicated or reserved for public use or common use by occupants of the subdivision, with conditions or restrictions, if any, of such dedication or reservation.
- (9) Location of proposed streetlights and their easements. Such easements, where possible, shall be along lot lines.
- (10) Private restrictions, if any, proposed to be included in deeds.
- (11) Topographic map of suitable scale and contour interval, not exceeding five (5) foot intervals, based on U.S. Coast & Geodetic Survey datum. (Code 1964, §§ 39-10, 39-13)
- (12) ***The location of all wetlands, and boundaries of resource protection and resource management areas in accordance with Chapter 122, Article 122-31II, et seq. of the City Code.***
- (13) ***Ownership of contiguous land owned or controlled by the subdivider.***
- (14) ***Soil categories.***
- (15) ***Underlying zoning.***
- (16) ***Notation of requirement of pump-out of on-site sewage treatment systems in Chesapeake Bay Preservation Areas every five years.***

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

- (17) *Notation of requirement for 100% reserve drain field site for on-site sewage treatment systems in Chesapeake Bay Preservation Areas.***
- (18) *Notation of requirement for retention of an undisturbed and vegetated 100-foot-wide buffer area in the Resource Protection Area.***
- (19) *Notation of the permissibility of only water dependent facilities or redevelopment in the Resource Protection Area.***

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

Sec. 33-24. Preparation and contents of final plat.

The final subdivision plat shall be prepared by a certified professional engineer or certified land surveyor in ink on an approved durable tracing medium at a scale of one-inch equals one hundred (100) feet, unless a different scale is approved by general rule for classes of cases or by the director of Public Works in a particular case. All original tracings shall be sixteen (16) inches by twenty-four (24) inches, including a margin of one-half inch outside ruled border lines at the bottom and right sides and one and one-half (1 1/2) inches for binding on the left sixteen (16) inch end and at the top of the sheet. When more than one sheet is required, all sheets shall be numbered and of the same size, with match marks to guide preparation of composite maps, and an index map on the sheet of the same size as the sectional maps shall be filed, which shall show, among other things, sectional map numbers, all lot and block numbers and street names. In addition, a small-scale location map showing the property shall be required. The final plat shall show the following data and shall be completed and processed as indicated:

- (1) The subdivision name, the date the plat was prepared, graphic scale and north arrow.
- (2) A certificate endorsed by a certified professional engineer or certified land surveyor indicating the source of title of the owner of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source, outlines of the several tracts shall be indicated on the plat. The certificate shall further state that the subdivision is entirely within lands owned by the subdivider and that monuments shown on the plat have been put in place and that their location and character are correctly shown.
- (3) Protective covenants in form for recording.
- (4) Each plat or deed of dedication to which the plat is attached shall contain a statement as follows: "The platting or dedication of the following described land (here insert correct description of the land subdivided) is with the free consent and in accordance with the desire of the undersigned (indicate owners, proprietors and trustees, if any)" This statement shall be signed by such person and acknowledged before an Officer authorized to take acknowledgments of deeds. When thus executed and acknowledged, said plat, upon final approval and in accord with other provisions specified herein, shall be filed and recorded in the Office of the Clerk of the Circuit Court of the City.
- (5) On the face of the plat, a place shall be prepared to receive the signature, with date, of the Director of Public Works, the Chairman of the Planning Commission and the Director of Traffic and Planning, which signatures, when affixed, shall indicate

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

approval of the plat. In the event of private water or sewer, a place shall be provided for the signature of the Health Director. (All required signatures shall be in a durable ink.)

- (6) All linear and angular dimensions for locating boundaries of the subdivision, Jots, streets, alleys and public and private easements. Linear dimensions shall be expressed in feet and hundredths of a foot. Angular measurements shall be expressed by bearings. All curve data shall be expressed by a curve table on the face of the plat, each curve being tabulated and numbered to correspond with the respective numbered curves shown throughout the plat. Dimensions, both linear and angular, shall be determined by an accurate control survey in the field which shall be checked for closure and must balance and close within 1 to 10,000. Plan and profile sheets shall be provided on all new streets and underground utilities, as required by specifications of the department of public works, as approved by the council of the city. The director of public works may require such office and field checks as necessary to assure the accuracy of the plat.
- (7) Description and location of all monuments.
- (8) The boundary of the property being subdivided, names of all proposed streets and boundaries of all property within the subdivision intended to be dedicated to public use. In re-subdivisions of existing recorded Jots, existing lot lines shall be shown by dotted lines and re-subdivisions by full lines. The map book and page number of property being re-subdivided shall be specified.
- (9) Exact lengths and bearings of boundary lines of blocks, public grounds, streets and alleys and existing locations of all easements.
- (10) Exact widths of all easements, streets and alleys.
- (11) Angles of departure of adjoining property, street and alley lines, with names of abutting recorded subdivisions. Unsubdivided abutting acreage property shall be designated by the names of owners with deed book references.
- (12) Width and names of abutting or adjoining roads, streets and alleys.
- (13) A definite bearing and distance tie shall be shown between not less than two (2) permanent boundaries on the exterior boundary of the subdivision and to existing street intersections, where possible and reasonably convenient.

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

- (14) Exact length and bearing of all lot lines, provided that where lines in any rectangular tier of lots are parallel, it shall be sufficient to mark the bearings of the outer lines thereof.
- (15) Designating symbols for all lots and blocks. If the finished plat consists of one section of a proposed larger subdivision, then the block numbers shall run consecutively throughout the several sections of the entire subdivision and each section shall be designated by letter. All lots in each block shall be consecutively numbered.
- (16) All plats of property abutting on or containing any natural or artificial bodies of water shall show the top of the bank and the toe of the slope, and where such lines are intersected by lot or block lines, measurements locating such intersections shall be given along such lot or block lines.
- (17) All subdivision plans shall show, in writing, the proposals of the developer for the provision of erosion and sediment control during the construction period.* Such proposals shall be reviewed by the director of public works, with his written comments made available for review by the planning commission prior to plat approval. (Code 1964, § 39-15)
- (18) ***All conditional zoning proffers, special exception conditions, or board of zoning appeals actions applicable to the site.***
- (19) ***RPAs and RMAs shall be shown on final plat.***
- (20) ***Approved on-site sewage sites, if required. If not shown on the final plat, these sites shall be shown on the engineering plan.***
- (21) ***Notation of requirement of pump-out of on-site sewage treatment systems in Chesapeake Bay Preservation Areas every five years.***
- (22) ***Notation of requirement for 100% reserve drainfield site for on-site sewage treatment systems in Chesapeake Bay Preservation Areas.***
- (23) ***Notation of requirement for retention of an undisturbed and vegetated 100-foot wide buffer area in the Resource Protection Area.***
- (24) ***Notation of the permissibility of only water dependent facilities or redevelopment in the Resource Protection Area.***

Proposed City of Petersburg Subdivision Ordinance Amendment
Chesapeake Bay Preservation Areas

Sec. 33.85. Land must be suitable.

In addition to the requirements established by this ordinance, all subdivision plats shall comply with the City Zoning Ordinance; all applicable ordinances of the City Code, as amended; the rules and regulations of the Virginia Department of Transportation; and any other applicable federal, state, or local requirement.

Sec. 33-86. - Wetlands and Chesapeake Bay resource protection areas.

Each plat submitted shall delineate wetlands or Chesapeake Bay resource protection areas (RPAs) and resource management areas (RMAs). Each lot to be created will contain sufficient land if it is one acre or less in size to meet the minimum lot size required by the City zoning ordinance, without inclusion of the wetlands or Chesapeake Bay resource protection area (RPA). On acreage divisions an area at least one contiguous acre in size unaffected by wetlands or RPA will be included in each parcel.

Sec. 33-87. – Wetland permits required.

(a) Evidence of all wetlands permits required by law must be submitted prior to grading or other onsite activities may begin within the RPA or RMA.

(b) Where either a wetland or Chesapeake Bay resource protection area (RPA) is to be crossed by a roadway, a permit from the U.S. Army Corps of Engineers will be required as well as detailed construction drawings indicating the method of construction to be used in these areas in order to protect these sensitive environmental areas.

Sec. 33-88. – Subdivision Plat Requirements.

Preliminary and Final subdivision plats for parcels containing a designated resource protection area shall include the following notations:

(1) an undisturbed and vegetated 100-foot-wide buffer area is required to be retained.

(2) permitted development in the RPA, including the 100-foot buffer area, is limited to water dependent facilities or redevelopment.

(3) on-site sewage treatment systems must be pumped or inspected every 5 years.

(4) parcels served by on-site sewage treatment systems must have 100% reserve drain field sites depicted or there must be a notation indicating that one is required.

(5) buildable areas on each lot must be depicted.

An Ordinance Amending the text of the City of Petersburg Subdivision Ordinance to add provisions pertaining to the Chesapeake Bay Act

WHEREAS, the City's Subdivision Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act; and

WHEREAS, such provisions are required by the Commonwealth of Virginia.

WHEREAS, the City of Petersburg Planning Commission will consider the provisions during the June 2, 2021 Planning Commission meeting and provide a recommendation to the City Council.

NOW THEREFORE BE IT ORDINAINED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG THAT:

The text amendments to the City of Petersburg Subdivision Ordinance pertaining to the Chesapeake Bay Act are approved.

A Resolution Recommending Approval of an Amendment to the text of the City of Petersburg Subdivision Ordinance to add provisions pertaining to the Chesapeake Bay Act

WHEREAS, the City's Subdivision Ordinance currently does not include provisions regarding the Chesapeake Bay Preservation Act; and

WHEREAS, such provisions are required by the Commonwealth of Virginia.

WHEREAS, the City of Petersburg Planning Commission will consider the provisions during the June 2, 2021 Planning Commission meeting and provide a recommendation to the City Council.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETERSBURG THAT:

The text amendments to the City of Petersburg Subdivision Ordinance pertaining to the Chesapeake Bay Act are recommended for approval by the City Council.

This Resolution was approved unanimously by the Planning Commission June 2, 2021.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance amending the allocation of Community Development Block Grant Corona Virus (CDBG-CV) Funding, as approved and appropriated for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.**

PURPOSE: A Public Hearing and consideration of an Ordinance amending the allocation of Community Development Block Grant Corona Virus (CDBG-CV) Funding.

REASON: To hold a Public Hearing and consider an Ordinance in accordance with applicable procedures and laws.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and approves an Ordinance amending the allocation of Community Development Block Grant Corona Virus (CDBG-CV) Funding, as approved and appropriated for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.

BACKGROUND: The U.S. Department of Housing and Urban Development (HUD) approved funding to the City to address impacts of the Corona Virus, and CDBG-CV.

The City Council of the City of Petersburg adopted 20-Ord-29, on June 16, 2020, making appropriations for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021 for the Community Development Block Grant (CDBG) fund.

The total amount awarded and appropriated was \$371,969, and the HUD Funding Approval/Agreement was executed July 17, 2020.

The City Council of the City of Petersburg considered a proposed allocation of the funding when the Ordinance was adopted and the identified funding needs have caused a need to amend the allocation of the funding.

This is an Ordinance amending the allocation of the CDBG-CV funding.

COST TO CITY: N/A

BUDGETED ITEM: Yes

REVENUE TO CITY: Previously appropriated \$371,969

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: U.S. Department of Housing and Urban Development (HUD)

AFFECTED AGENCIES: Budget and Procurement, Finance, Community Affairs, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 20-Ord-29

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0616_2020_20ORD29_CDBG_CV_Appropriation
2. 0601_2021OrdinanceAllocationAmendmentCDBG_CV

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

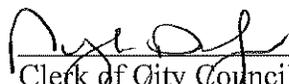
I. That appropriations for the fiscal year commencing July 1, 2019, in the Community Development Block Grant Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2020.

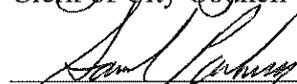
Previously adopted	\$1,391,071.00
ADD:	
3-213-33010-0000 Categorical Aid-Federal	<u>371,969.00</u>
Total Revenues	<u>\$1,763,040.00</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2019 and ending June 30, 2020, the following sums for the purposes mentioned:

Previously adopted	\$ 1,391,071.00
ADD:	
4-213-81200-3190-0-40 CDBG-CVI	<u>371,969.00</u>
Total Expenses	<u>\$1,763,040.00</u>

Ordinance 20-ORD-29
adopted by the City of Petersburg Council
of the City of Petersburg on:
06/16/2020


Clerk of City Council


Mayor

AN ORDINANCE AMENDING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT CORONA VIRUS (CDBG-CV) FUNDING, AS APPROVED AND APPROPRIATED FOR THE FISCAL YEAR COMMENCING JULY 1, 2020 AND ENDING JUNE 30, 2021 FOR THE FUND

WHEREAS, the City Council of the City of Petersburg adopted 20-Ord-29, on June 16, 2020, making appropriations for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021 for the Community Development Block Grant (CDBG) fund; and

WHEREAS, the funding was additional funding awarded by the U.S. Department of Housing and Urban Development (HUD) to the City to address impacts of the Corona Virus, and CDBG-CV; and

WHEREAS, the total amount awarded and appropriated was \$371,969; and

WHEREAS, the HUD Funding Approval/Agreement was executed July 17, 2020; and

WHEREAS, the City Council of the City of Petersburg considered a proposed allocation of the funding when the Ordinance was adopted; and

WHEREAS, the identified funding needs have caused a need to amend the allocation of the funding in accordance with Exhibit A.

NOW THEREFORE BE IT ORDINAINED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG THAT:

The amended allocation of CDBG-CV funding is approved.

EXHIBIT A

PROJECT BUDGET:	APPROVED	REVISED
PUBLIC SERVICES		
TESTING		
CONTACT TRACING		\$288,335
INFORMATIONAL DISTRIBUTION		\$67,634
ALTERNATIVE CARE HOUSING		
PPE DISTRUBUTION		
SUBTOTAL	\$135,969	\$355,969
BUSINESS & SPECIAL ECON DEVELOPMENT ASST		
OUTDOOR DINING & TAKE OUT ACCOMMODATIONS		
PUBLIC SANITIZATION & PPE- DISTRIBUTION AND SITES		
DIRECT ASSISTANCE TO BUSINESSES		\$16,000
SUBTOTAL	\$125,000	\$16,000
PUBLIC FACILITES IMPROVEMENT		
TEST SITE IMPROVEMENT		
ALTERNATIVE CARE HOUSING IMPROVEMENT		
SUBTOTAL	\$41,000	\$0
PLANNING AND CAPACITY BUILDING		
ADMINISTRATIVE ASSISTANT-TEMP		
PROJECT MONITORING AND CONSULTING		
SUBTOTAL	\$70,000	\$0
TOTAL	\$371,969	\$371,969



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: **A public hearing and consideration of an ordinance to authorize the release of funds from the Petersburg Public Library Endowment Fund by the City of Petersburg.**

PURPOSE: Approve an ordinance to authorize the release of funds from the Petersburg Public Library Endowment Fund by the City of Petersburg.

REASON: To consent to the transfer of the Fund balance to the McKenney Foundation.

RECOMMENDATION: To approve the ordinance to authorize the release of funds to the McKenney Foundation.

BACKGROUND: Walter Dandridge McKenney died on January 14, 1936 and under his will he made a \$2,000 bequest to the City of Petersburg in memory of his late brother, William R. McKenney, and is known today as the "McKenney Memorial #1Fund".

COST TO CITY: \$8,547.27

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg Public Library

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. AN ORDINANCE TO AUTHORIZE THE RELEASE OF FUNDS 2021 05 27(2)

2. McKenney Foundation - Deed of Gift

**AN ORDINANCE TO AUTHORIZE THE RELEASE OF FUNDS FROM THE
PETERSBURG PUBLIC LIBRARY ENDOWMENT FUND BY THE
CITY OF PETERSBURG**

WHEREAS, by Deed dated May 10, 1923, as supplemented by Deed dated February 2, 1935, the City received a building and parcel of land located at the northeast corner of Sycamore and Marshall Streets, from Clara J. McKenney, the widow of William R. McKenney; and

WHEREAS, Walter Dandridge McKenney died on January 14, 1936, and under his will he made a \$2,000 bequest to the City of Petersburg, in memory of his late brother, William R. McKinney and is known today as the “McKenney Memorial #1Fund” (the “Fund”); and

WHEREAS, William R. McKenney is the person for whom the William R. McKenney Free Library (a.k.a. William R. McKenney Law Library) and the William R. McKenney Building were named; and

WHEREAS, between approximately 1924 and 2014, the William R. McKenney Building was used as the City’s public library; and

WHEREAS, as of April 1, 2021, the balance in the Fund was approximately \$8,547.27; and

WHEREAS, by Deed of Gift dated March 15, 2021, the City conveyed and quitclaimed any interest that it had, or may have had, in the William R. McKenney Building to The McKenney Foundation, a recently-created non-profit foundation (the “Foundation”), in support of its efforts to re-develop such building into an African American History Museum and Archive facility (the “Project”); and

WHEREAS, a copy of the referenced Deed of Gift is attached; and

WHEREAS, the Foundation has stated its intention is to use the Fund balance for pre-development expenses being incurred by the Foundation for the Project; and

WHEREAS, the City Manager has expressed his support for the Fund balance to be transferred to the Foundation, and that an Ordinance be prepared and placed on the Agenda for approval by City Council as soon as practicable; and

NOW, therefore be it ORDAINED that City Council does hereby consent to the transfer of the Fund balance to the Foundation and directs the City Manager to take all actions necessary to facilitate the transfer of said Fund to the Foundation for use in connection with its Project.

EXEMPT FROM TAXATION PURSUANT TO VA. CODE § 58.1-811(D)

This instrument was prepared by
and after recording return to:

Alexander C. Graham, Jr. (VSB 15800)
Williams Mullen
200 S. 10th Street, Suite 1600
Richmond, VA 23219

Parcel ID: 022140012
Consideration: \$0.00
Real Estate Tax Assessment: \$805,400.00

DEED OF GIFT

THIS DEED OF GIFT is made this 15th day of March, 2021 by **THE CITY OF PETERSBURG, VIRGINIA**, a municipal corporation of the Commonwealth of Virginia, to be indexed as "Grantor," and **THE MCKENNEY FOUNDATION**, a Virginia nonstock corporation, to be indexed as "Grantee." Grantee's address is 201 W. Washington Street, Petersburg, VA 23803.

WHEREAS, the subject property was conveyed to the City of Petersburg by Deed from Clara J. McKenney, as more particularly set forth in the property description attached hereto as (**Exhibit A**); and

WHEREAS, such deeds of conveyance to the City of Petersburg contain certain conditions enumerated therein regarding the responsibilities of the City of Petersburg which, among other things, was to maintain the property, establish a free Public Library in the building to be known as the William R. McKenney free library, installation of equipment, and maintain in the building a museum of collected and preserved relics and matters of historical interest in connection with the City of Petersburg; and

WHEREAS, one such deed specifically sets forth that in the event that the City of Petersburg fails at any time to conform to or faithfully carry out any of the conditions set forth in the deed of conveyance, the title to the property thereby conveyed shall revert to the said Clara J. McKenney, or her heirs; and

WHEREAS, a private nonprofit entity, known as The McKenney Foundation, has been formed with the intentions of conducting renovations to the property and restoring same in order to establish and maintain a museum of African American History and Archive; and

WHEREAS, the City of Petersburg in furtherance of the wishes of Clara J. McKenney, by this Deed of Gift, desires to quitclaim whatever right, title and interest it may have in

the subject property to The McKenney Foundation in furtherance of the objectives of Clara J. McKenney.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant, convey, remise and quitclaim unto Grantee, it successors and assigns, in fee simple, all of its rights, title and interest, if any, in and to the real estate described in Schedule A attached hereto and incorporated herein.

This conveyance is made expressly subject to such recorded restrictions, conditions and easements as may lawfully apply to the real estate.

TO HAVE AND TO HOLD the Property unto Grantee in fee simple, forever, subject to such covenants, restrictions, conditions and easements of record as they may lawfully apply to such property.

[SIGNATURE PAGE FOLLOWS]

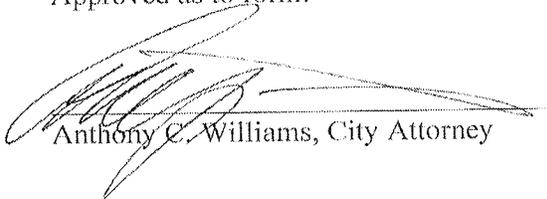
44339750_1

WITNESS the following signatures and seals:

CITY OF PETERSBURG, VIRGINIA

BY:  (SEAL)
Kenneth Miller, Interim City Manager

Approved as to form:

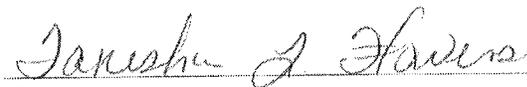

Anthony C. Williams, City Attorney

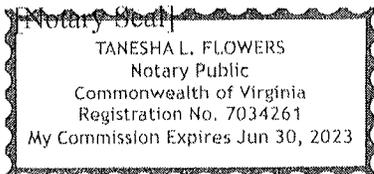
Commonwealth of Virginia

City of Petersburg

On this 15th day of March, 2021 before me, personally appeared Kenneth Miller, Interim City Manager for the City of Petersburg, Virginia, whose identity was verified by valid photographic identification, and did affix her signature to this document on behalf of the City of Petersburg, Virginia.

In witness whereof, I hereunto set my hand and official seal.


Name:
Notary Public
My commission expires 6/30/2023



Property Description

ALL that certain lot or parcel of land with the improvements thereon, and appurtenances thereto belonging, situate at the northeast corner of Sycamore and Marshall Streets, in the City of Petersburg, Virginia, fronting on Sycamore Street 100 feet and running back along Marshall Street on its Southern line 122.3 feet, to a post, and on its northern line 123.9 feet to a notch cut in fence, with rear width of 106.7 feet, and more particularly shown on a plat attached to the deed recorded in the Clerk's Office, Hustings Court, City of Petersburg, Virginia in Deed Book 104, Page 380.

BEING the same real estate conveyed to the City of Petersburg, a municipal corporation, by deed from Clara J. McKenney, widow, subject to the reversionary right of Clara J. McKenney, or her heirs at law contained therein, dated May 10, 1923, recorded July 13, 1923 in the Clerk's Office, Hustings Court, City of Petersburg, Virginia in Deed Book 104, Page 380 and by supplemental deed from Clara J. McKenney, widow, dated February 2, 1935, recorded February 7, 1935 in the Clerk's Office aforesaid in Deed Book _____, Page 14.

AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF AN INTEREST IN REAL PROPERTY LOCATED AT 137 SOUTH SYCAMORE STREET (MCKENNEY LIBRARY)

WHEREAS, the City is the owner of certain property located at 137 South Sycamore Street known and hereinafter referred to as the “McKenney Library”; and

WHEREAS, the deed of conveyance of said property contains certain conditions including but not limited to a reverter or right of reversion upon the occurrence of certain events; and

WHEREAS, it is the wish of the City to take reasonable efforts to clear any potential clouds which may exist concerning the title to said property and facilitate the renovation of said property in furtherance of an African American History Museum and Archive for the storage of valuable records including letters, newspapers, and photographs; and

WHEREAS, a private nonprofit entity known as the McKenney Foundation has been formed with an interest in taking the lead on such renovations; and

WHEREAS, City Staff believes that the heirs of the original Grantor who may hold such reverter or right of reversion rights will voluntarily release any such rights via Quitclaim Deed to the McKenney Foundation at no cost to the City; and

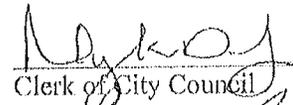
WHEREAS, the Cameron Foundation has expressed an interest in offering to contribute funding to the McKenney Foundation in furtherance of said renovations.

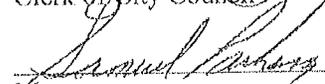
NOW therefore be it ORDAINED that City Council does hereby direct the City Manager to take all actions necessary to facilitate the conveyances of the City’s interest in said property to the McKenney Foundation for the limited purposes of establishing and operating an African American History Museum and Archive by renovation of the McKenney Library; and

BE IT FURTHER ORDAINED that the consideration for such conveyance by the City to the Foundation shall be \$1.00 and that the following restrictions/conditions shall apply: The McKenney Foundation shall undertake a feasibility study within 90 days after title is vested in the McKenney Foundation and that the McKenney Foundation use its best to complete this project and open it to the public by December 31, 2023.

Ordinance 20-ORD-161
adopted by the City of Petersburg Council
of the City of Petersburg on:

11/17/2020


Clerk of City Council


Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: **A public hearing and consideration of a Memorandum of Understanding with the Petersburg Preservation Task Force.**

PURPOSE:

REASON:

RECOMMENDATION: Recommend City Council approve the Memorandum of Understanding with the Petersburg Preservation Task Force.

BACKGROUND:

The Petersburg Preservation Task Force (PPTF) entered into a Memorandum of Understanding with the City on July 16, 2019 for a two-year period. Currently, PPTF manages the Blandford Church and Reception Center, Centre Hill Mansion, and The Exchange Building (formerly The Siege Museum).

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Museum and Visitors Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. MOU w PPTF 2021 (draft)

MEMORANDUM OF UNDERSTANDING

City of Petersburg and
Petersburg Preservation Task Force

This Memorandum of Understanding (“MOU”) dated June 15, 2021 is entered into by the City of Petersburg and Petersburg Preservation Task Force and is the entire agreement between them regarding the matters described herein, except as it may be modified by subsequent written addendum to this MOU signed by both parties.

I. BACKGROUND

- A. At all times herein mentioned, Petersburg Preservation Task Force (“PPTF”) was and remains a non-profit, non-stock corporation formed and operating under the laws of the Commonwealth of Virginia, with its principal office location being 111 Rochell Lane, Petersburg, Virginia 23803, and its President being M. Dean McCray. The PPTF is a 501(c) (3) organization under the Internal Revenue Code and has adopted an organizational structure that allows for the operation and management of historic buildings, as well as interpretive activities relating thereto, and the raising of funds for such purposes.
- B. At all times herein mentioned, the City of Petersburg (“the City”) was and remains a municipal corporation formed and operating under the laws of the Commonwealth of Virginia.
- C. The City is the owner of certain historic buildings located within the City. These properties include Blandford Church, Centre Hill Mansion, and the Exchange Building (collectively “the Properties”).
- D. PPTF and the City wish to enter into this MOU for the purpose of allowing PPTF to operate and manage the Properties to conduct public tours and special events upon the Properties.
- E. Any and all “profit” derived from the activities by PPTF pursuant to this MOU after payment of its expenses, which include salaries and wages relating thereto, shall be the property of PPTF, but shall be used for the operation and management of the Properties.
- F. The terms of the MOU are set forth below.

II. PURPOSE OF THIS MOU

For a one-year period (June 16, 2021 through June 16, 2022), PPTF is authorized by the City and hereby agrees to operate and manage the Properties in accordance with the following terms:

A. Blandford Church and Reception Center

- 1) PPTF shall provide staff, at PPTF's sole expense, to operate and maintain the Blandford Church and its Reception Center for the purpose of allowing tours for visitors.
- 2) PPTF shall ensure that the Blandford Church and Reception Center are open a minimum of 4 days a week (Thursday thru Sunday) / 10AM — 3PM (last tour) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

B. Centre Hill Mansion

- 1) The PPTF shall provide staff, at PPFT's sole expense, to operate and maintain the Centre Hill Mansion for the purpose of allowing tours for visitors.
- 2) The PPTF shall ensure that the Centre Hill Mansion is open a minimum of 2 days a week (Saturday and Sunday) / 10AM - 3PM (last tour) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

C. The Exchange Building

- 1) The PPTF shall provide staff, at PPFT's sole expense, to operate and maintain the Exchange Building for the purpose of allowing tours for visitors.
- 2) The PPTF shall ensure that the Exchange Building is open a minimum of 4 days a week (Thursday through Sunday) / 10AM – 3PM (last tour) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of

operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

Any damage to the Properties as a result of any act or omission of PPTF, its employees, agents, and assigns shall be repaired to the reasonable satisfaction of the City and at the sole expense of PPTF. If PPTF fails to make such repairs, The City may cause them to be made at the expense of PPTF to the extent they are not insured.

No modifications or repairs to the Properties shall be permitted without the prior written authorization of the City.

III. PPTF RESPONSIBILITIES

A. Site Manager (Staffing)

At PPTF's sole expense, PPTF shall provide a site manager who will:

- a) Recruit and supervise a minimum of two (2) volunteer docents per site during operating hours, and appropriate to the events or activities and;
- b) Be responsible for managing interpretation/security

B. Marketing

Marketing efforts will be paid for at PPTF's sole expense. Such marketing materials will adequately inform the public of the times when the Properties will be open. The strategic efforts which shall be used will include:

- a) Earned Media
- b) Paid and social media

C. Personal Property in the Properties managed by PPTF and Elsewhere

PPTF acknowledges receipt, as bailee, of the personal property items listed on two identical flash drives, one of which is in the possession of the City and the other which is in the possession of PPTF. These personal property items are the ones located in the three Properties and in the McCray warehouse, and they are the only ones for which PPTF is responsible. PPTF shall use reasonable diligence to return

each such item listed on the flash drive to the City in the same condition it was in when it was entrusted to PPTF by the City, reasonable wear and tear and insured items excepted. The City may pursue any available remedies in law against PPTF for failure to return such items in accordance with this Section. PPTF will cooperate with the City in any relocation requested by the City of personal property items in the Grizzard Building.

D. Return of Artifacts on Loan to the City of Petersburg Collections

- 1) Items entrusted to PPTF by the City shall not be released to any third parties (including but not limited to those claiming to have loaned said articles to the City), without prior written approval from the City.
- 2) The loan of an item to the City by a third party for exhibit in one of the Properties may only occur upon the execution of a Written Agreement that has been executed by the City Manager or her designee, and approved by the City Attorney.

E. Objectives

- 1) PPTF shall collaborate with the City regarding;
 - a. Operation and management and operation of the Properties and efforts to increase tourism in the City, including grant opportunities pursued by both parties.
 - b. Security of the Properties, staff, visitors and volunteers;
 - c. Financial controls consistent with industry best practices;
 - d. Janitorial services and routine housekeeping;
 - e. Reporting all necessary repairs to the Public Works Department of the City.

F. Specific Deliverables

- 1) In addition to any other reasonable reports that the City may deem necessary during the term of this MOU, PPTF will provide the City with the following quarterly reports:
 - a. Financial Reports – namely, cumulative quarterly reports for Revenue and Expenses incurred, including grants received. The first

such quarterly report will list all grants received by PPTF prior to the date of the report.

- b. Number and Origin of Visitors (complete information may not be available to PPTF because of the City's operation of the visitors' center in the Exchange Building as provided below)
 - c. Marketing efforts
 - i. Earned and paid media
 - ii. Social media impressions
 - d. Fundraising results – namely, cumulative results on various fundraising efforts after they have been implemented
 - e. Programs schedules
 - f. Activities with Virginia Film Office
 - g. Historic structures report for Blandford Church, if pursued, shall be the sole responsibility of the PPTF and coordinated with the City
- 2) Continue to warehouse the City's collections and artifacts currently in McCray Warehouse, 1801 Midway Avenue, Petersburg, VA 23803 until the City requests that they be relocated or PPTF request to be relocated. Upon written request from PPTF, the City shall have 60 days to relocate City owned items to another location.

G. Grants

- 1) Under no circumstances shall PPTF submit a grant application in relation to the Properties or any other asset of the City without the written approval of the City Manager.

IV. LIAISON WITH CITY STAFF

PPTF's primary points of contact with the City regarding the matters described in this MOU shall be the Director of Library Services or another person as designated by the Deputy City Manager for Community Affairs.

V. CITY RESPONSIBILITIES

The City will provide the following services on behalf of itself and PPTF. These include:

- Continued payment of all utilities at City museums, including water, sewer, phones, Internet and cable;
- Emergency Maintenance and repair of all museum properties including, but not limited to, HVAC, electrical and plumbing;
- Liability and personal property damage insurance, in reasonable amounts, covering tourists and all real property and personal property assets of the City, including, without limitation, all personal property items owned by the City and bailed to PPTF. The City will provide to PPTF, at least annually, a certificate of insurance confirming the personal property damage insurance coverage on said personal property items.

VI. FILM INDUSTRY LIAISON

The Director of Tourism will be the liaison between the City and the film industry. PPTF will assist the Director of Tourism in efforts to attract the use of the City's historic resources for film purposes, but in those instances in which PPTF provides professional assistance to the Director of Tourism or at the request of the Director of Tourism, PPTF may charge a reasonable fee for such assistance.

VII. TERMINATION

Either party may terminate this MOU with or without cause upon sixty (60) days written Notice to the other party. Such Notice may be sent by certified mail, return receipt requested, by e-mail (with read receipt), or by facsimile (with read receipt), and shall be effective upon delivery. Said Notices shall be sent to the following addresses:

If to the City:

CITY OF PETERSBURG, VIRGINIA
Attn: City Manager (with Copy to City Attorney)
135 N. Union Street
Petersburg, VA 23803
city.manager@petersburg-va.org
Facsimile:

If to PPTF:

PETERSBURG PRESERVATION TASK FORCE
c/o Williams Mullen
200 South 10th Street, Suite 1600

Richmond, VA 23219
Attn: Alexander C. Graham, Jr., Registered Agent
sgraham@williamsmullen.com
Facsimile: (804) 420-6507

Upon termination in accordance with this Section, neither party shall have any further obligations to the other with regard to this MOU.

VIII: MISCELLANEOUS

- A. This document represents the entire agreement between the parties regarding the matters described herein. All prior or subsequent MOUs or other agreements regarding these matters are declared to be null and void unless incorporated into this MOU by a written Addendum signed by all parties.
- B. This MOU will be governed by and construed according to the laws of the Commonwealth of Virginia, but this MOU will not be construed more strictly against the City or PPTF because of authorship, it being agreed that both have contributed substantially to its content.
- C. Any dispute concerning the performance or non-performance of any term of this MOU shall be litigated solely in the Circuit Court for the City of Petersburg.
- D. Prior to commencement of this MOU, PPTF has produced certificates of liability insurance relating to the facilities and activities described herein, in a form and amount satisfactory to the City's Risk Manager, naming the City as an additional insured.
- E. Nothing in this MOU shall be construed to create an employment relationship between PPTF and the City. At all times herein mentioned, the City and PPTF shall remain separate legal entities who shall be solely responsible for the acts and omissions of their respective employees, agents, and assigns.
- F. Except after termination in accordance with Section VII of this MOU or expiration of the term of this MOU, the City shall not proceed with formal solicitation or procurement of services to replace PPTF.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance making appropriations for the Fiscal Year commencing July 1, 2020, and ending June 30, 2021 “The Cameron Foundation Grant For The Stabilization Of The Jarratt House In The City Of Petersburg,” carrying over the balance of the Grant from two previous Fiscal Years which ended on June 30, 2019 and June 30, 2020.**

PURPOSE: To Consider An Ordinance Making Appropriations “The Cameron Foundation Grant For The Stabilization Of The Jarratt House In The City Of Petersburg,” carrying over the balance of The Grant From two previous Fiscal Years which ended on June 30, 2019 and June 30, 2020.

REASON: To consider an ordinance making appropriations in accordance with applicable procedures and laws.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and approves an Ordinance making appropriations for the Cameron Foundation Grant for the Stabilization of the Jarratt House, carrying over the balance of the grant from two previous fiscal years.

BACKGROUND: The City of Petersburg received a grant from the Cameron Foundation, "The Grant" in 2019 for the stabilization of the City-owned historic property, the Jarratt House.

The stabilization project commenced and was completed in fiscal year 2021. Only a portion of the Grant funding was previously expended.

There is a need to carry over unspent grant funds for Jarratt House stabilization project expenditures in fiscal year 2021.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Previously approved grant funding

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Department of Planning and Community Development, Public Works - Facilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 20-Ord-10 adopted 2/18/20

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0601_2021OrdinanceAppropriationCarryOver
2. 20Ord10CameronFoundationGrant

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 “THE CAMERON FOUNDATION GRANT FOR THE STABILIZATION OF THE JARRATT HOUSE IN THE CITY OF PETERSBURG,” CARRYING OVER THE BALANCE OF THE GRANT FROM TWO PREVIOUS FISCAL YEARS WHICH ENDED ON JUNE 30, 2019 AND JUNE 30, 2020

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

- I. That appropriations for the fiscal year commencing July 1, 2020, in the General Fund are made of the following resources and revenues of the city, for the fiscal year ending June 30, 2021. It should be noted that this appropriation is carrying over the balance of the grant from two previous fiscal years which ended on June 30, 2019 and June 30, 2020.

Previously adopted	\$0.00
ADD: Cameron Foundation Grant of the Stabilization of the Jarratt House, City of Petersburg (Account Number: 3-200-016170-005-0-103)	\$19,740.00
Total Revenue	\$19,740.00

- II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD: Cameron Foundation Grant of the Stabilization of the Jarratt House, City of Petersburg (Account Number: 4-200-081500-3190-0-103)	\$19,740.00
Total Expenses	\$19,740.00

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020
“THE CAMERON FOUNDATION GRANT FOR THE STABILIZATION
OF THE JARRATT HOUSE IN THE CITY OF PETERSBURG”.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2019, in the General Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2020. It should be noted that this appropriation is carrying over the balance of the grant from the previous fiscal year which ended on June 30, 2019.

Previously adopted \$ 0.00

ADD: Cameron Foundation Grant for the Stabilization of the
Jarratt House, City of Petersburg **\$22,650.00**

Total Revenue \$22,650.00

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2019 and ending June 30, 2020, the following sums for the purposes mentioned:

Previously adopted \$ 0.00

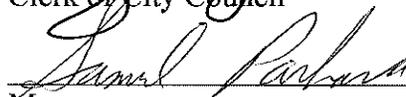
ADD: Cameron Foundation Grant for the Stabilization of the
Jarratt House, City of Petersburg **\$22,650.00**

Total Expenses \$22,650.00

Ordinance 20-ORO-10
adopted by the City of Petersburg Council
of the City of Petersburg on:

3/18/2020


Clerk of City Council


Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Lionel Lyons, Deputy City Manager of Development and Operations

FROM: Reginald Tabor, Cynthia Boone

RE: **A Resolution approving the Development Agreement between the City of Petersburg and BLW Solutions for development of single family residential rental property located at 1157 West Washington Street and 1203 West Washington Street Petersburg, Virginia**

PURPOSE: To consider the adoption of a Resolution approving the Development Agreement between the City of Petersburg and BLW Solutions, BLW Solutions for development of single family residential rental property located at 1157 West Washington Street and 1203 West Washington Street Petersburg, Virginia. and authorizing the City Manager and City Attorney to take action to facilitate the sale of the City-owned property.

REASON: This action is necessary to facilitate the process to sell City-owned property at 1157 West Washington Street and 1203 West Washington Street

RECOMMENDATION:

It is recommended that the City Council s considers adoption of a Resolution approving the Development Agreement and authorizing the City Manager and the City Attorney to execute all documents to facilitate the sale of City-owned property in accordance with applicable legal requirements.

BACKGROUND: The City of Petersburg City Council approved 21-ORD-31 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 1157 West Washington Street and 1203 West Washington Street on May 18, 2021. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to BLW Solutions, BLW Solutions shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with terms defined in the Agreement. The Development Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to BLW Solutions. The deed shall include provisions for the reverter described in the Development Agreement.

COST TO CITY: Costs associated with the conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Attorney

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-31

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Signed by Purchaser- Development Agreement
2. Scope of Project
3. 0615_2021DevelopmentAgreementResolutionBLWSolutions

**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT
PROPERTY AT 1157 W WASHINGTON STREET AND 1203 W WASHINGTON
STREET PETERSBURG, VIRGINIA 23803 AS RESIDENTIAL DEVELOPMENT**

On this 15TH day of June, 2021 came the parties, BLW Solutions ("Purchaser"), and the City of Petersburg, VA, a municipal corporation formed and operating under the laws of the Commonwealth of Virginia ("the City"), hereinafter collectively referred to as "the Parties," and did enter into this Development Agreement for the development of vacant property at 1157 W Washington Street 024-220018 and 1203 W Washington Street 024-22001, Petersburg, Virginia 23803 as residential development ("the Agreement") to wit:

RECITALS

The Purchaser has presented to Petersburg City Council and the City's Administration "project summary documents" herein attached as (**Exhibit A**) outlining specific information regarding the project that is the subject of this Agreement, and which documents are hereby incorporated into this Agreement as if set forth fully herein.

The project summary documents describe the intentions of The Purchaser with regard to the purchase and development of property as a three bedroom two and a half bath rental property located at 1157 W Washington Street and 1203 W Washington Street ("the Property"). The requirements of the project summary documents are deemed by the Parties to supplement but not supplant all requirements described in this Agreement and shall be binding upon The Purchaser with regard to the development of the property.

Upon presentation of these documents to the City by The Purchaser, Petersburg City Council did authorize the sale of the Property to The Purchaser contingent upon the execution of this Development Agreement which shall be referenced in the recorded deed for the property and include a reverter requirement for noncompliance with the terms described herein.

AGREEMENT

In consideration of the City's conveyance of the Property to The Purchaser, The Purchaser shall perform the development of the Property strictly in compliance with the project summary documents and in accordance with the following terms:

- A. The Purchaser shall be solely responsible for the development of the Property in accordance with the project summary documents, and shall comply with all Code, Zoning, and other legal requirements associated with the development.
- B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.
- C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is" condition with no warranties of title or condition.
- D. The period of time described in the project summary documents during which The Purchaser is required to complete the development of the Property shall be known as the "Development Period."
- E. The Purchaser shall not be permitted to convey the property during the Development Period. Upon completion of the development of the property, The Purchaser shall notify the City who shall determine compliance and upon making such determination, certify in writing completion of the development in accordance with the project summary documents. A copy of said certification shall be provided to The Purchaser. Upon such certification, this Agreement shall cease to be effective and become null and void.
- F. Extensions to the time schedule described in the project summary documents will not be authorized except by the written consent of the City as approved by Petersburg City Council.
- G. The failure of The Purchaser to timely comply with all requirements of the project summary documents shall be considered a material breach of this Agreement.
- H. Upon material breach of this Agreement, the City shall provide The Purchaser with written Notice describing the breach. Upon receipt of written Notice of Breach, The Purchaser shall have thirty days to cure. The failure to cure the material breach within the thirty-day period shall result in default.
- I. All Notices and other correspondence sent pursuant to this Agreement shall be sent to the following persons and addresses:

To the City:

City Manager (with copy to City Attorney)
135 North Union Street
Petersburg, VA 23803

Notices may be sent via Hand Delivery, Courier, First Class Mail, Certified Mail, Registered Mail or other similar standard business delivery service and shall be effective upon receipt.

- J. This Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to The Purchaser and shall run with the land until such time as all requirements are completed. The deed shall include provisions for the reverter described herein.
- K. The “original purchase price” for the Property shall be defined as the amount paid by The Purchaser to the City to facilitate the transfer of the property twenty thousand four hundred fifty dollars (\$20,450).
- L. Upon Default by The Purchaser, the City shall retain 100% of the purchase price and shall record the Notice of Default which shall cause the Property to automatically revert to the City.
- M. This Agreement shall be binding upon The Purchaser and successors in interest until such time that the obligations are concluded and the Agreement is declared to be null and void in accordance with the terms described herein.
- N. This Agreement shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising from the performance or non-performance of any requirement described herein shall be litigated solely in the Circuit Court for the City of Petersburg, Virginia.
- O. If any provision of this document is deemed by a Court to be contrary to applicable law, the remaining terms shall continue in full force and effect.

By signing below, the undersigned parties represent that they have the authority to bind and do hereby bind their respective entity to all terms of this Agreement.

PURCHASER

By: Keith C. Blowe BLW-SOLUTIONS, LLC
Printed name: Keith C. Blowe

CITY OF PETERSBURG, VIRGINIA

By: _____
Kenneth Miller, Interim City Manager

Approved as to form:

By: _____
Anthony C. Williams, City Attorney

BLW-SOLUTIONS, LLC

P.O. BOX 1306
 SUSSEX VA. 23884-0306
 kblowe@blw-solutions.com

WEST WASHINGTON ST NEW CONSTRUCTION

Revised 04/6/2021 by: Kblowe

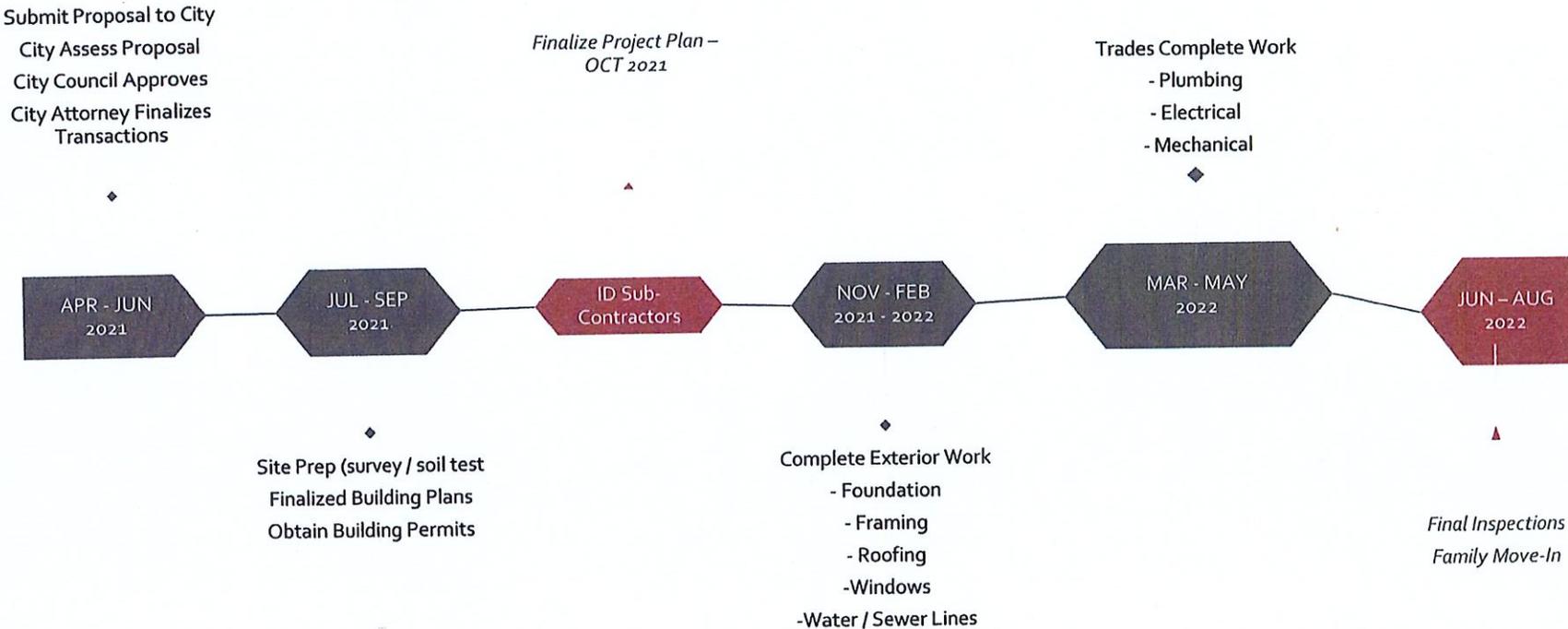
Property Address: 1157 W WASHINGTON ST

#	Budget Item	Description	Amount
20101	Plans	ENGINEER PLANS	\$1,175.00
20102	Permits	BUILDING / ELECTRICAL / PLUMBING / MECHANICAL	\$1,313.00
10101	Site Prep	LOT PURCHASE & SOIL TEST	\$4,750.00
10102	Demo		\$0.00
10103	Dumpsters	MINIMUM OF 3 THROUGHOUT PROJECT	\$895.00
20102	Survey	LOT SURVEY	\$675.00
10104	Septic / Water City Connection	Petersburg Utilities	\$1,800.00
10105	Foundation	1700 - 1850	\$13,500.00
10106	Plumbing - Rough	INITIAL PIPING LAYOUT	\$3,850.00
10107	Plumbing-Finish	CONNECTION / INSTALLATION	\$3,400.00
10108	Framing	HOUSE FRAMING	\$16,300.00
10109	Electric -Rough	INITIAL LAYOUT, WIRING AND PANEL BOX	\$3,700.00
10110	Electrical-Finish	TAMPER PROOF OUTLETS & COVERS/SMOKE ALARM	\$4,100.00
10111	HVAC	DUAL HEAT PUMP / VENTING	\$7,326.00
10112	Furnace	INDOOR HANDLER	\$2,800.00
10113	Water Heater		\$800.00
10114	Air conditioner		
10115	Fireplace		
10116	Roof Shingle	30 YEAR ROOFING MATERIALS	\$7,800.00
10117	Insulation	PER STATE CODE	\$4,260.00
10118	Drywall	SHEETROCK	\$6,980.00
10119	Paint - Interior	LIGHTGRAY / WHITE TRIM	\$5,200.00
10120	Paint - Exterior	TRIM	\$2,500.00
10121	Windows	DOUBLE PLANE VINYL	\$6,000.00
10122	Siding	VINYL	\$10,400.00
10123	Gutters		\$1,800.00
10124	Doors - Interior	DECORATIVE DOORS	\$2,300.00

10125	Doors - Exterior	2 SECURITY STORM DOORS / W SCREENS	\$675.00
10126	Door - Garage		
10127	Door - Closet	12 INTERIOR DOORS & HARDWARD	\$1,200.00
10128	Molding/Trim	THROUGHOUT HOUSE INTERIOR	\$1,150.00
10129	Cabinets - Kitchen	White Hampton Bay	\$5,400.00
10130	Cabinets - Bathroom	Dark Oak / Walnut	\$1,400.00
10131	Countertops - Kitchen	HIGH QUALITY GRANITE / LAMINATE	\$3,500.00
10132	Countertops - Bathroom	Granite	\$850.00
10133	Chimney		
10134	Masonry		
10135	Flooring - Tile	KITCHEN / 3 BATHROOMS / UTILITY / LAUANDRY	\$2,800.00
10136	Flooring - Hardwood		
10137	Flooring - Carpet		
10138	Flooring - Laminate	THROUGHOUT HOUSE INTERIOR	\$5,900.00
10139	Appliance - Refigerator	DOUBLE DOOR STAINLESS STEEL	\$1,670.00
10140	Appliance - Stove	ELECTRIC STAINLESS STEEL WITH OVEN	\$1,200.00
10141	Appliance - Oven		
10142	Appliance - Other	DISHWASHER & GARBAGE DISPOSAL	\$1,050.00
10143	Driveway	GRAVEL	\$0.00
10144	Decking / Patio	BACK DECK	\$2,200.00
10145	Landscaping	GRASS SCRUBS AND GRASS	\$150.00
10146	Fencing	APPROX 150 SQ FT WITH GATE & HARDWARD	\$1,350.00
10147	Sink - Kitchen	DOUBLE BOWL	\$1,500.00
10148	Sink - Bathroom	3 BATHROOM VANITIES	\$987.00
10149	Cabinet Hardware	KITCHEN / 3 BATHROOMS	\$390.00
10150	Bath Tub	2 UPSTAIRS (MASTER / HALL)	\$1,800.00
10151	Vanity Mirror	3 VANITY MIRRORS	\$675.00
10152	Shower	SHOWER ENCLOSURE	\$859.00
10153	Tile	CERAMIC TILE - KITCHEN/BATHRMS/UTILITY RM	\$3,500.00
10154	Toilet	3 TOILETS	\$650.00
10155	Closet Shelving	3 BEDROOMS / LINEN CLOSET / UTILITY RM / LAUAN	\$850.00
10156	Stucco		\$0.00
10157	Stairs		\$1,800.00
10158	Sofit/Facia	HOUSE EXTERIAL / PORCH / DECK	\$1,370.00

10159	Door Bell	FRONT AND BACK DOORS	\$175.00
10160	Pool		
10161	Ceiling Fan	5 CEILING FANS WITH LIGHT KITS	\$1,250.00
10162	Final Clean		\$475.00
10163	Staging		\$0.00
20103	Contingency		\$4,800.00
10164	Mold Remediation		
20104	Other	Concrete Slab	\$0.00
10169	Other	ALARM SYSTEM	\$1,300.00
10170	Other	MISC / PROJECT MANAGEMENT FEES / CONSULTING	\$8,500.00
TOTAL			\$175,000.00

Project Timeline – 1157 W Washington St.



BLW-SOLUTIONS -- WASHINGTON ST DEVELOPMENT

1157 W Washington Street

DRAFT PLAN

Owner

BLW-SOLUTIONS, LLC
P. O. Box 1306
Sussex, VA. 23884-0306

Engineer

Obsidian, Inc.
 Charles R. Field, P.E.
 515 North 22nd Street
 Richmond, VA 23223
 804.647.1589
 crfield@obsidian.pro

Property Information

Parcel ID: 024-220018
Zoning: R3
Use: Residential
Setbacks: TBD
Lot Size: 50 X 128.2

Table of Contents

- DRAFT 1:** Title Sheet
- DRAFT 2:** First Floor Layout
- DRAFT 3:** Second Floor Layout
- DRAFT 4:** Out-Dated Survey Plat
- DRAFT 5:** North & South Elevations
- DRAFT 6:** East & West Elevations

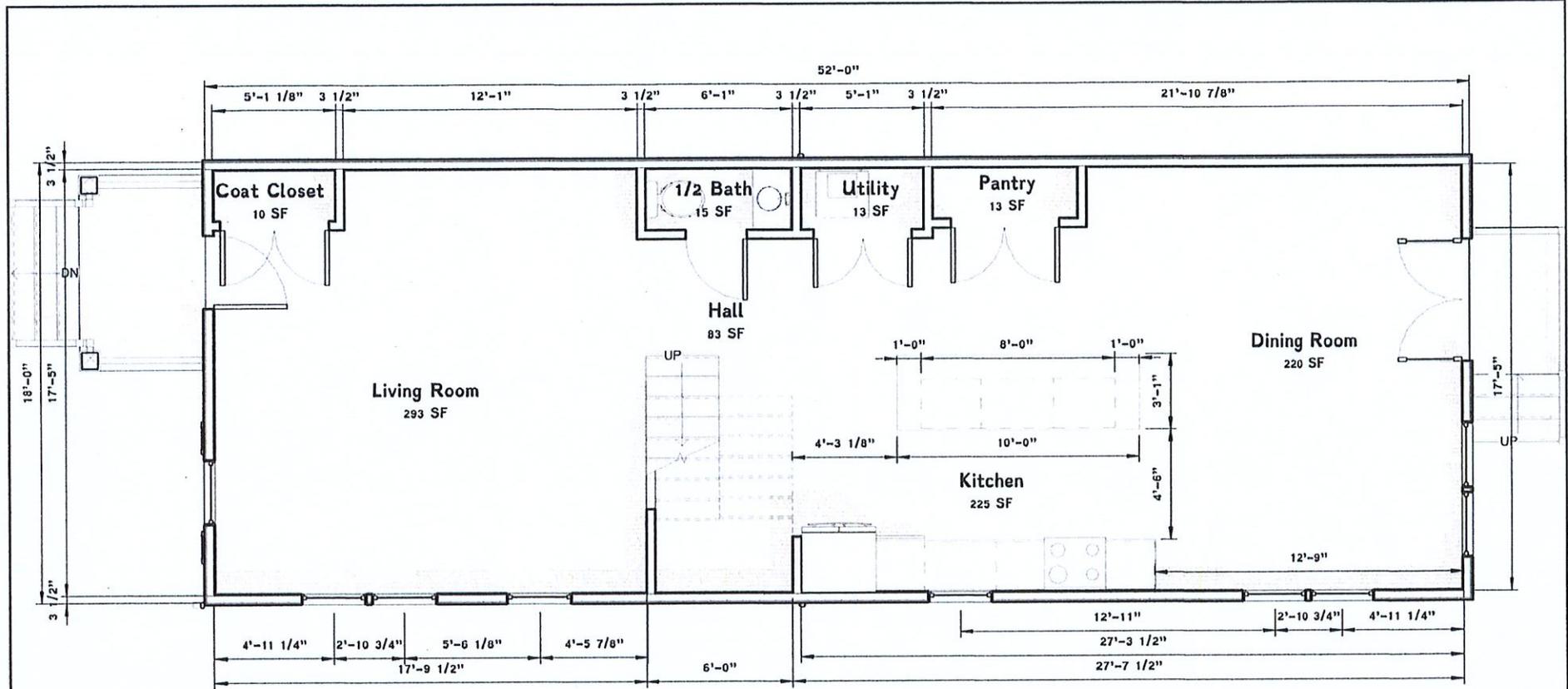
Rev.	Date	Description



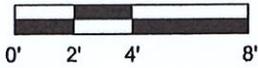
Obsidian, Inc.
 515 North 22nd
 Street
 Richmond, VA 23223
 804.647.1589

Title Sheet
1157 W Washington Street
BLW-SOLUTIONS, LLC
April 2021

Draft
1



Rev.	Date	Description

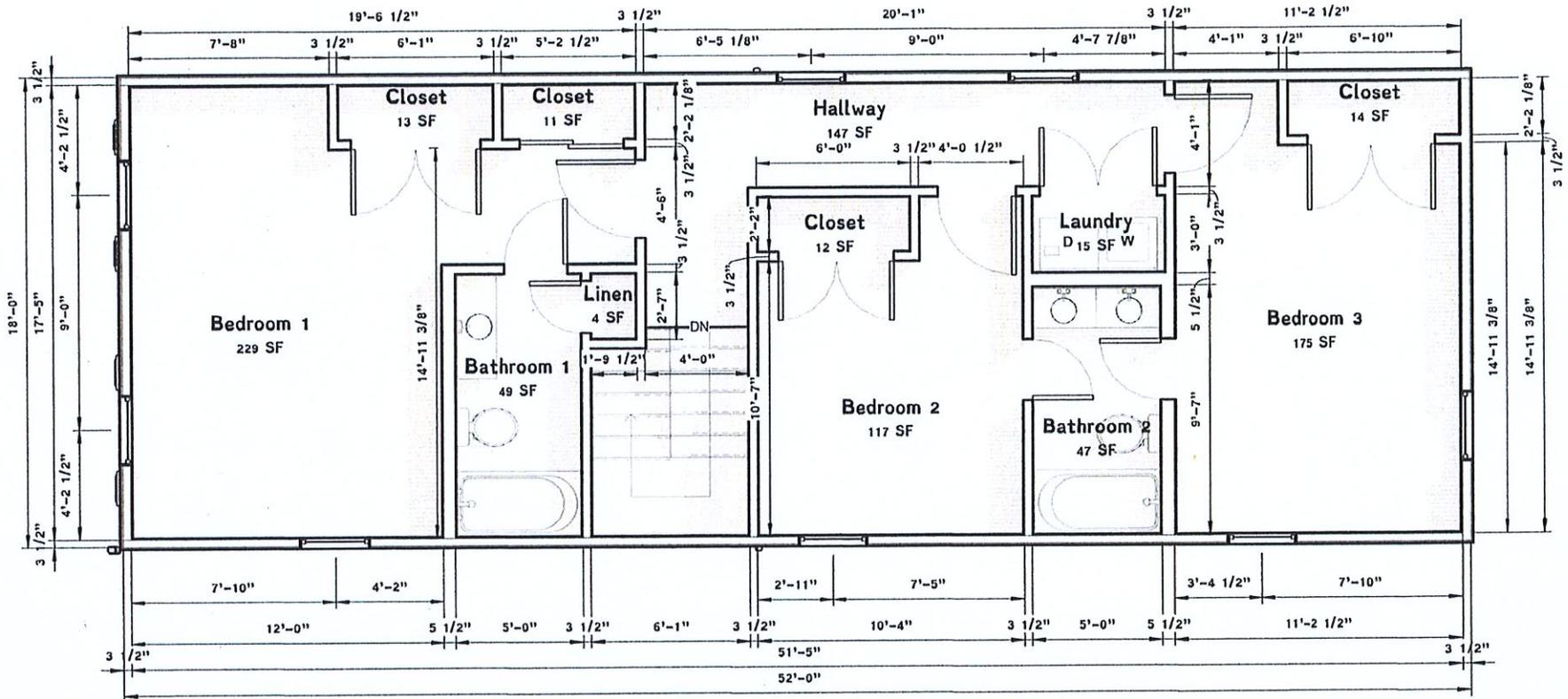


Obsidian, Inc.
 515 North 22nd Street
 Richmond, VA 23223
 804.647.1589

First Floor Layout
1157 W Washington Street
BLW-SOLUTIONS, LLC
April 2021

Draft

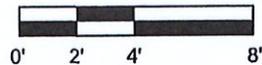
2



Draft
3

Second Floor Layout
1157 W Washington Street
BLW-SOLUTIONS, LLC
April 2021

Obsidian, Inc.
515 North 22nd Street
Richmond, VA 23223
804.647.1589



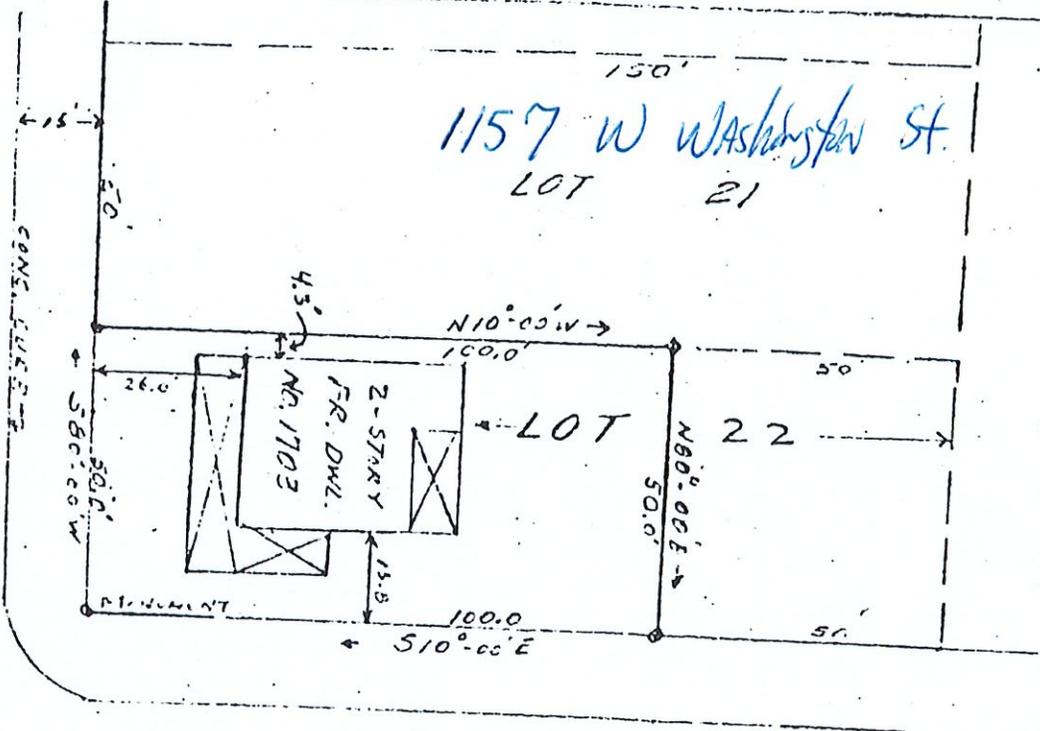
Rev.	Date	Description

Out dated - Need current survey

BOOK 274 PAGE 526

CERTIFIED CORRECT.

A. C. FRISSLAND, C.L.S.



GRAYSON ST. (60')
(FORMERLY PELHAM)

NORTH

PLAT SHOWING PROPERTY TO BE ACQUIRED BY

CALVIN D. & MARY M. DRAHSON

PART OF LOT 22 - BLOCK E - PENNINGTON

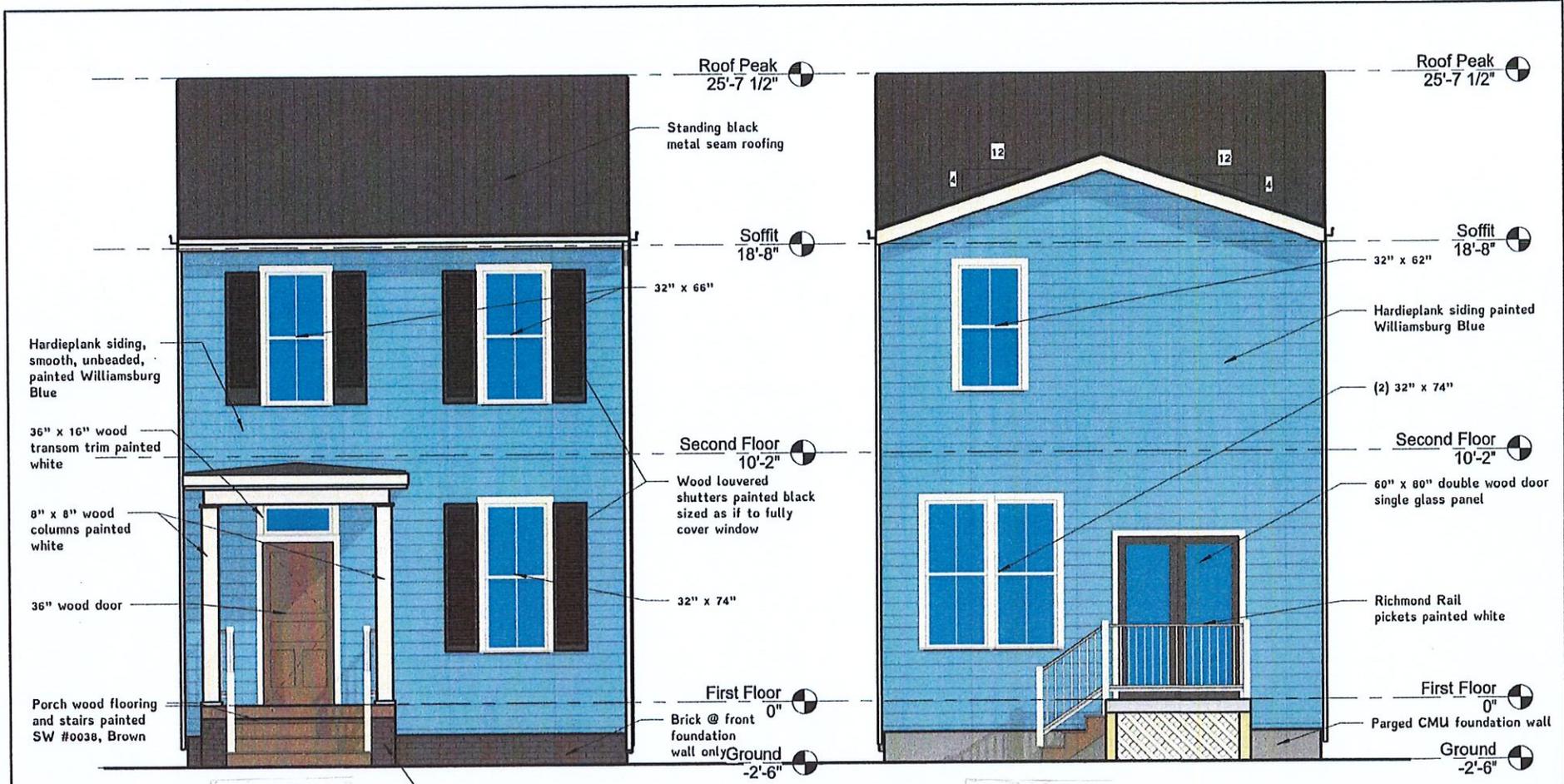
PETERSBURG, VIRGINIA

SCALE 1" = 30'

JUNE 22, 1945

A. C. FRISSLAND, CERTIFIED SURVEYOR

4



Proposed South

Proposed North

① 1/4" = 1'-0"

② 1/4" = 1'-0"

Note: all windows shall be 2/2 double hung aluminum-clad windows unless otherwise noted. Trim and sash painted white.



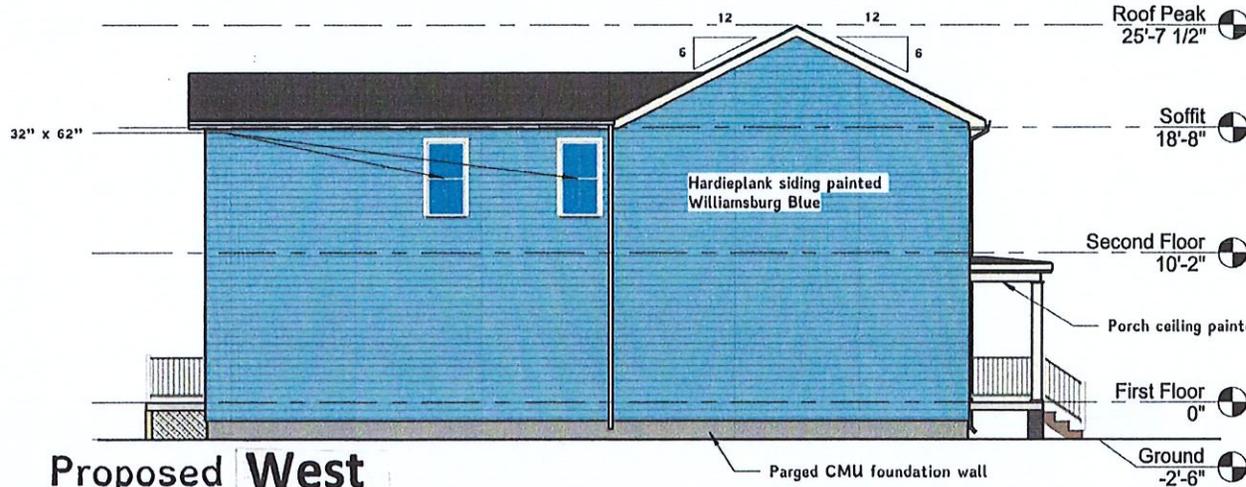
Rev.	Date	Description

Obsidian, Inc.
515 North 22nd Street
Richmond, VA 23223
804.647.1589

North & South Elevations
1157 W Washington Street
BLW-SOLUTIONS, LLC
April 2021

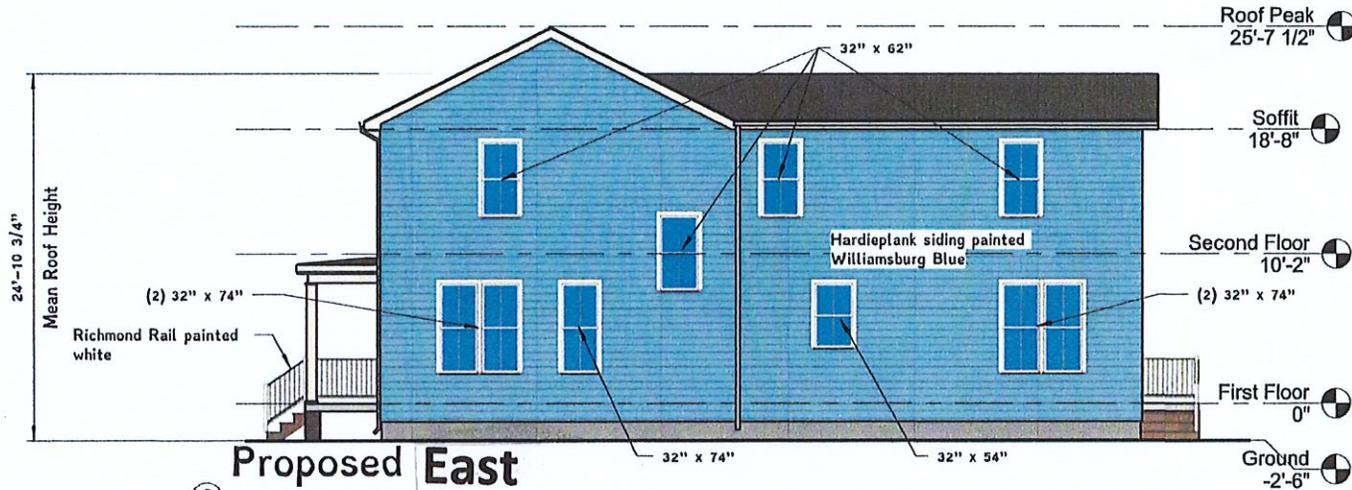
Draft

5



Proposed West

① 1/8" = 1'-0"



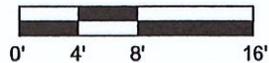
Proposed East

② 1/8" = 1'-0"

Draft

6

Rev.	Date	Description



Obsidian, Inc.
515 North 22nd Street
Richmond, VA 23223
804.647.1589

East & West Elevations
1157 W Washington Street
BLW-SOLUTIONS, LLC
April 2021

BLW-SOLUTIONS, LLC

P.O. BOX 1306

SUSSEX VA. 23884-0306

kblowe@blw-solutions.com

WEST WASHINGTON ST RENNOVATION

Revised 04/6/2021 by: Kblowe

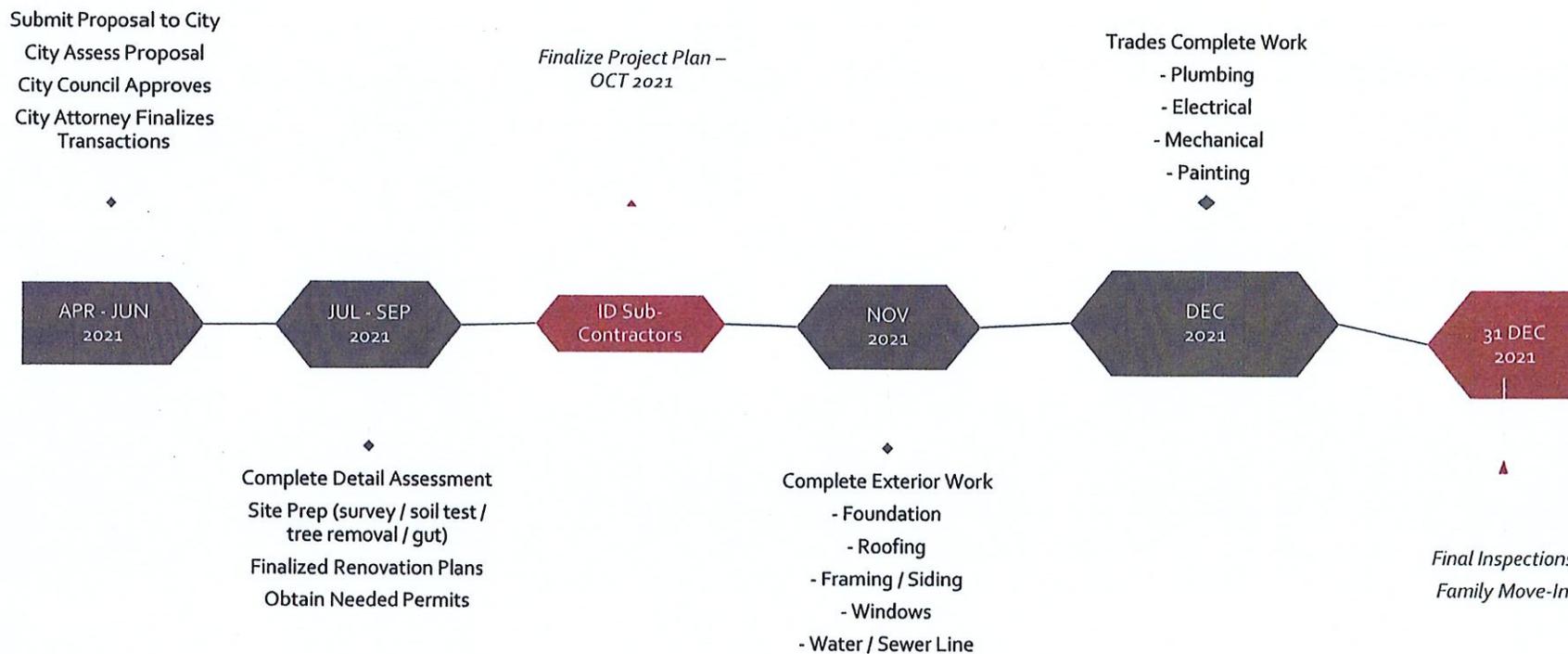
Property Address: 1203 W WASHINGTON ST

#	Budget Item	Description	Amount
20101	Plans	ENGINEER PLANS	\$0.00
20102	Permits	BUILDING / ELECTRICAL / PLUMBING / MECHANICAL	\$675.00
10101	Site Prep	LOT PURCHASE & SOIL TEST	\$16,350.00
10102	Demo	Partical Gut and Tree Removal	\$7,730.00
10103	Dumpsters	MINIMUM OF 3 THROUGHOUT PROJECT	\$895.00
20102	Survey	LOT SURVEY	\$675.00
10104	Septic / Water City Connection	Petersburg Utilities	\$0.00
10105	Foundation Repair	1934 SQUARE FOOT	\$2,700.00
10106	Plumbing - Rough	INITIAL PIPING LAYOUT	\$1,850.00
10107	Plumbing-Finish	CONNECTION / INSTALLATION	\$1,300.00
10108	Framing Repair	HOUSE FRAMING	\$2,750.00
10109	Electric -Rough	INITIAL LAYOUT, WIRING AND PANEL BOX	\$2,500.00
10110	Electrical-Finish	TAMPER PROOF OUTLETS & COVERS/SMOKE ALARM	\$2,100.00
10111	HVAC	HEAT PUMP / VENTING	\$4,375.00
10112	Furnace	INDOOR HANDLER	\$1,800.00
10113	Water Heater		\$800.00
10114	Air conditioner		
10115	Fireplace		
10116	Roof Metal	30 YEAR ROOFING MATERIALS / Repair Existing	\$2,800.00
10117	Insulation	PER STATE CODE	\$1,660.00
10118	Drywall	SHEETROCK	\$1,180.00
10119	Paint - Interior	LIGHTGRAY / WHITE TRIM	\$2,200.00
10120	Paint - Exterior	TRIM	\$1,500.00
10121	Windows	DOUBLE PLANE VINYL	\$2,800.00
10122	Siding	VINYL	\$2,400.00
10123	Gutters		\$1,800.00
10124	Doors - Interior	DECORATIVE DOORS	\$1,300.00

10125	Doors - Exterior	2 SECURITY STORM DOORS / W SCREENS	\$675.00
10126	Door - Garage		
10127	Door - Closet	12 INTERIOR DOORS & HARDWARD	\$1,200.00
10128	Molding/Trim	THROUGHOUT HOUSE INTERIOR	\$1,150.00
10129	Cabinets - Kitchen	White Hampton Bay	\$2,400.00
10130	Cabinets - Bathroom	Dark Oak / Walnut	\$0.00
10131	Countertops - Kitchen	HIGH QUALITY LAMINATE	\$870.00
10132	Countertops - Bathroom	Granite	\$650.00
10133	Chimney		
10134	Masonry		
10135	Flooring - Tile	KITCHEN / 3 BATHROOMS / UTILITY / LAUANDRY	\$0.00
10136	Flooring - Hardwood		
10137	Flooring - Carpet		
10138	Flooring - Laminate	THROUGHOUT HOUSE INTERIOR	\$4,200.00
10139	Appliance - Refrigerator	DOUBLE DOOR STAINLESS STEEL	\$1,670.00
10140	Appliance - Stove	ELECTRIC STAINLESS STEEL WITH OVEN	\$900.00
10141	Appliance - Oven		
10142	Appliance - Other	DISHWASHER & GARBAGE DISPOSAL	\$1,050.00
10143	Driveway	GRAVEL	\$0.00
10144	Decking / Patio	BACK DECK	\$2,200.00
10145	Landscaping	GRASS SCRUBS AND GRASS	\$150.00
10146	Fencing	APPROX 150 SQ FT WITH GATE & HARDWARD	\$1,350.00
10147	Sink - Kitchen	DOUBLE BOWL	\$848.00
10148	Sink - Bathroom	3 BATHROOM VANITIES	\$987.00
10149	Cabinet Hardware	KITCHEN / 3 BATHROOMS	\$285.00
10150	Bath Tub	2 UPSTAIRS (MASTER / HALL)	\$1,800.00
10151	Vanity Mirror	3 VANITY MIRRORS	\$670.00
10152	Shower	SHOWER ENCLOSURE	\$859.00
10153	Tile	CERAMIC TILE - KITCHEN/BATHRMS/UTILITY RM	\$0.00
10154	Toilet	3 TOILETS	\$650.00
10155	Closet Shelving	3 BEDROOMS / LINEN CLOSET / UTILITY RM / LAUAN	\$850.00
10156	Stucco		
10157	Stairs		\$400.00
10158	Sofit/Facia	HOUSE EXTERIAL / PORCH / DECK	\$1,370.00

10159	Door Bell	FRONT AND BACK DOORS	\$175.00
10160	Pool		
10161	Ceiling Fan	5 CEILING FANS WITH LIGHT KITS	\$1,150.00
10162	Final Clean		\$475.00
10163	Staging		\$0.00
20103	Contingency		
10164	Mold Remediation		
20104	Other	Concrete Slab	
10169	Other	ALARM SYSTEM	\$850.00
10170	Other	MISC / PROJECT MANAGEMENT FEES / CONSULTING	\$2,376.00
TOTAL			\$96,350.00

Project Timeline – 1203 W Washington St.



BLW-SOLUTIONS -- WASHINGTON ST DEVELOPMENT

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR
DEVELOPMENT OF 1157 WEST WASHINGTON STREET AND 1203 WEST
WASHINGTON STREET PETERSBURG, VIRGINIA BETWEEN THE CITY OF
PETERSBURG AND BLW SOLUTIONS**

WHEREAS, The City of Petersburg City Council approved 21-ORD-31 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 1203 West Washington Street and 1203 West Washington Street on May 18, 2021; and

WHEREAS, following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to BLW Solutions, BLW Solutions shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; and

WHEREAS, the Development Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to BLW Solutions; and

WHEREAS, the deed shall include provisions for the reverter described in the Development Agreement.

NOW therefore be it RESOLVED that the City Council of the City of Petersburg hereby approve the Development Agreement between the City of Petersburg and BLW Solutions.

Be it further resolved, the City Manager and City Attorney are hereby directed to take all necessary action to facilitate the sale of the subject property consistent with the terms described in the Purchase and Development Agreements.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Lionel Lyons, Deputy City Manager of Development and Operations

FROM: Reginald Tabor, Cynthia Boone

RE: **A Resolution approving the Development Agreement between the City of Petersburg and Little Creek Kung Fu Wudang Daoist Temple of Virginia for development of a Daoist Temple located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North and 115 Burch Street North Petersburg, Virginia**

PURPOSE: To consider the adoption of a Resolution approving the Development Agreement between the City of Petersburg and BLW Solutions, Little Creek Kung Fu Wudang Daoist Temple of Virginia for development of a Daoist Temple located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North and 115 Burch Street North Petersburg, Virginia. and authorizing the City Manager and City Attorney to take action to facilitate the sale of the City-owned property.

REASON: This action is necessary to facilitate the process to sell City-owned property at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North and 115 Burch Street North Petersburg, Virginia.

RECOMMENDATION: It is recommended that the City Council considers adoption of a Resolution approving the Development Agreement and authorizing the City Manager and the City Attorney to execute all documents to facilitate the sale of City-owned property in accordance with applicable legal requirements.

BACKGROUND: The City of Petersburg City Council approved 21-ORD-30 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North and 115 Burch Street North Petersburg, Virginia on May 18, 2021. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Little Creek Kung Fu Wudang Daoist Temple of Virginia, Little Creek Kung Fu Wudang Daoist Temple of Virginia shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with terms defined in the Agreement. The Development Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to Little Creek Kung Fu Wudang Daoist Temple of Virginia. The deed shall include provisions for the reverter described in the Development Agreement.

COST TO CITY: Cost associated with the conveyance of Real Property

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Attorney

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-30

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 20210528145413077
2. LittleCreekKungFuDevelopmentAgreement(1) (1)
3. 0615_2021DevelopmentAgreementResolutionLCKF

36 Month Land Improvement Plan
Little Creek Kung Fu Wudang Daoist Temple of Virginia, inc.

105, 109, 113, & 115 N. Burch St.
Petersburg, Va. 23803

1-12 Months:

1 - Clean Land: Soliciting Volunteers, Donated Labor and Supplies

- Soliciting \$100 donation for project specific purchases
- **Remove trash, end the habitual dumping and squatting on the property**
- **Remove excess shrubbery, clear walking path**
- **Keep native hardwoods, trees, and shrubbery along the roadside and borders of property**

2 - Erecting Devotional Area: Funded by General Donations

- Soliciting \$250 donation for project specific purchases
- **Signage, labeling ownership, address, and usage with clearly marked entry point**
- **Open a clearing for devotional sites and a gathering place for post-covid events**
- **Keep land clean and deter squatting and dumping on property**

3 - Community Gardens: Funded by General Donations and Facebook Fundraising

- Soliciting \$500 donation for project specific purchases with additional \$500 Social Media Fundraising Campaign
- **Construct raised garden beds**
- **Bring water and soil to the grow sites**
- **Keep land clean and deter squatting and dumping on property**

4 - Meditation Walk: Soliciting Volunteers, Donated Labor and Supplies

- Soliciting \$50 for project specific purchases
- **Widen dedicated meditation walk for further access to gardens as well as smoothing the terrain where pedestrian visitors use trail**

12 - 24 Months:

Main Objective – Meditation Gazebo and Picnic Area: General Donations and Facebook Fundraising

- Soliciting \$500 donation for project specific purchases with additional \$500 Social Media Fundraising Campaign
- **Level ground, add picnic benches, tables, and seating**
- **Keep land clean and deter squatting and dumping on property**

Secondary Objective – Continue to improve on previous projects: Donated Labor and Supplies

- Soliciting \$100 for project specific purchases
- **Improving design and structure of entrance, trail, and gardens**

24 – 36 Months:

Improve Accessibility for Community Use: General Donations, Volunteered Labor, and Donated Supplies

- Soliciting \$100 for project specific purchases
- Improving design and structure of Gazebo and Picnic Area
- Increasing accessibility of Meditation Walk
- Keep land clean and deter squatting and dumping on the property

Narrative:

We are a Daoist Temple funded predominately by small donations. Despite the global Covid-19 Pandemic, our community continues to grow and support us. The majority of funding for this project will come from the general donations from our congregation to our Temple. Labor will mostly be volunteer except where paid or skilled labor is required. When extra funding is needed for specific projects, online donation solicitation through social media has proven highly successful and will supplement financial requirements as necessary. This has become increasingly significant as the Global Health Crisis has many people staying indoors and preferring to donate online rather than in person.

We currently have sufficient membership and funding to purchase the land and begin the land improvement projects and we continue to collect donations and therefore our financial capacity for this project continues to grow. We are collectively enthusiastic and anxious to start cleaning the property and improving another corner of our beautiful city.

Our main focus for this location will be keeping the area available for public use, that means that our community gardens will truly be for the community and our meditation walks will be open for everyone. We hope to encourage general, local, community use of the land, picnic area, and walking trail and we wish to end the use of this space as a dumping site for garbage and squatters.

We do not plan to use this land for exclusive, private use. The design and layout will be welcoming and open to the citizens of this city and we hope to use it as a place from which we can grow our community, continue our community service programs, and ultimately contribute back more than we take.



115

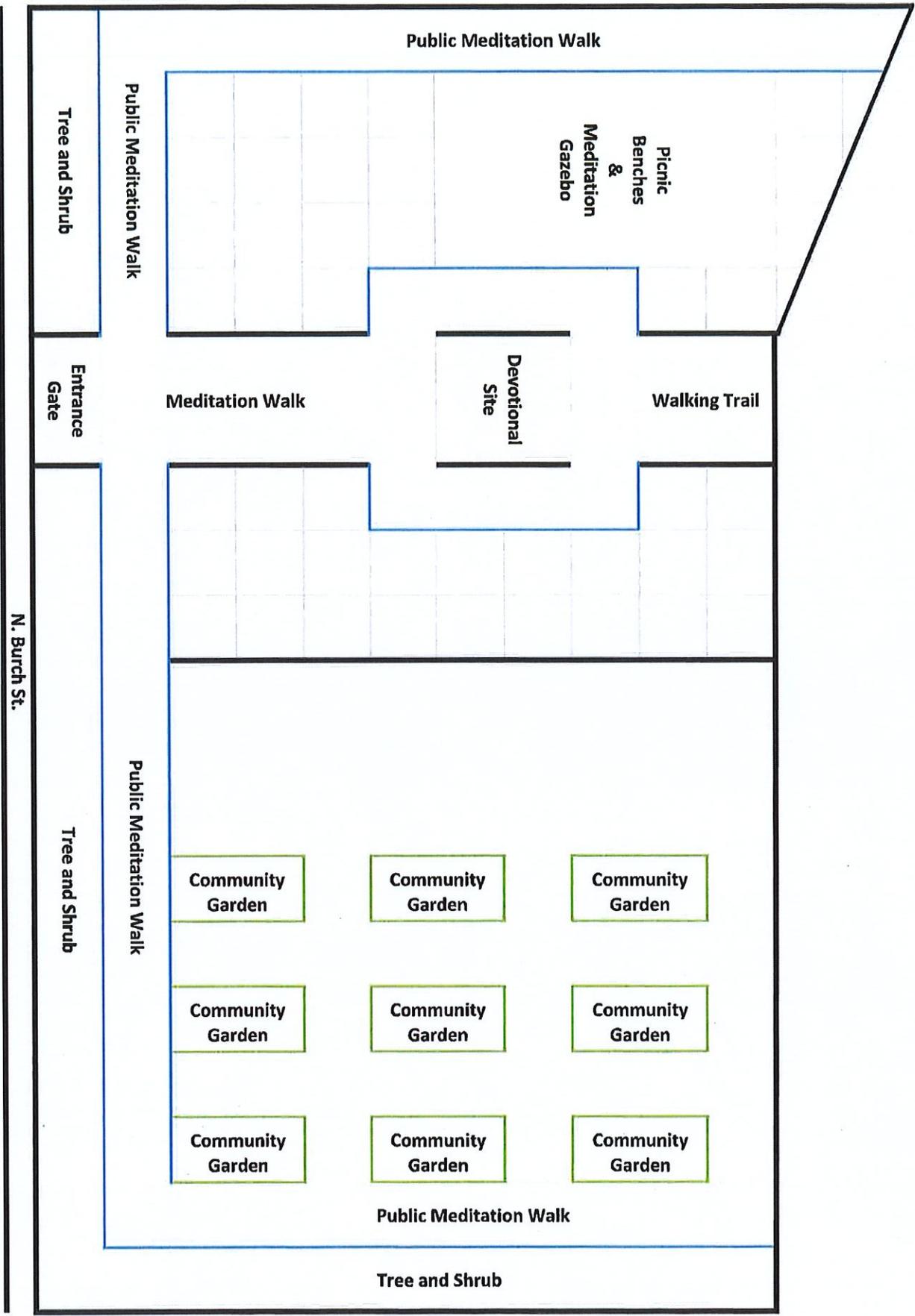
113

109

105

N Burch St

Taylor St



**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT
PROPERTY AT 105 BURCH STREET NORTH, 109 BURCH STREET NORTH,
113 BURCH STREET NORTH, 115 BURCH STREET NORTH PETERSBURG,
VIRGINIA 23803 AS RESIDENTIAL DEVELOPMENT**

On this 15TH day of June, 2021 came the parties, Little Creek Kung Fu Wudang Daoist Temple of Virginia ("Purchaser"), and the City of Petersburg, VA, a municipal corporation formed and operating under the laws of the Commonwealth of Virginia ("the City"), hereinafter collectively referred to as "the Parties," and did enter into this Development Agreement for the development of vacant property at 105 Burch Street North 120-80012, 109 Burch Street North 120-80014, 113 Burch Street North 120-80015, 115 Burch Street North, Petersburg, Virginia 23803 as residential development ("the Agreement") to wit:

RECITALS

The Purchaser has presented to Petersburg City Council and the City's Administration "project summary documents" herein attached as (**Exhibit A**) outlining specific information regarding the project that is the subject of this Agreement, and which documents are hereby incorporated into this Agreement as if set forth fully herein.

The project summary documents describe the intentions of The Purchaser with regard to the purchase and development of property as Daoist Temple that will consist of an outdoor, open air training community and natural space that will consist of raised garden beds, meditation walkway, picnic benches, tables and seating located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North, 115 Burch Street ("the Property"). The requirements of the project summary documents are deemed by the Parties to supplement but not supplant all requirements described in this Agreement and shall be binding upon The Purchaser with regard to the development of the property.

Upon presentation of these documents to the City by The Purchaser, Petersburg City Council did authorize the sale of the Property to The Purchaser contingent upon the execution of this Development Agreement which shall be referenced in the recorded deed for the property and include a reverter requirement for noncompliance with the terms described herein.

AGREEMENT

In consideration of the City's conveyance of the Property to The Purchaser, The Purchaser shall perform the development of the Property strictly in compliance with the project summary documents and in accordance with the following terms:

- A. The Purchaser shall be solely responsible for the development of the Property in accordance with the project summary documents, and shall comply with all Code, Zoning, and other legal requirements associated with the development.
- B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.
- C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is" condition with no warranties of title or condition.
- D. The period of time described in the project summary documents during which The Purchaser is required to complete the development of the Property shall be known as the "Development Period."
- E. The Purchaser shall not be permitted to convey the property during the Development Period. Upon completion of the development of the property, The Purchaser shall notify the City who shall determine compliance and upon making such determination, certify in writing completion of the development in accordance with the project summary documents. A copy of said certification shall be provided to The Purchaser. Upon such certification, this Agreement shall cease to be effective and become null and void.
- F. Extensions to the time schedule described in the project summary documents will not be authorized except by the written consent of the City as approved by Petersburg City Council.
- G. The failure of The Purchaser to timely comply with all requirements of the project summary documents shall be considered a material breach of this Agreement.
- H. Upon material breach of this Agreement, the City shall provide The Purchaser with written Notice describing the breach. Upon receipt of written Notice of Breach, The Purchaser shall have thirty days to cure. The failure to cure the material breach within the thirty-day period shall result in default.
- I. All Notices and other correspondence sent pursuant to this Agreement shall be sent to the following persons and addresses:

To the City:

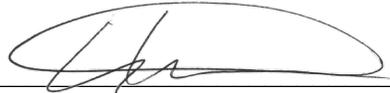
City Manager (with copy to City Attorney)
135 North Union Street
Petersburg, VA 23803

Notices may be sent via Hand Delivery, Courier, First Class Mail, Certified Mail, Registered Mail or other similar standard business delivery service and shall be effective upon receipt.

- J. This Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to The Purchaser and shall run with the land until such time as all requirements are completed. The deed shall include provisions for the reverter described herein.
- K. The “original purchase price” for the Property shall be defined as the amount paid by The Purchaser to the City to facilitate the transfer of the property thirteen thousand two hundred dollars (\$13,200).
- L. Upon Default by The Purchaser, the City shall retain 100% of the purchase price and shall record the Notice of Default which shall cause the Property to automatically revert to the City.
- M. This Agreement shall be binding upon The Purchaser and successors in interest until such time that the obligations are concluded and the Agreement is declared to be null and void in accordance with the terms described herein.
- N. This Agreement shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising from the performance or non-performance of any requirement described herein shall be litigated solely in the Circuit Court for the City of Petersburg, Virginia.
- O. If any provision of this document is deemed by a Court to be contrary to applicable law, the remaining terms shall continue in full force and effect.

By signing below, the undersigned parties represent that they have the authority to bind and do hereby bind their respective entity to all terms of this Agreement.

PURCHASER

By: 

Printed name: William Alex Bechtold
Little Creek Kung Fu Wudang Daoist Temple of Va, inc. Treasurer

CITY OF PETERSBURG, VIRGINIA

By: _____
Kenneth Miller, Interim City Manager

Approved as to form:

By: _____
Anthony C. Williams, City Attorney

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR
DEVELOPMENT OF 105 BURCH ST NORTH, 109 BURCH STREET NORTH, 113
BURCH STREET NORTH, AND 115 BURCH STREET NORTH PETERSBURG,
VIRGINIA BETWEEN THE CITY OF PETERSBURG AND BLW SOLUTIONS**

WHEREAS, The City of Petersburg City Council approved 21-ORD-30 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 105 Burch Street North, 109 Burch Street North, 113 Burch Street North, and 115 Burch Street North on May 18, 2021; and

WHEREAS, following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Little Creek Kung Fu Wudang Daoist Temple of Virginia, Little Creek Kung Fu Wudang Daoist Temple of Virginia shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; and

WHEREAS, the Development Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to Little Creek Kung Fu Wudang Daoist Temple of Virginia; and

WHEREAS, the deed shall include provisions for the reverter described in the Development Agreement.

NOW therefore be it RESOLVED that the City Council of the City of Petersburg hereby approve the Development Agreement between the City of Petersburg and to Little Creek Kung Fu Wudang Daoist Temple of Virginia.

Be it further resolved, the City Manager and City Attorney are hereby directed to take all necessary action to facilitate the sale of the subject property consistent with the terms described in the Purchase and Development Agreements.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of appointing Tangela Innis as the primary to the Appomattox River Water Authority (ARWA) Board.**

PURPOSE: To make an appointment to the ARWA Board.

REASON: Currently vacant position.

RECOMMENDATION: Recommend City Council appoint Tangela Innis, Director of Utilities and Capital Projects to the Appomattox River Water Authority Board as the primary member.

BACKGROUND: The Appomattox River Water Authority consists of the Cities of Colonial Heights and Petersburg and the Counties of Chesterfield, Dinwiddie, and Prince George. The Authority is responsible for the operation of the Appomattox River Water Treatment plant.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other as its representatives on the Board and the Director of Public Works as the alternate.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 6/15/2021

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. Appomattox River Water Authority Board 2021
2. Appomattox River Water Authority Board
3. Innis as primary to ARWA resolution

	APPOMATTOX RIVER WATER AUTHORITY BOARD		
	Number of Members: 2		
TERM	APPOINTMENT	APPOINTED	NEW APPLICANT
3/16/2020-12/31/2022	vacant (primary)		
7/21/2020-12/31/2022			
	AUTHORITY:		COMPOSITION:
	Virginia Water & Sewer Authorities Act, Section 15.1-1249 of the Code of Virginia; Concurrent Resolutions of the governing bodies of the Cities of Petersburg and Colonial Heights and the counties of Chesterfield, Dinwiddie, and Prince George setting forth the Articles of Incorporation - Resolution #4692 adopted October 4, 1960. Water Authority began furnishing water on January 1, 1968.		One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.
	MEETINGS:		TERMS:
	May 15, 2014; June 25, 2014; July 24, 2014; September 25, 2014(1:00pm) , 2:00p.m., Authority Office Lake Chesdin		Four (4) years
	STAFF LIAISON:		
	Robert C. Wichser, Executive Director		
	Appomattox River Water Authority		
	21300 Chesdin Road		
	Petersburg, VA 23803		
	(804) 590-1145		

Appomattox River Water Authority (ARWA)

Duties:

ARWA provides safe, clean water to customers in Chesterfield, Dinwiddie and Prince George Counties, and the Cities of Petersburg and Colonial Heights, Virginia, from facilities located next to Brasfield Dam, at Chesdin Reservoir, in south-central Virginia.

-Virginia Water & Sewer Authorities Act, Section 15.1-1249 of the Code of Virginia;
Concurrent Resolutions of the governing bodies of the cities of Petersburg and Colonial Heights and the counties of Chesterfield, Dinwiddie, and Prince George setting forth the Articles for Incorporation – Resolution #4692 adopted October 4, 1960.

The Appomattox River Water Authority was formed in the 1960s to own/operate a regional water supply and sell drinking water to the cities of Colonial Heights and Petersburg as well as Chesterfield, Dinwiddie, and Prince George Counties. The Authority completed construction of the reservoir, treatment plant and pipelines in late 1967 and began delivering water to the customers in January 1968.

The original treatment plant had a rated capacity of 22 million gallons per day (mgd) and two expansions have increased the capacity first to 46 (mgd) in the early 1980s and then to 96 (mgd) in 2007.

The Authority participates in the Partnership for Safe Water program, which is sponsored by the American Water Works Association, Association of Metropolitan Water Agencies, Association of State Drinking Water Administrators, United States Environmental Protection Agency, National Association of Water Companies, and the Water Research Foundation. The drinking water quality standards for participation in this program are stricter than the regular standards of either the EPA or the Virginia Department of Health. ARWA is one of only two water plants in Virginia that has received the Directors Award for compliance with these standards for fifteen or more consecutive years.

ARWA is composed of one (1) member and one (1) alternate member from each of the political subdivisions participating in the Authority.

**Four year terms.

Director of Board:

Robert B. Wilson

Executive Director of Appomattox Regional Wastewater Authority and South Central Wastewater Authority

21300 Chesdin Road

South Chesterfield, VA 23803

804-590-1145

Members of the Board Information:

1. Vacant (primary)
Petersburg, VA 23803
Telephone #: 804-733-2301
Email: @petersburg-va.org
Ward: N/A
Term Date: March 16, 2021 to December 31, 2022

2. Vacant

**A RESOLUTION APPOINTING TANGELA INNIS, DIRECTOR OF
PUBLIC UTILITIES AND CAPITAL PROJECTS, AS THE PRIMARY FOR
THE APPOMATTOX RIVER WATER AUTHORITY BOARD**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoint Tangela Innis, Director of Public Utilities and Capital Projects, as the primary member for the Appomattox River Water Authority Board.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of appointing Tangela Innis as primary to the South Central Wastewater Treatment Authority Board.**

PURPOSE: To make appoint Tangela Innis as primary to the South Central Wastewater Treatment Authority Board.

REASON: Vacant position at this moment.

RECOMMENDATION: Recommend Council appoint Tangela Innis, Director of Public Utilities and Capital Projects, as the primary representative of South Central Wastewater Treatment Authority Board.

BACKGROUND: South Central Wastewater Treatment Authority operates the Petersburg Wastewater Plant, which serves the Cities of Colonial Heights and Petersburg along with the Counties of Chesterfield, Dinwiddie and Prince George.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other member jurisdiction, traditionally appointed the locality's chief administrative officer as its representative on the Board and the Director of Public Works as the alternate.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. tangela innis as primary to SCWTA resolution
2. South Central Wastewater Treatment Authority 2021

**A RESOLUTION APPOINTING TANGELA INNIS, DIRECTOR OF
PUBLIC UTILITIES AND CAPITAL PROJECTS, AS THE PRIMARY FOR
THE SOUTH CENTRAL WASTEWATER TREATMENT AUTHORITY
BOARD**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoint Tangela Innis, Director of Public Utilities and Capital Projects, as the primary member for the South Central Wastewater Treatment Authority Board for term ending December 31, 2024

	SOUTH CENTRAL WASTEWATER TREATMENT AUTHORITY		
	Number of members: 2		
TERMS	APPOINTMENTS	APPOINTED	
7/21/2020-12/31/2024	Vacant (Primary)		
7/21/2020-12/31/2024			
	AUTHORITY:		COMPOSITION:
	Operates the Petersburg Wastewater Plant, which serves the cities of Colonial Heights and Petersburg along with the counties of Chesterfield, Dinwiddie and Prince George.		One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.
	MEETING DATE AND TIME:		TERMS:
	Third Wednesday, 2:00pm		Four (4) years
	STAFF LIAISON:		
	William Leary, Director of South Central Wastewater Treatment Plant		
	(804) 861-0111		



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of appointment to the Architectural Review Board.**

PURPOSE: To consider an appointment/s to the Architectural Review Board.

REASON: There will be two current vacant positions at the end of June due to resignations of two members.

RECOMMENDATION: Recommend Council to make an appointment/s to the Architectural Review Board.

BACKGROUND: The Architectural Review Board consists of 7 members appointed by City Council. The duties of the Board include, but are not limited to the following: administer the provisions of the City Code, Article 35, and preservation of the Historical Areas within the City. In addition to those duties, under the CLG Program the review board shall, at a minimum, perform the following duties: conduct or cause to be conducted a continuing survey of cultural resources in the community, according to guidelines established by the State Historic Preservation Office; act in an advisory role to other officials and departments of local government regarding protection of local cultural resources; disseminate information within the locality on historic preservation issues and concerns; and review all proposed National Register nominations for properties with the boundaries of the locality.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 6/15/2021

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. Architectural Review Board 2021
2. Architectural Review Board 2021
3. apps

Architectural Review Board

Duties:

The Architectural Review Board was created to enforce Article 35 of the Zoning Ordinance, which promotes our designated historic resources within Locally Designated Historic Districts and ensures that they retain their historic character when an owner or contractor wishes to alter their appearance, following the guidelines laid out within the Zoning Ordinance and our Local Historic District Design Guidelines.

The ARB is composed of one member who is an architect, and other members who have interest, competence and/or knowledge of historic preservation. Two members should have professional training or experience in related fields.

*Seven qualified residents of the city appointed by City Council; except that City Council may appoint, as one of the seven qualified members, a licensed Architect who is not a resident of the City. One qualified member must be a federally defined minority.

**Three year terms.

Director of Board:

Kate Sangregorio, Preservation Planner

Planning Department

135 North Union Street

3rd Floor

804-733-2314

Members of the Board Information:

1. Vacant

Telephone #:

Email

Ward:

Term Date: February 19, 2019 to September 30, 2022 (resignation seat Mitchell Pradia)

2. Dino Lunsford

4017 Birchett Place

Prince George, VA 23875

Telephone #

Email:

Ward:

Term Date: February 19, 2019 to September 30, 2022

3. Vacant

Telephone #

Email:

Ward: 5

Term Date: February 19, 2019 to September 30, 2022 (resignation seat Lisa Jordan)

4. Larry Murphy

4106 Rockridge Place

Chester, VA 23831

Telephone #

Email:

Ward:

Term Date: February 19, 2019 to September 30, 2022

5. Terry Ammons

109 W. Bank Street

Petersburg, VA 23803

Telephone #

Email:

Ward: 4

Term Date: February 19, 2019 to September 30, 2022

6. Joe Battiston

18610 Waterford Drive

Sutherland, VA 23885

Telephone #

Email:

Ward:

Term Date: February 19, 2019 to September 30, 2022

7. Celeste Wynn

319 East Fillmore Street

Petersburg, VA 23803

Telephone #

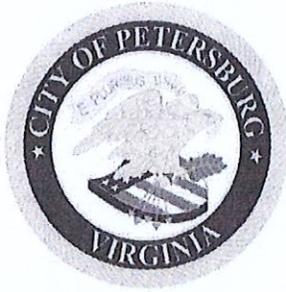
Email:

Ward: 4

Term Date: February 19, 2019 to September 30, 2022

Architectural Review Board

ARCHITECTURAL REVIEW BOARD			
	Number of members: 7		
TERMS	APPOINTMENTS	NEW APPLICANTS	
02/19/2019 - 09/30/2022	Mitchell Pradia, 517 High Street - resigned	Louis Malon, 1578 Westover Avenue	3
02/19/2019 - 09/30/2022	Dino Lunsford, 4017 Birchett Place, 23875	William H. Hartsock, 239 High Street	5
02/19/2019 - 09/30/2022	Lisa Jordan, 239 High Street - resigned		
02/19/2019 - 09/30/2022	Larry Murphy, 4106 Rockridge Place		
02/19/2019 - 09/30/2022	Terry Ammons, 109 W. Bank Street		
02/19/2019 - 09/30/2022	Joe Battiston, 18610 Waterford Drive - chair		
02/19/2019 - 09/30/2022	Celeste Wynn, 319 East Fillmore Street		



**City of Petersburg, Virginia
Boards, Commission, and Authority Application**

(Please type or print clearly)

APPLICATION FOR Architectural Review Board
(Board, Commission, or Authority)

June 3, 2021
(Date of Application)

NAME: HARTSOCK WILLIAM H.
(Last First Middle initial)

HOME ADDRESS: 239 High Street, Petersburg, VA 23803
(Street Apartment # ZIP)

5
(Home Phone # or Cell Phone#) (Work Phone #) (Ward)

Email Address: bollingbrook@comcast.net

Real Estate Agent, Long and Foster Real Estate
(Current occupation and place of employment – if retired, indicate former occupation)

Current membership in professional/community organizations: Board of Trustees, Historic Petersburg Foundation 2001-2003
2017-present

Please indicate why you would like to serve: I specialize in sales of historic properties in Petersburg. I have restored 22 houses in the last 40 years. I want to promote quality renovation and restoration activity in the City

(Please use reverse side if additional space is needed)

***Please include/attach resume.**

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.

William Hartsock
(Applicant's signature)

WILLIAM H. HARTSOCK

RESUME

December, 1998 – Present – Real Estate Agent, Long and Foster Real Estate. Help buyers and sellers with home purchases. Acts as Property Management agent for various owners for both market rentals as well as Section 8 rentals.

March, 2013 – December 2016 – Food and Beverage Manager and Wine Director, Hermitage Country Club, Manakin-Sabot, Virginia. Managed Club wine program and created unique events and dinners. Purchased all alcoholic beverages, conducted inventories and did direct sales to members.

June 2009 – March, 2013 – Food and Beverage Director, Two Rivers Country Club, Williamsburg, Virginia. Responsible for all food and beverage and catering operations for this private country club. Created a retail wine shop and conducted wine dinners and tastings on a monthly basis.

Held various other food and beverage management positions in private clubs beginning in 1986. Own a private consulting business with an emphasis on design and construction of country club facilities. Have had projects in Virginia, North and South Carolina.



**City of Petersburg, Virginia
Boards, Commission, and Authority Application**

(Please type or print clearly)

APPLICATION FOR ARCHITECTURAL REVIEW BOARD
(Board, Commission, or Authority)

June 4 2021

(Date of Application)

NAME: MALON LOUIS J
(Last First Middle initial)

HOME ADDRESS: 1570 WESTOVER AVENUE PETERSBURG VA 23805
(Street Apartment # ZIP)

[REDACTED] --- 3rd
(Home Phone # or Cell Phone#) (Work Phone #) (Ward)

Email Address: MALONTWO@AOL.COM

retired from PRESERVATION VIRGINIA
(Current occupation and place of employment – if retired, indicate former occupation)

Current membership in professional/community organizations: HISTORIC PETERSBURG
FOUNDATION (immediate past president); PETERSBURG BRICKS&ROCK
CLUB (incoming president)

Please indicate why you would like to serve: I have a lifelong interest in the history and
architectural fabric of Petersburg. I spent my professional career overseeing
the stewardship of some of Virginia's most significant historic properties.
Now retired, I wish to give back to our local community and help Petersburg
(Please use reverse side if additional space is needed) preserve its significant history

***Please include/attach resume.**

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.

[Signature]
(Applicant's signature)

Louis J. Malon
1578 Westover Avenue
Petersburg, VA 23805

malontwo@aol.com

Career Summary

July 2017 – present: Retired, serving as Community Volunteer

Served for three years as president of Historic Petersburg Foundation, Petersburg's oldest and most comprehensive historic preservation organization. Served as Board member of Petersburg Preservation Task Force. Member of Petersburg (Breakfast)) Rotary Club (incoming president) and member and/or supporter of numerous local and statewide arts and cultural entities.

August 1982 – June 2017: Preservation Virginia, retiring as Director of Preservation Services

Helped lead America's oldest statewide preservation organization for 35 years. Involved in direct stewardship of portfolio as large as 44 historic properties statewide, including six National Historic Landmark properties. Directed renovations at several including Bacon's Castle, Scotchtown, the John Marshall House, and the Cape Henry Lighthouse among many others. Directed the development and construction of the Archaerium, the only purpose built museum facility on Historic Jamestown in preparation for the 400th anniversary of the landing of the first English settlers. Worked with numerous local history and preservation organizations across the Commonwealth in the development of their capacity to oversee local historic sites and collections.

1976 – 1982: University of Richmond

Worked in various capacities for Richmond's largest private university, including print shop, book store and leaving as Director of Plant Administration for the Physical Plant Department

1973 – 1976: US Postal Service, Richmond Main Branch

1972 – 1973: Aristocrat Building Supply, Petersburg

Education

1999 – 2012: Virginia Commonwealth University
Postgraduate courses in Architectural History Department

1974 -1977: Virginia Commonwealth University
BA in Philosophy and Religious Studies
Member of Honor Society of Phi Kappa Phi

1970 -1972: College of William and Mary
1965 -1970: Gibbons High, Petersburg (valedictorian)

Professional Presentations and Affiliations

Prepared and delivered talks and presentations at numerous sites across Virginia, as well as at

- Vernacular Architectural Forum (Portland, ME and Wilmington, NC)
- VCU Architectural Seminar (Richmond, VA)
- Florida State Architectural Seminar (Tallahassee, FL)
- Virginia Association of Museums (various sites)
- National Trust Statewide Roundtable (Princeton, NJ)
- American Association of Museums Roundtable (Montgomery, AL)

Current or Former Member of National Trust for Historic Preservation, American Association of Museums, Virginia Association of Museums, Preservation Virginia, Preservation Alliance of Virginia, and many regional or local entities

Personal

Married to Lucia E. Malon
Currently reside in the Walnut Hill section of Petersburg
Previously lived in Blackstone, Montpelier South Anna and Hylas, all in Virginia
Born in Petersburg General Hospital in 1952
Father to three, Step Father to two, Grandfather to four

References available upon request



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: June 15, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: **Consideration of re/appointment to the Petersburg Redevelopment and Housing Authority.**

PURPOSE: To consider appointment to the Petersburg Redevelopment and Housing Authority.

REASON: The term of one (1) of the members representing the City on the board has expired.

RECOMMENDATION: Recommend City Council make re/appointment to the Petersburg Redevelopment and Housing Authority.

BACKGROUND: The Petersburg Redevelopment and Housing Authority (PRHA) Board consists of seven (7) members who are appointed by City Council to serve four-year, staggered terms. PRHA was created to study blighted areas within the City and to recommend programs for the improvement of such areas; to provide quality housing for low-income families at rents within their ability to pay; and to serve as the duly designated agent of the City to contract with federal agencies for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by City Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 6/15/2021

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. Petersburg Redevelopment and Housing Authority 2021
2. jdickens app
3. Petersburg Redevelopment and Housing Authority 2021

PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY					
				NEW APPLICANTS	WARDS
	Number of members: 7				
TERMS	APPOINTMENTS	Date Appointed	WARDS		
04/20/2021 - 09/30/24	Dianne Johnson, 2000 Colston Street	4/20/2021	Ward 2	Patrick R. Ingram, 836 S. Gillfield Drive	Ward 6
09/19/2017 - 09/30/21	Leonard Muse, 116 South Plains Drive	9/19/2017	Ward 2	Joseph Dickens, 1002 Oakmont Drive	Ward 3
01/21/2020-09/30/2024	Linda Poe, 128 South Sycamore Street	1/21/2020	Ward 4		
10/14/14 - 09/30/18	Joseph P. Dickens, 1002 Oakmont Dr.	2/7/2017	Ward 3		
07/07/2020-09/30/2024	Trisha L. Brown, 2811 Brierwood Road	7/7/2020	Ward 7		
07/07/2020 - 09/30/24	Kim Potts, 422 West Washington Street	7/7/2020	Ward 5		
03/21/2017 - 09/30/21	Mary Howard, 608 S. Park Drive, Vice Chair	3/21/2017	Ward 2		
	AUTHORITY:				
	Title 36, Code of Virginia, as amended; Referendum vote October 1967; December 1967 City Council Resolution established composition and terms of members; City Council; Resolution #95-31, 4/4/95 amended composition, amended 04/02/2002 - 02-ORD-22			Duties: To study slum and blighted areas within the City and to recommend programs for their improvement. To provide quality housing for low income families at rents within their ability to pay. To serve as the duly designated agent for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by the City Council.	
	MEETING DATE AND TIME			COMPOSITION:	
	4 th Monday at 6:00 p.m., at Sycamore Towers			Seven (7) at large members appointed by City Council.	
	STAFF LIAISON:				
	Nathaniel Pride (804-733-2200)				



**City of Petersburg, Virginia
Boards, Commission, and Authority Application**

(Please type or print clearly)

APPLICATION FOR Petersburg Redevelopment and Housing Authority
(Board, Commission, or Authority)

April 20, 2021

(Date of Application)

NAME: Dickens Joseph P.
(Last First Middle initial)

HOME ADDRESS: 1002 Oakmont Drive, Petersburg, VA 23805
(Street Apartment # ZIP)

(804)733-6817 (804)861-1141 3
(Home Phone # or Cell Phone#) (Work Phone #) (Ward)

Email Address: jpgickensiv@comcast.net

Self-employed

(Current occupation and place of employment – if retired, indicate former occupation)

Current membership in professional/community organizations: Peterburg/Dinwiddie Crimesolvers, Inc.
Brawley Alumni Association, Scotland Neck, NC

Please indicate why you would like to serve: (Presently serving on Petersburg Redevelopment and Housing Authority as Development Committee Chair)

(Please use reverse side if additional space is needed)

***Please include/attach resume.**

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.

(Applicant's signature)

Joseph Preston Dickens, 1002 Oakmont Drive, Petersburg, VA 23805
(804)733-6817 - jpdickensiv@comcast.net

Objective: To serve the City of Petersburg by assisting in the development of policies that would provide sanitary and affordable living conditions.

Education: Elementary and Secondary Education, Halifax County, North Carolina

United States Armed Forces Institute: Associate Study

- Automotive
- General Aeronautics
- Foreign Language (Intermediate Spanish)
- English Composition
- Photography

Military: United States Army

- 212th Group, 83rd Field Artillery, APO 79 (Germany)
- USO 1959 Northern Area Command (Germany)
- Air Defense (Fort Carson, Colorado)
- Air Defense, Missile Testing (Fort Bliss, Texas)
- Air Defense, Missile "Honest John" (White Sands, New Mexico)

Industry Employment

- E. I. Du Pont De Nemours (Richmond, VA)

Self-Employment

- Photography (Independent Contractor)
- Piano Tuning Technician (Independent Contractor)

Community Involvement

- Crater District Local Human Rights Commission (2003-2009)
- Virginia Department of Mental Health, Mental Retardation and Substance Abuse
- Petersburg-Dinwiddie Crime Solvers, Inc. (Treasurer)
- Petersburg VA Democratic Party Member (Current)
- Richmond Piano Tuning Guild (Former Member)
- National Association of Housing 2001 (Former Member)
- Beaux-Twenty Club, Inc. (Current)
- United States Department of Interior (National Battlefields Preservation)
- Motivational Speaker (Petersburg-Dinwiddie High School)
- Mentoring "Boys to Men" (VCU Grant, Zion Baptist Church, Petersburg, VA)
- Multi-Cultural Programs (Former Member)
- Petersburg Department of Tourism (Technical Assistance)

Special Interest

- Music and Art
- Petersburg Cockade City Camera Club
- Religious Studies

Faith Affiliations

- Tabernacle Baptist Church
- Greater Faith A.M.E. Zion Church
- St. Stephen's Episcopal Church

PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY					
				NEW APPLICANTS	WARDS
	Number of members: 7				
TERMS	APPOINTMENTS	Date Appointed	WARDS		
04/20/2021 - 09/30/24	Dianne Johnson, 2000 Colston Street	4/20/2021	Ward 2	Patrick R. Ingram, 836 S. Gillfield Drive	Ward 6
09/19/2017 - 09/30/21	Leonard Muse, 116 South Plains Drive	9/19/2017	Ward 2	Joseph Dickens, 1002 Oakmont Drive	Ward 3
01/21/2020-09/30/2024	Linda Poe, 128 South Sycamore Street	1/21/2020	Ward 4		
10/14/14 - 09/30/18	Joseph P. Dickens, 1002 Oakmont Dr.	2/7/2017	Ward 3		
07/07/2020-09/30/2024	Trisha L. Brown, 2811 Brierwood Road	7/7/2020	Ward 7		
07/07/2020 - 09/30/24	Kim Potts, 422 West Washington Street	7/7/2020	Ward 5		
03/21/2017 - 09/30/21	Mary Howard, 608 S. Park Drive, Vice Chair	3/21/2017	Ward 2		
	AUTHORITY:				
	Title 36, Code of Virginia, as amended; Referendum vote October 1967; December 1967 City Council Resolution established composition and terms of members; City Council; Resolution #95-31, 4/4/95 amended composition, amended 04/02/2002 - 02-ORD-22			Duties: To study slum and blighted areas within the City and to recommend programs for their improvement. To provide quality housing for low income families at rents within their ability to pay. To serve as the duly designated agent for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by the City Council.	
	MEETING DATE AND TIME			COMPOSITION:	
	4 th Monday at 6:00 p.m., at Sycamore Towers			Seven (7) at large members appointed by City Council.	
	STAFF LIAISON:				
	Nathaniel Pride (804-733-2200)				