

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, May 7, 2024, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:07 p.m. The meeting video link is <https://petersburgva.new.swagit.com/videos/304454>.

1. ROLL CALL

Present:

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

Absent: Council Member Marlow Jones (Late)

Present from City Administration:

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

2. CLOSED SESSION

The purpose of this meeting is to convene in the closed session pursuant §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 Actual or Probable Litigation and Specific Legal Matters Requiring the Provision of Legal Advice by the City Attorney, Specifically Including but not Limited to Discussion of a Disputed Claim Concerning Stormwater Utility Payments; the Legal Requirements of 58.1-4109 and 2.2-4300 ET. SEQ. of the Code of Virginia; Virginia Attorney General Opinion 2010 VA. AG Lexis 35 as it Relates to Fees and Penalties; Title 58.1 Chapter 39 of the Code of Virginia as it Relates to Collection of Delinquent Real Property Taxes; §58.1-4109 of the Code of Virginia Regarding the Process for Selection of a Preferred Gaming Operator; and §2.2-4600 ET. SEQ. as it Pertains to the Requirements of the Virginia Public Procurement Act and Other Matters Requiring the Legal Advice of the City Attorney; and Pursuant to 2.2-3711(A)(3) of the Code of Virginia for the Purpose of Discussion or Consideration of the Acquisition of Real Property for a Public Purpose and the Disposition of Publicly Held Real Property Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body, Specifically Including but not Limited to the Acquisition and Disposition of Real Property; and Pursuant to 2.2-3711(A)(29) of the Code of Virginia for the Purpose of Discussion of the Award of a Public Contract Involving the Expenditure of Public Funds Including Interviews of Bidders or Offerors, and Discussion of the Terms or Scope of Such Contract, Where Discussion in an Open Session Would Adversely Affect the Bargaining Position or Negotiating Strategy of the City.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion.

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

Council entered into Closed Session at 3:10 p.m.

Council Member Jones arrived at 4:15 p.m.

CERTIFICATION

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

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

The motion was approved on roll call vote.

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

24-RES-24 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 open session at 5:00 p.m.

3. OLD BUSINESS

a. Consideration to Adopt the FY2025 Tax Rate Ordinance

Council Member Cuthbert made a motion to adopt the FY2025 Tax Rate Ordinance as presented after modifying it to adjust the real estate tax rate to \$1.20/100 to encourage job creation and economic development in Petersburg; and to be fair to our residents, many of whom we have heard from before in public hearings on this matter. Seeing no second. The motion died.

Mayor Parham passed the gavel to Vice Mayor Hill.

Mayor Parham made a motion that the tax rate be maintained at \$1.27/100.

Council Member Cuthbert protested the motion stating that not enough people

understood that there was a motion on the table. Council Member Westbrook seconded the initial motion.

Mayor Parham passed the gavel to Vice Mayor Hill. Mayor Parham made a s made a substitute motion to maintain the current tax rate \$1.27/100 tax rate. Council Member Myers seconded the substitute motion.

City Attorney Williams stated for a point of order the motion is to adopt the ordinance maintaining the current tax rate of \$1.27/100 for FY2025. Mayor Parham stated that is his motion to adopt the ordinance maintaining the current tax rate of \$1.27/100 for FY2025.

The motion was approved on roll call vote.

On roll call vote, voting Yes: Myers, Smith-Lee, Parham, and Hill; No: Cuthbert and Westbrook; Abstain: Jones

4. NEW BUSINESS

a. City of Petersburg Special Audit

City Manager Altman stated the auditor was not able to attend the meeting tonight to present the annual audit. He asked that Council move this item to the Special Meeting on Monday.

Mayor Parham announced that Council will hold a Special Meeting on Monday, May 13, 2024.

5. ADJOURNMENT:

The City Council adjourned at 5:05 p.m.

BY



Samuel Parham, Mayor

ATTEST:



Tangi R. Hill, Clerk to the Council