

The Special City Council Meeting of the Petersburg City Council was held on Wednesday, January 12, 2022, on live stream. Mayor Parham called the Special City Council Meeting to order at 3:00 p.m.

1. ROLL CALL:

Present:

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

Absent: None

Present from City Administration:

Clerk of Council Nykesha D. Jackson
City Manager Stuart Turille
City Attorney Anthony Williams

2. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing on the consideration of an ordinance to authorize the city to receive a grant from the Virginia Department of Transportation and for the City Manager to execute an assignment and assumption agreement for the acquisition of property owned by CSX for the completion of the Appomattox River Trail.

BACKGROUND: On August 7, 2019, the City of Petersburg entered into a Memorandum of Understanding (**Exhibit A**) – “the MOU” with Friends of the Lower Appomattox River, Inc., (“FOLAR”) to work with FOLAR in furtherance of their efforts to construct a 20+mile “Appomattox River Trail” that will run along the riverfront and through historic Petersburg Old Towne District.

FOLAR has requested that the City serve as the recipient of certain administered by the Commonwealth of Virginia Department of Transportation to facilitate their acquisition of the necessary parcel in accordance with a “Standard Project Administration Agreement” (**Exhibit C**), with total project expenses estimated at \$200,000.00 as depicted in “Appendix A” (**Exhibit D**).

FOLAR has proposed that the project funding be structured as a “pass through” to enable FOLAR to serve as a subrecipient of all funds to facilitate their acquisition of the necessary land for development of the proposed trail in accordance with the MOU which is memorializes in the attached “Assignment and Assumption Agreement” (**Exhibit E**) which provides the City with a right of first refusal to purchase the property for \$1 in the event that it ever ceases to be used as a pedestrian walking trail.

RECOMMENDATION: Staff recommends that City Council approve the ordinance as proposed.

Andrew Barnes, City Engineer and General Manager of Utilities, gave a brief overview of the public hearing.

Mayor Parham opened the floor for public comments.

*Audio available upon request.

Seeing no hands, Mayor Parham closed the public hearing.

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

22-ORD-1 AN ORDINANCE TO AUTHORIZE THE CITY TO RECEIVE A GRANT FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND FOR THE CITY MANAGER TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR THE APPOMATTOX RIVER TRAIL.

3. DISCUSSION/CONSIDERATION:

- a. Consideration of approving a resolution for an MOU supporting the OAG Gun Violence Prevention Program.

BACKGROUND: On August 9, 2021, the OAG was allocated \$2.5 million in American Rescue Plan Act (ARPA) funding through the Virginia General Assembly to address community-based gun violence prevention programming. The OAG has designated a portion of these funds to support the implementation of data-informed strategies that will result in reduced gun violence in local community disproportionately affected by gun violence.

The Department will use the funds for community-based gun violence prevention activities. Programming will be developed utilizing the findings of the locality's Youth and Gang Violence Community Assessment (YGCA) currently being funded through the VA Department of Criminal Justice Services (DCJS) and will reflect either new program implementation or existing program enhancement.

The Department assures that funds received from the OAG will be used strictly to support data-informed violence reduction initiatives and programming. Within three months of the completion of the YGCA, a project overview, itemized budget and budget narrative will be submitted to the OAG for approval. The Department agrees that no substitutions or modifications shall be made to fulfill the Department's proposal without prior approval by the OAG.

RECOMMENDATION: Recommend City Council to approve the resolution for the MOU supporting the OAG Gun Violence Prevention Program.

Margo Hardy, Program Manager of PJCCCP, gave a briefing on the resolution for the MOU supporting the OAG Gun Violence Prevention Program

There was discussion among City Council and staff.

Council Member Wilson made a motion to adopt the resolution with the added statement to the resolution that no funds will be spent without the approval of City Council. The motion was seconded by Council Member Cuthbert. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

22-R-4 A RESOLUTION IN SUPPORT OF A MEMORANDUM OF UNDERSTANDING WITH THE OFFICE OF THE VIRGINIA ATTORNEY GENERAL FOR A GUN VIOLENCE PREVENTION GRANT WITH THE ADDITIONAL VERBIAGE THAT NO FUNDS WILL BE SPENT WITHOUT THE APPROVAL OF CITY COUNCIL.

*Audio available upon request.

4. CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussing pertaining to the performance, assignment, and appointment of specific public employees of the City of Petersburg specifically including but not limited to discussion of the performance, assignment, and appointment of a specific public officer of the City of Petersburg.

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

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

City Council entered closed session at 3:28p.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 Vice Mayor Smith-Lee. There was no discussion on the motion.

The motion was approved on roll call vote.

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

22-R-5 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 5:22pm.

5. ADJOURNMENT:

City Council adjourned at 5:24 p.m.

Clerk of City Council

APPROVED:

*Audio available upon request.

Mayor