

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, July 27, 2021, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 12:00 p.m.

1. ROLL CALL:

Present:

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

Absent: None

Present from City Council Administration:

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

2. DETERMINATION OF THE PRESENCE OF A QUORUM:

All City Council Members were present.

3. DISCUSSION AND/OR CONSIDERATION:

- a. A resolution authorizing the City Manager to execute a Development Agreement between The City of Petersburg and Robert and Crystal Jones for the Development of 357 university Boulevard located in Petersburg, VA.

BACKGROUND: The City of Petersburg City Council considered an Ordinance authorizing the City Manager to execute a purchase agreement related to the sale of city-owned property located at 357 University Boulevard on July 20, 2021. A Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Robert and Crystal Jones, that Robert and Crystal Jones shall perform the development of the property 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 Robert and Crystal Jones. The deed shall include provisions for the reverter described in the Development Agreement.

This resolution authorizes conveyance of the property.

RECOMMENDATION: The Department of Economic Development recommends approval of the 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.

Council Member Myers made a motion approve resolution approving the Development Agreement and

*Audio available upon request.

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. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill Smith-Lee, and Parham

21-R-79 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PETERSBURG AND ROBERT AND CRYSTAL JONES FOR THE DEVELOPMENT OF 357 UNIVERSITY BOULEVARD LOCATED IN PETERSBURG, VA.

4. CLOSED SESSION:

Mayor Parham stated, "I would entertain a motion to add consultation with legal counsel regarding a current litigation matter to the agenda today."

Council Member Cuthbert made a motion to add to closed session consultation with legal counsel regarding a current litigation matter to the closed session agenda. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee and Parham

- 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 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 evaluation of the performance of the appointees of City Council* and 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 and matters of actual or probable litigation, *specifically including but not limited to Petersburg Circuit Court Case No.: CL21-000337 and other legal matters requiring the legal advice of the City Attorney.*

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 Hart. There was no discussion on the motion, which was approved on roll call vote.

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

City Council entered closed session at 12:05p.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

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motion.

The motion was approved on roll call vote.

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

21-R-80 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 2:10 p.m.

3. ADJOURNMENT:

City Council adjourned at 2:12 p.m.

Clerk of City Council

APPROVED:

Mayor