

The Special City Council Meeting of the Petersburg City Council was held on Tuesday, May 24, 2022, at the Petersburg Public Library. Mayor Parham called the Special City Council 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 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
Interim City Manager Kenneth Miller
City Attorney Anthony Williams

2. DISCUSSION AND CONSIDERATION:

- a. Consideration to approve and appropriate the budget for Petersburg City Public Schools for FY22-23.

BACKGROUND: The total budget for Petersburg Public Schools is \$91,050,600, which includes the following breakdown:

Local fees: \$66,000
Erate: \$225,000
Sales Tax: \$5,420,137
State: \$42,278,401
Federal: \$55,000
City Transfer: \$10,000,000
Food Service: \$2,927,000
Grants \$30,079,062

RECOMMENDATION: Staff Recommends that City Council adopts and approves the Petersburg City Public Schools FY2022-23 Proposed Budget and Appropriation Ordinance.

Dr. Julius Hamlin, Superintendent of Petersburg Public Schools, gave a brief overview of the school's budget.

Key points:

- 2014-2015 Application for Year-Round School Planning Grants of \$100,000
- 2015-2016 PCPS Applied for and was awarded \$800,000 to implement year-round school.
- 2016-2017 PCPS Applied for and was awarded \$700,000 to implement year-round schools.
- PCPS stopped year-round school in spring 2017 for lack of outcomes and increased unsustainable expense.
- 2020 GA appropriation act authorized Start-Up Grant \$300,000 per year or \$400,000 accredited

*Audio available upon request.

with condition or level three school.

- 2021 Funding had to be included in CRRSA or ESSER II Grant Application in Spring 2021.
- 2022 no announced funding sources as of yet.

There was discussion among City Council, superintendent, and staff.

Council Member Hill made a motion to adopt the ordinance and approve the Petersburg City Public Schools FY2022-23 Proposed Budget and Appropriation Ordinance. Vice Mayor Smith-Lee seconded the motion. 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-32 AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2022, AND ENDING ON JUNE 30, 2023, IN THE SCHOOL OPERATING, FOOD SERVICE, AND SPECIAL REVENUE FUNDS.

- b. Consideration of the City of Petersburg's FY2022-23 Proposed Operating and Capital Budget and Appropriation Ordinance to include rate of taxation on real property.

BACKGROUND: The Interim City Manager has proposed an operating spending plan of \$104,201,022 and a capital spending plan of \$17,367,693 for FY2022-23. The Interim City Manager presented the FY2022-23 Proposed Operating and Capital Budget to City Council on March 29, 2022, for the operating budget and the capital budget on March 30, 2022. There were two community budget work sessions held on April 13th and April 14th and an official public hearing was held on April 19th to receive community input. The final step in the budget process is for City Council to adopt the FY2022-23 Proposed Operating Budget and approve the Appropriation Ordinance.

RECOMMENDATION: Staff recommends that City Council adopts and approves the City of Petersburg's FY2022-23 Proposed Operating, and Capital Budget and Appropriation Ordinance include reduction in tax rate.

Stacey Jordan, Finance Director, gave a brief overview of the proposed operating and capital budget.

There was discussion among city council and staff.

Council Member Myers asked, "What is the root cause of us losing these funds? Is it not being allocated as it should be or are they not being appropriated appropriately within a department?"

Mr. Miller stated, "Mr. Myers, if we are going to discuss employees."

Council Member Myers stated, "I am not discussing an employee I am asking why the funding is not being appropriated correctly. I had not pointed a finger at an employee. I just simply asked a question as to the root cause. Now if it implies or implicates then you may address that question in a closed session."

Council Member Cuthbert stated, "May we go into closed session to get an answer to this? I would like to know who is responsible."

Mayor Parham stated, "Okay, Mr. Williams can you give me the terminology for closed session."

Mr. Williams stated, "The mayor would entertain a motion to convene in closed session pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussing the performance of specific public officer or employee.

*Audio available upon request.

Council Member Myers made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion. 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 12:49 p.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. Council Member Myers 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, Wilson-Smith, Myers, Westbrook, Hill, and Parham

22-R-34 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 1:16p.m.

There was continued discussion among City Council and staff.

Mr. Williams stated, "The manager would like to put something on the record regarding pay increases.

Mr. Miller stated, "Just to clarify something that I said earlier. You will see when we do our amendment starting July 1, that the employees, all that fall under the city manger and council and not the constitutional or state officers will receive a 5% pay increase. However, employees that have had a written reprimand or higher, a suspension or been put in the street for a number of days for behavior. Or an employee that is on a performance improvement plan, he or she will not be eligible to get that 5% starting July 1. They will be eligible after the 12 months that they had their infraction, or their infraction has been cleared. Then he or she through his supervisor is eligible for the 5%. Nothing prohibits any employee who is a full-time employee who is non-constitutional will be eligible for this 5%. I wanted to make sure that I got that out their sir."

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

*Audio available upon request.

22-ORD-33 AN ORDINANCE MAKING APPROPRIATIONS IN THE ALL-FUNDS BUDGET FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2022, AND ENDING JUNE 30, 2023.

- c. Consideration of an ordinance to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 South Crater Road.

BACKGROUND: The city received Congestion Mitigation and Air Quality Improvement (CMAQ) funding for the South Crater Road Area – Signal Coordination project, to make improvements to the traffic signals along South Crater Road from Flank Road to Rives Road. The City’s engineering consultant Kimley-Horn has developed plans to construct new traffic signals and pedestrian crossing. 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement is required from parcel 065-110004, property owner – BHY Investment 2, LLC, a Virginia limited liability company, to construct improvements. Kimley-Horn subconsultant, KDR Real Estate Services, determined value of the easements required and negotiated with BHY Investment 2, LLC. The property owner initially agreed to negotiated amount but now refuses to sign any documents.

RECOMMENDATION: The Public Works Department recommends proceeding with the eminent domain process and approving the attached ordinance.

Andrew Barnes, City Engineer and General Manager of Utilities, gave a brief overview of the requested approval of ordinance.

Council Member Hill made a motion to adopt the ordinance. Council Member Myers seconded the motion. 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-34 AN ORDINANCE TO AUTHORIZE THE CITY ATTORNEY TO PROCEED WITH CONDEMNATION OF A PORTION OF PARCEL 065-110004, 2793 SOUTH CRATER ROAD.

- d. Consideration of an appropriation of the America Rescue Plan Act (ARPA) – Group Violence Intervention Grant - \$300,000 – 2nd Reading

BACKGROUND: The City of Petersburg Department of Police has been awarded a grant from the Commonwealth of Virginia Office of the Attorney General for the American Rescue Plan Act (ARPA) - Group Violence Intervention Grant in the amount of 300,000.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance of the American Rescue Plan Act (ARPA) - Group Violence Intervention Grant for \$300,000.

Stacey Jordan, Finance Director, gave a brief overview of the consideration of an appropriation in the amount of \$300,000.

Council Member Myers made a motion to adopt the ordinance. Council Member Hill seconded the motion

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Wilson-Smith stated, “At the first reading, we agreed then that before this money is

*Audio available upon request.

spent that it would come back to council. Is that still in place?"

Mr. Miller stated, "Yes."

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-35 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023, FOR THE GRANTS FUND.

e. Consideration to amend Ordinance Section 106-1. – Rate of taxation on real property.

BACKGROUND: The City has not had a tax reduction in Real Property taxes. For FY22-23 Council choices is to reduce the tax rate. Advertisement was placed with the Notice of proposed tax rate was advertised April 5th and the public hearing was conducted on April 19th.

RECOMMENDATION: It is the recommendation of City staff that Council adopt a tax rate necessary to accomplish the Council's choices in the FY22-23 budget and approve the attached ordinance.

Stacey Jordan, Finance Director, gave a brief overview of the consideration to amend section 106-1.

Mr. Williams stated, "Just for clarification. This is just a house cleaning effort to set the real estate tax rate and to start the process to do it by ordinance which is how you are supposed to do it. Next, year you will see an actual text revision to 106.1 to make it cleaner and easier. But Mrs. Jordan noted that the way that it is done is the way that we need to start doing it this way to be in compliance with the code."

Mayor Parham stated, "I would like to thank staff for helping us get there. Because it is definitely a huge win for the citizens of Petersburg in getting this tax rate down. It has been \$1.35 for such a long time. I definitely commend staff for building a budget and factoring in that \$1.27 and giving the citizens of Petersburg some relief here at a time when everything else is going through the roof."

Council Member Hill made a motion to adopt the ordinance. Council Member Myers seconded the motion.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

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-36 AN ORDINANCE TO AMEND SECTION 106.1 PERTAINING TO REAL PROPERTY TAX RATE.

3. ADJOURNMENT:

City Council adjourned at 1:28 p.m.

Clerk of City Council

APPROVED:

Mayor