

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, January 5, 2021, on live stream. Council Member Parham called the Special Called Closed Session Meeting to order at 11:17a.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr  
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 John A. Hart, Sr.

Present from City Administration:

City Attorney Anthony Williams  
Clerk of Council Nykesha D. Jackson  
Aretha R. Ferrell-Benavides

**2. 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 discussions 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; 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 a discussion regarding Petersburg Circuit Court Case CL2000800-00 and discussion of COIA Advisory Council Opinion dated 11/2/2020 from G. Stewart Petoe.

Council Member Cuthbert stated, "I would also like for us to discuss the Ramada Inn and get an update on that from staff."

Mayor Parham stated, "Mr. Williams can you give us the terminology to add an item to this agenda."

Mr. Williams stated, "Mayor, I had emailed that to you. It can fall under consultation of legal counsel and add it to the end of the motion. Just say 'and the discussion of the Ramada Inn.' If you do not have the email."

Mayor Parham stated, "Right now I will entertain a motion to add the discussion of the Ramada Inn under consultation with legal counsel."

Council Member Hill made a motion to add the discussion of the Ramada Inn under the consultation with legal counsel. The motion was seconded by Council Member Cuthbert. There was no discussion on the motion, which was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Smith-Lee and Parham; Absent: Hart

Council Member Myers made a motion that the City Council go into closed session for the purposes noted. The motion was seconded by Council Member Hill. There was no discussion on the motion, which was

\*Audio available upon request.

approved on roll call vote.

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

City Council entered closed session at 11:18a.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."

Vice Mayor Smith-Lee 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 Hill. 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, Hill, Smith-Lee and Parham; Absent: Hart

**21-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 opened session at 12:28 p.m.

Council Member Wilson-Smith made a motion to accept the resignation of the City Manager, Mrs. Aretha Ferrell-Benavides, and that council offers the position of Interim City Manager to retired Chief Kenneth Miller. And that the proposed terms of employment will be negotiated by the Mayor working with the City Attorney as the Mayor deems advisable. And that the proposed terms of employment be presented to council for council’s consideration, modification and/or adoption. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Smith-Lee and Parham; Absent: Hart

**3.      ADJOURNMENT:**

City Council adjourned at 12:32 p.m.

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Clerk of City Council

APPROVED:  
  
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\*Audio available upon request.

Mayor