

December 14, 2010

Regular Council Meeting

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 14, 2010

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, December 14, 2010, at 6:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Christina J. Luman-Bailey, Mayor
 K. Wayne Walton, Vice Mayor
 Michael C. Bujakowski, Councilor
 Jackie M. Shornak, Councilor

 Edwin C. Daley, City Manager
 Thomas E. Lacheney, City Attorney
 Ann M. Romano, City Clerk

ABSENT: Curtis W. Harris, Councilor
 Gerald S. Stokes, Councilor
 Brenda S. Pelham, Councilor

CLOSED SESSION

Motion was made by Councilor Shornak, and seconded by Vice Mayor Walton, to convene into Closed Session to discuss Legal Matters (re: the Beacon Theatre; Marina PPEA: Potential sewage treatment plant litigation, potential contract dispute with a certain Hopewell business, and current pending litigation), and, Appointments to Boards and Commissions, as permitted by Virginia Code § 2.2-3711 (A) (1) (7). Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes

OPEN SESSION

At 7:39 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes

REGULAR MEETING

Mayor Luman-Bailey opened the regular meeting at 7:30 PM. Roll call was taken as follows:

Mayor Luman-Bailey	-	yes
Vice Mayor Walton	-	yes
Councilor Harris	-	ABSENT (illness)
Councilor Bujakowski	-	yes
Councilor Stokes	-	ABSENT (injury)
Councilor Pelham	-	ABSENT (illness)
Councilor Shornak	-	yes

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Prayer was offered by Chaplain Herman Crockett, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Councilor Bujakowski, seconded by Vice Mayor Walton, and unanimously passed to approve the Consent Agenda: Minutes: Work Session minutes 10/26/10 & Regular Meeting 11/9/10, Work Session 11/16/10; Pending List; Information for Council Review: Recreation Comm. minutes 10/13/10 & 11/10/10; agenda 11/10/10 & 12/8/10; School Board minutes 10/21/10, agenda 11/11/10 & 12/9/10, & cancellation 11/23/10; Senior Citizens Advisory Commission agenda 11/16/10 & minutes 10/19/10; Social Services Advisory Board minutes 9/13/10; Personnel Change Report & Financial Report; Public Hearings Announcements: None; Routine Approval of Work Sessions: None. Ordinances on second and final reading: Ord. No. 2010-27-Motor Vehicles & Traffic; Ord. No. 2010-28-Amended Real Estate Tax Abatement; and Ord. No. 2010-29-Oversized Vehicles; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Virginia Scenic River Advisory Board Presentation to Vice Mayor Walton by Dick Gibbons & Lynn Crump, Environmental Program Planner with Department of Conservation & Recreation; Proclamation – Wayne Hedgepeth.

ORDINANCE NO. 2010-27

An Ordinance amending Article VI., Stopping, Standing and Parking, of Chapter 22, Motor Vehicles and Traffic, of the Code of the City of Hopewell by adding Section 22-101.1, Limitations on parking recreational vehicles and utility trailers in street, etc.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOEPWELL that Section 22-101.1, Limitations on parking recreational vehicles and utility trailers in streets, etc is added to Article VI., Stopping, Standing and Parking, of Chapter 22 of the Code of the City of Hopewell as follows:

**CHAPTER 22 – MOTOR VEHICLES AND TRAFFIC
ARTICLE VI. STOPPING, STANDING AND PARKING**

Sec. 22-101.1. Limitations on parking recreational vehicles and utility trailers in streets, etc.

It shall be unlawful for any person to park or store any recreational vehicles or utility trailers on any street, except as provided below:

- (a.) The Chief of Police, or his designee, in consultation with the City Engineer, may issue at his sole discretion, a permit to be renewed annually authorizing the parking of a recreational vehicle, utility trailer, watercraft or trailers designed for the transport of watercraft in the public right-of-way based on standards and guidelines established by the Department of Public Works and provided that:
- _____ (1.) it does not pose a threat to public health and safety; and
- _____ (2.) it is in good repair, and duly licensed and registered.
- (b.) The fee for such permit is thirty dollars (\$30.00). Each permit is subject to conditions on a case by case basis.
- (c.) For the purpose of this ordinance, a recreational vehicle shall mean a vehicle designed for recreational use. Recreational vehicles shall include, but not be limited to: all-terrain vehicles (ATVs), boats, campers, canoes, jet skis, kayaks, rafts, and travel trailers.

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(d.) For the purpose of this ordinance, oversized vehicle shall mean a vehicle that exceeds thirty (30) feet in length, nine (9) feet in width, or nine (9) feet in height. Oversized vehicle does not include light-duty pickup trucks and sport utility vehicles.

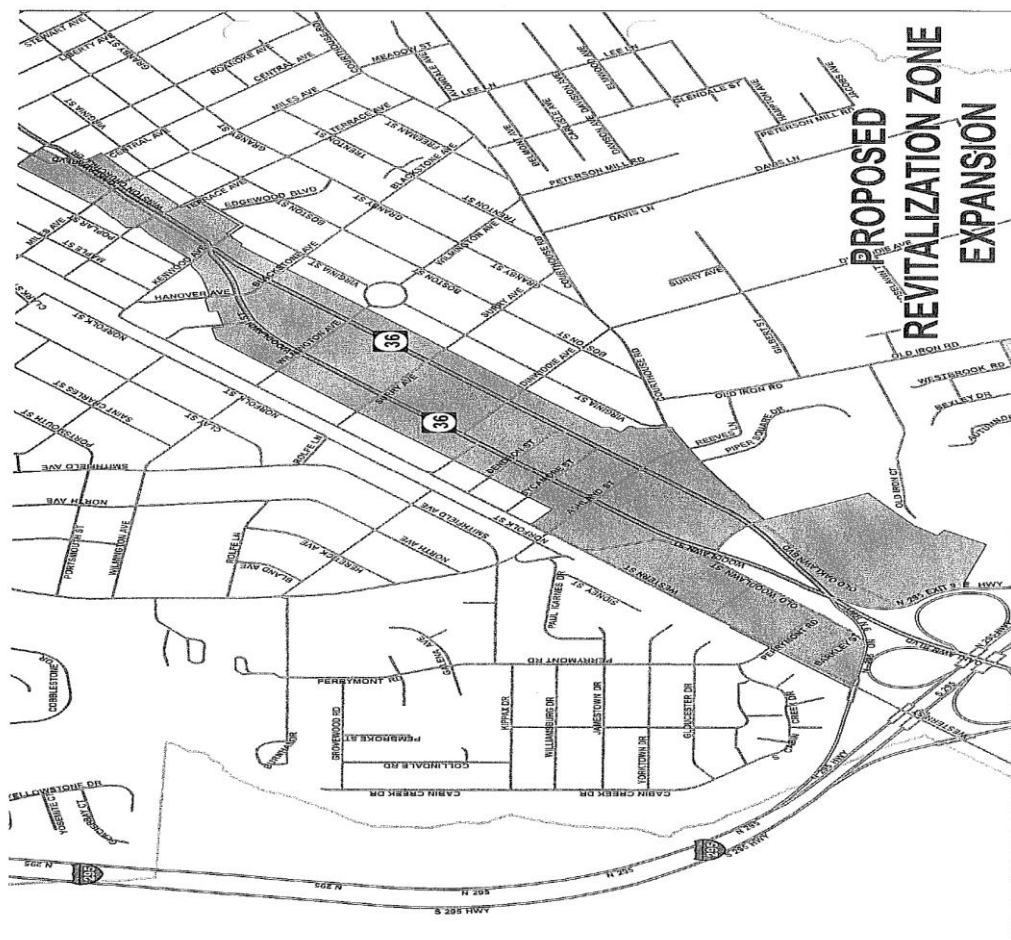
*-Cross reference: Article XVIII-A-17 of the Zoning Ordinance

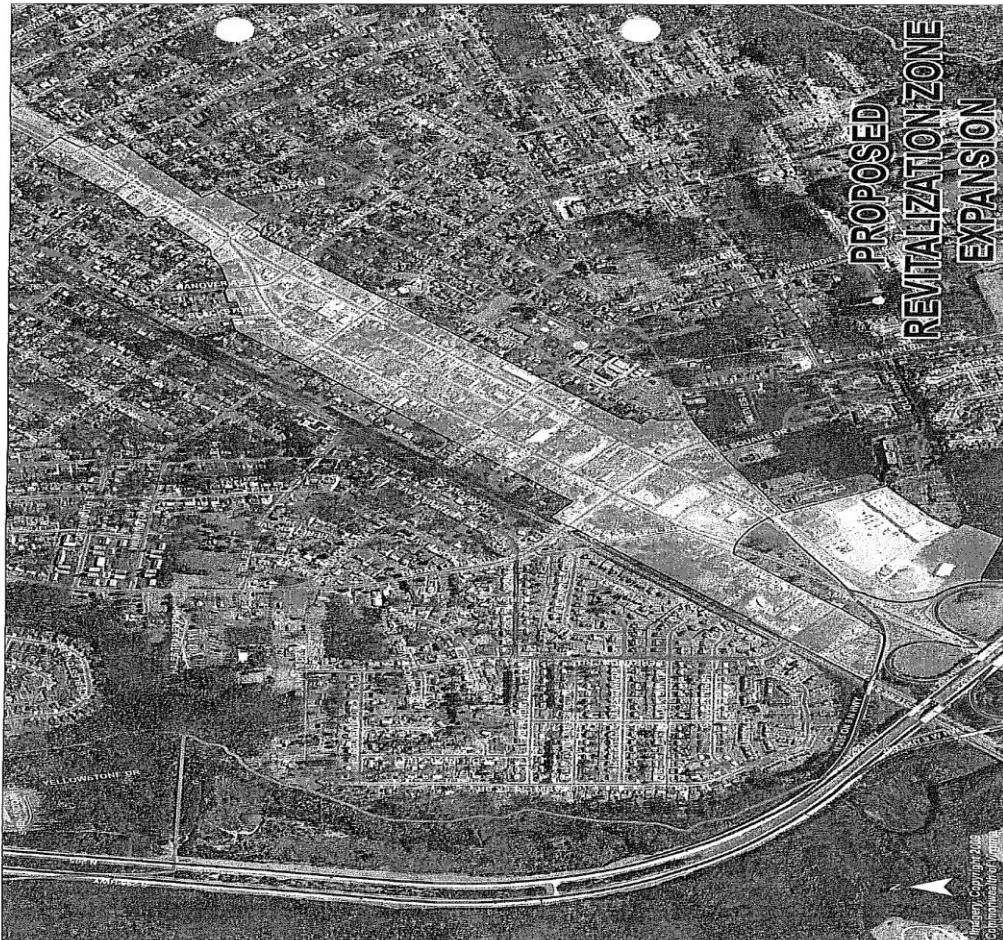
This ordinance shall become effective upon the date of its adoption by the City Council. In all other respects said Code of the City of Hopewell shall remain unchanged and be in full force and effect.

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ORDINANCE NO. 2010-28

No ordinance per se. It is just a boundary line extension for the revitalization zone.





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ORDINANCE NO. 2010-29

An Ordinance amending and reenacting Article XVIII-A-17, Trailers, of the Zoning Ordinance of the City of Hopewell related to the storage of trailers, oversized vehicles, and busses in commercial and residential district.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOEPWELL that Article XVIII-A-17, Trailers, of the Zoning Ordinance of the City of Hopewell is amended and reenacted as follows:

ARTICLE XVIII – DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS – CITYWIDE

17. Trailers, Recreational Vehicles and Oversized Vehicles.

a. The parking or storage of trailers or semi-trailers, motor coaches or motor homes, recreational vehicles, and oversized vehicles in a residential or commercial district, except as hereinafter provided, is prohibited.

- (1) A trailer or semi-trailer designed for vacation or camping purposes, ~~and~~ a utility or boat trailer, and recreational vehicles may be parked or stored on private property in any district, and shall not be parked as to cause a visual obstruction to vehicular and pedestrian traffic.

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- (2) A trailer or semi-trailer may be located in a commercial district for repairs to the trailer, sale of trailers, etc., in conjunction with an otherwise permitted use. Trailers or semi-trailers so parked shall not be used for housekeeping or sleeping quarters or accessory building purposes. This shall not be interpreted to prohibit commercial trailers from loading and unloading in a residential or commercial district.
 - (3) A trailer or semi-trailer may be located in a commercial or manufacturing district for use as temporary storage or loading, in conjunction with an otherwise permitted use for a period of two (2) to ninety (90) days; provided a fifteen-(15') foot fire lane is maintained to any adjacent building and provided a visual obstruction is not created to the general public. A permit must be obtained from the Director of Development. There is no fee for such permit. Use in a commercial zone is limited to one (1) time per year.
 - (4) The parking or storage of motor coaches or motor homes in a residential district is prohibited, except that a duly licensed motor coach or motor home may be parked in a residential district for a period not to exceed 48 consecutive hours for the purpose of loading and unloading, except that individuals with a handicapped parking permit shall be allowed a period not to exceed 72 consecutive hours for the purpose of loading and unloading. The motor coach or motor home shall not exceed one hundred two (102") inches in width. The motor coach or motor home shall not be used for housekeeping or sleeping quarters, or accessory building purposes.
 - (5) Recreational vehicles, and utility trailers may be parked or stored on private property in a residential district provided that:
 - i. Only two (2) recreational vehicles, utility trailers, and/or watercraft and trailers shall be parked on any lot zoned residential, outside of a totally enclosed building.
 - ii. All recreational vehicles, utility trailers, and/or watercraft and trailers shall be parked or stored in the driveway or rear yard.
 - iii. No recreational vehicles mentioned above may be used for housekeeping or sleeping quarters or accessory building purposes, or connected to utility services;
 - iv. All recreation vehicles, utility trailers, and/or watercraft and trailers are to be located no closer than five (5') feet to any property line or any other building or structure on the property.
 - (6) Recreational vehicles or utility trailers may be parked on any street provided that a parking permit is issued by the Chief of Police, or his designee, in accordance with Section 22-101.1 of the Code of the City of Hopewell.
- b. The parking or storage of a-busses in a residential or commercial district is prohibited, except that a duly licensed and inspected school bus may be parked or stored on private school board property in any district. ~~Busses so parked shall not be used for housekeeping or sleeping quarters or accessory building purposes.~~
 - c. For the purpose of this ordinance, trailer shall mean every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, and semi-trailer shall mean every vehicle or a trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

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- d. For the purpose of this ordinance, oversized vehicle shall mean a vehicle that exceeds thirty (30') feet in length, nine (9') feet in width, or nine (9') in height.. Oversized vehicle does not include light-duty pickup trucks and sport utility vehicles.
- e. For the purpose of this ordinance, a recreational vehicle shall mean a vehicle designed for recreational use. Recreational vehicles shall include, but not be limited to: all-terrain vehicles (ATVs), boats, campers, canoes, jet skis, kayaks, rafts, and travel trailers.

This ordinance shall become effective upon the date of its adoption by the City Council. In all other respects said Zoning Ordinance shall remain unchanged and be in full force and effect.

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PROCLAMATION

WHEREAS, Wayne Hedgepeth is a resident of the City of Hopewell; and

WHEREAS, Mr. Hedgepeth has dedicated 50 years of compassionate and dedicated service to the citizens and families of Hopewell; and

WHEREAS, the City of Hopewell wishes to offer sincere thanks and gratitude to **Mr. Hedgepeth** for all he has contributed to our fair city.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Christina J. Luman-Bailey, Mayor of the City of Hopewell, Virginia, on behalf of the City Council and the citizens of our fair City, hereby express gratitude and appreciation to

Wayne Hedgepeth

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Hopewell in the Commonwealth of Virginia this 14th day of December 2010.

/s/ Christina J. Luman-Bailey, Mayor
City of Hopewell, Virginia

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Mr. Richard G. Gibbons, Chair, Virginia Scenic River Board, and on behalf of David A. Johnson, Director, Virginia Department of Conservation and Recreation, presented to Vice Mayor Wayne Walton a Certificate of Recognition and Appreciation from the Virginia Scenic River Board:

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION
VIRGINIA SCENIC RIVER BOARD
CERTIFICATE OF RECOGNITION AND APPRECIATION**

Presented to:

K. WAYNE WALTON

IN APPRECIATION AND RECOGNITION OF SERVICES AND ACTIONS THAT:

Included service on the Board from July 1, 2006 to June 30, 2010. During that time he provided invaluable advice related to the program and specifically issues related to the Appomattox Scenic River.

He was instrumental in assisting the Department of Conservation and Recreation with the issues related to the identification and conservation of river resources. He organized and provided leadership in the further evaluation of the river in order to secure an extension of the designation downstream to its junction with the James. He assisted in the securing of endorsements for the designation for four of the

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five jurisdictions and continues to provide needed information to insure the support of the remaining locality.

During his tenure on the Board he facilitated the presentation of program information to many groups, participation in a river planning design charett and numerous river cleanup activities. He has insured recreational access and utilization has been planned and implemented along the river. He has been a champion of the program in to the citizens and in the decisions being considered by the local area government agencies and governing bodies.

PUBLIC HEARING – PROPOSED BUDGET AMENDMENTS TO THE FY 2009/2010 CITY BUDGET – ORDINANCE NO. 2010-30; CITY BUDGET RESOLUTION - \$6,982,967; and, SCHOOL BUDGET RESOLUTION - \$907,025

This was the night advertised as a Public Hearing to receive citizen comments regarding the proposed Ordinance No. 2010-30; City Budget Resolution - \$6,982.967; and, School Budget Resolution \$907,025, Budget Amendments to the FY 2009/2010.

City budget resolution causes all yearly budget appropriations to elapse at year-end and carryover funds must be re-appropriated as required by Auditor of Public Accounts. Additional funding is being provided to provide employees with a compensation bonus as no employee raises have occurred in the past two years. Additional funding is being provided to provide school employees with a compensation bonus as no raises have occurred in the past two years.

It is estimated that the maximum amount of funding will not exceed fund reserves, and 6-30-10 year-end surplus is more than sufficient to cover the bonus costs. It is estimated that additional federal funding cover the school bonus costs, except for \$55,665 which is a group of employees not eligible to be paid with the federal funds.

The Mayor opened the Public Hearing at 7:40 PM. There being no speakers, the Public Hearing was closed at 7:41 PM.

Motion was made by Councilor Bujakowski, and seconded by Vice Mayor Walton, to adopt Ordinance No. 2010-30 on one reading as an emergency measure to cover a 3% bonus for City and School Employees. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes (filed a *Transactional Disclosure Statement -his wife is employed by the School System-filed in the City Clerk's Office)
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes (filed a *Transactional Disclosure Statement -her daughter is employed by the City-filed in the City Clerk's Office)
Mayor Luman-Bailey	-	yes

ORDINANCE NO. 2010-30

AN ORDINANCE TO AUTHORIZE PAYMENT OF MONETARY BONUSES TO CITY OF HOPEWELL EMPLOYEES AND ADDITIONAL FUNDING TO COVER THE BONUS COSTS FOR CERTAIN HOPEWELL SCHOOL SYSTEM EMPLOYEES

WHEREAS, Virginia Code § 15.2-1508 authorizes localities in the Commonwealth to issue monetary bonuses to the officers and employees of the localities; and

WHEREAS, the payment of such bonuses, under state law, must be authorized pursuant to ordinance; and

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WHEREAS, a duly advertised public hearing was held on December 14, 2010, to consider an ordinance to authorize the payment of bonuses to City employees and additional funding to cover the bonus costs for certain Hopewell School System employees; and

WHEREAS, the Council of the City of Hopewell is desirous to authorize payment of a one-time 3% bonus (not to exceed \$1800.00) to City employees and to provide additional funding to cover the bonus costs for certain Hopewell School System employees.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Hopewell that the city manager is authorized to issue a one-time 3% monetary bonus (not to exceed \$1800.00) to City employees and to cover the bonus costs for certain Hopewell School System employees. This Ordinance shall be deemed effective immediately upon passage on this second and final reading.

Motion was made by Vice Mayor Walton, and seconded by Councilor Shornak, to adopt a Budget Amendment to the Budget Resolution for the FY 2009/2010 City Budget in the amount of \$6,982,967. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes

BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2010-2011

WHEREAS, at the meeting of the City Council of the City of Hopewell held on December 14, 2010, an amended budget of the fund encumbrances at June 30, 2010 and budget increases for FY 2010-2011 was introduced in its complete form of which \$5,553,955 is to be re-appropriated for encumbrances and capital projects and \$461,344 in amendments are to be made for the FY 2010-2011 budget, and,

WHEREAS, sufficient funds exist in the respective fund balance reserve accounts for encumbrances and budget amendments;

BE IT, HEREBY, RESOLVED by the City Council of the City of Hopewell:

Sec. 1 The following designated funds and accounts shall be re-appropriated to operate City services.

General Fund-011:

Designated Encumbrances	\$86,115
I-295 Project	<u>60,000</u>
Total General Fund	\$146,115

Appropriations:

City Council Office	1,380
City Manager Office.....	345
Human Resources Department.....	160
Finance- IS Department.....	12,844
General District Court Department	30,000
Sheriff Office.....	33,000
Police Department	32,061
Fire Department.....	35,153

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Non-Departmental	1,172
Total General Fund	\$146,115
 <u>CDBG Fund-052:</u>	
Carry Over Funds	\$232,374.38
Appropriations:	
Healthy Families Project	2,620.59
James House Project.....	2,763.48
Respite Care Group Project.....	2,067.73
Salvation Army Project	199.99
Cedar Lane Project	100.00
Dinwiddie/Courthouse Rd Project	36,171.07
Rt 10 Traffic Safety Project	3,473.00
Waverly St Phase II Project	54,000.00
Hopewell Housing Authority Project.....	26,173.00
Hist Preservation Project	15,346.38
Contingency Account.....	27,357.08
Grant Administration.....	<u>62,102.06</u>
Total CDBG Fund	\$232,374.38
 <u>Capital Projects Fund-071</u>	
VDOT Road Project Funds	\$301,500
Use of Reserve Funds.....	<u>4,873,966</u>
Total Capital Projects Fund	\$5,175,466
Appropriations:	
Parkview Pointe Rd.....	\$96,000
Atwater Rd Project	383,130
Dinwiddie Ave. Project.....	276,281
Parks Project.....	8,833
Human Services Bldg.....	2,336,363
Capital Equipment-Phones	100,000
Cabin Creek Drainage Project.....	250,000
Pavement Management Program.....	200,000
Courthouse/City Hall Security Project	80,000
Courthouse Expansion Project	60,000
Energy Grant Project.....	350,000
City Park Project	20,000
Mathis Field Project	260,000
Booker Street Park Project	409
Rec Center Roof Project.....	200,000
Hunter House Project	20,000
Sesquicentennial Committee Project.....	50,000
Heritage Gardens Project	20,000
Downtown Façade Grant Program	200,000
GIS Mappings Project	45,308
E. Broadway Bridge Project.....	126,050
Cedar Level-VDOT Match Project	29,456
Curb/Gutter Reserve Acct Project.....	51,267

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Drainage List Projects	<u>12,369</u>
Total Capital Projects Fund.....	\$5,175,466

Sec. 2 The following designated funds and accounts shall be appropriated for employee bonus compensation for City services. Appropriated amounts may be re-budgeted from the Bonus Account to department/division salary/wages accounts within the respective fund for which the appropriation was authorized.

GENERAL FUND Fund-011:

Use of Surplus	\$358,982
Appropriations:	
Bonus Account	303,317
Transfer to School Fund Fund-014	<u>55,665</u>
Total General Fund.....	\$358,982

RECREATION & PARKS Fund-035:

Use of Surplus	\$22,239
Appropriations:	
Bonus Account	\$22,239

SOLID WASTE Fund-030:

Use of Surplus	\$2,117
Appropriations:	
Bonus Account	\$2,117

SEWER SERVICES Fund-041:

Use of Surplus	\$8,482
Appropriations:	
Bonus Account	\$8,482

HRWTF Fund-032:

Use of Surplus	\$69,524
Appropriations:	
Bonus Account	\$69,524

Motion was made by Councilor Shornak, and seconded by Councilor Bujakowski, to adopt a Budget Amendment to the Budget Resolution for the FY 2009/2010 School Budget in the amount of \$907,025. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes

**SCHOOL BUDGET RESOLUTION
FISCAL YEAR 2010-2011**

WHEREAS, at the meeting of the City Council of the City of Hopewell held on December 14, 2010, a budget request was introduced in its complete form from School Board; of which \$907,025 in amendments are to be made for the FY 2010-2011 budget, and

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WHEREAS, additional school funding has been approved thru the federal funding source;

BE IT, HEREBY, RESOLVED by the City Council of the City of Hopewell:

Sec. 1 The estimated revenues shall be appropriated for the fund listed:

School Operating Fund-014:

Estimated Revenues:

Beginning Fund Balance.....	\$0
From State Sources	0
From Federal Sources	851,360
Transfer from General Fund-011	<u>55,665</u>
Total Revenues	\$907,025

Appropriations:

Non-Categorical.....	\$907,025
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COMMUNICATIONS FROM CITIZENS

There being no speakers, Communications from Citizens were closed.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – HIRING ECONOMIC DEVELOPMENT DIRECTOR TO PURSUE DEVELOPMENT OF ROUTE #36, RIVERFRONT, AND DOWNTOWN

Councilor Bujakowski introduce the subject of hiring an Economic Development Director to pursue development of Route #36, the Riverfront, and Downtown. However, out of consideration for the three absent Council members, the issue was postponed to the meeting on January 11, 2011. The City must market Hopewell to bring people here. Consideration of hiring an Economic Development Director is not intended as a negative reflection of Mr. March Altman, Director of Development. He has been asked to take over Code Enforcement and Planning. Councilor Bujakowski wishes to focus on the western corridor of the City, the marina and downtown. If the city spends its money on those three areas and does not do anything with Code Enforcement, it would be a loss. Mr. Altman has done many good things for the City of Hopewell. He is the right man for the job; he must be successful in Code Enforcement. The city must consider bringing in an Economic Development Director.

CITIZEN/COUNCILOR REQUEST – VICE MAYOR WALTON – DISCUSSION OF HOPEWELL’S FEDERAL LOBBYIST AND THE NEED TO CUT COSTS FOR THE CITY

Vice Mayor Walton addressed the issue of Hopewell’s Federal Lobbyist, Alcade & Fay. An Economic Development department would better serve the City rather than using a lobbyist. We need to look at what is left in the city to develop. Consider either eliminating Alcade & Fay, or get more out of them. Grants are drying up, and it is unclear whether they are cost effective for the city. Hopewell currently pays \$5,000 per month to the lobbyist. Every city department is under budget constraints. The city needs to recoup from its investment in the lobbyists, and determine if their services will be cost effective.

The City Manager does not think that the contract in its current form will be their next year. He suggested two alternatives: (1) a regional contract with other jurisdictions; and (2) reducing the current contract to a more on-call basis. A handout was provided (filed in the City Clerk’s Office). This issue will be included on the January 11, 2011 agenda.

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CITIZEN/COUNCILOR REQUEST – COUNCILOR SHORNAK – REVISIT THE EMPLOYEE TRAVEL POLICY 2011

Councilor Shornak addressed the Employee Travel Policy that covers city employees and City Council. The Employee Travel Policy was amended on May 13, 2008, October 28, 2008, and again on April 14, 2009. Public Safety Officials and some employees require certain certifications. But we need to be cognizant of all expenditures. Some conferences cost as much as \$2,000 per person. Some people have abused the system, and some spending has been tightened. One suggestion is to eliminate the number of City Councilors that attend a conference by attending in alternating years. We must determine whether or not the conferences benefit the City. Some attendees do not attend sessions. The policy should be evaluated more closely as to where and what type of conferences they are. Also, the necessity of any out-of-state conferences should be examined. Local and state-wide conferences should be encouraged. Make sure that people who turn in travel vouchers adhere to the Travel Policy with no exceptions. The Finance Director should notify the City Manager of abusers of the system and should be addressed with the employee. The bottom line is to control city spending.

The City Manager will provide some recommendations for the Travel Policy at the meeting on January 11, 2011.

REGULAR BUSINESS – HRWTF – BEAR CREEK PUMPING STATION – CHANGE ORDER – MARK HALEY, DIRECTOR

The Hopewell Regional Wastewater Treatment Facility's Primary Plant Relocation Project contains three construction contracts. Contract #2 is for the building of two new domestic pumping stations. Mr. Haley, HRWTF Director, requested a Change Order to add an industrial pumping station (Bear Creek which serves Ashland) to Contract #2 for timing and cost savings. (Memo from Mr. Haley to the City Manager dated December 7, 2010 filed in the City Clerk's Office.)

Motion was made by Vice Mayor Walton, seconded by Councilor Bujakowski, and unanimously passed to approve the Change Order.

REGULAR BUSINESS – DEVELOPMENT/HRHA – CHOICE NEIGHBORHOOD GRANT APPLICATION

The City of Hopewell and the Hopewell Redevelopment and housing Authority are jointly applying for a \$250,000 Choice Neighborhood Planning Grant through the U. S. Department of Housing and Urban Development to develop a plan for the transformation of the Thomas Rolfe Court and the revitalization of the adjoining neighborhoods and commercial corridors.

The spatial concentration of poverty remains a serious and often unrecognized challenge to the ability of poor families and children to access opportunities and move up the economic ladder. Many neighborhoods of concentrated poverty contain distressed public and/or HUD-assisted housing in need of repair or replacement. Prior to the creation of Choice Neighborhoods, HOPE VI was the only major source of revitalization funding available to these areas. This funding was only available to the public housing stock, and HUD could not reach nearby distressed assisted or vacant private housing. Choice Neighborhoods aims to demonstrate that by expanding the reach of HOPE VI-style investments to assisted and vacant housing units, while investing in people and neighborhood assets, HUD can help transform neighborhoods of distress into revitalized mixed-income neighborhoods.

The 2010 Department of Housing and Urban Development Appropriations Act permits the HUD Secretary to use up to \$65,000,000 of the HOPE VI appropriations for a Choice Neighborhoods Initiative demonstration. For FY 2010, HUD will award two types of grants for the Choice Neighborhoods Initiative: Planning Grants and Implementation Grants. HUD has set aside approximately \$3 million in order to award Planning Grants of up to \$250,000 each. These two-year grants will support the development of a comprehensive Transformation Plan. In subsequent years, contingent on availability of

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funds, HUD intends to conduct competitions for Choice Neighborhoods Implementation Grants, as well as competitions for new Choice Neighborhoods Planning Grants.

Choice Neighborhoods will employ a comprehensive approach to neighborhood transformation. The program will transform neighborhoods by revitalizing severely distressed public and/or assisted housing and investing and leveraging investments in well-functioning services, high quality public schools and education programs, high quality early learning programs and services, public assets, public transportation, and improved access to jobs. Choice Neighborhoods will ensure that current residents will be able to benefit from this transformation, by preserving affordable housing or providing residents with the choice to move to affordable and accessible housing in another existing neighborhood of opportunity.

Motion was made by Councilor Shornak, seconded by Vice Mayor Walton, and unanimously passed to approve the grant application.

REGULAR BUSINESS – 2010/2011 RECREATIONAL TRAILS PROGRAM PRELIMINARY APPLICATION

The Virginia Department of Conservation and Recreation is accepting preliminary recreational trail grants. The city submitted that in previous years with approval from Council in 2007. Unfortunately it has not yet been received and it is the wish of the Hopewell Department of Recreation and Parks to reply with a submittal due by January 7, 2011. The Virginia Outdoors Plan has this trail as a recommendation for the City of Hopewell and it will help in seeking the grant. The trail will be the Riverside Trail which will be a trail rehabilitation of the old trail that ran through the back portion of Riverside Park down to the Hopewell City Marina. The Trail is 1100 linear feet and will be 10 feet wide. An updated public meeting will be held on December 28, 2010 at 2:00 PM and again at 6:00 PM.

The grant is a reimbursable 80/20 match with the smaller amount from the locality. The grant is estimated to be a total of \$73,559 with grant reimbursement amount estimated to be \$59,367 with the City's match estimated to be \$14,192 coming from in-kind services and materials on hand. That will leave an estimated cash cost of \$520 from the locality through the park budget.

Motion was made by Vice Mayor Walton, seconded by Councilor Bujakowski, and unanimously passed to approve grant request.

REGULAR BUSINESS – DEPARTMENT OF RECREATION & PARKS – LWCF 40% STATE ASSISTANCE RESOLUTION

The National Recreation and Park Association (NRPA) and Virginia Recreation and Parks Society (VRPS) are working very hard to convince members of Congress to increase funding support for the Land and Water Conservation Fund. Those dollars are used to develop parks throughout the country that may not come to fruition without those funds.

Motion was made by Councilor Bujakowski, and seconded by Councilor Shornak, to resolve to adopt the resolution. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Vice Mayor Walton	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes

RESOLUTION

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by Congress in 1965 to preserve, develop and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States;" and

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WHEREAS, the LWCF is principally funded by revenue received from off-shore energy extraction, and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid-1970's resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$40 million (8%) going to the State Assistance program; and

WHEREAS, Virginia received on \$597,284 in FY 2009 and \$820,013 in FY 2010; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, the LWCF State Assistance program has invested more than \$82,838,972 in Virginia since 1965; and

WHEREAS, the state of Virginia has \$105,431,465 in unmet need for LWCF State Assistance projects, and the City of Hopewell currently has one of projects that would qualify for LWCF State Assistance funding such as Riverside Trail; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopewell, Virginia calls on Congress to implement legislation specifying an annual allocation of at least 40% of LWCF funds to the State Assistance program.

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**REGULAR BUSINESS – FY 2011 STATE LEGISLATIVE PROGRAM – HERBERT BRAGG,
LEGISLATIVE LIAISON**

The Draft FY 2011 State Legislative Program was presented to City Council (filed in the City Clerk's Office). After discussion, Council agreed to eliminating #9-Support funding for a Business Recruiter, eliminating #11-Oppose Collective Bargaining for local personnel, and by adding the City Attorney's Charter Change. Councilor Shornak thanked Mr. Bragg for his work and help to the Legislative Committee (Mayor Luman-Bailey, Councilor Harris, Councilor Shornak, Dr. Daley, and Mr. Bragg).

Motion was made by Councilor Bujakowski, seconded by Councilor Shornak, and unanimously passed to adopt the FY 2011 State Legislative Program, as amended by deleting #9 and #11, and by adding the City Attorney's proposed Charter Change.

**REGULAR BUSINESS – FY 2011 FEDERAL LEGISLATIVE PROGRAM – HERBERT BRAGG
– LEGISLATIVE LIAISON**

The Draft FY 2011 Federal Legislative Program was presented to City Council (filed in the City Clerk's Office). Council agreed to amend the draft by adding language to #2 regarding partnership with the National Park Service.

Motion was made by Councilor Shornak, seconded by Councilor Bujakowski, and unanimously passed to adopt the FY 2011 Federal Legislative Program, as amended by adding language to #2 regarding partnership with the National Park Service.

MINI DEMONSTRATION OF THE I-PAD BY ELESTEEN HAGER, FINANCE DIRECTOR

Mr. Hager provided a mini demonstration of the I-Pads that have been purchased for City Council and how the paperless agenda packet will work. It planned to limit the process to go to electronic agenda only. It will be loaded as a PDF or Word document agenda. The device will allow reading and saving. A mini Wi-Fi will be installed at the Municipal Building. Other features on the device will be a calendar, contacts, and notepad. Councilors will not be able to make notes on the screen, to that file. Later on, depending on other applications out there, we might be able to have Excel. In addition, in the future, the capability of adding "sticky notes" to the document might become available. The I-Pads should be programmed and ready for use in January 2011. The purpose of using the I-Pads for agenda is to conserve paper. The cost of the I-Pads is approximately \$500 each, plus add ons for a total of about \$700 each.

There was discussion about what happens if someone does not want the I-Pad. If a Council wants a paper packet they will continue to receive a paper packet. There is free internet with the Wi-Fi. Will not be able for internet. Will not be connected to City e-mail, and it will be password protected.

Dr. Daley also reported that Evonik donated some office furniture to the City.

REGULAR BUSINESS – APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion was made by Councilor Bujakowski, seconded by Vice Mayor Walton, and unanimously passed to appoint James Poe, Jr. to the Downtown Design Review Committee, and to appoint Ed Henry III to the Transportation Safety Board for a term extending through October 31, 2014.

REPORTS OF COUNCIL COMMITTEES

None.

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REPORTS OF CITY COUNCIL MEMBERS

Councilor Bujakowski reported that last week he visited Richard Bland College and met with Dr. McNeer and Randy Dean. He was unexpectedly impressed. The college has added two dormitories with three more scheduled in the future. He met with an Organic Chemistry professor. It was a great opportunity to meet them and tour the facility. Hopewell has 47 students receiving financial aid from the college. Councilor Bujakowski wished everyone a Merry Christmas and a Healthy Prosperous New Year. He encouraged residents to think about doing something to help Hopewell and to get involved, ask questions, and to take the opportunity to bring issues forward before going to the press first. Issues should be handled with department heads and/or City Council members. Then do what you have to do. In 2011 let's make Hopewell look as good as we possibly can. Refrain from airing dirty laundry in public.

Vice Mayor Walton reminded residents the Reason for the Season. He acknowledged with sympathy the recent deaths of Jeff Berry, Loyd Taylor and Gary Piner, and the military overseas. He wished everyone good holidays.

Mayor Luman-Bailey reported on the recent Christmas Parade, the theme of which was "Support our Troops;" the boat parade on the river with 12 boats participating; and the tree lighting ceremony in the plaza. She urged residents to go down East Broadway to see the lovely lights. The Public Works Department lit the trees and all the shops look nice, so get into the Christmas Spirit. She encouraged people to remember to donate to the Food Pantry and the Shepherd's Place for those less fortunate. She wished everyone a Merry Christmas and a Happy New Year.

ADJOURN

At 8:47 PM **motion** was made and unanimously passed to adjourn the meeting.

Christina J. Luman-Bailey
Mayor

Ann M. Romano, City Clerk