

**February 8, 2011  
Regular Council Meeting**

**MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 8, 2011**

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, February 8, 2011, 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  
                                  Gerald S. Stokes, Councilor  
                                  Brenda S. Pelham, 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

**ROLL CALL**

Mayor Luman-Bailey opened the meeting 6:30 PM. Roll call was taken as follows:

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

**WORK SESSION – PRESENTATION BY VIRGINIA MAIN STREET PROGRAM**

Mayor Luman-Bailey opened the Work Session and introduced Kyle Meyer and Margaret Barre from the Virginia Main Street Program. The Hopewell Downtown Partnership board members were present: Bud Yerly, Jack Kitchen, Ray Edmonds, Cliff Morris, & Mary Shiflett, and partnership member: Katherine Podlewski.

Mr. Meyer gave a PowerPoint Presentation (filed in the City Clerk’s Office) entitled, “Cultivating Thriving Main Street Communities.” The Virginia Main Street Community is 25 years old. Hotels and restaurants cannot be members of the Main Street Program. Bed & Breakfast facilities, theaters and arts development. Main Street is a combination of Historic Preservation + Economic Development = Restored Prosperity & Vitality Downtown. Members of the Main Street maximize downtown assets: community, personal service, cultural heritage, and rich architecture. Outcomes of a Main Street Effort: entrepreneurship, pride, stronger public/private partnerships, vibrancy, and “Sense of Place.” The four points are organization, economic restructuring, design and promotion.

**DISCUSSION:** In 2007 Hopewell applied for full Main Street status and has been designated as an affiliate, which entitles the City to training, online resources, site visits, etc. The minimum funding period is five years, therefore the City must be committed for five years to be designated with full membership status. If the program does not generate, it could lose the full designation. If not certified for three consecutive years, it would no longer be considered. Full designation requires an executive director and an administrative employee. Council must consider whether or not it would have to fund the executive director and possibly the clerical person; and possible marketing, all of which would be a cost to the City.

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Mr. Meyer stated that the local Main Street Organization could fund that. The community gets the designation but the money can be used in many different ways. Some areas use an executive director from the community. The Main Street organization would need a 501 (c) 3 in order to apply for grants. There would be a Letter of Agreement between the organization and the local government. Some thought should be given to using best staff resources.

**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	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

Prayer was offered by Rev. James Clements, Chaplain-JRMC, followed by the Pledge of Allegiance to the Flag of the United States of America.

**Motion** was made by Councilor Pelham, seconded by Councilor Bujakowski, and unanimously passed to amend the agenda to add a Presentation by Doug Woodhouse, VAWCO – Update – Community Advisory and Input Process for Improving the Taste and Odor of Hopewell Water, immediately preceding the Police Chief’s presentation.

**CONSENT AGENDA**

**Motion** was made by Councilor Pelham, seconded by Vice Mayor Walton, and unanimously passed to amend the minutes of the Work Session held on January 25, 2011, by deleting “Special Meeting” from the first page.

**Motion** was made by Councilor Pelham, seconded by Councilor Vice Mayor Walton, and unanimously passed to approve the Consent Agenda: Regular Meeting 1/11/11; Work Session 1/25/11 (as amended); Pending List; Information for Council Review: Recreation Commission handouts 1/12/11; School Board Agenda 1/13/11, minutes 12/9/10 & Budget WS announcement 2/8/11; HRHA meeting, announcement & minutes 10/11/10; Local Sesquicentennial of the American Civil War agenda 11/18/10; Senior Citizens Advisory Commission agenda 11/16/10; Rescheduled date HRWTF Commission 2/7/11; Social Services Advisory Board minutes 11/8/10; District 19 CSB minutes 9/23/10 & 10/28/10; TSB minutes 12/7/10 & agenda 2/1/11; HRWTF Commission draft minutes 10/25/10 & agenda 2/7/11; Personnel Change Report & Financial Report March 22, 2011 Work Session to March 29, 2011; Ordinance on second and final reading: none; Routine Grant Approval: none; and, Proclamations/Resolutions/Presentations: none.

**COMMUNICATIONS FROM CITIZENS**

**James T. Moore**, 1102 Heretick Avenue, Hopewell, spoke in support of Police Chief Steve Martin, who recently tendered his resignation. He has done an excellent job and was asked to reconsider and not resign. Chief Martin is a good leader and he is encouraged to stay here and continue the job. Mr. Moore hoped that City Council would talk to the Chief. The people in Davisville and Union Baptist Church have seen an improvement in that neighborhood since he became Chief. The Chief’s support comes from the citizens.

**Brenda S. Pelham**, 1816 Stewart Avenue, Hopewell, thanked Mr. Moore for his comments. She feels that Chief Martin should be encouraged to stay in the city. He is a true leader, and he has done a

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great job without the assistance of a Deputy Chief. The Commonwealth's Attorney's office takes pleasure in demeaning the Chief. She referred to two e-mail complaints, regarding the Police Department, sent to all of Council on February 3 and February 4, 2011; the Police Department and Chief were not copied. She wishes to encourage Chief Martin to stay, and hire a Deputy Chief to assist him.

**Earline Allen**, 1818 Stewart Avenue, Hopewell, offered her support to Chief Martin who has done a great job. She encouraged him to stay in Hopewell.

**Donna Lott**, 2211 Freeman Street, Hopewell, commented that the Neighborhood Watch has improved since Chief Martin came to Hopewell. Police officers have taken to heart the neighborhoods and it makes a major difference.

**Scott Firestine**, 4020 Cameron Road, Hopewell, thanked City Council and the citizens of Hopewell for support of the library. Now is the worst economy and outlook for local government. He pointed out the many services the library provides. As of December 2010 there has been a 3% increase in activity at the library. Those who cannot afford the internet appreciate the library which provides that service. There is presently an endowed fund, with plans for a foundation in the future. The Appomattox Regional Library has become a "destination place" in Hopewell. People interested in knitting have started "From the Heart Knitters" for those who want to learn to knit. The items are donated to charities in the area (i.e., chemo hats and baby blankets). Forty individuals attended the first session. Mr. Firestine presented to Council copies of the 2010-2015 Five-year Strategic Plan (filed in the City Clerk's Office).

**James Patterson**, 2612 Perry Street, Hopewell, referred to an assertion in the news that Chief Martin was resigning. He felt compelled to address Council. He is proud to support the Chief who came to the City in the midst of turmoil. Police officers are more visible throughout the City, and there have been many improvements. Chief Martin came with experience and professionalism. Neighborhood Watch has increased during his time in Hopewell. The statistics for crime have been tipping down. Chief Martin has done a marvelous job. If he does file his resignation papers he will always have support and respect. Council's purpose is policy making and setting goals. Mr. Patterson encouraged Council to work to keep the Chief here in Hopewell. He always wants Hopewell to be one of the best small cities on the east coast. In conclusion, he quoted a Bible passage from Proverbs 29, Verse 18, "*Where there is no vision, the people will perish.*"

**Vera Edmondson**, 1107 Winston Churchill Drive, Hopewell, supports Chief Martin. She planned to move to Hopewell in 2005, but she heard about the problems in the Police Department and that scared her. She moved here anyway. Once Chief Martin was hired, her fears were eased. City Council should encourage Chief Martin to remain in Hopewell as our Chief.

**Sofia West-Bey**, 2308 Waverly Street, Hopewell, supports Chief Martin. She commended him on a job well done. Police are more visible in the community and they act quickly when called.

**Pete Eaves**, 303 West Cawson Street, Hopewell, represented the Neighborhood Network which was recently started. Chief Martin told the group that if they need anything to just ask him. He wants Chief Martin to stay here.

**Brenda Bell**, 109 15<sup>th</sup> Avenue, Hopewell, moved to Hopewell in 1979. She has seen many things happen regarding the Hopewell Police Department. Since Chief Martin came, she personally feels much safer. The City should support Council members, Police Chief, dignitaries and those who govern the City. When divided, such as in wards, it is less effective. She feels that Chief Martin is a man with integrity. Forget the pettiness and down talking, be supportive, and acknowledge a job well done.

**Ruth Johnson**, Hopewell, has seen the good and bad in the City. A city divided cannot stand. Citizens came out in numbers to support Chief Martin. There was another Chief that the City ran off. This time she refuses to run off another one. It takes time to effect change with strong holds. The City needs people in positions that have a heart for our City; Chief Martin has a heart for Hopewell. The City needs

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to unite and must come together for what is best for our City. Chief Martin is what is best for Hopewell right now. There are many people in Hopewell who will work with him. She thanked him for doing a great job and urged him to retract his resignation papers. People want him here and need him here. He needs to stay and finish the job at hand.

**Pastor Joshua King**, Pastor, Union Baptist Church, Terminal Street, Hopewell, acknowledged Pastor Emeritus, Rev. Dr. Curtis W. Harris, Councilor, Ward #2. Pastor King has been here for 10 months. He was concerned about traffic on Terminal Street. He wrote to the Police Chief about his concerns, and received a phone call from one of the police officers. Since then he has noticed a pickup in the patrols in his neighborhood. He is interested in someone to partner with. He hopes that Chief Martin, who has been here for three years, will decide not to leave. Addressing Council, Pastor King indicated that whatever the issue is, to please come together to do their duty and give credit where it is due.

City Council members received a letter from Joyce Pritchard, dated February 8, 2011, regarding the resignation of Police Chief Martin. Councilor Pelham requested that it be read into the record. It was inadvertently omitted and not read into the record at the meeting. It is being included here as follows:

Communications From Citizens

To: Hopewell City Council  
From: Joyce Pritchard  
Date: February 8, 2011  
Re: Resignation of Police Chief Martin

I am writing to express how distressed I was to hear of the resignation of Police Chief Martin. I have personally had the pleasure of working with him in a community effort to improve the environment of Hopewell and his support was welcome and unfailing.

The project which I referred to above was the production of a Citizen's Guide to Neighborhood Improvement in Hopewell, as part of a 2010-2011 CDBG grant. I sent an early copy to Chief Martin, as I did to all affected departments to review. Chief Martin sent back review comments promptly and offered his complete support for the effort.

He then put his words into action by attending a Issue Identification meeting we had with the Arlington Heights community. Not only were all of the community police officers for the area in attendance, but the Chief attended as well. His participation, as well as that of the community officers, was greatly appreciated that evening.

Chief Martin then followed up with a letter, re-iterating that if there was anything else he could do for this effort, just to ask. I want to publicly thank Chief Martin, and all the department managers and personnel who participated in the review of the Citizen's Guide last fall.

But just as we were building up the 2011 activities for the project, I learned that he was resigning. I am writing to say that if there is any way that Chief Martin can be convinced to stay in Hopewell, please let this happen. There has been a great resurgence in community involvement in Neighborhood Watch programs and his support of our small effort at community-building indicates that he is committed to this concept.

It will be Hopewell's great loss if we lose his expertise in working as he does with citizens and the community.

Thank you,



Joyce Pritchard  
713 Francis Street  
Hopewell

There being no other speakers, Communications from Citizens were closed at 8:12 PM. Mayor Luman-Bailey called for a brief recess. The meeting reconvened at 8:25 PM.

## PRESENTATIONS

1. Doug Woodhouse, VAWCO – Update Council - Community Advisory and Input Process for Improving the Taste and Odor of Hopewell Water. Mr. Woodhouse provided a PowerPoint presentation (filed in the City Clerk's Office) followed by a question and answer period. Last summer the taste and odor issue was caused by Algae growing in surface waters used as Hopewell's water supply (the Appomattox and James Rivers). This caused a musty, earthy taste in the water. The algae multiplied near Hopewell due to prolonged heat; presence of nutrients (nitrogen and phosphorus) in the rivers; and low flow in the Appomattox River. The water remained safe to drink. The taste and odor problem was an aesthetic issue, not a health issue. VAWCO wants to involve the community in finding a solution to the long-term challenges.

The first **Community Meeting** was held on January 27, 2011 and another one is scheduled in the fall of 2011. The **Stakeholder Advisory Group** is made up of elected and appointed officials, environmental and business leaders, planning officials, and citizen representatives. Monthly meetings will be held from February thru April to learn about the cause of and potential solutions for the T&O issue and to raise awareness in the community. After the plant trial, to participate in an evaluative process that will help VAWCO reach a decision about next steps. The **Expert Panel** (water treatment, water quality experts from DEQ, Virginia Tech, Old Dominion University and Fairfax Water Authority) is a resource for the Stakeholder Advisory Group. **Expanded web pages for Hopewell Water** [www.amwater.com/vaaw/About-Us/Hopewell-Water/](http://www.amwater.com/vaaw/About-Us/Hopewell-Water/) for updates and meeting summaries. (This web site will be posted on Hopewell's Home Page.)

VAWCO's first priority is to ensure the safety of Hopewell's drinking water; their second priority is to ensure that residents and industry have all the water they need when they need it. They remain concerned about the taste and odor that occurred in 2010. They have not forgotten, and they continue to work on the problem. They are not satisfied until their customers are satisfied. The problem is complex and fixing it won't be easy. They invite the community to learn more about the challenges and work with VAWCO to help evaluate the best course of action.

**DISCUSSION:** VAWCO has taken a stand regarding Lake Chesdin trying to reduce the flow of water from Lake Chesdin. Mr. Woodhouse reported that two members are addressing the issue: the DEQ Permitting Process, and the Director of Appomattox Water Company. Regarding algae harvesting boats, VAWCO is doing as much as possible to limit the growth of algae. The company is looking into all cost effective/cost savings options. The Stakeholder Advisory Group was commended. For the average customer, water bills are going up, with continued taste/odor issues. Mr. Woodhouse indicated that VAWCO has a major capital project which cost would be passed on to the community. There is a Public Hearing coming up in February, which is another opportunity for citizens to voice concerns about rate increases. The company filed for a rate increase in 2010. The Public Hearing to discuss rate cases will be on February 24, 2011 at the State Corporation Commission, 1300 East Main Street, Richmond, Commission's Court Room, Tyler, 2<sup>nd</sup> Floor, at 10:00 AM. Written comments may be sent until March 10 to Joel H. Peck, Clerk, State Corporation Commission, P. O. Box 2118, Richmond, Virginia 23218-2118. The website is [www.scc.va.gov/case](http://www.scc.va.gov/case). Case #PUE-2010-00001. The taste/odor problem from summer 2010 was a once-in-20-year event. But whether or not it will happen again in the summer of 2011 cannot be predicted. It is possible to have algae on the river again. VAWCO has not stopped working on this since last summer. They are looking at the flow in the middle of the Appomattox River. (8:57 PM)

2. Hopewell Police Chief Steve Martin presented the Police Department's Annual Report. Chief Martin reported that as of February 8, 2011 Property & Evidence submitted 282 cases totaling 383 items of evidence and found property to be reviewed by the Commonwealth's Attorney's Office for destruction. As of the same date Property & Evidence received destruction orders for 105 items, and they have been destroyed. The Commonwealth's Attorney's Office is still reviewing 201 cases totaling 278 items. Since November 1, 2010 Property & Evidence has taken in 46 items of found property.

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The Chief, assisted by Jessica Krack, Crime Analyst for the Hopewell Police Department presented the State of the Police Department (56-page document filed in the City Clerk's Office). The current state of the Property Room is one of the best in the Commonwealth. They are currently in the property destruction process. The Police Department will continue to work with the Commonwealth's Attorney on destruction. The Virginia Code requires the Commonwealth's Attorney to state that he does not need to use the found evidence in a court of law before being destroyed. Found items will be misdemeanor cases that have outlived their time for prosecution. There is a three-year limit, and requires authorization from the Commonwealth's Attorney and courts. The judges and Commonwealth's Attorney are aware of this. The State Police investigation is still ongoing. The presentation contained: 2007 Issues and Proposed Solutions; 2007 Comprehensive First 100 Days Action Plan; Property Room; Promotional Process Revamped; Vision 2020 Continuous Improvement Plan; Executive Summary 2010; Charts & Graphs; 2010 Crime Focus Initiatives; HPD Vehicles; and Hopewell Police Activities League. (10:10 PM)

**UNFINISHED BUSINESS – COUNCILOR BUJAKOWSKI – INFORMATIONAL UPDATE – BEACON THEATRE; ECONOMIC DEVELOPMENT; MARINA PROGRESS; AND OSAGE PROGRESS**

1. Beacon Theatre Status – City Attorney – Mr. Lacheney reported that a Settlement Agreement had been reached. However, the Manager for the Beacon Theatre fired their attorneys. A court order was entered dismissing the attorneys. He does not know who the new attorneys will be.
2. Information gathering for Economic Development Entity – City Manager – Dr. Daley will report to Council at a future time.
3. Marina Progress – Mayor and Vice Mayor – Mayor Luman-Bailey indicated that the proposal will be discussed at the Work Session on February 22, 2011.
4. Osage Overall Status, Progress – City Manager, Mayor, Osage – Mayor Luman-Bailey spoke with the plant manager, who was unable to attend the Council meeting. They are currently training and testing employees, and are expected to be up and running in late March or early April 2011. They will be restarting the plant at that time. Regarding the Machinery & Tools tax, collection will begin after the calendar year in which it starts. The M & T Tax will start being assessed in FY 2012/2013. The City will not receive that revenue in the upcoming 2011/2012 budget. The City has not anticipated the revenue from Osage in FY 2010/2011.

**UNFINISHED BUSINESS – REQUEST FOR CITY COUNCIL APPROVAL OF APPOINTMENT OF CITY COUNCIL USE OF CITY RESOURCES COMMITTEE (to include letterhead, etc.)**

By consensus of City Council, this item was deleted from the agenda.

**CITIZEN/COUNCILOR REQUEST – MAYOR LUMAN-BAILEY – ADD THE OLD JAIL TO THE HISTORIC DISTRICT**

Mayor Luman-Bailey proposed the addition of the old jail to be added to the Historic District, in a similar manner to the Butterworth Lofts building and the Mallonee School building, which were added to the Historic District.

**Motion** was made by Councilor Pelham, seconded by Councilor Bujakowski, and unanimously passed to forward to the Planning Commission a request to add the old jail to the State Register of Historic Buildings.

**REGULAR BUSINESS – PLANNING COMMISSION REPORT – SUBDIVISION PLAT – RESUBDIVISION OF LOT B-4, “B-VILLAGE” FORMING LOTS B-4 AND A-4 “B-VILLAGE”**

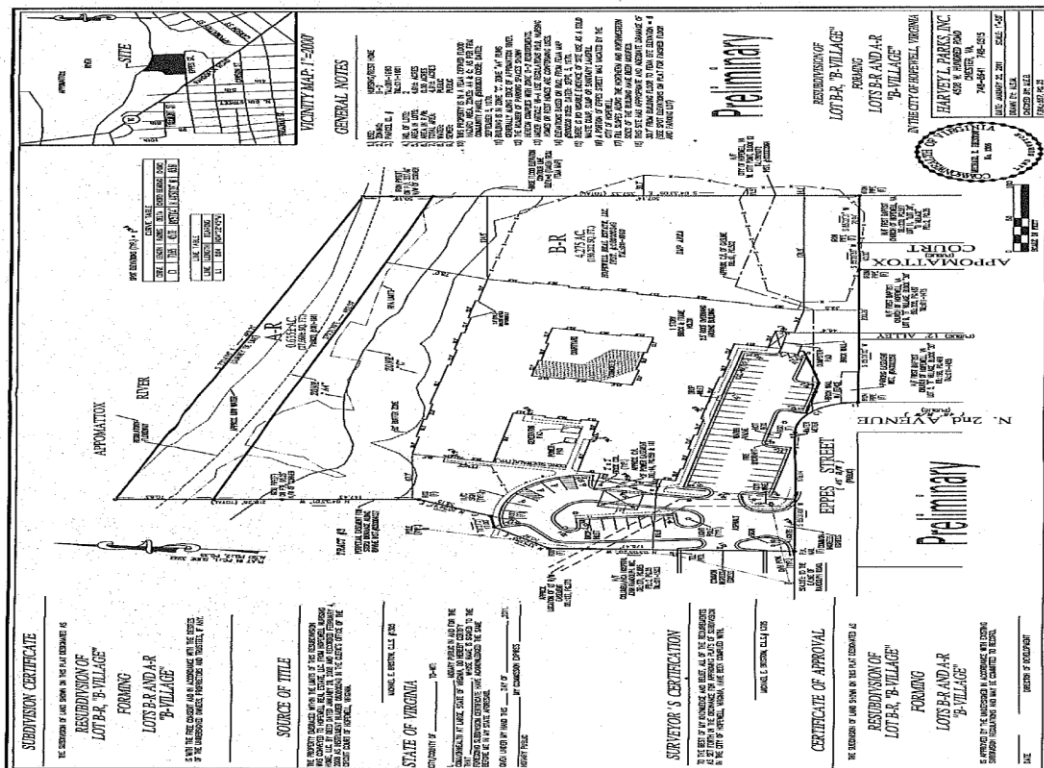
The owners of Riverview on the Appomattox Nursing Home Facility located at 201 Eppes Street are refinancing their mortgage through the United States Department of Housing and Urban Development (HUD). HUD will not allow the owners to refinance if any portion of the property is located within a FEMA defined Flood Hazard Area. Therefore the owners have proposed to gift the portion of the property located in the flood hazard area to the City. The resubdivision plat illustrates the subdivision of property from the nursing home to the City.

The subject property, Tax Parcel ID#011-1960, is zoned B-2, Limited Commercial District and is approximately 4.91 acres. It is bordered by the Appomattox River, Eppes Street, John Randolph Hospital and City Park/Old Patrick Copeland School site. The subdivision of this lot does not violate any provision of the Hopewell Zoning Ordinance.

Staff recommends approval of the Resubdivision of Lot B-4, B-Village forming Lots B-R & A-R, B-Village drawn by Harvey L. Parks, Inc. dated January 20, 2011 with revisions as recommended by City departments.

**Motion** was made by Councilor Stokes, and seconded by Councilor Shornak, to resolve to approve the recommendation of the Hopewell Planning Commission to approve the proposed subdivision. Upon the roll call, the vote resulted:

- |                      |   |     |
|----------------------|---|-----|
| Mayor Luman-Bailey   | - | yes |
| Vice Mayor Walton    | - | yes |
| Councilor Bujakowski | - | yes |
| Councilor Stokes     | - | yes |
| Councilor Pelham     | - | yes |
| Councilor Shornak    | - | yes |



**REGULAR BUSINESS – JO TUREK, DIRECTOR, RECREATION & PARKS DEPARTMENT,  
2011-2012 CHALLENGE GRANT – VIRGINIA COMMISSION FOR THE ARTS**

The Historic Hopewell Foundation (HHF) is seeking a Challenge Grant from the State Commission for the Arts for which the Department of Recreation and Parks must apply as City dollars are used for the match. HHF has requested to maintain the grant amount of \$5,000 as the City's match. This grant will enable HHF to conduct art and art-related programs at Weston Manor, which programming is being expanded.

The City will file for the grant:

- (1) The grant will not be accepted unless the City's FY 2011-2012 adopted budget includes the matching funds;
- (2) Filing the grant application in no way binds the City to budget matching funds; and
- (3) Should the grant request be denied or only partially funded, the City would still make available to HHF for art and art-related programs whatever local funds have been allowed in the City's FY 2011-2012 General Fund Budget.

The City of Hopewell, through the Department of Recreation and Parks has applied for said grant annually. The fiscal impact is \$10,000, of which 50% (or \$5,000) will be reimbursed by the state through the Challenge Grant. The other 50% would be through the City of Hopewell.

**Motion** was made by Vice Mayor Walton, and seconded by Councilor Pelham, to resolve to authorize acceptance of the application. Upon the roll call, the vote resulted:

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

**REGULAR BUSINESS – HOPEWELL REAL ESTATE, LLC**

The Department of Development received a request from Hopewell Real Estate LLC for the resubdivision of B-R, "B" Village, in the City of Hopewell, Virginia. The City of Hopewell's Planning Commission recommended approval of the resubdivision of Lot B-R, "B" Village forming Lots B-R and A-R, "B" Village. As a result of the resubdivision, Hopewell Real Estate LLC wishes to convey to the City of Hopewell, said real estate, namely a parcel consisting of 0.635 +/- acres, commonly known as Parcel 011-1961, "B" Village Subdivision, in the City of Hopewell. The City of Hopewell desires to receive said property for the common good of the citizens of Hopewell. The receipt of the following described real estate located in the City of Hopewell, Virginia: Parcel No. 011-1961 (0.635 +/- Acres, "B" Village) by the City of Hopewell is authorized, by written Deed duly executed by all proper and necessary parties after review and approval thereof by the City Attorney. The City Attorney, upon receipt thereof, is authorized and instructed to record said Deed with the Clerk of the Court. (***\*NOTATION: The parcel number for Lots A-R, B Village was originally 011-1961; however, the Real Estate Assessor changed it to 011-1959 so that the numbers flow numerically with the letters.***)

**Motion** was made by Councilor Bujakowski, and seconded by Councilor Shornak, to approve Ordinance No. 2011-01 on **first** reading, to approve acceptance of the property from Hopewell Real Estate LLC and authorize the City Manager to execute the necessary documents to accept the property. Upon the roll call, the vote resulted:

Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes



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

**ORDINANCE NO. 2011-01**

An Ordinance authorizing city Council to receive on behalf of the Citizens of the city of Hopewell, certain real estate in the "B" Village Subdivision of the City of Hopewell, Virginia.

WHEREAS, the Department of Development has received a request from Hopewell Real Estate LLC for the resubdivision of Lot B-R, "B" Village, in the City of Hopewell, Virginia; and

WHEREAS, the City of Hopewell Planning Commission has recommended approval of the resubdivision of Lot B-R, "B" Village forming Lots B-R and A-R, "B" Village; and

WHEREAS, as a result of the resubdivision, Hopewell Real Estate LLC wishes to convey to the City of Hopewell, a Virginia municipality, said real estate, namely a parcel consisting of 0.635+/- acres, commonly known as Parcel 011-1961, "B" Village Subdivision, in the City of Hopewell, Virginia; and

WHEREAS, THE CITY OF HOPWELL, a Virginia municipality, desires to receive said property for the common good of the Citizens of the city of Hopewell.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the receipt of the following described real estate located in the City of Hopewell Virginia:

Parcel No. \*011-1961 (0.635+/- Acres, "B" Village)

By the City of Hopewell is hereby authorized, by written Deed duly executed by all proper and necessary parties after review and approval thereof by the City attorney. The City Attorney, upon receipt thereof, is hereby authorized and instructed to record said Deed with the Clerk of the Court.

*\*NOTATION: The parcel number for Lots A-R, B Village was originally 011-1961; however, the Real Estate Assessor changed it to 011-1959 so that the numbers flow numerically with the letters.*

**REGULAR BUSINESS – HOPEWELL CITY PUBLIC SCHOOLS – SCHOOLS PERFORMANCE CONTRACT**

At the Council Work Session on January 25, 2011, Mr. Ray Watson, Assistant Superintendent for Administration, introduced the Performance Contracting which had been discussed at a joint meeting of Hopewell City Council and the School Board. Both agreed not to sign any contracts until they came before City Council. The Memorandum of Understanding is a contract, committing to \$58,949.00. That does not mean that the School Board is asking the City to pay that amount. It will be a part of the money that the vendor must save. This MOU starts the technical audit. Then they will come back and say actually what they can replace and the savings of that. Plumbing, HVAC, lighting and bulbs and a boiler or two will reduce the school system's carbon footprint. This authorizes the vendor to find anything and everything that will save the school system energy.

**Motion** was made by Councilor Stokes, and seconded by Vice Mayor Walton to resolve to approve the City of Hopewell Public Schools Memorandum of Understanding (MOU) for Technical Energy and Water Savings Audit with Siemens Industry, Inc. (FILED IN THE CITY CLERK'S OFFICE). Upon the roll call, the vote resulted:

Councilor Stokes	-	yes
Vice Mayor Walton	-	yes

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Councilor Pelham	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes
Councilor Bujakowski	-	yes

*(On February 9, 2011, at 11:48 PM, after the close of the business day, A Transactional Disclosure Statement (Conflict of Interest) was filed by Councilor Pelham, as an employee of the Hopewell Public Schools, which document was submitted after the deadline of the end of the business day on February 9.)*

**REGULAR BUSINESS – JOHNNIE BUTLER, CITY ENGINEER – WAVERLY STREET PHASE II**

In May 2010 the City completed a Curb & Gutter, and Drainage Improvement project on Waverly Street, defined as the section from Carolina Avenue to the end. The issued contract to perform the work was awarded through a competitive bid pricing format to Virginia Concrete Company. The unit prices for the major component items are considered very reasonable and remain unchanged. The original bid pricing was offered in late fall of 2009.

After completing Phase 1, the next block moving west, or, the block between Carolina Avenue and Lincoln Place, was also designed to extend the same street and drainage improvements one more block. Funding for the next section was secured through Community Development Block Grant – Stimulus Funding, or what is better known as CDBG-R funds.

Given the low unit prices that the City still enjoys on the current contract, and the good performance by the contractor on recent assignments (4), all of which were started and completed during 2010, the City Engineer recommends that the City add this additional scope of work by the contract change order. The decision is also based on the contractor’s availability to begin the work by the end of February 2011 or sooner. This timeline is also necessary to better meet the use of funding requirements being imposed.

The contract change is an increase of \$35,000 or 44% in the original awarded amount for Waverly Street, which was \$78,717. No City Maintenance, Operations or Capital Improvement funds are being used to perform the subject public facility improvements. All the project funds will come from, or be reimbursed by, the CDBG-R funding grant.

**Motion** was made by Councilor Pelham, and seconded by Councilor Bujakowski, to resolve to approve the contract increase for Phase II of the Waverly Street Project in the amount of \$35,000. Upon the roll call, the vote resulted:

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

**REPORT OF CITY ATTORNEY**

No report.

**CLOSED SESSION**

**Motion** was made by Councilor Bujakowski, seconded by Vice Mayor Walton, and unanimously passed to convene into Closed Session to discuss Appointments to Boards and Commissions, as permitted by Virginia Code § 2.2-3711 (A) (1).

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**OPEN SESSION**

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

**REPORT OF CITY CLERK – APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Motion** was made by Councilor Bujakowski, seconded by Councilor Pelham, and unanimously passed to appoint David Silvestro and Janice Denton to the Board of Building Code & Fire Prevention Code Appeals, for terms extending through October 31, 2015; to appoint Linda D. Brown to the Neighborhood Watch Advisory Board, Ward #1, for a term extending through October 31, 2012; Councilor Gerald S. Stokes as Co-Chair of the Historic Preservation Committee; and Councilor Brenda S. Pelham to the Central Virginia Film Office Board.

**REPORTS OF COUNCIL COMMITTEES**

None.

**REPORTS OF CITY COUNCIL MEMBERS**

Councilor Pelham announced The Black History Jubilee on Thursday, February 10, 2011 at 7:00 PM at A Touch of Red Restaurant sponsored by its owner, Kim Bennett, to honor African-American citizens’ that have been employed and/or selected as “firsts” in any work related or social profession. She also announced the Annual Black History Program at the Elks Lodge on Saturday, February 26, 2011. The guest speaker will be Brig. Gen. Gwendolyn Bingham, Ft. Lee’s Quartermaster Center First African-American Female General. The Woodlawn Learning Center has won a National Award in gardening with the Head Start students through the recommendation of the RC&D Council.

Vice Mayor Walton spoke to Mrs. Harris who indicated that Councilor Harris is improving.

Mayor Luman-Bailey referred to the National Park Service activities coming up. She announced the Hopewell Clean Air Network and Sierra Club meeting on Tuesday, February 15, 2011 at 7:00 PM at the Hopewell Public Library to find out about the DEQ Health Risk Assessment for Hopewell; and the Virginia DEQ public meeting on February 23, 2011 at 6:30 PM at the Hopewell School Board Office, 103 N. 12<sup>th</sup> Street, Hopewell.

**ADJOURN**

At 10:35 PM **motion** was made and unanimously passed to adjourn the meeting.

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Christina J. Luman-Bailey  
Mayor

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Ann M. Romano, City Clerk