

March 13, 2012
Regular Council Meeting
MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 13, 2012

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, March 13, 2012, 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

ROLL CALL

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

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

CLOSED SESSION

Motion was made by Vice Mayor Walton, seconded by Councilor Bujakowski, and unanimously passed to convene into Closed Session to discuss Personnel (Council vacancy – Ward 2 Representative) and Appointments to Boards and Commissions, in accordance with Virginia Code Sec. 2.2-3711(A) (1).

OPEN SESSION

At 7:30 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
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	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	-	present
Vice Mayor Walton	-	present
Councilor Bujakowski	-	present
Councilor Stokes	-	present

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Councilor Pelham - present
Councilor Shornak - present

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 Pelham, seconded by Vice Mayor Walton, and unanimously passed to approve the Consent Agenda: Regular Meeting February 14, 2012 & Work Session February 28, 2012; Pending List; Information for Council Review: School Board agenda & minutes 1/19/12, agenda Budget WS 2/2/12, agenda 2/16/12, HRHA agenda & minutes 2/13/12; and Law Library Committee minutes 2/13/12; Personnel Change Report & Financial Report; Set a Public Hearing on April 10, 2012 – Real Estate Tax Rate; Work Session March 27, 2012; Proclamations/Resolutions/Presentations: Girl Scouts' Centennial Proclamation & James House Intervention/Prevention Services, Inc. Day.

PROCLAMATION

WHEREAS, Monday, March 12, 2012, marks the 100th anniversary of **Girl Scouts of the USA**, founded by Juliette Gordon Low in 1912 in Savannah, Georgia, and the week of March 11, 2012 celebrates Girl Scout Week; and,



WHEREAS, throughout its distinguished history, **Girl Scouting** has helped build millions of girls and women of courage, confidence and character, who act to make the world a better place; and,

WHEREAS, Girl Scouting helps girls develop their full individual potential; relate to others with increasing understanding, skill, and respect; and

WHEREAS, Girl Scouting helps girls develop values to guide their actions and provide the foundation for sound decision-making; and

WHEREAS, **Girl Scouting** contributes to the improvement of society through their abilities, leadership skills, and cooperation with others;

WHEREAS, more than 3.7 million **Girl Scout** members nationwide will be celebrating 100 years of this American tradition, with nearly 50 million women who grew up participating in **Girl Scouting** and exemplify the impact of this amazing Movement.

NOW, THEREFORE, I, Christina J. Luman-Bailey, by virtue of the authority vested in me as mayor of the City of Hopewell, do hereby applaud the commitment **Girl Scouts** has made to America's girls and proudly proclaim the week of March 11-17, 2012 as

Girl Scouts Week

in Hopewell and thus, do urge the citizens of Hopewell to support Girl Scouts in their endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hopewell to be affixed the 11th day of March 2012.

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

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PROCLAMATION

- WHEREAS:** The James House Intervention/Prevention Services, Inc. is an accredited non-profit agency providing support, advocacy, and education for people affected by domestic violence, sexual violence, and stalking to empower them to become healthy, safe, and self-sufficient; and
- WHEREAS:** One in four women are abused by an intimate partner and one in six women are survivors of rape or attempted rape during their lifetime; and
- WHEREAS:** Mainstream media in America often misrepresents women and girls, promoting the concept that their only value lies in their youth, beauty, and sexuality; and
- WHEREAS:** Women are 51% of the US population yet represent just 3% of Fortune 500 CEOs, 3% of clout positions in the mainstream media, 7% of mainstream film directors and 17% of Congress; and
- WHEREAS:** The James House actively seeks to address this inequality and improve the lives of women and girls in our community;

NOW, THEREFORE, I, Christina Luman Bailey, Mayor of Hopewell, Virginia do hereby proclaim the day of March 29, 2012 as

THE JAMES HOUSE INTERVENTION/PREVENTION SERVICES, INC. DAY

in Hopewell, Virginia and encourage every citizen to educate themselves about the issues surrounding domestic violence, sexual violence, stalking and the misrepresentation of women and girls in the media.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Hopewell, Virginia to be affixed on this day of March 13, 2012.

/s/ Mayor Christina Luman-Bailey

June Claiborne of the James House announced two events: March 29, 2012, 7:00 PM A film at the Beacon Theatre entitled, "Misrepresentation." And, April 13, 2012, Friday for the Arts, the Art of Surviving Event at no cost, but there will be a cocktail reception for \$15.00.

COMMUNICATIONS FROM CITIZENS

Yolanda Stokes, 121 South 9th Street, Hopewell, announced that April is Fair Housing Month, and asked for Council support for those living in low to moderate income property.

There being no other speakers, Communications from Citizens were closed.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – DISCUSS CODE ENFORCEMENT EFFORTS AT THE WORK SESSION ON MARCH 27, 2012

Councilor Bujakowski presented a request to Discuss Code Enforcement efforts at the Work Session on March 27, 2012. Potential topics for discussion include: Issues Council hears from citizens; Issues council hears from Code; How aggressive should Code Enforcement be? Are the rules the same for everyone across the City? Are there any particular issues that Code Enforcement needs to focus on? And, How can Code become better perceived?

Councilor Bujakowski asked Council to request that the Code Enforcement Manager, March Altman, attend the Work Session on March 27, 2012, to discuss Code Enforcement efforts. That would be a good time for Council to listen to what Code's plans are and what Council's plans are. Give them a clear indication to enforce

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the same throughout the City. It would be a good time for citizens to hear the dialogue between Code Enforcement and Council. The Mayor requested volunteer groups, and boards and commissions to attend also.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – MARINA DEVELOPMENT UPDATE

Councilor Bujakowski announced a Marina Committee meeting on Tuesday, March 20, 2012 at 7:00 PM in the Council Chambers. The purpose of the meeting is to discuss Marina Plans. The Committee will bring a recommendation back to Council.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – YARD IMPROVEMENT CREDIT (YIC)

Councilor Bujakowski reported that some citizens have mentioned to him that it would be nice to offset the cost of keeping their yards neat and orderly. Perhaps this should be sent to the Keep Hopewell Beautiful Committee and see what they come back with. It is worth looking at, exploring costs involved, and perhaps setting a cap of 20% up to \$100,000. There are 7600 roof tops in the city, including resident housing, apartment complexes, and duplexes. The proposed credit would be granted only once per calendar year.

DISCUSSION: Council would love to see Hopewell cleaning up their properties. There is lots of rental property in this City – 55%. Some do not think that we should reward those who do not take care of their yards. They do know where to get the money from to give the credit. This money could be put toward another code enforcement officer. Who would administer this program? There is too much strain on the City workers already. They probably would not have the time to perform these tasks. This money could be spent in doing other things throughout the City (i.e., pot holes). There was mention of forming a committee to come up with ideas for recommendations, and explore grants. Some Council members would support it only if it were funded by a grant. Some would rather see the committee come back with suggestions.

CITIZEN/COUNCILOR REQUEST – COUNCILOR STOKES, FINANCIAL LIAISON – REPORT FROM MEETING MARCH 7, 2012 REGARDING THE COMMONWEALTH’S ATTORNEY’S REQUEST FOR A SUPPLEMENTAL SALARY INCREASE FOR THE DEPUTY ATTORNEYS IN THE COMMONWEALTH’S ATTORNEY’S OFFICE

Councilor Stokes was ill and unable to attend this meeting. Council unanimously agreed to postpone this topic until he was able to attend the meeting.

CITIZEN/COUNCILOR REQUEST – COUNCILOR SHORNAK – UPDATE FROM CITY ATTORNEY REGARDING OSAGE LITIGATION

Mr. Lacheney provided an update on the Osage litigation.

REGULAR BUSINESS – RESOLUTION ENDORSING S. 713 AND H.R. 1296, THE PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION ACTS

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

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

RESOLUTION

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**A RESOLUTION OF THE COUNCIL OF THE CITY OF HOPEWELL, VIRGINIA,
ENDORING S. 713 AND H.R. 1296, THE PETERSBURG NATIONAL BATTLEFIELD
BOUNDARY MODIFICATION ACTS**

WHEREAS, Senators James Webb and Mark Warner have introduced S. 713, the Petersburg National Battlefield Boundary Modification Act, into the Senate; and

WHEREAS, Representative Randy Forbes has introduced H.R. 1296, the Petersburg National Battlefield Boundary Modification Act, into the House of Representatives; and

WHEREAS, both bills would modify the boundary of Petersburg National Battlefield to include 7,238 acres of core battlefield lands significant to the Siege and Defense of Petersburg, all land purchased from willing sellers; and

WHEREAS, the Siege and Defense of Petersburg was one of the most important battles of the Civil War and a significant event in the history of the City of Hopewell. The 150th Anniversary of the beginning of the Siege and Defense of Petersburg is June 2014 and is expected to be a major tourism event; and

WHEREAS, Petersburg National Battlefield is a valuable asset to the Tri-Cities – bringing more than 175,000 visitors and \$8 million to the local economy in 2010 – and the City of Hopewell has a vested interest in the improvement, expansion, and proper management and maintenance of the Park; and

WHEREAS, the Council of the City of Hopewell on July 14, 2004 approved a resolution endorsing the proposed addition of the same 7,238 acres to the Petersburg National Battlefield as proposed in Alternative D of the Petersburg National Battlefield Management Plan; and

WHEREAS, the City Council is desirous of encouraging the passage of S. 713 and H.R. 1296, the Petersburg National Battlefield Boundary Modification Acts.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hopewell, Virginia, that the Council encourages the passage of S. 713 and H.R. 1296, and directs the Clerk of Council to send attested copies of this resolution to the Secretary of the Interior, to Senators James Webb and Mark Warner, to Congressman J. Randy Forbes, and to Lewis Rogers, Superintendent, Petersburg National Battlefield.

REGULAR BUSINESS – BEACON OPERATIONAL AGREEMENT

Motion was made by Councilor Pelham, and seconded by Councilor Bujakowski to approve the Beacon Operational Agreement.

DISCUSSION: Income received from events stays in their budget; it does not come to the City. In the agreement, I, i. “*Provide quarterly reports on Beacon operations and finances to the City;*” There was disagreement about whether to receive a monthly report or a quarterly report. An amendment was suggested to change the quarterly reports to monthly reports, and send the report to the City Manager and Finance Director. The Library has a different account than the City. It is used for operations of the Beacon. Where does the \$50,000 given to the Beacon come in? The City Manager indicated that he thought it was easier for him to use the Finance Director. It was not intended at the time that \$50,000 would be reduced by what they did receive. Utilities do not come out of the \$50,000. The City pays that as it does with all other buildings. The Capital Outlay would come before Council. Regarding a mechanism for audit, that should be included in the agreement. Other Councilors preferred a quarterly report. The agreement was done based on what Scott Firestine got from Council, but it can be amended. When Mr. Firestine reported to Council, it did not seem that the Beacon would be directly under the City. There is confidence that Mr. Firestine has the information whether reported monthly or quarterly. The City asked the library to operate the Beacon. The Library indicated that it did not want to be left out to dry; they wanted an agreement.

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An **amended motion**, to change from quarterly reports to monthly reports, which would be submitted to the City Manager and the Finance Director, was made by Councilor Shornak, and seconded by Vice Mayor Walton. Upon the roll call, the vote resulted:

Vice Mayor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes
Councilor Bujakowski	-	yes

Motion to approve the agreement as amended was made by Vice Mayor Walton, and seconded by Councilor Bujakowski. Upon the roll call, the vote resulted:

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

REGULAR BUSINESS – AUTHORIZE PREPARATION OF COMPREHENSIVE PPEA AGREEMENT FOR THE BEACON THEATRE

Motion was made by Councilor Pelham, seconded by Councilor Bujakowski, and unanimously passed to authorize preparation of the Comprehensive PPEA Agreement for the Beacon Theatre for review at the March 27, 2012 Special Meeting/Work Session, and to direct the City Clerk to advertise for a public hearing at the April 10th City Council meeting.

REGULAR BUSINESS – REQUEST STAFF TO PREPARE OPTIONS FOR OBTAINING TAX CREDITS FOR THE BEACON THEATRE FOR THE MARCH 27, 2012 SPECIAL MEETING/WORK SESSION

Motion was made by Councilor Pelham, and seconded by Councilor Bujakowski to request staff to prepare options for obtaining historic tax credits for the Beacon Theatre, those options to be examined at the March 27, 2012 Special Meeting/Work Session.

DISCUSSION: Schedule time at the March 27, 2012 Special Meeting/Work Session to discuss this further, and give administration some direction. The City could remain a controlling partner of the property. The City could be the main control.

Upon the roll call, the vote resulted:

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

REGULAR BUSINESS – BUDGET RESOLUTION AMENDMENT \$114,000 – GENERAL DISTRICT COURT, CODE ENFORCEMENT, JUVENILE CORRECTIONS, FUND THE DEPARTMENT OF ECONOMIC DEVELOPMENT, AND BUDGET GRANT FUNDS FOR THE SHERIFF’S OFFICE

Motion was made by Councilor Pelham, seconded by Councilor Bujakowski, and unanimously passed to adopt the Budget Resolution Amendment in the amount of \$114,000 – General District Court, Code Enforcement, Juvenile Corrections, Fund the Department of Economic Development, and Budget Grant Funds for the Sheriff’s Office.

**BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2011-2012**

WHEREAS, at the meeting of the City Council of the City of Hopewell held on March 13, 2012, an additional budget allocation amount was presented requesting additional funding in the amount of \$114,000 and,

WHEREAS, City Council has been advised that such budget amendments would be for: General District Court, Code Enforcement, Juvenile corrections, fund the Department of Economic Development and budget grant funds for sheriff's office and,

WHEREAS, all these requests are deemed appropriate and necessary expenditures for the city to continue service;

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

Sec. 1 The following designated funds and accounts shall be appropriated to pay for the General Fund services.

General Fund-011:

Resources:

Sheriff Grant Funding (DCJS Selective Enforcement).....	\$24,000
Use of Surplus.....	<u>86,000</u>
Total Revenue Sources	\$110,000

Appropriations:

Sheriff Grant Funds	\$24,000
Code Enforcement (Chapter 18 costs)	10,000
VJCCA Grant (Juvenile probation services).....	6,000
Dept. of Economic Development (div. under City Manager Office).....	<u>70,000</u>
Total Appropriations.....	\$110,000

REGULAR BUSINESS – 2012-2013 LOCAL CHALLENGE GRANT VIRGINIA COMMISSION FOR THE ARTS – HISTORIC HOPEWELL FOUNDATION (HHF) – TO CONDUCT ART AND ART-RELATED PROGRAMS AT WESTON MANOR – CITY MATCH \$4,000

Motion was made by Vice Mayor Walton, seconded by Councilor Shornak, and unanimously passed to authorize application for the 2012-2013 Local Challenge Grant Virginia Commission for the Arts – Historic Hopewell Foundation (HHF) to conduct art and art-related programs at Weston Manor, with a City Match of \$4,000.00.

REGULAR BUSINESS – WARD #2 CITY COUNCIL VACANCY – DISCUSS THE PROCESS TO MAKE A TEMPORARY APPOINTMENT TO THE WARD #2 CITY COUNCIL SEAT UNTIL A SPECIAL ELECTION IN NOVEMBER 2012

Council agreed to schedule interviews for the temporary position of Ward #2 representative on City Council. They will be held on Wednesday, March 21, 2012, from 5:30 PM – 8:30 PM in the Council Chambers. Mayor Luman-Bailey read the names of the candidates: Julia Allen, Roosevelt Edwards, John Holloway, Patrick Plourde, David Silvestro, and Yolanda Stokes.

Motion was made by Councilor Bujakowski, seconded by Vice Mayor Walton, and unanimously passed to postpone appointment until the Special Meeting & Work Session on March 27, 2012.

REGULAR BUSINESS – FY 2012/2013 PROPOSED REAL ESTATE TAX RATE - 3¢ INCREASE FOR THE HIGH SCHOOL RENOVATION PROJECT

Motion was made by Vice Mayor Walton, and seconded by Councilor Shornak, to authorize advertisement for a public hearing to be held on April 10, 2012 regarding the proposed 3¢ (99¢ to \$1.02) increase to the Real Estate Tax Rate. Upon the roll call, the vote resulted:

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

REPORT OF THE CITY CLERK – APPOINTMENTS TO BOARDS & COMMISSIONS

Motion was made by Vice Mayor Walton, and seconded by Councilor Shornak, to appoint Steve Blizzard and Cheryl Collins to Keep Hopewell Beautiful for terms extending thru October 31, 2016. Upon the roll call, the vote resulted:

Vice Mayor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes
Councilor Bujakowski	-	yes

Motion was made by Vice Mayor Walton, seconded by Councilor Shornak, and unanimously passed to appoint Rebecca Redling, to the Neighborhood Watch Advisory Council – Ward 1, for a term extending thru October 31, 2013.

Motion was made by Councilor Pelham, seconded by Vice Mayor Walton, and unanimously passed to appoint Ray Paden, as a Student Representative on the Recreation Commission, term thru May 31, 2013.

REPORTS OF CITY COUNCIL COMMITTEES:

Councilor Pelham reported on the Central Virginia Film Office Board’s Oscar Night America. She thanked all those who participated.

REPORTS OF CITY COUNCIL MEMBERS

Councilor Shornak attended the Neighborhood Watch meeting at the Loyd Taylor-Autumn Woods branch. She thanked everyone for their efforts. There were several Police Officers on Route #36 talking to local business. The officers invited all business on Route #36 to participate with discussion on safety issues. The businesses were grateful for police presence on #36. A ribbon cutting was held on February 28 at the new animal hospital. She appreciated a local family business remaining in Hopewell.

Councilor Pelham thanked President Obama for his recent visit to Prince George. He addressed economy and jobs in this area. She welcomes the new Neighborhood Watch, on Dellrose, to the Neighborhood Watch system. She attended the retirement of Commander Sgt. Major Jenkins, and she welcomed the new Ft. Lee Commander. Some of the comments from Ft. Lee were that the City of Hopewell does not support them. We need to show appreciation.

Vice Mayor Walton reported two Neighborhood Watch groups in Ward #5. It was good to see the President in Prince George. Two weeks ago he received help from Ft. Lee personnel clearing the property behind the Evergreen Motel. This weekend some are coming again. The City should recognize them at Council meetings.

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Mayor Luman-Bailey thanked Deputy Chief Skowran for the City Wide Neighborhood Watch meeting. She talked to Dr. Maxwell's wife at the new veterinary hospital. A lot of sewer work is going on in the City Point Area. She also attended Sgt. Major Jenkins' ceremony. She has enjoyed getting to know people at Ft. Lee over the past few years. She wishes to recognize help from Ft. Lee. She too attended the event in Prince George with President Obama. His main message was, "Made in America." Hopewell should be proud to have the many manufacturing facilities here. America needs more of that.

Councilor Pelham thanked Herbert Bragg and the committee for the 2012 Black History programs. Thanks go out to the Sunlight Elks Lodge, HHS Jazz Band & Choir, JRMC, and Delegate Dance, and encouraged participants for next year.

ADJOURN

At 8:55 PM **motion** to adjourn the meeting was made by Vice Mayor Walton, seconded by Councilor Shornak and unanimously passed.

Christina J. Luman-Bailey
Mayor

Ann M. Romano, City Clerk