

April 10, 2012
Regular Council Meeting
MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 10, 2012

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, April 10, 2012, at 7:30 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 Councilor Pelham, seconded by Vice Mayor Walton, and unanimously passed to convene into Closed Session to discuss Potential Litigation with Virginia American Water Co. in accordance with §2.2-3711(A)(7); personnel matter with the City Attorney, pursuant to §2.2-3711 (A)(1) of the Code of Virginia; Discuss current litigation concerning the attempt of the Hopewell Commonwealth's Attorney to strip the city of all I-295 revenue pursuant to §2.2-3711(A)(7); Potential Sale/Redevelopment of City-owned property, in accordance with Virginia Code Sec. 2.2-3711(A) (3); and, Appointments to Boards and Commissions, in accordance with Virginia Code Sec. 2.2-3711(A) (1) (3) (7).

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:

April 10, 2012

Regular Council Meeting

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

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

CONSENT AGENDA

Mayor Luman-Bailey read into the record, a statement of support for the Sheriff's Department and the I-295 Safety Program:

The City of Hopewell strongly supports its Sheriff's Department and the I-295 Highway Safety Program. In November 2007, the City Council of the City of Hopewell, recognizing the dangers to its citizenry of excessive speed on I-295, voted unanimously to support the I-295 Highway Safety Program. Since that time, the safety benefits of the program have been immeasurable, including the arrest of felons, numerous interceptions of drug trafficking efforts, and, most importantly, the protection of lives.

Insinuations that this program is a petty "speed trap/money grab" demonstrate an astounding ignorance of the facts. How could anyone who supports safe driving possibly object to tickets being issued to speeders of 81+ miles an hour? Clearly there has been a misunderstanding, if not a misrepresentation, of the facts.

Each locality in Virginia has the right to enforce the law. Our citizens depend on us to exercise this right. The City of Hopewell will continue to support its Sheriff's and Police Departments, enabling them to serve and protect our citizenry, as is our right, according to the State Code of Virginia.

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

Motion was made by Councilor Pelham, seconded by Vice Mayor Walton, and unanimously passed to approve the Consent Agenda: Regular Meeting March 13, 2012, Special Meeting (Council Interviews) March 21, 2012 & Work Session March 27, 2012; Pending List; Information for Council Review: Recreation Commission agenda 3/14/12 & minutes 2/8/12; HRHA minutes 1/9/12, agenda 3/12/12, and meeting date change 4/9/12 to 4/16/12; School Board minutes 2/16/12 & agenda 3/15/12, Special Meeting agenda 4/3/12; ARLS minutes 2/21/12 & agenda 3/20/12; Local Sesquicentennial of the American Civil War minutes 11/17/11; Senior Citizens Advisory Commission minutes 2/21/12; TSB minutes 2/7/12 & agenda 4/3/12; Hopewell Twinning Assn. minutes 3/26/12; and, ARLS minutes; Personnel Change Report & Financial Report; Public Hearings Announcements: none; Routine Approval of Work Sessions: Work Session April 24, 2012; Ordinances on second and final reading: none; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Proclamation for Administrative Professionals Week April 23-27, 2012 and Administrative Professionals Day April 25, 2012; and, the Marine Corps Proclamation

April 10, 2012
Regular Council Meeting
PROCLAMATION

WHEREAS, Administrative professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations; and

WHEREAS, the work of administrative professionals today requires advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service and other vital office management responsibilities; and

WHEREAS, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; and

WHEREAS, the theme of Administrative Professionals Week 2012 is “Admin: The Pulse of the Office” reflecting how today’s career-minded administrative professionals are advancing their careers and the profession as a whole through a purposeful commitment to and a passion for their careers through improving and expanding their skills.

NOW, THEREFORE, I Christina J. Luman-Bailey hereby proclaim the week of April 23-27, 2012 as Administrative Professionals Week, and Wednesday April 25th as Administrative Professionals Day, saluting the valuable contributions of administrative professionals in the workplace; and I call on all employers to support continued training and development for administrative staff, recognizing that a well-trained workforce is essential for success in today’s business world.

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 10th day of April 2012.

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

--0000--

Mayor Luman-Bailey and Vice Mayor Walton presented the proclamation to the Marines who assisted in a recent Clean Up in the City of Hopewell. They accepted the proclamation on behalf of the Marines at Ft. Lee. Vice Mayor Walton thanked them for their help.

PROCLAMATION

WHEREAS, the Marine Corp Detachment (MCD) is located at Fort Lee, Virginia, and their mission is to develop, support, manage and provide resident, entry, intermediate and career individual-skill level standards based training and acts as a proponent for assigned specialty communities in order to support the specified MOS manpower requirements of the operating forces; and

WHEREAS, The detachment is responsible for training of Marines in Airborne and Air Delivery, Ammunition Technician, Artillery Technician, Basic Electro-Optical Ordnance Repairer, Bulk Fuel, Food Service, Light Armor Vehicle repairer, Machining, Mortuary Affairs, Parachute Rigger, Personnel Retrieval and Processing, Small Arms Repair, and Welding in support of the 23d Quartermaster Brigade, U.S. Army Quartermaster School and the 16th Ordnance Brigade, U.S. Army Ordnance school; and

WHEREAS, in addition they are responsible for being the Centers of Excellence for their Military Occupational Specialties. They want the operating forces and supporting establishment to leverage their knowledge and expertise...they are here to help; and



**April 10, 2012
Regular Council Meeting**

WHEREAS, on the weekend of March 17-18, 2012, a group of Marines from Ft. Lee came to the City of Hopewell to assist with the cleanup efforts at and near the City Marina; USMC instructors who lead the Marines that day are: Sgt. Trenton Lewis, Sgt. Charles Brewer, Sgt. William Farmer, Sgt. Steven Markovich, and Gunnery Sgt. Robert Lince; and

WHEREAS, they demonstrated their willingness to be part of the local community and to provide needed help working alongside City forces; and

WHEREAS, it is an honor and a privilege to welcome Ft. Lee Marines to the City of Hopewell and to extend to them a sense of, and the warmth of a "Hometown" while they are away from home.

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 proclaim our gratitude to the

Marine Corps Detachment (MCD) Fort Lee, Virginia

for their interest in and ability to assist the City of Hopewell.

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 10th day of April 2012.

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

PUBLIC HEARING – REAL ESTATE TAX RATE – PROPOSED 3¢ INCREASE IS THE SECOND OF THREE PROPOSED TAX RATE INCREASES (\$0.03 IN 2010, \$0.03 IN 2012 AND \$0.03 IN 2014) TO BE USED FOR DEBT SERVICE ON THE HOPEWELL HIGH SCHOOL RENOVATION COSTS

This was the night advertised as a public hearing to receive citizen comments regarding the Real Estate Tax Rate proposed 3¢ increase is the second of three proposed tax rate increases (\$0.03 in 2010, \$0.03 in 2012 and \$0.03 in 2014) to be used for debt service on the Hopewell High School renovation costs.

Mayor Luman-Bailey opened the Public Hearing.

Mary Frances Pito, Hopewell, expressed her opposition to the increase and the tax rate.

Dr. William C. Henry, Hopewell, spoke on behalf of the School Board. The completion of the Hopewell High School renovation is coming soon. There will be an official Open House. Hopewell now has three new elementary schools, a renovated middle school, and a renovated high school. There are over 24 years of improved learning environment. A new high school would have cost \$85million. He thanked the City Council for proceeding with this project.

There being no other speakers, the public hearing was closed at 8:00 PM.

Motion was made by Councilor Stokes, and seconded by Councilor Bujakowski, to approve an ordinance on first reading to levy for the tax year beginning on January 1, 2012, a tax at the rate of \$1.02 per One Hundred Dollars (\$100.00) of assessed valuation on real estate, and vehicles without motor power used, or designated to be used, as mobile homes or offices within the entire City of Hopewell as it now exists.

DISCUSSION: Pros and cons of the increased real estate tax rate. Some felt that the budget and taxes should be acted upon at the same time. Several years ago Council promised to do this. The school is completed and we must have the money to pay for it. The current high school was built in 1967. Things were different in 2009. Some opposed passing this before the state budget is approved. There is a deficit

April 10, 2012
Regular Council Meeting

in the city budget right now. Spending is out of control. Council needs to look at everything as a whole. It needs to set the budget passed in the legislature. Voting on this issue should wait.

Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	NO
Councilor Pelham	-	yes (submitted a Transactional Disclosure Statement as an employee of the Hopewell School System)
Councilor Shornak	-	NO
Mayor Luman-Bailey	-	yes

The motion passed 4 yes/2 no.

ORDINANCE NO. 2012-02

REAL ESTATE TAX RATE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that there is hereby levied for the tax year beginning on January 1, 2012, a tax at the rate of \$1.02 per One Hundred Dollars (\$100.00) of assessed valuation on real estate, and vehicles without motor power used, or designated to be used, as mobile homes or offices within the entire City of Hopewell as it now exists.

PUBLIC HEARING – PPEA BEACON THEATRE – PROPOSED PROJECT FOR THE DESIGN AND RENOVATION OF THE BEACON THEATRE, LOCATED AT 401 NORTH MAIN STREET, HOPEWELL, AND THE BOGESE BUILDING, LOCATED AT 207 EAST CAWSON STREET, HOPEWELL

This was the night advertised as a public hearing to receive citizen comments regarding the PPEA Beacon Theatre proposed project for the design and renovation of the Beacon Theatre, located at 401 North Main Street, Hopewell, and the Bogese Building, located at 207 East Cawson Street, Hopewell.

Mayor Luman-Bailey opened the public hearing at 8:10 PM.

Yolanda Stokes, Hopewell, supports the Beacon Theatre renovation. It must become diverse and inclusive of the whole city, and it should be used for local talent.

Mary Frances Pito, Hopewell, would love to see the Beacon Theatre thrive, but not on the backs of the citizens. She opposed the projected project.

Francis Posey, Hopewell, indicated that the Beacon has been in the process of renovation for over 20 years. How will the city repay to the citizens what they spent on it?

Donnie Reid, Hopewell, is an employee of the city and resides in Ward #5. If there is funding for the Beacon there should be funding for raises for the city employees. Employees are an asset to the city. Employees have not have raises in over four years. It does not look good. The employees appreciate the bonuses, but employees have been overlooked as far as raises. Employee retention will be impacted by raises. Employees will remain faithful to the city. This project could be considered at a future time. What is the return on the investment for the Beacon project? In addition, there will be long term costs after the renovation of the theatre. What revenue will come from this project? Will it be leased out? Will it be sold? Marketing? Hotels? Restaurants? Employees make this city function on a daily basis.

Herbert Tatem, Hopewell, resides in Ward #7. He did not understand why Sheriff Anderson said that Hopewell needs money so badly. Where will we get the \$4.1million to put into that theatre? There are many

April 10, 2012
Regular Council Meeting

potholes throughout the city. Money should be used for citizens i.e., safety. The money could be spent in better ways than that building. The citizens of Hopewell should consider that during the next election.

Tommy Wells, Hopewell, has always favored the renovation of the Beacon Theatre. But, he felt that it should be done through private funds but not from the taxpayers' money.

Janice Denton, Hopewell, commented that in 2007 there was a public hearing regarding ethanol. Two hundred people spoke in opposition at that time through citizen comments and petitions. Four Council members passed it on first reading. Tonight, citizens can voice how they feel again. The same two that voted for ethanol are voting for this tonight. On July 12, 2011, Council appointed the Oversight Committee for the purpose of deciding on the process of restoring the Beacon Theatre. Ms. Denton thought the meetings would be announced. She did not know who was on the committee. Upon contacting the City Clerk she learned that committee members were George Elder, Jim Enochs, Homer Eliades, Sid Hudson, Ray Edmonds, and Julia Allen. No one has had the opportunity to sit in on any of their meetings. The city has given \$200,000 to the Downtown Partnership, and it was made up of the same people. Also, there is an Efficiency Committee, with some of the same members. The only thing for citizens to do is vote in November election.

Linda Frink, Hopewell, has nothing against the renovation of the Beacon. But it is a bad time because of the economy. There is lots of disrespect in our city. She does not know why the city does not have a budget yet, or a business plan. She hopes that Council listens to people and pray about it.

There being no other speakers, the public hearing was closed at 8:25 PM.

Motion was made by Councilor Bujakowski and seconded by Councilor Stokes to approve the Comprehensive Agreement and direct the City Manager to sign it in 30 days.

DISCUSSION: There was some Council opposition to locking into an agreement. In November 2011 the City Attorney sent an e-mail re: PPEAs. The City Manager decides whether to recommend to City Council whether to accept a proposal. There was a request to know what he recommends Council do regarding the Beacon Theatre.

The City Manager explained that one year ago, the City became the owner of the Beacon Theatre. He directed that it be cleaned up, which was done. It has been used as a Conference Center. In November 2011 Mr. Enochs came forward with his proposal for the theatre. This is a good proposal; it has been revised several times. Now has potential of tax credits. If the city is going to own the building, it must be renovated and used to generate revenue for the City. Council has the option to sell it in the future. It will help bring people to the downtown. Council said it was its priority.

It was some of the Councilors priority, but not all. During this economic time, not all agreed with the expenditure. We do not know what the revenues are. There are many questions. How can the state of our economy, as well as the city's budget restrictions, it can be a recommendation from the City Manager? The City Manager's funds are not coming out of the General Fund. The project will be paid for out of new Capital Funding. Council does not have to do that. Capital project money cannot be used for salaries. It can be transferred back and forth. That is why they have done employee bonuses the last two years. Councilor Pelham was one of the two people who voted for it a few years ago. The City Manager mismanaged funds and that is why she was released. There are sectors in Hopewell always opposing everything that is done.

The City Manager stated that the budget is usually adopted in May or June. He is waiting for the state to adopt its budget. The Governor has signed the VRS legislation. Employees must pay a minimum of 1% into VRS. He is looking to minimize the health insurance costs. There is a deficit of \$2million. Council cares for employees in this city and hopes to be able to give them a raise.

Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Councilor Stokes	-	yes

April 10, 2012
Regular Council Meeting

Vice Mayor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes (submitted a Transactional Disclosure Statement as owner of 206 Appomattox Street)

The motion passed 4 yes/2 no.

PUBLIC HEARING – (A) PROPOSED GENERAL FUND, BUDGET RESOLUTION AMENDMENT, CITY BUDGET INCREASE IN THE AMOUNT OF \$12,440 TO BE MADE FOR THE FY 2011-2012 BUDGET, AND (B) PROPOSED CITY CAPITAL PROJECTS BUDGET RESOLUTION AMENDMENT, CITY BUDGET INCREASE, IN THE AMOUNT OF \$4,100,000

This was the night advertised as a public hearing to receive citizen comments on (A) Proposed General Fund, budget resolution amendment, City budget increase in the amount of \$12,440 to be made for the FY 2011-2012 budget, and (B) Proposed City Capital Projects budget resolution amendment, City budget increase, in the amount of \$4,100,000.

At 8:40 PM Mayor Luman-Bailey opened the public hearing.

Mary Frances Pito, Hopewell, supported pay increases for employees. There was an item under Unfinished Business regarding salary increases for the deputies of the Commonwealth's Attorney's office. Salary increases are different between city and state (Constitutional Offices). Salaries are set on a sliding scale. The state dictates how many employees. Employees of the City of Hopewell are becoming discouraged after four years with no raise.

There being no other speakers, the public hearing was closed at 8:44 PM.

DISCUSSION: A minority of people control the funds and this city, which supposedly had a \$4.1million deficit. Departments were told to cut expenses by 10%. The tax rate increase of 1¢ equals \$130,000. People are concerned about public safety. We need to get money back into the system for employees' raises, streets, public safety, etc. There was concern about how many people (or how few) in Hopewell would use the Beacon Theatre. The philosophy of "Field of Dreams" if you build it, they will come is a fantasy, not reality. The number one priority is the city's financial situation. The number two priority is public safety. The crime rate in Hopewell has escalated. The police chief is trying to get crime off the streets. The 10% reduction will cut police from patrolling the streets. The city does not yet know what the schools need. There should be more money for schools; they have not had raises in four years also, as well as the city employees. The city is overspending; it is spending way above our means. The city just keeps on spending. There is no revenue coming in, and no anticipated revenues. How are we going to make our budget? We are in a deficit right now. There is no business plan for the Beacon LLC; and no financial plan for the city. The marina is dilapidated, and the city needs a Family Resource Center. There is a lot of passion over the Beacon Theatre. We will pay cash for this and the marina. There will be no tax raise. Then we will have nearly \$3million in the CIP. It could be used towards some other effort. Waiting for someone to say let's do it. Costs of renovation are cheaper now than in the past. These are opportunities to try to move the city forward. If we do nothing we will have nothing. Public Works does a good job with pot holes. Fixing the Beacon is not going to make it snow in July.

If we had \$3million then why are we cutting budgets 10%? -- The City Manager reported that we are not cutting budgets 10%. He asked department heads to show what a 10% reduction would look like. They have developed a contingency plan for how they would reduce by 10%. -- There have been no raises for four years. No school raises. We do not have the revenue that other jurisdictions have. He does not want to see cash reserves depleted. Theatres are struggling.

Recently heard that Petersburg was the unhealthiest in the state: crime; education; business plan; 295 money. \$225,000 per year from the I-295 money has been targeted for the Beacon Theatre. The \$225,000 will go away if we use the \$4.1million. Schools and public safety attract people to an area. Most of the people who might come to the theatre would not come from Hopewell.

April 10, 2012
Regular Council Meeting

Motion was made by Councilor Pelham, and seconded by Councilor Bujakowski, to adopt the General Fund, Budget Resolution Amendment, City Budget Increase in the amount of \$12,440 to be made for the FY 2011-2012 budget. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Councilor Stokes	-	yes (submitted a Transactional Disclosure Statement as a Sheriff's Deputy)
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes (submitted a Transactional Disclosure Statement as an employee of Hopewell Public Schools)
Councilor Shornak	-	yes
Mayor Luman-Bailey	-	yes (submitted a Transactional Disclosure Statement as owner of 206 Appomattox Street)

Motion was made by Councilor Bujakowski, and seconded by Councilor Stokes, to adopt the City Capital Projects Budget Resolution Amendment, City Budget Increase, in the amount of \$4,100,000. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Councilor Stokes	-	yes (submitted a Transactional Disclosure Statement as a Sheriff's Deputy)
Vice Mayor Walton	-	NO
Councilor Pelham	-	yes (submitted a Transactional Disclosure Statement as an employee of Hopewell Public Schools)
Councilor Shornak	-	NO
Mayor Luman-Bailey	-	yes (submitted a Transactional Disclosure Statement as owner of 206 Appomattox Street)

The motion passed 4 yes/2 no.

BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2011-2012

WHEREAS, at the meeting of the City Council of the City of Hopewell held on April 10, 2012, an amended budget request was introduced in its complete form from City Manager; of which \$4,112,440.00 is requested to be appropriated and,

WHEREAS, sufficient funds exist in the Capital Projects Fund and General Fund (prior year grants) balance reserve accounts for these expenditures, and,

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 capital improvements:

RESOURCES:

Use of Surplus Capital Funds (071).....	\$4,100,000.00
Use of Surplus General Funds (011).....	\$12,440.00

Appropriations:

Beacon Theatre.....	\$4,100,000.007.4
Sheriff's Department Equipment.....	\$12,440.00
Total Appropriations.....	\$4,112,440.00

COMMUNICATIONS FROM CITIZENS

Francis Posey, Hopewell, Ward #4, moved to Hopewell in 1954. There has been a problem with deer in his garden. The deer population doubles every year. He described the “Earn a Buck” program, which states that if you kill one deer, you would have to kill a doe also. He mentioned urban archery. Some localities’ doe season varies. Hopewell is a bird sanctuary, but not for cats. No other tax increases at this time in this area. Regarding the high school renovation, he understands repairing it and maintaining it.

Marion Hebert, Hopewell, Ward #3, commented on how the audience and the City Council behave during meetings. The audience should be quiet. Some Council members were smirking and laughing at the audience. It is rude to the citizens. She was ashamed of Council and the disruptive audience members. Council should be setting a good example.

Yolanda Stokes, Hopewell, Ward #2, addressed issues in this city making racial slurs and she does not appreciate it; for example, “you people.” She announced the National Fair Housing Month and asked for a proclamation. We must begin to heal. The Beacon Theatre was not available to all citizens in this city. She would like to see the downtown area renovated. It would bring the two communities together. There are different priorities for all citizens. Petersburg’s theatre is thriving; they sell out in 72 hours.

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

UNFINISHED BUSINESS – 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 reported on his meeting with the Commonwealth’s Attorney on March 7, 2012. Mr. Newman talked about four attorneys in his office. There is a fifth year ceiling in that office. Mr. Newman agreed this was a great plan. However, Councilor Stokes wished to table this issue because of some court actions. He would rather wait until that is settled.

Motion was made by Councilor Stokes, seconded by Councilor Pelham, and unanimously agreed to table the issue.

(Councilor Pelham submitted a Transactional Disclosure Statement as an Employee of the Hopewell School System)

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – MARINA COMMITTEE PROJECT RECOMMENDATIONS

Councilor Bujakowski reported on the Marina Committee. There were several meetings. There were about 22-23 members on that committee. Some former mayors, former councilors, renters in covered slips and in uncovered slips; there was a varied membership. He thanked March Altman and Jo Turek for their work. They agreed that Council should:

- Look at the Marina from the road. On the west side of that canal, remove some of the bulkhead and bring it back towards the bridge.
- Widen ramp to load and unload, on the side closer to the road.
- Build a ship store on the east side of that canal (2,000 sq.ft. store).
- Repair the roof on “L” dock.
- Repair roof on “N” dock.
- Redo the boardwalk.
- Replace one piling at “L” dock and redo the parking lot.
- Eliminate the grass for more parking.

All of these can be done with the money available.

April 10, 2012
Regular Council Meeting

DISCUSSION: A question was raised about why there were no minutes of the committee meetings. Upon being asked, the City Attorney stated that all meetings of boards, commissions, authorities or committees of Council require that minutes be taken, and they must all be open to the public.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – SCHEDULE PUBLIC WORKS PRESENTATION AT THE WORK SESSION SCHEDULED FOR APRIL 24, 2012

Councilor Bujakowski requested that the Public Works Department provide an update to Council at the Work Session on April 24, 2012.

CITIZEN/COUNCILOR REQUEST – COUNCILOR PELHAM – CITY COMPREHENSIVE PLAN UPDATE

Councilor Pelham requested an update to the Comprehensive Plan. She had spoken with Mr. Altman and Dr. Daley. To contract out would take six to twelve months.

Motion was made by Councilor Pelham, seconded by Councilor Stokes, and unanimously passed to direct the City Manager to begin, in house, a City Comprehensive Plan Update.
(Councilor Pelham submitted a Transactional Disclosure Statement as an employee of the Hopewell School System)

CITIZEN/COUNCILOR REQUEST – REPORT FROM KEEP HOPEWELL BEAUTIFUL – YARD IMPROVEMENT CREDIT (YIC)

On March 29, 2012, the Keep Hopewell Beautiful committee met to discuss the YICP with the understanding that the basic premise of the program would allow residents who made eligible outside improvements to their yards between March-June 2012 to receive a real estate tax credit of up to \$150. The following improvements were not eligible: grass seed, fertilizer, sprinkler installation and water usage. Members of KHB believe that conceptually the program is positive. However, after much dialogue about measuring program outcomes, implementation strategies, quality assurance, cost, and available man-power, it became obvious that implementation of the YICP, as proposed, at this time needed more detail analysis and collaboration of various City departments.

After careful consideration, Keep Hopewell Beautiful recommended that the City not implement the Yard Improvement Credit Program.

REGULAR BUSINESS – BEACON OPERATIONS UPDATE REPORT – SCOTT FIRESTINE

Dr. Daley introduced the Beacon Operations Update Report, prepared by Scott Firestine. The agreement has not yet been signed. Mr. Firestine was requested to provide monthly reports to City Council, rather than quarterly.

DISCUSSION: Revenues were deducted from expenses. Income vs. expenses, \$59,000 was spent in one year. There is no charge to the city for using the Beacon's conference facilities, and non-profit organizations pay one-half the rate. Some felt that no matter what, all users of the Beacon should pay something. One year ago \$1.3million was given to the Beacon. There was concern that now Council wanted to back out of that commitment. Some felt that a quarterly report was adequate.

Mr. Firestine was thanked for his services. Submitting the report is enough, he should not have to come to each Council meeting to submit the report.

AMEND THE AGENDA

Motion was to amend the agenda was made by Vice Mayor Walton, seconded by Councilor Pelham, and unanimously passed to consider a proposed resolution, from the Governor's office, regarding the Port of Virginia.

RESOLUTION – PORT OF VIRGINIA

Motion was made by Councilor Pelham, and seconded by Councilor Bujakowski, to adopt a Resolution to establish the Port of Virginia Economic and Infrastructure Development Zone.

RESOLUTION

WHEREAS, the Port of Virginia – sustaining 343,000 jobs and generating over \$41 billion in revenues, \$13 billion in payroll, and \$1.2 billion in tax revenue – is one of the Commonwealth’s greatest economic assets; and

WHEREAS, the Port of Virginia, despite its recent challenges brought on by the economic recession, is projected to undergo significant growth in the coming years with the completion of the Panama Canal Extension Project; and

WHEREAS, the Port of Virginia cannot achieve this growth without the development of the distribution, intermodal, manufacturing, warehousing, and other supply chain facilities necessary to support port operations; and

WHEREAS, driving the development of these facilities to specific areas can help reduce congestion in the Hampton Roads region; and

WHEREAS, Governor McDonnell is proposing to create the Port of Virginia Economic and Infrastructure Development Zone, which will incentive companies involved in maritime commerce and that import and export goods through the Port of Virginia to locate in Virginia; and

WHEREAS, creation of this zone is estimated to have an economic impact of \$7.3 billion, sustaining 14,120 jobs in the Route 460 Corridor and \$5.7 billion, sustaining 11,255 in the Hampton Roads area; and

WHEREAS, creation of this zone will bring much needed jobs and economic development to our community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopewell that we support the establishment of the Port of Virginia Economic and Infrastructure Development Zone and respectfully request the House of Delegates and the Senate of Virginia to approve Governor McDonnell’s proposed amendments to HB 1183 and SB 578 establishing this zone.

/s/Christina J. Luman-Bailey, Mayor

REGULAR BUSINESS – ESTABLISH AN LLC (LIMITED LIABILITY COMPANY) FOR THE BEACON THEATRE

During discussion it was ascertained that the City Attorney is the City’s registered agent. There must be the creation of a corporation and appointment of such. The City is the 99% partner in the LLC. Council and the City will own the corporation. The Board of Directors will make decisions.

DISCUSSION: There was a question about possible conflict of interest of Council/city “receiving” the \$4.1million. The City Attorney assured Council that there is no conflict regarding the \$4.1million.

Motion was made by Councilor Bujakowski and seconded by Councilor Pelham to establish an LLC for the Beacon Theatre. Upon the roll call, the vote resulted:

Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	NO

April 10, 2012
Regular Council Meeting

Mayor Luman-Bailey - yes

The motion passed 5 yes/1 no.

REGULAR BUSINESS – APPOINT MEMBERS TO THE LLC FOR THE BEACON THEATRE & CREATE BEACON THEATRE MANAGING PARTNERS

Motion was made by Councilor Bujakowski, and seconded by Councilor Pelham, to combine two agenda items: appointment of members to the LLC for the Beacon Theatre and to create the Beacon Theatre Managing partners. Upon the roll call, the vote resulted:

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

The motion passed 5 yes/1 no.

REGULAR BUSINESS – APPOINT MEMBERS TO THE BEACON THEATRE MANAGING PARTNERS

Motion was made by Councilor Bujakowski, and seconded by Councilor Pelham, to appoint members as Directors of the LLC: Councilor Gerald S. Stokes, City Manager Edwin Daley, and Judge Sam Campbell.

An **amended motion** by Councilor Pelham, to include herself as one of the Managing Partners, was accepted.

An **amended motion** by Councilor Shornak, to include herself as one of the Managing Partners, was accepted.

Upon the roll call on the original **motion** and both **amendments**, the vote resulted:

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

The motion passed 5 yes/1 no.

REGULAR BUSINESS – PPEA PROPOSAL FOR REHABILITATION OF THE CITY MARINA – J. W. ENOCHS

Motion was made by Vice Mayor Walton, and seconded by Councilor Shornak, to reject the PPEA Proposal for Rehabilitation of the City Marina – J. W. Enochs.

DISCUSSION: Some Council members received the proposal at this meeting and have not reviewed it yet. The City should put out a RFP (which the City Manager confirmed would be done). There must be assurance that all bidders will have the same access to information. Finally, it was requested that it be advertised in more than just the Hopewell News.

Upon the roll call, the vote resulted:

**April 10, 2012
Regular Council Meeting**

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

The motion failed 4 no/2 yes.

Motion was made by Councilor Stokes, and seconded by Councilor Bujakowski, to accept the PPEA Proposal for Rehabilitation of the City Marina – J. W. Enochs, and to direct staff to advertise for 60 days. Upon the roll call, the vote resulted:

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

The motion passed 4 yes/2 no.

REPORT OF THE CITY CLERK – APPOINTMENTS TO BOARDS & COMMISSIONS

No appointments were made to boards and commissions.

REPORTS OF CITY COUNCIL COMMITTEES:

Councilor Shornak reported that the HRHA hosted an Easter Egg Hunt at Piper Square. There were representative from the Department of Recreation and Parks, as well as the Hopewell Police Department. Virginia State University provided entertainment. There was food, refreshments, story tellers from the Library, and face painting. She thanked everyone involved.

Councilor Pelham attended an RC&D meeting. They are trying to get one of the high schools to do a marketing plan. She thanked everyone who participated in the Spring Dance for teens. She reminded everyone that this week is Spring Break and to drive carefully. On April 20, at 6:00 PM, there is a meeting at Arlington Park for additional Neighborhood Watch groups. She invited all interested parties to come to the park. She thanked the HCC for extending its hours for Spring Break, and she supported the additional employees at HCC. She announced a young lady, Uniqua Andrea Shaw, selected for membership in the National Society of High School Scholars. The school system received an e-mail from supporters of the Beacon. The state uses lottery to supplant, not supplement, school systems.

Councilor Bujakowski attended the Transportation Safety Board meeting last week. They established a right-turn-on-red at West Broadway. The Sesquicentennial Committee met last week; they have a lot going on. He received a copy of Virginia Town & City magazine; on the back is a picture of the Mallonee School building.

Mayor Luman-Bailey attended a Virginia's Gateway meeting last week. There were many kudos at the Annual Meeting. This morning, Mark Wilson gave a small seminar, at no cost to the City. She announced that Earth Day is coming up; Spring Cleanup Week next week; and, signs at Cedar Lane and Maplewood Avenue.

ADJOURN

At 10:15 PM **motion** to adjourn the meeting was made by Councilor Pelham, seconded by Councilor Stokes and unanimously passed.

April 10, 2012
Regular Council Meeting

Christina J. Luman-Bailey
Mayor

Ann M. Romano, City Clerk