

**REPORTS OF
THE
CITY
MANAGER**

R-1



**CITY OF HOPEWELL
CITY COUNCIL ACTION FORM**

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Authorize the City Manager to execute the Consent Agreement and Final Order with EPA settling Clean Water Act and VPDES Permit # VA0066630 Violations that occurred between December 2008 and April 2015.

ISSUE: Due to 2 HRWTF plant upsets which occurred in 2009 and again in 2010, EPA issued a Notice of Violation in July 2009 and December 2010 for Clean Air Act and Clean Water Act violations. Since 2010, HRWTF met with EPA on numerous occasions to discuss settlement of the violations. As a result of the negotiations, EPA and HRWTF have agreed on a consent agreement and final order in settlement of the Clean Water Act and VPDES Permit violations. The Consent Agreement and Final Order requires the payment of a \$50,000 penalty as settlement for the violations.

RECOMMENDATION: The City Administration recommends that City Council authorize the City Manager to execute the Consent Agreement and Final Order with EPA settling Clean Water Act and VPDES Permit # VA0066630 violations that occurred between December 2008 and April 2015.

TIMING: EPA has requested that this settlement be completed by September 30, 2015. The Consent Agreement and Final Order requires a 40 day public notice prior to execution by EPA, therefore, in order to meet the September 30, 2015 date, the City Manager must be authorized the sign the document by August 20, 2015.

BACKGROUND: In April 2007, EPA conducted a Clean Air Act audit of HRWTF air pollution controls and compliance. In addition, in 2009 and 2010, HRWTF experienced 2 plant upsets caused by turpentine spill from WestRock (formally RockTenn). The plant upsets caused air emission and Title V permit violations as well as VPDES permit violations. EPA and VA DEQ issued NOVs for the violations that occurred in 2009 and 2010. As a result of the NOVs, HRWTF has negotiated with EPA and VA DEQ on a consent decree (court order) to settle both the air and water violations. Because of the time expended in the negotiations, many of EPA's issues were resolved. In June, EPA and VA DEQ

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolis, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie Shomak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

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agreed that a consent decree was no longer required and that the matter could be settled through administrative orders – one for the Clean Air Act violations and another for the Clean Water Act violations. The administrative order discussed in this Council action form only address the Clean Water Act violations. EPA has not submitted a draft administrative order for the Clean Air Act violations. The Clean Water Act administrative order only requires the payment of civil penalties in the amount of \$50,000 and no other corrective actions.

FISCAL IMPACT: Payment of a civil penalty of \$50,000 to EPA.

ENCLOSED DOCUMENTS: Final draft of the Consent Agreement and Final Order.

STAFF: Jeanie Grandstaff, HRWTF Director

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolis, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie Shornak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

R-1

R-2



**DRAFT
CITY OF HOPEWELL
CITY COUNCIL ACTION FORM**

Strategic Operating Plan Vision Theme:

- Civic Engagement
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SUBJECT: ASSESSMENT OF \$5.00 COURT FEE FOR AN ELECTRONIC SUMMONS SYSTEM

COUNCIL AGENDA ITEM TITLE: R-? 2

ISSUE: The City Council is asked to approve an additional \$5.00 court fee in each criminal or traffic case in the Hopewell district or circuit courts, in which the defendant is charged with a violation of any statute or ordinance.

RECOMMENDATION: Staff recommends approval of the attached ordinance to assess an additional \$5.00 court fee for each violation, to fund the continuing maintenance costs of the City's electronic summons system.

TIMING: September 1, 2015

BACKGROUND: The Hopewell Sheriff Department is in the process of implementing an electronic summons system. Officers complete a traffic summons on a computer, print the ticket and transmit the data electronically to the Sheriff's Department's in-house records storage system and to the Virginia Supreme Court, which sends the summons to the appropriate district court for subsequent adjudication.

House Bill 477 from the 2014 Virginia Assembly allows any county or city through its governing body to assess an additional sum not in excess of \$5.00 as part of the fees in each criminal or traffic case. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county or city, and held by such treasurer subject to disbursement by governing body to a local law enforcement agency solely to fund software, hardware, and associate equipment costs for the implementation and maintenance of an electronic summons system.

FISCAL IMPACT: Staff projects this assessment will add \$40,000 to \$50,000 in yearly revenue to fund the majority of software, hardware, and associate equipment costs for the continuing maintenance of the City's electronic summons system.

SUMMARY:

- | | | | | |
|--------------------------|--------------------------|--|--------------------------|-----------------------------------|
| Y | N | | Y | N |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina Luman-Bailey, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony Zevgolis, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | Councilor Wayne Walton, Ward #5 |
| | | | | Mayor Brenda Pelham, Ward #6 |
| | | | | Councilor Jackie Shornak, Ward #7 |

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ENCLOSED DOCUMENTS: Yes

STAFF: Herbert Bragg, Director, Intergovernmental & Public Affairs and Mark Haley, City Manager in concert with Luther Sodat, Sheriff, City of Hopewell.

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolts, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie Shornak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

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ORDINANCE 2015-___

An Ordinance Amending The Code of the City of Hopewell, Virginia, 1981, As Amended, Chapter 2 (Administration), Article 1 (In General), By Adding Section 2-14 (Assessment for electronic summons system) Providing for the Assessment of Costs in Criminal and Traffic Cases.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL:

That The Code of the City of Hopewell, Virginia, 1981, as amended, is amended as follows:

Chapter 2 ADMINISTRATION

ARTICLE I. IN GENERAL

...

Sec. 2-14. Assessment for electronic summons system.

Pursuant to Virginia Code § 17.1-279.1, there is hereby imposed an assessment of \$5.00 as part of the costs in each criminal and traffic case in the district and circuit courts of the City of Hopewell in which the defendant is charged with violation of any statute or ordinance. The assessment shall be in addition to any other sum and shall be collected by the clerk of the court in which the case is filed, remitted to the city treasurer, and held by the treasurer subject to disbursements by the City Council to local law-enforcement agencies solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

R-3



**CITY OF HOPEWELL
CITY COUNCIL ACTION FORM**

Strategic Operating Plan Vision Theme:

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- None (Does not apply)

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COUNCIL AGENDA ITEM TITLE: Update of the Downtown Design Review Committee (DDRC) meeting regarding the proposed design of the police station

ISSUE: The proposed police station is located in the B-1, Downtown Central Business District. All new construction in this zoning district must receive an approved Certificate of Appropriateness from the DDRC in accordance with Article IX of the Hopewell Zoning Ordinance.

RECOMMENDATION: There is no recommendation for City Council at this time.

TIMING: N/A

BACKGROUND: At your July 21, 2015 City Council meeting, Edward Watson, Public Works Director, presented Council members with the most recent update of the design of the proposed police station. He advised City Council that the DDRC would review the building renderings at their August 5, 2015 meeting. City Council requested the DDRC and Staff provide an overview of the DDRC meeting at their next meeting.

FISCAL IMPACT: None

ENCLOSED DOCUMENTS: Attachment 1: Building Renderings (6)
Attachment 2: DDRC and Staff comments

STAFF: Tevya W. Griffin, Director of Development

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina J. Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor K. Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony J. Zevgolis, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie M. Shormak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine E. Gore, Ward #4			

Summary of Downtown Design Review Committee (DDRC) Meeting- August 5, 2015

A. Certificate of Appropriateness was approved for the following:

1. Continuation of Cornice
2. Streetscape lighting
3. Architectural style compatibility and context
4. Brick
5. Landscaping in the parking lot

B. Outstanding issues to be addressed by the architect and provided to the DDRC:

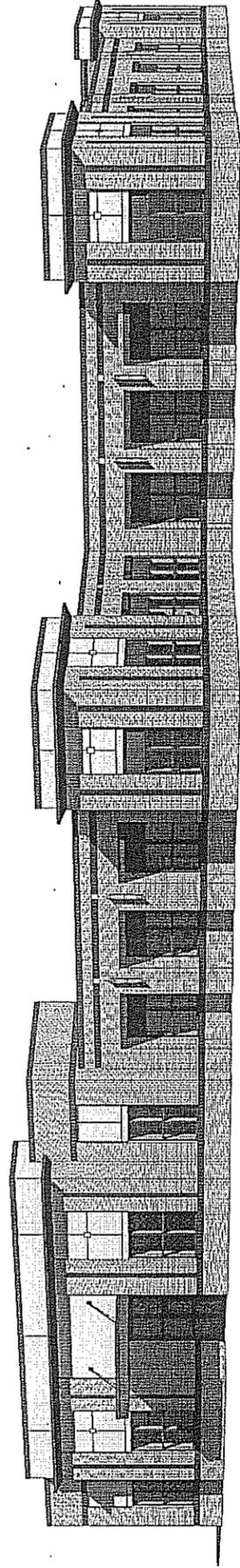
1. Transitional or Traditional light fixture
2. Consider lighter precast at the building base
3. Decorative Fence

C. Other questions raised by the DDRC:

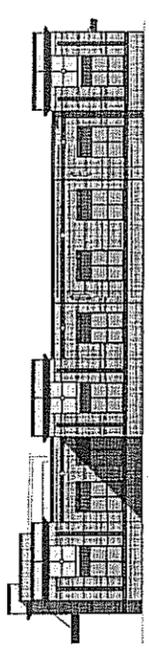
1. Building setback
 2. Façade visible to street
-

Recommendations of the Development Staff – The recommendations presented are based on a review of the preliminary layout plan and building renderings and do not take into consideration site constraints that are yet to be discussed during the site plan review process. The recommendations are not exhaustive but preliminary in nature.

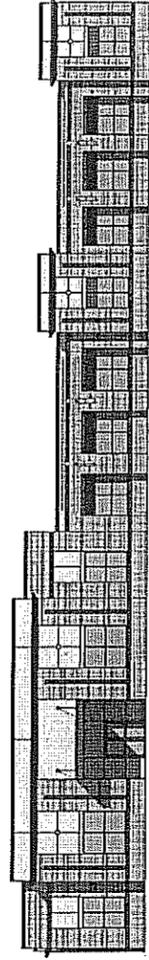
1. Building setback
2. Façade visible to street
3. Parking lot landscaping
4. Building scale



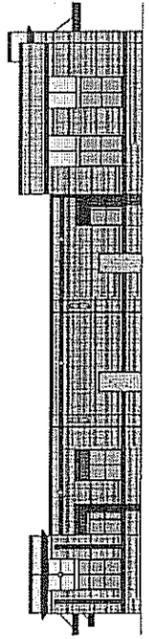
SOUTHEAST PERSPECTIVE



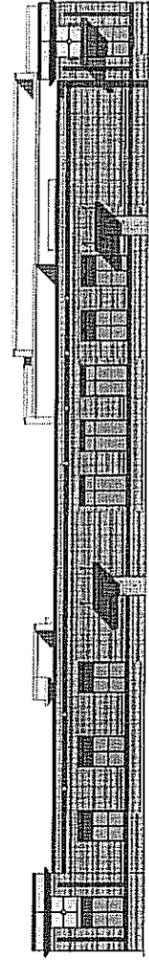
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

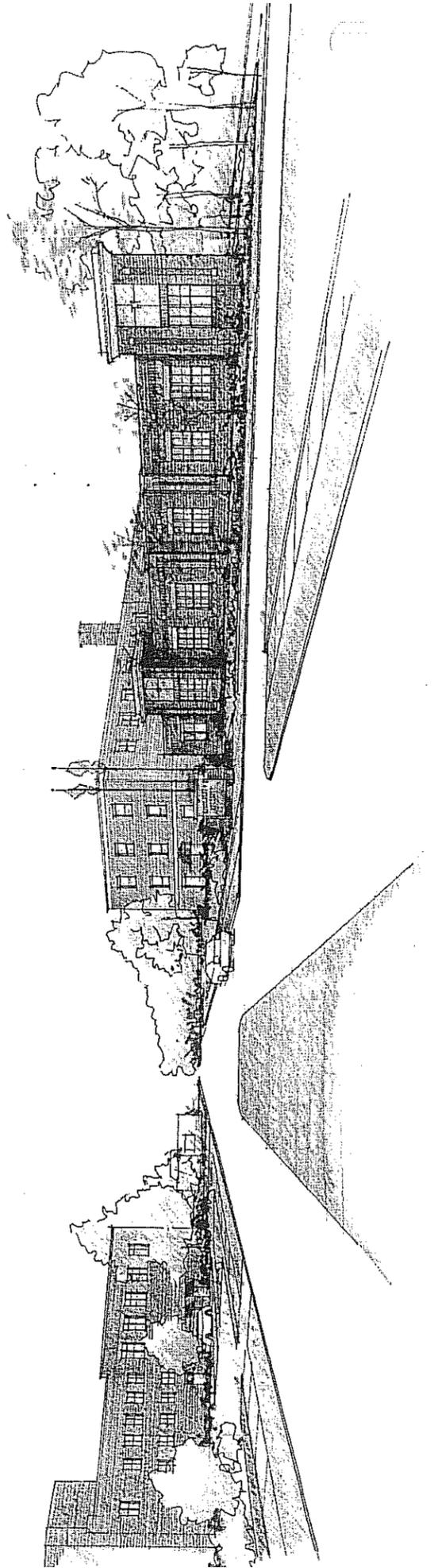
EXTERIOR VIEWS
HOPEWELL POLICE STATION

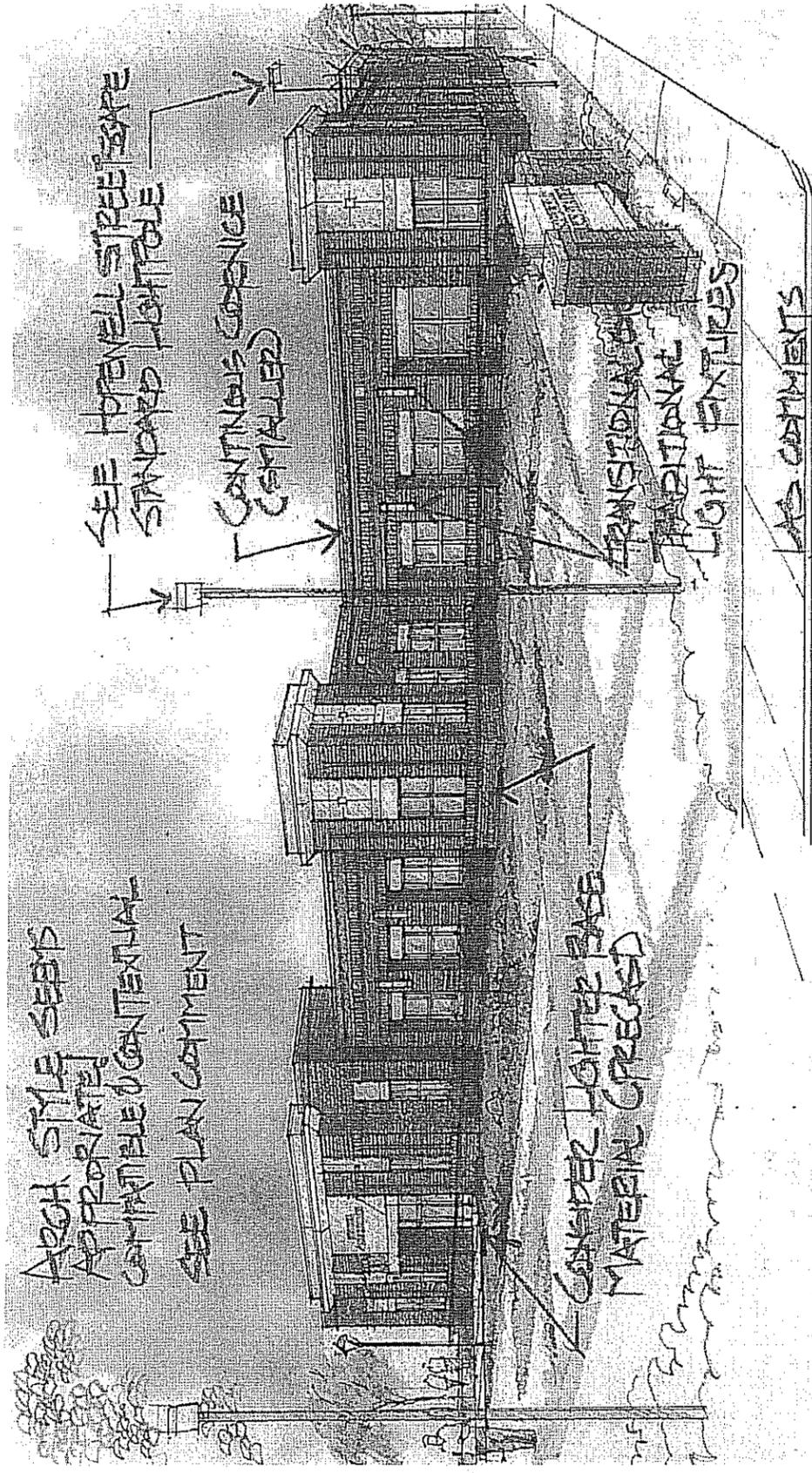
CITY OF HOPEWELL
HOPEWELL, VA

RMM Project No: 13232-00

Date: 08.03.15







EXTERIOR PERSPECTIVE

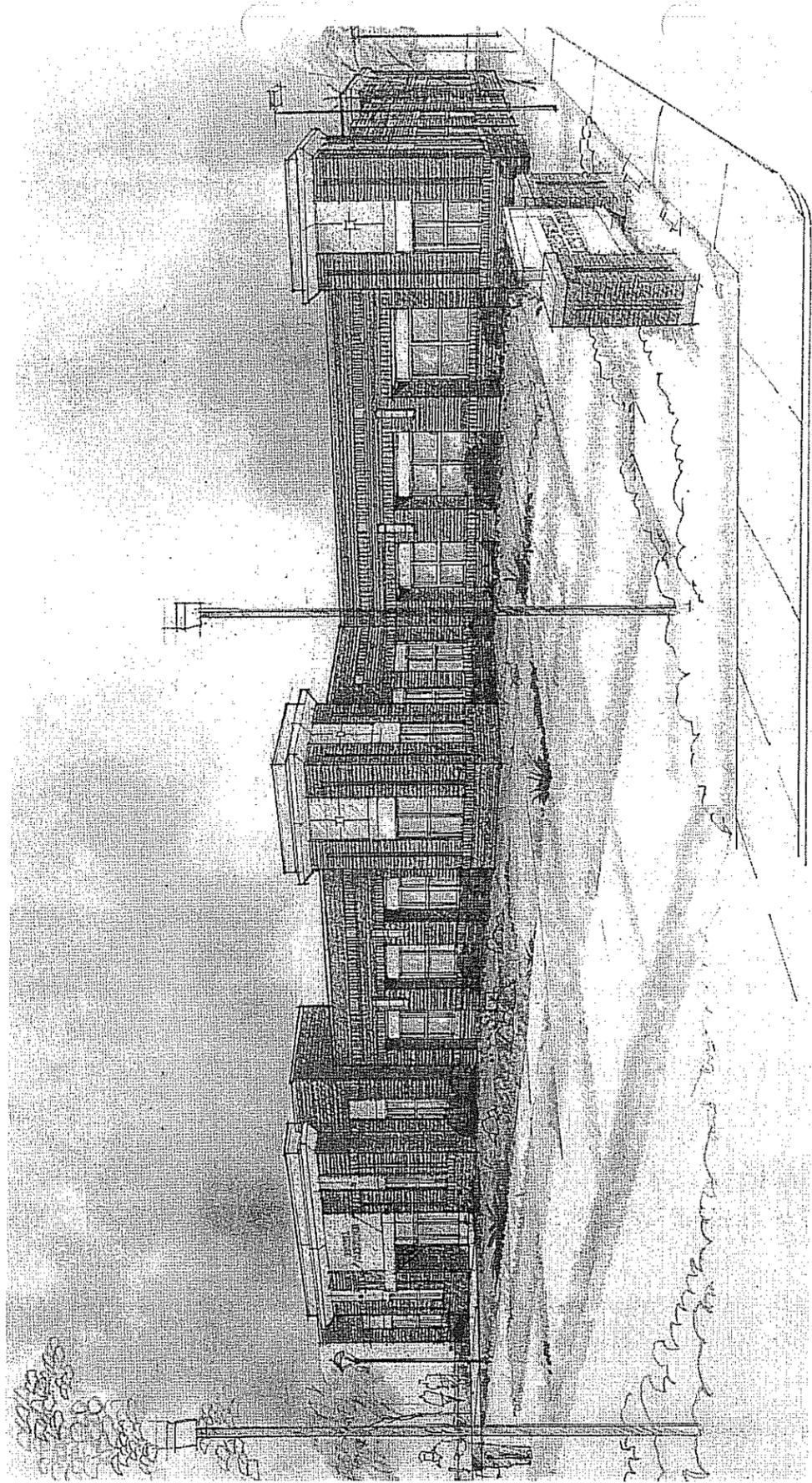
HOPEWELL POLICE STATION

HOPEWELL, VA

RRMM Project No: 13232-00

Date: 07.14.15





EXTERIOR PERSPECTIVE

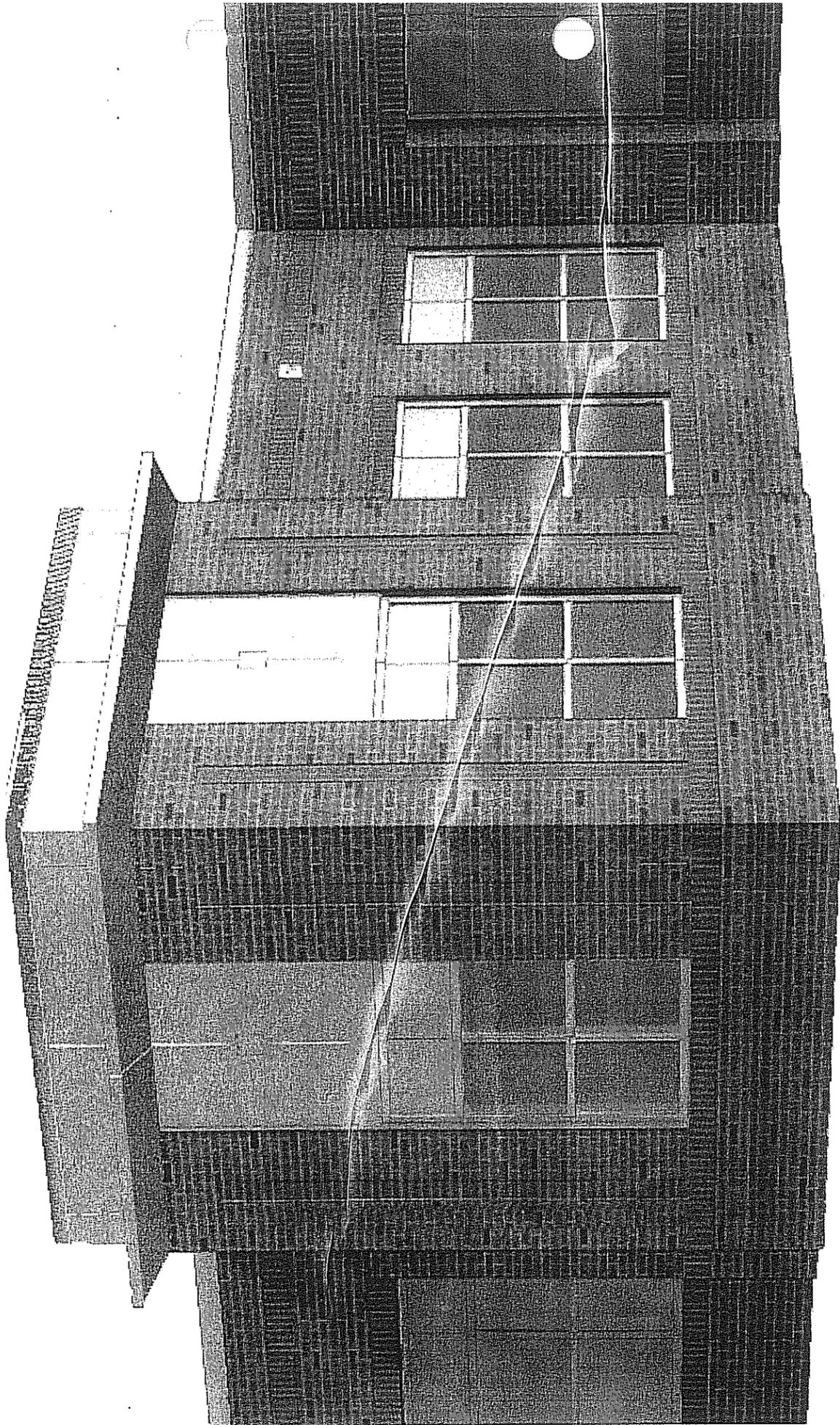
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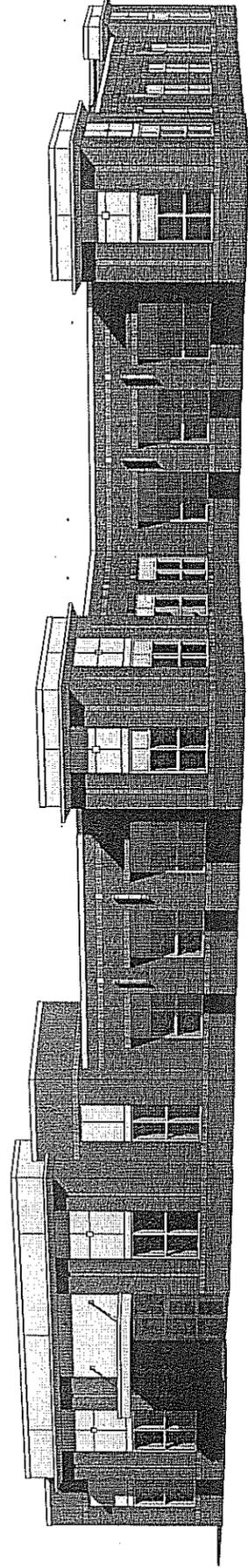
HOPEWELL, VA

RRMM Project No: 13232-00

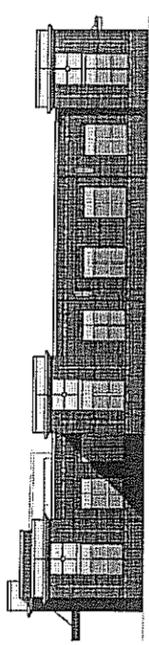
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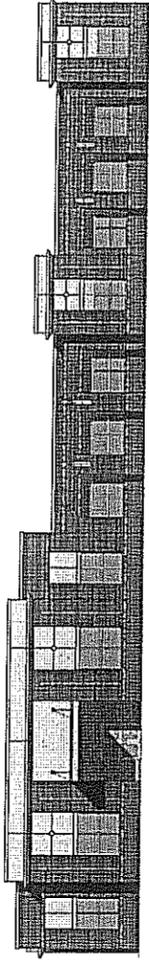




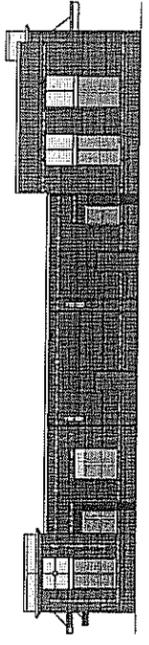
SOUTHEAST PERSPECTIVE



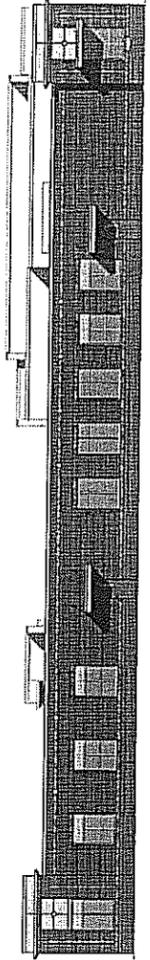
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

EXTERIOR VIEWS
HOPEWELL POLICE STATION

CITY OF HOPEWELL
HOPEWELL, VA

RRMM Project No: 13232-00

Date: 08.03.15



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INOPERABLE

VEHICLE

ORDINANCE

CITY MANAGER

UPDATE

**REPORTS OF
THE
CITY
ATTORNEY
NONE**

**REPORTS OF
THE
CITY CLERK**

Appointments/Reappointments to Boards and Commissions

CITY COUNCIL

AUGUST 18, 2015

Talent Bank Resumes on File

Board of Building Code and Fire Prevention Code of Appeals No TBRs on file
1 vacancy (engineer)

District 19 1 TBR on file
1 vacancy 1 TBR on file

John Tyler Community College Board 2 TBRs on file
1 vacancy
1 term 7.1.2015 through 6.30.2019

Recreation Commission No TBRs on file
1 vacancy
1 term 9.2015 through 6.2016 for a junior high school student

Senior Citizen Advisory Commission No TBRs on file
1 vacancy
1 unexpired term through 10.31.2015

**REPORTS OF
THE
CITY
COUNCIL**

**COMMITTEES
INDIVIDUAL REQUESTS
ANY OTHER COUNCILOR**

**CITIZEN /
COUNCILOR
REQUESTS**

CCR-1 COUNCILOR GORE

CCR-2 COUNCILOR GORE

**COUNCIL
COMMUNICATIONS**

ADJOURNMENT