



CITY OF HOPEWELL

Hopewell, Virginia, 23860

AGENDA

PHONE: 541-2249

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CITY COUNCIL

Brenda S. Pelham, Mayor, Ward #6
Christina J. Luman-Bailey, Vice Mayor, Ward #1
Arlene Holloway, Councilor, Ward #2
Anthony J. Zevgolis, Councilor, Ward #3
Jasmine E. Gore, Councilor, Ward #4
K. Wayne Walton, Councilor, Ward #5
Jackie M. Shornak, Councilor, Ward #7

Work Session
5:30 p.m.
Closed Meeting
6:30 p.m.
Regular Meeting
7:30 p.m.

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Mark A. Haley, City Manager
Stefan M. Calos, City Attorney
Ross A. Kearney, III, City Clerk

Date: September 8, 2015

MUNICIPAL BUILDING

TIME: Work Session 5:30 p.m.
Closed Meeting 6:30 p.m.
Regular Meeting 7:30 p.m.

5:30 p.m. Call to Order, roll call, and welcome to visitors.

WS-1: City Point Historic District Plan for Development as Developed by the VCU Masters of Urban and Regional Planning Students Presentation made by City Staff.

CLOSED MEETING

Motion: RESOLVE TO GO INTO CLOSED MEETING FOR DISCUSSION OR CONSIDERATION OF SPECIFIC APPOINTEES OF CITY COUNCIL TO THE JOHN TYLER COMMUNITY COLLEGE BOARD; DISCUSSION OR CONSIDERATION OF THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE, WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATION STRATEGY OF THE CITY COUNCIL; AND CONSULTATION WITH LEGAL COUNSEL EMPLOYED BY CITY COUNCIL REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL; IN ACCORDANCE WITH VIRGINIA CODE SECTION 2.2-3711 (A)(1)(3) & (7).

REGULAR MEETING

7:30 p.m. Call to Order, roll call, and welcome to visitors

Prayer by Chaplain Pamela Cooper followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

All matters listed under Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the Regular Agenda at the request of any Council Member.

- C-1. Minutes: HRWTFC April 20, 2015; EDA August 17, 2015.
- C-2. Pending List: Council Action List
- C-3. Information for Council Review: none
- C-4. Personnel Change Report & Financial Report: Personnel Change Report attached; Financial Reports Attached
- C-5. Public Hearings Announcements September 22 2015 : Budget Amendments; Right of Way Vacation of the North 14th Avenue Alley; Amendment to TH-1 of Zoning Ordinance re: Cedar Trees; Ordinance for “Open Burn” and “Setting Fire Chief and Fire Marshall Duties” and Charging for False Alarm Activations.
- C-6. Routine Approval of Work Sessions: City Point Historic Plan for Development as Developed by the VCU Masters of Urban and Regional Planning Students.
- C-7. Ordinances on second and final reading: Adopt Ordinance **2015-26** to Set Prices for Selling Burial Lots in The Appomattox Cemetery and Authorizing the City Manager to Repurchase Burial Lots in The Cemetery.
- C-7a Ordinance on First and Only Reading:** Adopt The Updated, Amended, And Created Modifications to Chapter 31 (Sewers And Sewage Disposal) Of City Code Article I (In General) and Create Article VI (Storm Sewers) To Reflect Changes in State And Federal Regulations.
- C-8. Routine Grant Approval: none
- C-9. Proclamations/Resolutions/Presentations: Mayor Pelham & Councilor Shornak OC3 Resolution; Mayor Pelham & District 19 Suicide Awareness Month Proclamation; Resolution from Staff for the HEAL Program; Hopewell Fire Department “Fill the Boot” Check Presentation.

ORDINANCE NO. 2015-26

AN ORDINANCE TO SET PRICES FOR SELLING BURIAL LOTS IN THE APPOMATTOX CEMETERY AND AUTHORIZING THE CITY MANAGER TO REPURCHASE BURIAL LOTS IN THE CEMETERY

WHEREAS, the City of Hopewell, Virginia (the "City"), owns and operates Appomattox Cemetery (the "Cemetery") and;

WHEREAS, the City desires to modify its rate structure for the sale and repurchase of burial lots in the Cemetery and;

WHEREAS, the City wants to deter any hoarding of burial lots in the Cemetery, no more than six contiguous lots can be purchased without approval by the City Manager; and

WHEREAS, the City desires to establish a fee to recoup costs that are associated with the administrative operations of the Cemetery.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL, that:

The price to be charged Hopewell residents for the sale of lots in the Cemetery is hereby set at \$500 for a single lot, and \$250 for a single half-sized lot intended for cremains and infants. The City Manager is authorized to determine residency status.

The price to be charged non-residents of the City for the purchase of burial lots in the Cemetery is

hereby set at \$2,000 for a single lot, and \$1,000 for a single, half-sized lot intended for cremains and infants.

The charge for administrative services is set at \$100 per event, for the following services: Marking a burial site and marker location, switching lot locations within the Cemetery, giving a lot as a gift, or selling lots back to the City.

The City Manager is hereby authorized to offer to re-purchase unused burial lots in the Cemetery for an amount not to exceed \$500 per lot.

PUBLIC HEARINGS

*(Addressing Council (See Minute Book 26, Page 211, dated March 27, 2001.) – Each person addressing the Council shall step to the microphone, give name and address and limit comments to **three (3) minutes** or less. No person shall be permitted to address Council a second time until all others have been heard once and no one shall speak more than twice on any subject in any one meeting. All remarks shall be addressed to Council as a body and not to any member thereof. No person other than the Council and the person having the floor shall enter into any discussion either directly or through a member of the Council without permission of the Mayor. No question shall be asked a Council member (including Administration) except through the presiding officer.)*

PH-1 **Public Hearing** – A request submitted by Kathleen A. Hingel, owner of 206 North 7th Avenue, to vacate a portion of an alley between Sub-Parcel #031-1155 and 030-1160, between North 7th Avenue and North 8th Avenue.

Action: Receive Citizen Comments and Approve Request/Ordinance on 1st of Two Readings, unless Council Dispenses with Second Reading.

Motion: TO APPROVE THE REQUEST FROM KATHLEEN A. HINGEL, OWNER OF 206 NORTH 7TH AVENUE, TO VACATE A PORTION OF AN ALLEY BETWEEN SUB-PARCEL #031-1155 AND 030-1160, BETWEEN NORTH 7TH AVENUE AND NORTH 8TH AVENUE.

Roll Call

PH-2 **Public Hearing** – For a request to amend and reenact Article XIV-B, Tourist/Historic District, Section J, Board of Architectural Review; Article IX, Downtown Central Business District (B-1), Section M, Downtown Design Review Committee; and Article XIX, Provisions for Appeal, Section A, Board of Zoning Appeals of the Hopewell Zoning Ordinance. These amendments would change the language referencing the number of members and the definition of a quorum.

Action: Receive Citizen Comments and Approve Request/Ordinance on 1st of Two Readings, unless Council Dispenses with Second Reading.

Motion: TO APPROVE THE REQUEST TO AMEND AND REENACT ARTICLE XIV-B, TOURIST/HISTORIC DISTRICT, SECTION J, BOARD OF ARCHITECTURAL REVIEW; ARTICLE IX, DOWNTOWN CENTRAL BUSINESS DISTRICT (B-1), SECTION M, DOWNTOWN DESIGN REVIEW COMMITTEE; AND ARTICLE XIX, PROVISIONS FOR APPEAL, SECTION A, BOARD OF ZONING APPEALS

OF THE HOPEWELL ZONING ORDINANCE TO CHANGE THE LANGUAGE REFERENCING THE NUMBER OF MEMBERS AND THE DEFINITION OF A QUORUM.

Roll Call

PH-3 **Public Hearing** - For a request submitted by Stephanie Hayes, owner of 1100 and 1102 Maplewood Avenue, to rezone property identified from TH-1 (Tourist/Historic District) to R-1, Residential, Low Density District and to amend the Official Zoning Map of the City of Hopewell.

Action: Receive Citizen Comments and Deny Request or Approve Ordinance on 1st of Two Readings, unless Council Dispenses with Second Reading.

Motion: TO DENY OR APPROVE THE REQUEST SUBMITTED BY STEPHANIE HAYES, OWNER OF 1100 AND 1102 MAPLEWOOD AVENUE, TO REZONE PROPERTY IDENTIFIED FROM TH-1 (TOURIST/HISTORIC DISTRICT) TO R-1, RESIDENTIAL, LOW DENSITY DISTRICT AND TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HOPEWELL.

Roll Call

PH-4 **Public Hearing** – An Ordinance amending Chapter 2, Art. VI, Sec. 22-99 and Chapter 25, Sec. 25-54 regarding Inoperable Motor Vehicles located in the City of Hopewell, VA

Action: Receive Citizen Comments and Approve Ordinance on 1st of Two Readings, unless Council Dispenses with Second Reading.

Motion: APPROVE OR ADOPT AMENDMENTS TO CHAPTER 2, ARTICLE VI, SEC. 22-99, AND CHAPTER 25, SECTION 25-54 OF THE CITY OF HOPEWELL CODE OF ORDINANCES REGARDING INOPERABLE MOTOR VEHICLES IN THE CITY OF HOPEWELL.

Roll Call

COMMUNICATIONS FROM CITIZENS

*Communications from Citizens – A Communications from Citizens period, limited in total time to 30 minutes, shall be part of the Order of Business at each regular Council meeting. **Each speaker** will be limited to **three (3) minutes**. No citizen will be permitted to speak on any item scheduled for consideration on the regular agenda of the meeting at which the speaker is to make remarks. (See Minute Book 26, Page 33, dated March 26, 2002.) Any other person desiring to make a comment who is recognized by the chair.*

UNFINISHED BUSINESS

- UB-1. Special Council Meeting Continued from August 28, 2015.
- UB-2. Approval of City Council Special Meeting Minutes August 28, 2015

REGULAR BUSINESS

NONE

Reports of City Manager

- R-1 – **Regular Business**: An amended development agreement is required for Butterworth Lofts, LLC to move forward with the rehabilitation of the Butterworth’s Warehouse located at East Cawson Street. The amended agreement will outline the terms and conditions under which the apartments will be constructed. Certain elements including square footage that have been required by the Virginia Department of Historic Resources.

Motion: - Move to Authorize the City Attorney and the City Manager to amend the development agreement with Butterworth Lofts, LLC and its partners to complete the rehabilitation of 12 market rate apartments at 244 East Cawson, also known as the Butterworth Warehouse Building.

Roll Call

- R-2 - **Regular Business**: Request The Transfer Of \$15,000 From The Perpetual Care Reserve Fund Balance To The Cemetery Operating Budget For Maintenance To The Back Cemetery Fence.

Motion: MOVE TO TRANSFER \$15,000 FROM THE PERPETUAL CARE RESERVE FUND BALANCE TO THE CEMETERY OPERATIONS BUDGET FOR MAINTINANCE TO THE BACK CEMETARY FENCE.

Roll Call

BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2015-2016

WHEREAS, at the meeting of the City Council of the City of Hopewell held on September 8, 2015, a budget amendment was introduced to appropriate funds for the FY 2015-2016 budget to provide for repair of the cemetery fence.

WHEREAS, a budget amendment to appropriate funds in the amount of \$15,000 for operations from the Unassigned Fund Balance for the FY 2015-2016 budget was introduced and,

WHEREAS, sufficient funds exist in the respective funds and accounts,

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

Sec. 1 The following designated funds and accounts shall be appropriated for operations from the Unassigned Fund Balance.

APPROPRIATIONS:

Cemetery-003:

Resources:

Fund Balance \$ 15,000

Appropriations:

Cemetery Operations..... \$ 15,000

R-3 - **Regular Business: Sewer Bond Refinance -RESOLUTION (A) PROVIDING FOR THE ISSUANCE, SALE AND AWARD OF SEWER SYSTEM REVENUE REFUNDING BONDS OF THE CITY OF HOPEWELL, VIRGINIA, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,900,000 AND THE FORM, DETAILS AND PAYMENT THEREOF, (B) AUTHORIZING THE EXECUTION AND DELIVERY OF A SIXTH SUPPLEMENTAL INDENTURE OF TRUST AND (C) AUTHORIZING THE EXECUTION AND DELIVERY OF A LOCAL BOND SALE AND FINANCING AGREEMENT**

Motion: To Approve Resolution of the Renewal of the 1995 Sewer Bonds

Roll Call

R-4 - **Regular Business:** Hopewell Fire Equipment Briefing

R-5 - **Regular Business:** City Treasurer – Business License Refunds

Action: City Treasurer authorizes to refund amount over \$2,500 pursuant to Virginia Code Section 58.1-3981 and 58.1-3900 and City Ordinance No. 2007-10

Motion: To Authorize the City Treasurer to refund \$5,113.15 to Colonial Orthopedics Inc., as per State and City code.

Roll Call

Reports of the City Attorney

None

Reports of the City Clerk

Appointment to the John Tyler Community College Board – 1 vacancy – 2 TBR’s on file.

Reports of City Council:

Committees

Individual Requests
Any Other Councilor

CITIZENS/COUNCILOR REQUESTS

CCR-1: **Citizen/Councilor Requests** – Councilor Shornak- Update and Discussion on Curb & Gutter & the Cleaning and Maintenance of Ditches.

CCR-2: **Citizen/Councilor Request** – Councilor Shornak – Update and Discussion on Paving of Streets in the Neighborhoods ONLY.

CCR-3: **Citizen/Councilor Request** – Vice Mayor Luman-Bailey – Discussion of the Cultural Resource Management Plan.

CCR-4 **Citizen/Councilor Request** – Councilor Shornak - Discussion of procedures for handing out Proclamations Certificate of Appreciation/Appropriations

CCR-5 **Citizen/Councilor Request** – Councilor Gore - Request the Finance Director to help the City Council Finance Committee members to determine key tasks and priorities for the Finance Committee and budget preparation. Also, to follow up on the CCR Request submitted 5/12/2015 to hold a work session/meeting with Finance Director and City Manager about creating and internal policy for budget creation, timeline, joint meetings with School Board and possibly adjusting the timeline to have the budget created prior to setting tax rate.

COUNCIL COMMUNICATIONS

ADJOURNMENT

Motion: resolve to adjourn the Regular Meeting

Action: consensus