CITY OF HOPEWELL

Hopewell, Virginia 23860

AGENDA

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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

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

Date: April 12, 2016 **MUNICIPAL BUILDING** **TIME:** Closed Meeting 6:00 p.m.
Regular Meeting 7:30 p.m.

6:00 p.m. **OPEN MEETING**

Call to order, roll call, and welcome to visitors

Motion: To Amend/Approve Agenda

MOTION: **TO GO INTO CLOSED MEETING FOR: (I) DISCUSSION OF SPECIFIC APPOINTEES OF CITY COUNCIL (BOARD OF EQUALIZATION, JOHN TYLER COMMUNITY COLLEGE BOARD, HOPEWELL REDEVELOPMENT AND HOUSING AUTHORITY, AND CITY CLERK); (II) 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 NEGOTIATING STRATEGY OF CITY COUNCIL; (III) CONSULTATION WITH LEGAL COUNSEL EMPLOYED OR RETAINED 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), RESPECTIVELY.**

Roll Call

CLOSED MEETING

RECONVENE OPEN MEETING

CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D): ONLY PUBLIC BUSINESS MATTERS (I) LAWFULLY EXEMPTED FROM OPEN-MEETING REQUIREMENTS AND (II) IDENTIFIED IN THE CLOSED-MEETING MOTION WERE DISCUSSED IN CLOSED MEETING.

Roll Call

REGULAR MEETING

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

Prayer by Chaplain Danny Tucker followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

All matters listed under the 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:** January 2015 – April 2015 Minutes
C-2	**Pending List**: Updated Pending List
C-3	**Information for Council Review:** NEW TBR & TBR Advertisement; April 26, 2016 - Wear Ties for the James House Child Abuse Awareness & Prevention Month & Sexual Assault Awareness Month.
C-4	**Personnel Change Report/Financial Report:** HR Report & Financial Report
C-5	**Public Hearing Announcement:** April 26, 2016 – Public Hearing - Proposed Real Property Tax Increase
C-6	**Routine Approval of Work Sessions**: March 28th & April 4th, 2016 Budget Work Sessions.
C-7	**Ordinances on Second & Final Reading:** NONE
C-8	**Routine Grant Approval:** NONE
C-9	**Proclamations/Resolutions/Presentation:** Proclamation in Honor of Animal Care and Control Appreciation Week- HPD Chief; Child Abuse Prevention Month – Ray Spicer.

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 to amend the City Code, Chapter 34, Tax Abatement for Rehabilitation/Renovated or Replacement Structures, Section 34-180 (h) Procedures for qualifying; general provisions. The amendment, if approved, would allow rehabilitated or renovated property to utilize public grant funds and be eligible for tax abatement.

PH-2 **Public Hearing** - Proposed FY 2016/2017 City Budget.

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, and dated March 26, 2002.) Any other person desiring to make a comment who is recognized by the chair.*

REGULAR BUSINESS

Reports of City Manager

R-1. **Regular Business:** - Healthcare Rates for Employees and Retirees Update

R-2. **Regular Business:** - Hopewell Downtown Partnership Presentation – Continued Funding Presentation

R-3. **Regular Business:** - Approve Funding from the Youth Initiative Line Item to help Co-Sponsor the ImPower Youth Conference

Issue: To consider using the funds from the Youth Initiative line item to Co-Sponsor the ImPower Youth Conference. These monies will be used for Supplies and Lunch for the Attendees. The ImPower Youth Conference is listed as a 100th Anniversary event.

MOTION: TO APPROVE SPONSORSHIP FOR THE IMPOWER YOUTH CONFERENCE AND TO ALLOCATE $5,000.00 FROM THE YOUTH INITIATIVE LINE ITEM TO HELP WITH PURCHASING SUPPLIES AND LUNCH FOR THE ATTENDEES.

Roll Call

R-4. **Regular Business:** - Discuss and Recommend changing monument size restrictions in the Appomattox Cemetery, and establish financial penalties for companies that violate established size restrictions.

R-5. **Regular Business:** - Budget Resolution to amend Fiscal Year 2015-16 Budget.

RECOMMENDATION: Staff recommends approving a resolution to appropriate additional $15,000 for court-appointed attorney fees.

MOTION: TO APPROPRIATE $15,000.00 FROM THE FISCAL YEAR 2015-16 BUDGET FOR COURT-APPOINTED ATTORNEY FEES.

Roll Call

Reports of the City Attorney

Reports of the City Clerk:

Committee Appointments & Interviews	
HRHA- Interviews	
Board of Equalization	(4) – Reappointments
JTCC	(2) – Reappointments

Reports of City Council:

Committees -

Individual Requests –

Any Other Councilor -

CITIZENS/COUNCILOR REQUESTS

COUNCIL COMMUNICATIONS

ADJOURNMENT

Motion: resolve to adjourn the Regular Meeting
Action: consensus

CLOSED SESSION

REGULAR MEETING

CONSENT AGENDA

MINUTES

JANUARY 6, 2015

TO

APRIL 7, 2015

January 6, 2015
Work Session

MINUTES OF THE CITY COUNCIL REORGANIZATIONAL MEETING HELD JANUARY 6, 2015

REORGANIZATIONAL MEETING

A Reorganizational Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, January 6, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:
Ms. Luman-Bailey, Ward #1
Ms. Holloway, Ward #2
Mr. Zevgolis, Ward #3
Ms. Gore, Ward #4
Mr. Walton, Ward #5
Ms. Pelham, Ward #6
Ms. Shornak, Ward #7

CLOSED MEETING

Motion was made by Councilor Pelham, and seconded by Councilor Luman-Bailey, to resolve to convene into closed session for discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (City Council Appointees). Virginia Code Section 2.2-3711(A) (1).

Statement entered into the minutes upon Councilor Walton's request:

"Good Evening Everyone.

I cannot support this motion for the following reasons:

Over the past six years I have done my best to make informed decisions before Council based on my instincts and doing research on issues that impact our City. I have always tried my best to move this City forward. This motion on the floor, if passed, will lead us in to unprecedented territory! Staff has put together an Agenda that will allow Council to go "behind closed doors and hash it out" on who will be the next mayor and Vice mayor. This will be my 4th reorganizational meeting and will be a departure from how we have done it during my terms. In my research I usually red and more importantly ask advice from seasoned elected officials and staff locally and from other localities. There is an Attorney General's opinion out there that says this is an illegal activity. Other seasoned local attorneys in the area have cautioned against this practice along with some of their elected officials. Our appointed lawyer has opined that this is legal as it is just an opinion and not written law. Usually when we have a legal question come up we are guided by opinions so now we have an opinion of our local attorney and one from the Attorney General of Virginia. I ask you, which one should I adhere to? Based on this and my own smell test that "if you have to ask the question if something is wrong" then don't do it!!

I know this will jeopardize y chances for Mayor but I cannot in good conscience participate in these back room discussions on something so important to our City.

Councilor K. Wayne Walton
Ward 5 – City of Hopewell
January 6, 2015

January 6, 2015
Work Session

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Statement read into the record upon Councilor Shornak's request:

Good evening everyone, I cannot support this motion for the following reasons:

"Due to the highly controversial issue of the legality of having a closed session to discuss the election of Mayor and Vice Mayor, I hereby decline to be present during this meeting. I feel it is in the best interest of the City of Hopewell and its citizens for me not to participate in such a meeting which could result in civil litigation to the City and mistrust from the citizens. This closed meeting is contrary from what has been done in past organizational meetings. Therefore, I would feel more comfortable to voice my vote for Mayor and Vice Mayor in front of the public. I am a proponent for "open government" and feel this meeting is somewhat questionable. My philosophy has always been "when in doubt, don't do it." My vote for Mayor and Vice Mayor will reflect who will best represent our City and one who possesses honesty and integrity. I am asking Council to please refrain from going into closed session as it gives the appearance of impropriety. Thank you."

Councilor Jackie M. Shornak
Ward 7 – City of Hopewell
January 6, 2015

Upon the roll call on the motion to convene into Closed Session to discuss the positions of Mayor and Vice Mayor, the vote resulted:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

OPEN SESSION

Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Pelham	-	yes

Councilor Walton and Councilor Shornak did not vote: Council Rules and Procedures 204. Method of Voting A. Every member present when a question is put shall vote either "yes" (or "aye") or "no" ("nay"). No member shall be excused from voting except on matters involving the consideration of his official

conduct. Or where his financial or personal interests are involved. (City Charter §8) Application to be excused from voting shall be made without debate in accordance with City Charter and State Law.

REORGANIZATIONAL MEETING

Cynthia Y. Ames, City Clerk, called the meeting to order. Upon the roll call, attendance was taken as follows:

Councilor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Pelham	-	present
Councilor Shornak	-	present

The City Clerk stated the purpose of the reorganizational meeting to elect a Mayor and Vice Mayor, each of whom shall serve a period of two years from the date of appointment, and until their successor or successors have been elected and qualified, in accordance with Chapter 4, Section 4, of the City Charter.

The opening prayer was offered by Charles Dane, Assistant City Manager, followed by the Pledge of Allegiance, to the Flag of the United States of America.

Mrs. Ames declared nominations open for the office of Mayor.

Motion was made by Councilor Shornak, and seconded by Councilor Walton, to nominate Councilor Walton for Mayor.

Motion was made by Councilor Pelham, and seconded by Councilor Luman-Bailey, to nominate Councilor Pelham for Mayor.

There being no other nominations for Mayor, motion was made by Councilor Zevgolis, and seconded by Councilor Pelham, to close nominations for Mayor. Upon the roll call, the vote resulted:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

Upon the roll call on the nomination to elect Councilor Walton as Mayor, the vote resulted:

Councilor Luman-Bailey	-	NO
Councilor Holloway	-	NO
Councilor Zevgolis	-	NO
Councilor Gore	-	NO
Councilor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes

The result was 5 no/2 yes. The motion failed.

Upon the roll call on the nomination to elect Councilor Pelham as Mayor, the vote resulted;

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	NO
Councilor Gore	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The result was 4 yes/3 no. The motion passed.

Councilor Pelham was declared Mayor of the City of Hopewell, for a term extending through December 31, 2016.

The gavel was passed to Mayor Pelham. She opened the floor for nominations for Vice Mayor.

Motion was made by Councilor Walton, and seconded by Councilor Shornak, to nominate Councilor Shornak for Vice Mayor.

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to nominate Councilor Luman-Bailey for Vice Mayor.

Upon the roll call on the nomination to elect Councilor Shornak as Vice Mayor , the vote resulted:

Councilor Luman-Bailey	-	NO
Councilor Holloway	-	NO
Councilor Zevgolis	-	NO
Councilor Gore	-	NO
Councilor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes

The motion failed, 5 no/2 yes.

Upon the roll call on the nomination to elect Councilor Luman-Bailey as Vice Mayor, the vote resulted:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The motion passed 5 yes/2 no.

January 6, 2015
Work Session

Councilor Luman-Bailey was declared Vice Mayor, of the City of Hopewell for a term extending through December 31, 2016.

Motion was made by Councilor Zevgolis, and seconded by Councilor Gore, to adjourn the Reorganizational Meeting. Upon the roll call, the vote resulted:

Mayor Pelham	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – COUNCILORS GORE AND PELHAM – TOWN HALL/COMMUNITY SUMMIT

By consensus of City Council, a Town Hall/Community Summit will be scheduled to address violence in the community.

The City Manager will discuss with Police Chief Keohane, for possible meeting in February possibly at Carter G. Woodson Middle School.

COUNCIL COMMUNICATIONS

Councilor Shornak stated she was humbled by the support of Ward 7 and thanked them for their work in moving the City forward and coming together as a community.

Councilor Walton wished everyone a Happy New Year and reminded citizens it was Support Your Local Police Department Week, and to make sure they put out the blue porch light to show support for our local Police Department.

Councilor Gore thanked Ward 4 for letting her serve the last two years and she is looking forward to serving the rest of her four year term.

Councilor Holloway thanked everyone for coming out and she is looking forward to working with Council.

Councilor Zevgolis stated there are no winners or losers as each councilor has the best interest for Hopewell in their hearts.

Vice mayor Luman-Bailey thanked everyone for attending and stated it is time to start the new year fresh and to turn the page.

Mayor Pelham thanked God for the opportunity to help the City make great strides. Councilors can agree to disagree and move on, and do the best for the City. We need to educate our children to become great citizens of Hopewell. Happy New Year.

ADJOURN

At 8:08 p.m., motion was made by Councilor Shornak, and seconded by Councilor Gore. Upon the roll call, the vote resulted:

Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes

Brenda S. Pelham, Mayor

Cynthia Y. Ames, City Clerk

January 13, 2015
Regular Meeting
---DRAFT---

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 13, 2015

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, January 13, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:	Brenda S. Pelham, Mayor Christina J. Luman-Bailey, Vice Mayor Arlene Holloway, Councilor Anthony J. Zevgolis, Councilor Jasmine E. Gore, Councilor K. Wayne Walton, Councilor Jackie M. Shornak, Councilor
	Mark A. Haley, City Manager Thomas Lacheney, City Attorney Charles Dane, Assistant City Manager
ABSENT:	Cynthia Y Ames, City Clerk

**In the absence of the City Clerk, Assistant City Manager, Charles Dane was Clerk pro tem.*

ROLL CALL

Mayor Pelham opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	ABSENT (arrived at 6:43 p.m.)
Councilor Walton	-	present
Councilor Shornak	-	present

CLOSED MEETING

Motion was made by Councilor Zevgolis, and seconded by Vice Mayor Luman-Bailey, to resolve to convene into closed session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (City Council appointees) and discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held property, where the discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (acquisition of real property), according to Virginia Code Section2.2-3711(A)(1) and (3).

Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Walton	-	yes

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

OPEN SESSION

Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

REGULAR MEETING

Mayor Pelham opened the regular meeting at 7:30 p.m. Roll call was take as follows:

Mayor Pelham	-	present
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

PRAYER AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA

Prayer was given by Chaplain Laura Claiborne, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Gore, to resolve to approve the Consent Agenda. Minutes: none; Pending and Action List; Information for Council Review: none; Personnel Change Report and Financial Report; Public Hearing Announcements: none; Routine Approval of Work Sessions: January 27, 2015; Ordinances on second and final reading: Ordinance No. 2014-16 amending the official zoning map of the City of Hopewell to rezone the property known as 717 Francis Street fromTH-1 (Tourist/Historic District) to R-1 (Residential, Low Density District); Ordinance No. 2014-19 amending and reenacting Chapter 2 (Administration), Article I, (In General), by adding new Section 2 -14 (Coordinator of Emergency Management for the City of Hopewell) of the Code of the City of Hopewell; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: ACO Proclamation. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

Ordinance No. 2014-16

An ordinance amending the official zoning map of the City of Hopewell to rezone the property known as 717 Francis Street from TH-1 (Tourist/Historic District) to R-1 (Residential, Low Density District)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the Official Zoning Map of the City of Hopewell is amended and reenacted as follows:

That, as shown on the attached map, incorporated into, and made a part of this ordinance, the following property, with tax parcel number as shown in the 2013 records of the City Assessor's Office, are excluded from the TH-I District, Tourist/Historic District, and shall no longer be subject to the provisions of Article XIV-B of the City of Hopewell Zoning Ordinance, as amended, and that the same are included in the R-1, Residential, Low Density District, and shall be subject to the provisions of Article III of the City of Hopewell Zoning Ordinance and all other applicable provisions of the City of Hopewell Zoning Ordinance, as amended:

Tax Parcel #005-0050

In accordance with Section 7, Effective date of ordinances and resolutions; emergency measures, of Chapter 4 of the City Charter, this ordinance, on second reading, shall become effective immediately upon its passage as an emergency measure on the date of its adoption by the City Council. In all other respects said Code of the City of Hopewell shall remain unchanged and be in full force and effect.

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ORDINANCE NO. 2014-19

An ordinance amending and reenacting Chapter 2 (Administration), Article 1 (In General), by adding new section 2-14 (Coordinator of Emergency Management for the City of Hopewell) of the Code of the City of Hopewell.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that Chapter 2, Article 1, of the Code of the City of Hopewell be amended and reenacted as follows:

Chapter 2 ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. Corporate Seal.

(a) The corporate seal of the city is a round plate about one and five-eighths inches in diameter with a raised edge. About one-fourth of an inch from this edge is a raised circle. Between the edge and the circle is inscribed, 'City of Hopewell—Commonwealth of Virginia." In the center of the circle is a raised emblem of the Good Ship Hopewell. Above the emblem is inscribed, "Incorporated July 1, 1916," and below the emblem is inscribed the Latin phrase "Semper Paratus."

(b) The city clerk shall be the official keeper of the corporate seal. (Code 1963, § 1-6; Ord. No. 99-13, 7-13-99)

Charter references: Authority of city to have corporate seal, Ch. 1, § 1.

Sec. 2-2. Fiscal year.

The fiscal year of the city shall begin on the first day of July of each year and shall end on the thirtieth day of the following June. (Code 1963, § 2-1)

Sec. 2-3. Terms of members of appointed boards, commissions, etc.; limitation on service.

(a) The terms of all members of all boards, commissions and authorities, for which no other date of appointment is otherwise provided by state law, shall begin on November 1 and end on October 31 of the appropriate year.

(b) Unless otherwise limited by state and federal law, there shall be no limit to the number of terms or years of service of any citizen appointed by city council to any permanent commission, board or authority.
(Ord. No. 79-8, 4-10-79; Ord. No. 80-4, 3-11-80; Ord. No. 80-8, 5-27-80; Ord. No. 92-6, 4-14-92; Ord. No. 96-7, 4-23-96)

Sec. 2-4. Residency requirements for certain city officers and department heads.

(a) The following city officers appointed by the city council must become residents of the city no later than six (6) months after appointment:

(1) City manager;

(2) City attorney;

(3) City clerk.

(b) The assistant city manager and department heads residing within 30 miles of the city limits of the City of Hopewell at the time of initial employment are exempted from the residency requirement. If the assistant city manager or a department head relocates his or her primary residence while employed by the City of Hopewell, such assistant city manager or department head shall be subject to the residency requirement.
(Ord. No. 10-24-78; Ord. No. 89-24, 10-24-89; Ord. No. 92-11, 5-12-92; Ord. No. 97-11, 7-8-97; Ord. No. 2001-24, 12-11-2001; Ord. No. 2013-06, 6-4-13)

Sec. 2-5. Exercise of authority by duly authorized representative of city manager or department head.

Whenever authority is vested under the provisions of this Code or other ordinance of the city in the city manager or any department head, such authority may be exercised by the representative of the city manager or of the department head in question duly authorized for such purpose. (Code 1963, § 1-8)

Sec. 2-6. Signing and execution of drafts, checks, etc.

The director of finance is authorized, empowered and directed to execute such drafts, checks, notes and other similar instruments, from time to time, as may be required to be signed on behalf of the city, along with the city treasurer or his duly authorized deputy. The city manager, and in his absence the acting city manager is authorized, empowered and directed to execute such drafts, checks, notes and other similar instruments, from time to time, as may be required to be signed on behalf of the city in the place and stead of the director of finance. (Code 1963, § 2-2.1; Ord. No. 9-12-78)

Sec. 2-7. Sale or donation of unclaimed personal property.

(a) The city manager, or his duly authorized representative, is hereby authorized, to sell all unclaimed personal property, other than motor vehicles and firearms and other weapons, at public auction to the highest bidder after such unclaimed property has been held for not less than sixty 960) days by the city, during which time the owners of such property may claim the same. The property to be sold, and the procedure to be utilized shall be in accordance with Code of Virginia, § 15.2-1719, and any subsequent amendments thereto. The proceeds from the sale of such property shall be held for an additional sixty (60) days. Should the owners of such personal property be able to establish their ownership of the property sold, the proceeds from such sale shall be paid to the owners of such personal property so sold. If at the end of such sixty 960) days no claim has been made upon the funds, then the same shall be paid over and delivered to the general fund of the city.

(b) In addition to the authority contained in subsection (a0 of this section, the city manager, or his duly authorized representative, is hereby authorized to donate, to charitable organizations serving the city, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds that have been in possession of the city, unclaimed, for more than thirty 930) days. (Code 1963, § 2-2.2; ord. No. 2002-20, 1-14-2003)

Sec. 2-8. City attorney authorized to acquire real property.

The city attorney is authorized to acquire, by purchase, gift or condemnation, any property in fee simple, or any lesser interest or estate therein, for any project approved by the city council, within the funding allocated for such project.
(Ord. No. 79-12, 4-24-79)

Sec. 2-9. Extra copy of plat prerequisite to acceptance for recordation of deed, etc., with plat attached.

The clerk of the circuit court of the city shall not accept for recordation any deed, certificate of dedication or any other instrument to which a plat is attached for recordation, unless an extra copy of such plat is furnished to such clerk. Such clerk shall deliver such plat to the commissioner of the revenue of the city. (Code 1963, § 2-2)

Sec. 2-10. Law library established; court cost assessment; library committee.

(a) *Library established.* Under the provisions of Section 42.1-70 of the Code of Virginia, 1950, as

amended, there is hereby established a law library in Room 261 of the Courts Facility Building, 100 East Broadway, which law library shall be open for the use of the public.

(b) *Assessment of court costs.* To provide for the acquisition of law books and law periodicals, and to provide for the maintenance of such library, beginning July 1, 2009, there is hereby assessed a sum of four dollars ($4.00) as part of the costs incident to each civil action filed in the district court and the circuit court of the City of Hopewell. The assessment provided for herein shall be in addition to all other costs prescribed by law, but shall not apply to any action in which the Commonwealth of Virginia or any political subdivision thereof or the federal government is a party and in which the costs are assessed against the Commonwealth, political subdivision thereof, or federal government. The assessment shall be collected by the clerk of the court in which the action is filed, and remitted to the treasurer of the city, to be held by such treasurer subject to disbursements by the law library committee, hereinafter created.

(c) *Law library committee.* A committee to be called the law library committee is hereby created to be composed of a member of council appointed by the mayor, the city attorney, the commonwealth attorney, the judge in residence of the general district court, and a member appointed by the Hopewell Bar Association, to oversee the operation of said library and to report to city council quarterly during the first year and annually by June 30 of each year thereafter.
(Ord. No. 83-20, 12-13-83; Ord. No. 92-22, 6-23-92; Ord. No. 95-33, 9-26-95; Ord. No. 95-38, 11-15-95, 2009-07)

Editor's note: Ord. No. 83-20, adopted Dec. 13, 1983, did not specify manner of codification; hence, inclusion herein as § 2-10 has been at the discretion of the editor.

Sec. 2-11. Court costs—Courthouse security fee.

Pursuant to Code of Virginia, § 53.1-120(D), there shall be assessed against convicted defendants in all criminal and traffic cases in the city's district and circuit courts a fee of ten dollars ($10.00), which shall be added as costs, collected by the clerks of the respective courts, remitted to the treasurer, and held by the treasurer subject to appropriation by the city council to the sheriff's office for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security.

An attested copy of this section shall be sent to the clerks of the Hopewell District and Circuit Courts by the clerk of the city.
(Ord. No. 2002-08, 6-25-2002; Ord. No. 2004-27, 8-10-2004; ord. No. 2007-04, 6-12-2007)

Sec. 2-12. Riverside Regional Jail—Processing fee.

That there [will] be imposed a processing fee of twenty-five dollars ($25.00) on each individual admitted to the Riverside Regional jail from the city following conviction of that individual. Said fee shall be ordered as part of the court costs collected by the clerk of each court in the city, deposited into the account of the city treasurer, and shall be appropriated to and used by the sheriff's office to defray the costs of processing arrested persons into the Riverside Regional Jail.

The fee authorized by this section shall be imposed in all courts of this city for convictions occurring on and after July 1, 2002 wherein defendants are sentenced to incarceration and are processed into the Riverside Regional Jail by the Hopewell Sheriff's Office. The clerk of city council is directed to send an attested copy of this section to the clerk of each court in the city and to the sheriff of the city.
(Ord. No. 2002-09, 6-25-2002)

Sec. 2-13. Assessment for Courthouse Construction, Renovation, or Maintenance as Part of Fees Incident to Criminal or Traffic Cases.

Pursuant to the provisions of Section 17.1-281 of the Code of Virginia, and subject to the conditions and limitations thereof, there is hereby imposed an assessment, as part of the fees taxed as costs against each defendant in each criminal and traffic case in the General District and Circuit Courts of the City of Hopewell, the sum of two dollars ($2.00). The assessment provided for herein shall be in addition to any other fees prescribed by law.

This assessment shall be collected by the Clerk of the Court in which the action is filed, and remitted to the City Treasurer and held by the Treasurer subject to disbursements by City Council for construction, renovation, or maintenance of any city courthouse or jail and court-related facilities and to defray increases in the cost of heating, cooling, electricity, and ordinary maintenance of such facilities.
(Ord. No. 2010-14, Adopted 05/11/2010)

Sec. 2-14 Coordinator of Emergency Management for the City of Hopewell

In compliance with the Commonwealth of Virginia Emergency Services and Disaster law, the Director of emergency Management for the City of Hopewell shall be the City Manager. The Director shall in turn be authorized to appoint, at his discretion, a Coordinator of emergency Management for the City. The Director and Coordinator of Emergency Management for the City of Hopewell shall have such power as specified in §44-146.19 *(Powers and Duties of Political Subdivisions)* of the Code of Virginia.

Secs. 2-15—2-24. Reserved.

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Mayor Pelham presented a Proclamation to Amanda Hoak, Animal Control Officer with the Hopewell Police Department.

PROCLAMATION

WHEREAS, The City of Hopewell employs Animal Control Officers within the Hopewell City Police Department; and

WHEREAS, Animal Control Officers are dedicated service providers for the City of Hopewell and to the citizens; and

WHEREAS, Animal Control Officers answer calls for service, provide care for injured and sick animals, ensure the welfare of animals, provide shelter services, and coordinate with animal rescue organizations; and

WHEREAS, the citizens of Hopewell expect the highest level of service from their service providers; and

WHEREAS, on October 9, 2014, the Virginia Animal Control Association named Amanda Hoak their Animal Control Officer of the Year for 2014. Officer Hoak has been an Animal Control officer since 2005, and she currently supervises the unit. The Dr. Kent Roberts Award – Animal Control Officer of the Year is presented to an officer who has demonstrated overall excellence in the performance of his or her job.

NOW, THEREFORE, the Mayor, Brenda S. Pelham, of the City of Hopewell, Virginia, congratulates Animal Control Officer, Amanda Hoak on her accomplishments and excellent service to the City of Hopewell.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Hopewell to be affixed on this 13th day of January 2015.

Proclamation presented this 13th day of January 2015.

/s/ Brenda S. Pelham
Brenda S. Pelham, Mayor

PH-1 PUBLIC HEARING – ORDINANCE AMENDING (1) AN ORDINANCE ADOPTED AUGUST 13, 2013, ENTITLED "An Ordinance Authorizing The Issuance of General Obligation Bonds Of The City of Hopewell, Virginia, In the Maximum Principal Amount Of $7,700,000," and (2) a resolution adopted September 17, 2013, entitled "Resolution Providing For The Issuance And Sale Of A General Obligation Public Improvement Bond Of The City of Hopewell, Virginia, In A Principal Amount Not To Exceed $7,000,000, And Providing For The Form, Details and Payment Thereof"

The public hearing was opened. Janice Denton, Ward #5, Hopewell, addressed Council. She urged Council to consider private funding for the Police Department's communication system, and not to take the proposed $2.5 million from the $7.7 million bond issuance.

There being no other speakers, the public hearing was closed.

PUBLIC HEARING PH-2 – PROPOSED AMENDMENTS AND APPROPRIATIONS TO THE FY 2015 ADOPTED BUDGET FOR THE PURCHAE OF A PUBLIC SAFETY COMMUNICATION SYSTEM FOR THE CITY OF HOPEWELL IN THE ESTIMATED AMOUNT OF $2,500,000

The public hearing was opened. There being no speakers, the public hearing was closed.

Motion was made by Councilor Walton, to take the $2.5M from the reserve fund for the Communication System.

Finance Director, Mr. Jerry Whitaker, and Financial Advisor, Jimmie Sanderson from Davenport addressed Council. Staff recommended borrowing short term. He thought that the reserve balance was a lot high than it is. Based on the use of reserves for balancing the budget for 2014/2015 we are using $780,000 to balance the budget. Additionally, Council has appropriated an additional $800,000 for additional use for fund balance for the 2015 year. If we use the $2.5M it will drop the fund balance to 11.35% (of the $46M budget). The ideal fund balance is between 15-17%. Staff recommends a short term borrowing. Mr. Sanderson would have some concern about getting the fund balance that low. Getting the percentage down to 11% would give him pause, and would give pause to the bond rating agency as well. He would suggest maintaining the fund balance at 16%.

Councilor Walton withdrew his motion, and Councilor Shornak withdrew her second to the motion, to take the $2.5M from the reserve fund for the Communication System.

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Holloway, to accept Option A, use funds from $7.7 million, to adopt an ordinance amending (1) an ordinance adopted August

13, 2013, entitled "An Ordinance Authorizing the Issuance of General Obligation Bonds of the City of Hopewell, Virginia, in the maximum principal amount of $7,700,000," and (2) a resolution adopted September 17, 2013, entitled "Resolution providing for the issuance and sale of a General Obligation Public Improvement Bond of the City of Hopewell, Virginia, in a principal amount not to exceed $7,700,000, and providing for the form, details and payment thereof."

A **substitute motion** was made by Councilor Walton, and seconded by Councilor Shornak, to accept Option C, to adopt an ordinance amending (1) an ordinance adopted August 13, 2013, entitled "An Ordinance Authorizing the Issuance of General Obligation Bonds of the City of Hopewell, Virginia, in the maximum principal amount of $7,700,000," and (2) a resolution adopted September 17, 2013, entitled "Resolution providing for the issuance and sale of a General Obligation Public Improvement Bond of the City of Hopewell, Virginia, in a principal amount not to exceed $7,700,000, and providing for the form, details and payment thereof."

Upon the roll call, the vote resulted:

Councilor Holloway	-	NO
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	NO
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	NO

Motion passed, 4 yes/3 no.

Motion was made by Councilor Shornak, and seconded by Councilor Walton, to approve amendments and appropriations to the FY 2015 adopted budget for the purchase of a public safety communication system for the City of Hopewell in the estimated amount of $2,500,000
Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	NO
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	NO

The motion passed 5 yes/2 no.

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The undersigned City Clerk of the City of Hopewell, Virginia (the "City"), certifies as follows:

1. A regular meeting of the City Council of the City (the "Council") was held on January 13, 2015, at the time and place established by the Council for its regular meetings, at which the following members were present and absent during the voting on the ordinance referred to below:

PRESENT: Mayor Brenda S. Pelham

January 13, 2015
Regular Meeting
---DRAFT---

Vice Mayor Christina J. Luman-Bailey
Councilor Arlene Holloway
Councilor Anthony J. Zevgolis
Councilor Jasmine E. Gore
Councilor K. Wayne Walton
Councilor Jackie M. Shornak

ABSENT: none

AN ORDINANCE AUTHORIZING THE BORROWING OF FUNDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $2,500,000 TO BE USED TO FINANCE THE ACQUISITION AND INSTALLATION OF A PUBLIC SAFETY COMMUNICATIONS SYSTEM.

2. Ordinance No. 2015-1 entitled "AN ORDINANCE AUTHORIZING THE BORROWING OF FUNDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $2,500,000 TO BE USED TO FINANCE THE ACQUISITION AND INSTALLATION OF A PUBLIC SAFETY COMMUNICATIONS SYSTEM" having been introduced at a regular meeting held on January 13, 2015, and having been the subject of a public hearing held on_____, 2015, in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, was duly adopted at a regular meeting held on January 13, 2015, by an affirmative roll-call vote of a majority of all members of the Council, the ayes and nays being recorded in the minutes of the meeting as shown below:

MEMBER	VOTE
[	]

3. Attached hereto is a true, correct and complete copy of such ordinance as adopted at such meeting.

4. The foregoing ordinance has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the City of Hopewell, Virginia, this ___ day of _____, 2015.

_____
City Clerk, City of Hopewell, Virginia

(SEAL)

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RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING

WHEREAS, the City of Hopewell, Virginia (the "Borrower"), intends to finance certain public safety improvements, including the acquisition and installation of a public safety communications system (the "Project"); and

WHEREAS, plans for the Project have advanced, and the Borrower expects to advance its own funds to pay expenditures related to the Project (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOEPWELL, VIRGINIA:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the "Bonds") or to incur other debt in an amount not currently expected to exceed $2,500,000 to pay the costs of the Project.

2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures made on or after the date that is no more than 60 days prior to the date hereof. The Borrower reasonable expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.

4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.

5. The Borrower intends that the adoption of this resolution confirms the "official intent" within the meaning of Treasurer Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

6. This resolution shall take effect immediately upon its passage.

Adopted January 13, 2015.

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BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2014-2015

WHEREAS, at the meeting of the City Council of the City of Hopewell held on January 13, 2015, an amended budget was introduced to appropriate funds for the FY 2014-2015 budget to provide for the Public Safety Communication System project.

WHEREAS, an amended budget to appropriate funds in the amount up to $2,500,000 for the public Safety Communication System from new borrowing for the FY 2014-2015 budget, was introduced and,

WHEREAS, sufficient funds exist.

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 the Public Safety Communication System project from the Unassigned Fund Balance.

Capital Project Fund-071:

Resources:

Financing..... $2,500,000

Appropriations:

Public Safety Communication System Project..... $2,500,000

AMEND AGENDA TO MOVE CCR-8 – HOPEWELL HEALTH COALITION, TO PRECEDE REGULAR BUSINESS

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Gore, to amend the agenda to move CCR-8, Hopewell Health Coalition, to precede Regular Business. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

UB-1 – UNFINISHED BUSINESS – CITY OF HOPEWELL'S STORMWATER PROGRAM STORMWATER UTILITY: FEE COVERAGE

Motion was made by Councilor Walton, and seconded by Councilor Shornak, to appropriate $4 million from house, and $1 million from the sewer fund. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

UB-2 UNFINISHED BUSINESS – AN ORDINANCE AUTHORIZING THE VACATION OF PARK DRIVE, LOCATED ADJACENT TO PARCEL 009-0157, IDENTIFIED AS THE LANGSTON PARK HOUSING COMMUNITY, LANGSTON PARK SUBSIDVISION, IN THE CITY OF HOPEWELL, VIRGINIA

Motion was made by Councilor Zevgolis, and seconded by Councilor Shornak, to adopt Ordinance No. 2015-02 Authorizing the vacation of Langston Park Drive, located adjacent to parcel 009-0157, identified as the Langston Park Housing Community, Langston Park Subdivision, in the City of Hopewell,

Virginia, on first reading, dispensing with the second reading and shall take effect immediately upon adoption. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

ORDINANCE 2015-01

An ordinance authorizing the vacation of Langston Park Drive, located adjacent to parcel 009-0157, identified as the Langston Park Housing Community, Langston park Subdivision, in the City of Hopewell, Virginia.

WHEREAS, a request has been filed with the City of Hopewell to vacate the City's interest in Langston Park Drive, located adjacent to parcel 009-0157, identified as the Langston Park Housing Community, Langston Park Subdivision, in the City of Hopewell, Virginia; and

WHEREAS, the Planning Commission of the City of Hopewell has recommended granting the requested vacation.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the vacation of the following described rights-of-way located in the City of Hopewell, Virginia:

ALL that certain piece or parcel of land located in the City of Hopewell, Virginia, identified as Langston Park Drive, located adjacent to parcel 009-0157, Langston Park Housing Community, Langston Park Subdivision, in the City of Hopewell, Virginia,

Be authorized and doth hereby authorize the Mayor to execute, on behalf of the City of Hopewell, one or more deeds of vacation vacating such parcels, as well as a development agreement, after review of said deed or deeds and such resubdivision plat by the City Attorney.

This Ordinance shall become null and void and of no effect if it is not recorded together with all deeds of vacation, and resubdivision plats in the Clerk's office of the Circuit Court of the City of Hopewell within 30 days from passage of this Ordinance, or if the involved property owners do not pay all costs. The party or parties requesting this vacation are responsible for preparing the appropriate deeds to effect vacation, submission of said deeds to the City Attorney for approval prior to execution and recordation, and the recordation of said deeds, all in a timely manner. The vacated parcels shall be assimilated into, and become a part of, each abutting property, in accordance with the resubdivision plat. The party or parties requesting this vacation are responsible for effecting any resubdivision process necessary to accomplish such assimilation. A copy of this Ordinance shall be sent to said parties by the Clerk of the City of Hopewell.

HOPEWELL HEALTH DEPARTMENT, CRATER HEALTH DISTRICT

Oliver Jenkins, Hopewell Health Department, Crater District, addressed Council about an opportunity to the Crater Health District. They have been granted a $1.7M grant over four years to improve health outcomes. It is one of the largest grants in Virginia. It may not be enough to meet the needs of the entire district, which includes three cities and five counties. They may have to ask for financial participation from the localities.

R-1 – REGULAR BUSINESS – HOPEWELL POLICE END OF YEAR CRIME REPORT

Police Chief John Keohane presented the Hopewell Police Department's End of Year Crime Report. Robberies have been cut in half since 2010. He urged any individuals interested in starting a Neighborhood Watch to contact the Police Department. He will continue command walks.

R-2 – REGULAR BUSINESS – WARMING SHELTER AT MALLONEE – UPDATE

The City Manager stated that the Warming Shelter at Mallonee is primarily focused on those who do not have a home. However, it is also for citizens in the event of a power outage and there is no heat, or if their heater breaks down. They are welcome to participate also. Mr. Ray Spicer, Director of the Department of Social Services reported a collaboration between the local faith-based community, Catholic Charities, and the City of Hopewell. The faith-based community provides volunteers to staff the shelter. Catholic Charities provides shelter management services so they can be sure the shelter is run safely and efficiently. The City is providing the space for the shelter, and provides some assistance to pay for services through Catholic Charities. The shelter is open when the weather is 35° or below. It was first opened on December 29, 2014, and has been open every night, except for the first weekend of January. It serves an average of 5-6 individuals. There is a mix of both men and women, and most have roots in the city. Assistant City Manager, Charlie Dane also reported a partnership with Police and Sheriff's offices to provide security and support. One third of the homeless in the city are working. They will be allowed in after curfew. If the police come across someone who needs shelter they will let them in also.

R-3 – REGULAR BUSINESS – BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2014-2015 TO APPROPRIATE SURPLUS PROPERTY FUNDS TO THE FY 2014-2015 BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015, IN THE AMOUNT OF $18,071.00 FOR OPERATIONAL EXPENDITURES FOR PARKS AND RECREATION

The City periodically holds public auctions to sell surplus property that has either exceeded its useful lifespan or is no longer needed for City operations. The auction is administered by the Recreation and Parks Department and the revenue from the items sold at the auction is appropriated to the department to assist with operational expenses. Since the additional revenue is not part of the department's original approved budget, City Council must appropriate the funds to be used by the Recreation and Parks Department. The most recent auction was held on October 4, 2014 and generated $18,070.70.

Motion was made by Councilor Walton, and seconded by Councilor Gore to approve a Budget Resolution Amendment Fiscal year 2014-2015 to appropriate surplus property funds to the FY 2014-2015 Budget for the Fiscal Year beginning July 1, 2014, and ending June 30, 2015, in the amount of $18,071.00 for operational expenditures for Parks and Recreation. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes

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

BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2014-2015

WHEREAS, the Council of the City of Hopewell, at is meeting of Tuesday, January 13, 2014 to appropriate surplus property funds to the FY 2014-2015 Budget, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, in the amount of $18,071 for operational expenditures; and,

WHEREAS, the City Fund received the amount of $18,071 in FY 2014 from surplus property sales.

WHEREAS, sufficient funds exist;

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

Sec. 1. The following designated funds shall be appropriated:

General Fund-011:
Resources:
Misc. Revenue – Surplus Receipts..... $18,071

Appropriation:
Transfer to Fund 035..... $18,071

Recreation Fund-035
Resources:
Transfer from General Fund..... $18,071

Appropriation:
Operating Expenditures..... $18,071

R-4 – REGULAR BUSINESS – DEMOLITION UPDATE

FOLLOWING WAS TAKEN VERBATIM FROM THE MEETING TAPE FOR EXPLANATION. ANY OR ALL OF IT MAY BE DELETED.

The City Manager reported that there are several properties in the city that do not belong to the city. They are in stages of disrepair and have been declared derelict or need to be torn down. There is a process to undertake these projects. The one property that Council is very interested in is Prince George Terrace. City Attorney David Fratarcangelo spoke with the attorney for the Erie Insurance Company and they have elected to proceed with what is called the reservation of rights. One of the buildings is scheduled for demolition, was the subject of arson. A reservation of rights is where an insurance company gives notice to the insured that they are investigating whether or not the circumstances warrant that the insurance company keep the loss. According to his conversation with the attorney, they are supposed to be getting all of their investigation files back the end of this month and hopefully sometime by the middle of next month they should have an idea as to whether or not they are going to proceed with providing compensation for the loss, demo cost or whatever it will be, whether it will end up in litigation between the insured and the

insurance company, whether or not the property will be covered. It is not prudent for the city to wait at this moment because it is possible that it may be paid by the insurance company. As was discussed with Mrs. Griffin and the City Manager, there are some options. They have spoken to the owners of the property, The Strategic Holdings Group, that if this does not work out favorably to them, then there are options whereby they ask the city to declare the properties derelict, tear them down at their expense, and then have their taxes abated for a period of time for them to recoup the cost of the demolition. At this point right now, we have to wait to see where things shake out between the insured and the insurance company and then we will have a better idea as to who will tear the building down and who will pay for it. Hopefully he said by the end of the month they should get their reports back from their investigators. Then hopefully by the middle of next month we will have a better idea of what exactly is going on with who is going to be responsible for taking them down.

Buren Street is the property the city recently acquired. Regarding 600 and 700 North 21st Street, the court entered the Order several months ago allowing the city to take them down. There was a meeting about a month ago with Public Works, Code Enforcement, the City Manager and the City Attorney, and put together working towards that end.

Mrs. Griffin gave a brief overview. Regarding 600 East Broadway, right now we know that the asbestos testing cost is $690, by Vero Technology. The asbestos abatement itself will cost $21,500. That will be done by Abateco. They will start that January 20 and will take approximately 15 days to finish. Demolition will be done by Cooper & Claiborne. Purchase Orders have already been cut for these. These buildings were owned by Hopewell Partners and they were derelict buildings. Mr. Fratarcangelo has been working with the courts in order for us to be able to demolish these buildings. We do not own 600 East Broadway, 700 North 21st Avenue, Prince George Terrace, or 200 Buren Street. The city will recoup its monies when a lien is placed on the property for the cost of demolition and we will recoup monies when the property is sold. Demolition of 600 East Broadway is estimated mid to late February 2015. 700 North 21st Avenue, Vero Technology completed their asbestos testing. We have not received the actual abatement. The property was declared derelict. Residents have moved. The owners have never rehabilitated the property.

Mr. Fratarcangelo reported that 600 East Broadway and 700 North 21st Avenue property owners were Hopewell Partners. The note was owned by Wells Fargo. Wells Fargo Mortgage Company petitioned Hopewell Circuit Court to appoint a receiver, a third property to mortgage the property in order to stop the property from being wasted so that Wells Fargo's asset does not get lost. The court appointed a receiver. In the order appointing the receiver, it specifically stated that anyone taking action against the receiver must get a court order authorizing that action. That took some time. But then subsequent to that, the note that was owned by Wells Fargo was then bought by another company. That company was initially contesting the city tearing the buildings down. They sent an engineer down here to look at the properties. They bought four properties, one of which is Prince George Terrace, and the other Town Square Apartments. They sent engineers down here and looked at 600 and 700 North 21st Avenue. They determined that it was cost effective to rehabilitate them. He did agree to an order saying that the city can take the properties down. After two years the city can put them up for a tax sale and the city will recoup its money. Wells Fargo bought the notes but never foreclosed on the property. So they own the deed but they don't own the property. They are not the title owner of the property.

Mrs. Griffin reported that 200 Buren Street is the one that the City has recently become the owner of. Franz (????) Environmental has completed the asbestos testing at a cost of $1,060. We are waiting to get a contractor to look and provide us with the abatement cost. We do have an estimated demolition cost of $35,935. The contract we actually got last year and so we have to get new updated bids. This is an

average of the two contracts together. This is actually an average of Cooper & Claiborne and also J. H. Smith.

R-5 – REGULAR BUSINESS – DESIGNATE WINTER CLEAN UP WEEKEND

City Council requested City Wide Clean-Ups be conducted once each quarter instead of twice a year. This is the first quarterly clean-up. The purpose of the clean-ups is to provide citizens an opportunity to dispose of trash (these are not the items normally placed in a toter on a weekly basis) at the Hopewell Convenience Center free of charge.

City Administration recommended that City Council resolve to approve Saturday, January 30, 2015 and Sunday, January 31, 2015 as Winter Clean-Up Weekend.

Mayor Pelham requested that the City manager bring back costs for overtime, etc., vs the number of people who participated.

R-6 – REGULAR BUSINESS – REVIEW AND RECOMMEND, THREE INDIVIDUALS TO SERVE ON THE BOARD OF EQUALIZATION AND ONE ALTERNATE FOR A TERM THROUGH 12/31/2015

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to recommend Billy Glass, Kyle Davis and Keith Wagner, and alternate P. Allen Powell, to the Circuit Court Judge to serve on the Board of Equalization for a term extending through December 31, 2015. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

REPORT OF THE CITY ATTORNEY

The City Attorney will provide a litigation update to Council this week.

REPORT OF THE CITY CLERK – BOARDS AND COMMISSIONS

The City Clerk reported the following vacancies: Board of Architectural Review-2vacancies, no Talent Bank Resumes on file; Dock Commission-1 vacancy-no TBRs on file; Keep Hopewell Beautiful-1 vacancy-no TBRs on file; Recreation Commission-3 vacancies (2 students and 1 adult); Senior Citizen Advisory Commission-3 vacancies, no TBRs on file; and Social Services Advisory Board-4 vacancies-2 TBRs on file.

REPORTS OF CITY COUNCIL MEMBERS

Vice Mayor Luman-Bailey suggested to the City Manager that in the future, to keep Council informed of staff recommendations, to avoid a lot of discussion on an issue. Councilor Shornak raised a point of order that there is no need to be berating anyone.

CITIZEN/COUNCILOR REQUESTS

CCR-1.Citizen/Councilor Request – Councilor Gore – Request City Council to allocate funding for Public Works; Stormwater to do community outreach for upcoming Stormwater utility and community concerns. City Council requested community outreach. As of the 12/09/2014 meeting, no funds have been appropriated to the Stormwater budget to conduct community outreach. Follow-up from12/09/2014 request.

CCR-2. Citizen/Councilor Request – Councilor Gore – Request City Website Discussion be added to the February 2015 Work Session agenda. This is a follow-up from the May 13, 2014 (CCR-2) to review current website features and upgrades. Ms. Gore thanked Mr. Bragg and Mrs. Pershing for their input and assistance. She also asked for Department Heads to audit the website.

CCR-3. Citizen/Councilor Request – Councilor Gore – Request City Manager to provide City Council with a progress update for the City Council Strategic Plan adopted June 10, 2014. City Manager to provide updates to all objectives submitted in the September 2014 revised plan. Updates to be listed in same format plan to state: if objective is complete or incomplete. If incomplete, state tasks remaining until goals are met and a new proposed deadline. She asked that Councilor Zevgolis and Councilor Holloway be brought up to speed in this regard. Councilor Gore asked Council to schedule another Advance. Mayor Pelham asked the City Manager to come up with some possible dates for an Advance. Council should let the City Manager know what items to include.

CCR-4. Citizen/Councilor Request – Councilor Gore – Request an addition to a City Council Beacon Update-Report as to the status of the preliminary business plan submitted by the Beacon Theatre. (Request originally made January 8, 2013 CCR-2). Request marketing plan information, and method for notifications about events. Mr. Haley reported that one marketing suggestion is a marquis, but that is expensive and difficult due to the historical nature of the building. But it is under consideration.

CCR-5. Citizen/Councilor Request – Councilor Gore – Request update on purchasing a City-Wide events sign to display. This is a follow-up to the April 9, 2013 (CCR-4), September 10, 2013 and September 9, 2014 (CCR-6) requests. The City Manager indicated that the city hopes to get a partnership with the LLC. The cost of a mobile sign is $15,000.

CCR-6. Citizen/Councilor Request – Councilor Gore – Request an update on purchasing a "Welcome to Hopewell" replacement sign for Rt. 36 and status of relocating the Civic Club Sign to I-295 median, to complete the gateway project conducted by Councilor Gore, Public Works, Keep Hopewell Beautiful, and Neighborhood Planning and Assistance. Follow-up from May 13, 2014 (CCR-6 request). The City Manager reported that they should be putting the sign up next week. Many Civic clubs have already sent in their medallions.

CCR-7. Citizen/Councilor Request – Councilor Gore – Request City Council to adhere to City of Hopewell Code – Chapter 38; Youth Services and create a Youth Services Commission. Request appointments are made by Council at the next regularly scheduled City Council meeting. In addition, designate one City Staff member (member of the Youth Services Commission) to serve as a city liaison in coordinating official City of Hopewell partnership efforts with the John Randolph Foundation Youth Plan. Re-establishment of the commission will help streamline youth outreach efforts within the City of Hopewell Departments, provide clear communication to city youth partners, and provide a foundation to address priorities established in the 2014 Strategic Plan. Follow-up from September 9, 2014 (CCR-4) for City of Hopewell Youth Report. Mayor Pelham asked the City Manager and City Attorney to research to find out if there was a particular Council that actually got rid of the Youth Commission.

CCR-8. Citizen/Councilor Request – Mayor Pelham – Hopewell Health Coalition.

REPORTS OF CITY COUNCIL MEMBERS

Councilor Holloway invited anyone concerned about neighborhoods to establish a Neighborhood Watch. Please call her at 926-0695, or the City Clerk at 541-2249.

Councilor Zevgolis complimented Councilor Gore because she handled the CCR's the way they are supposed to be handled.

Councilor Shornak congratulated Nahseem Hopson who is the recent winner of an essay contest, "If I Were Mayor." He was the statewide winner among 999 contestants. He lives in her ward #7, in Piper Square. He will be at the VML meeting on January 28, and will be given an award by the Governor. Councilor Shornak intends to give him a special treat or take him to a movie or museum. She also wants him to come to a City Council meeting and receive a proclamation for his great achievement.

Councilor Gore thanked Councilor Zevgolis for his comments, and thanked Councilor Shornak for her announcement of Mr. Hopson's award.

Councilor Zevgolis reported on a recent change to the FOIA regarding electronic voting. Council should consider electronic voting for members who may be incapacitated from attending meetings. In the 12 years he was on Council, they never took a vote that affected all the citizens unless all seven Councilors were aware of it. If someone were absent, he or she would let the others Councilors know whether or not they were in favor of it. Electronic voting is a good thing. At a future meeting he would like to see a motion on the floor for electronic voting. Mayor Pelham suggested that he coordinate with the City Manager to place that item on the agenda. Hopefully they will have a work session about Council rules overall.

Mayor Pelham thanked everyone who stayed for the meeting until this late hour. The City Manager gave her a note that, due to the weather, schools would be on a two-hour delay tomorrow. She solicited churches to consider joining an organization of churches and concerned citizens.

ADJOURN

At 11:00 p.m., motion was made by Councilor Zevgolis, and seconded by Councilor Gore. Upon the roll call, the vote resulted:

Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes

_____
Brenda S. Pelham, Mayor

_____
Charles Dane, City Clerk Pro Tem
(Assistant City Manager)

January 27, 2015
Regular Meeting
---DRAFT---

MINUTES OF THE CITY COUNCIL SPECIAL MEETING AND WORK SESSION MEETING HELD JANUARY 27, 2015

A Special Meeting and Work Session of the City Council of the City of Hopewell, Virginia, was held Tuesday, January 27, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:

Brenda S. Pelham, Mayor
Christina J. Luman-Bailey, Vice Mayor
Arlene Holloway, Councilor
Anthony J. Zevgolis, Councilor
Jasmine E. Gore, Councilor
K. Wayne Walton, Councilor
Jackie M. Shornak, Councilor

Mark A. Haley, City Manager
Thomas Lacheney, City Attorney
Cynthia Y Ames, City Clerk

ROLL CALL

Mayor Pelham opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	ABSENT (arrived late)
Councilor Walton	-	present
Councilor Shornak	-	present

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Prayer was led by Derrick Johnson, followed by the Pledge of Allegiance to the Flag of the United States of America.

CLOSED MEETING

Motion was made by Councilor Walton, and seconded by Councilor Gore, to resolve to convene into closed session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (City Council appointees) and discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held property, where the discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (acquisition of real property), according to Virginia Code Section2.2-3711(A)(1) and (3).

Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

REGULAR MEETING

Mayor Pelham opened the regular meeting at 7:30 p.m. Roll call was take as follows:

Mayor Pelham	-	present
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

AMEND ORDER OF THE AGENDA – MOVE THE WORK SESSION PRIOR TO THE SPECIAL MEETING

Motion was made by Councilor Zevgolis, and seconded by Councilor Shornak, to amend the order of the agenda, to present a proclamation, and to move the work session prior to the special meeting. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	NO
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

PROCLAMATION

WHEREAS, The Ordnance Basic Officer leadership Class 14-018 provided community service to the City of Hopewell; and

WHEREAS, in less than four months provided over two hundred hours of community service to help improve the City of Hopewell; and

WHEREAS, one hundred twenty-four hours were given during the two leaf raking events sponsored by "Keep Hopewell Beautiful" for the elderly, disabled, and veterans; and

WHEREAS, seventeen and a half hours were given during a "Keep Hopewell Beautiful Trash Walk;" and

WHEREAS, four hours were given in participating in the "City Point 5K Run and Walk and fifty six hours helping set up, take down and participation in the "Downtown Market Mingle" and Kiwanis Club Wine Tasting.

NOW, THEREFORE, the Mayor of the City of Hopewell, Virginia, thanks the class of the Ordnance Basic Officer Leadership Class 14-018 for the tremendous amount of community service to the City of Hopewell, for serving our country, and for taking the time to make a difference in the lives of the citizens of Hopewell.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Hopewell to be affixed on this 27th day of January, 2015.

Proclamation presented this 27th day of January 2015.

/s/ Brenda S. Pelham, Mayor

WS-1. WORK SESSION – BUDGET FISCAL YEAR 2015-2016 INTRODUCTION

City Manager Mark Haley introduced the beginning budget FY 2015/2016, with budget schedule and presentation by Finance Director Jerry Whitaker.

Mr. Whitaker will present a power point presentation. (Copy filed in the City Clerk's Office.) There will be a 10-year analysis on two slides, with a print out. There is a report from the new Munis System, which contains: Actuals for FY 2014; Budget 2015; Adjusted Budget for 2015, and Proposed Budget for 2016. Mr. Whitaker offered to meet individually with any Council member, at their convenience, to go over the budget in greater detail. He scheduled a Work Session on February 3. However, he is running about two weeks behind, and would request postponing to February 10 or February 17. That would allow him time to have everything to Council before the meeting. He hopes that Council can adopt the budget on April 14. And, if not, at least set the tax rate so that the bills can be mailed out in a timely manner. Fund balances are very important. The more you have the lower the interest rate potential. He emphasized that the City cannot use one-time money for recurring expenses. The summary projection for FY 2015/2016 projected revenues is $46,641,000. He is predicting expenditures to be the same. Based on the numbers, some departments are much greater. In FY 2014/2015 revenues did not exceed expenditures by $779,000. Therefore needed to use $779,000 from the fund balance.

In slide #11 for FY 2012/2013, the fund balance was 24.5%. In FY 2011/2012 the fund balance was 21.9%. It was a good time to use one time money for one time expenditure. Council self-mandated a 10% fund balance. We are at a range now of 16-17%. It does not make sense to spend some of that money on infrastructure. Mr. Whitaker suggests keeping it at 15%.

WS-2. WORK SESSION – PUBLIC SAFETY BUILDING

Discussion included A) $7.7 million to be used for a portion; B) General Fund – decrease to 11% bond rating; and C) Take money from General Fund, temporarily until the borrowing can be done, then resolution to repay. There was discussion of contract development, organization, programming of Police and Fire. $100/sq. ft. to renovate; $200/sq ft for new construct.

Mr. Ed Watson, Public Works Director, and Derrick Johnson from Timmons, who is also working with the RRMM Architects team, addressed Council. Mr. Watson is working through the process so far since he took it over in late 2013. Began a new process of a more traditional design project. So far they

have accomplished development, getting teams together, discussion what we want in both of the facilities, how organizations will operate within these buildings. Tonight we will talk about programming of the building. They want feedback from Council. They will come back with more detail. They want to discuss Police Headquarters. Right now planned to come on City property. Looked at several scenarios.

The Fire Department site selection has gone smoothly so far. It is not an issue for them yet. They have a site they like. Derrick Johnson, Timmons, is also on the team of RRMM Architects. (Copy of handout filed in the City Clerk's Office.) Site A is a two-story, six-bay building.

The new Police Headquarters will again house Victim Witness, and Crime Suppression.

COUNCIL DISCUSSION:

Regarding recurring costs, with $7.7M to spend, Mr. Watson expects it to cost more. They could save $500,000 by renovation another building. Savings combined both fire stations. Traditional renovation work would be half the cost of new construction. Mr. Watson will bring back to Council costs of renovating this building vs. new construction. There will be some additional costs to renovation in this building to move people out during renovation.

Mr. Johnson indicated that the next step is direction from Council. They have identified the best possible location for the Fire Station. Identified four options for the Police Station. Two of those they don't think should be studied further. The other two they would like to study, new building here, two-story, or addition with renovation of existing building. If we build the Fire Station at Site A, Station #2 would most likely be demolished. The City Manager reported that Station #1 is a 1928 building and Council may wish to repurpose it. However, it would demolish Station #2 and it could be a green space or used for economic development.

SPECIAL MEETING

R-1. REGULAR BUSINESS – TO RESCIND ORDINANCE NO. 2015-1 ADOPTED AND PASSED ON JANUARY 13, 2015, PROPOSED AMENDMENTS AND APPROPRIATIONS TO THE FY 2015 ADOPTED BUDGET FOR THE PURCHASE OF A PUBLIC SAFETY COMMUNICATION SYSTEM FOR THE CITY OF HOPEWELL IN THE ESTIMATED AMOUNT OF $2,500,000; OPTION C: NEW BORROWING

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Holloway, to rescind Ordinance No. 2015-1 adopted and passed on January 13, 2015, proposed amendments and appropriations to the FY 2015 adopted budget for the purchase of a Public Safety Communication System for the City of Hopewell in the estimated amount of $2,500,000; Option C: New Borrowing.

COUNCIL DISCUSSION:

There was lengthy discussion about whether or not to take $2.5M from the original $7.7M for the Communication System.

Councilor Walton was opposed to using the $2.5M from the $7.7M for the Police communication system. Councilor Walton stated that this goes back to the promise made in 2013 for the Fire Station and Police Station. To anticipate another $1M is the wrong approach. $2.5M on good loan rate could go up another percent in another month.

Vice Mayor Luman-Bailey favors using the $2.5M from the $7.7M, and therefore supports rescinding the ordinance.

Councilor Shornak opposed taking $2.5 from the $7.7M. She thought this was an emergency situation. She referred to the past when many Councilors approved $4.1M for the Beacon Theatre without a blink of an eye.

Mayor Pelham raised a Point of Order to Councilor Shornak. We are not taking about the Beacon. Keep her comments to the issue. Councilor Shornak understood that. Mr. Fratarcangelo indicated that she had the floor and may speak. Councilor Shornak continued her remarks. She encouraged Councilors to tour the Fire Stations and Police Station to see how bad the state of disrepair is.

Councilor Holloway is not against supporting the Fire Department, Police Department, Firefighters, Police officers, because they lay down their lives for us, but she would like to see $2.5M come out of the $7.7M because it has been lying dormant there since 2013.

Councilor Gore reported that this was declared a public service emergency back in December. She was prepared to act on this issue at that time. Now that we know it will be over $7.7M, if we keep the $2.5M for the communication system, we will have to borrow $1M overage at some point so is it worth having to wait here and debate keeping this money when we are going to have to borrow more money at the end.

Mr. Whitaker explained that the costs of money at this point are still low. $7.7M was borrowed at 2.5%. And we have received proposals of about 2% for the $2.5M. A long term note is 25 years, and a short-term not is 10 years. The 2013 borrowing goes to 2038. If you borrow $2.5M, the interest is 2.2%. In the future it could be 3.5%+. Interest rates probably will go up.

Councilor Zevgolis what would be the difference if we borrow $2.5M or if we took $2.5M from reserve. If we took $2.5M from reserve would that not be the same as a $2.5M obligation from a borrowing? Either way we have to borrow more money. Mr. Whitaker explained that taking out of the Fiscal Balance – 10% set aside, about $4M. And then there is another $2.9M waiting in unassigned Fiscal Balance. Option to use $2.9M is whatever proposes you so desire. Only thing he cautions Council against is that it will drop you Fiscal Balance down to 11%. If we are borrowing you will still have to use some if you borrow $2.5M. New money with debt service of $300,000 per year.

Mr. Whitaker indicated that it is the cost of borrowing when you are borrowing. You have a reimbursement resolution in place. If you choose to use $7.7M, you will need another public hearing. That would be two weeks out from the date of the advertisement. It would have to be in February. Even after the second public hearing to take money from the $7.7M. It does not mean the project couldn't start. If Council chooses another public hearing, the project still can go on. The $2.5M for the communication system is a project that can begin right now.

Councilor Shornak reported that two weeks ago Option 3 was the best recommendation by staff. Our Financial Advisor, Jimmie Sanderson, also gave us the recommendation for Option 3. The City Manager also agrees with Option 3. She is going on the basis of what the experts tell Council.

The City Manager stated the time value of money – going short term aligns with the communication system. He advised against using 25 year money for a 10 year asset.

Mayor Pelham favors keeping the $7.7M loan. We are paying $96,000 in January, $96,000 in July, plus $20,000 principle in July. We do pay experts. But they do not live in our City. The bottom line is if we over indebt ourselves, at some point it is you, the citizens, who will pay the cost. The only way to bring new monies in here is to bring new businesses or raise taxes. We must take the experts' advice. Instead of waiting for the two week term, next week we will do the first hearing or calling, and call a meeting.

Councilor Shornak raised a point of order – we have not voted yet.

Mayor Pelham indicated that she would like to do that. Does not have to be at the end of the month. It will not be the end of the month. Come back to vote on those weekly.

Point of Order – the action that the majority of action proceeded January 13. If the money was going to be reimbursed out of the General Fund, staff should have been working on it anyway. The Communication System should be in the procurement stage. The City Manager assured her that it is. We do not have a fund to take it from, however. Mayor Pelham, you have the General Fund according to your Finance Director. According to Mr. Whitaker, they may enter the procurement process and should have gone on January 14. You had the 14th and 15th and then the 20th to do something with the procurement process. But evidently nothing was done.

Councilor Walton raised a Point of Order, but Mayor Pelham used the gavel to silence his Point of Order.

Mr. Fratarcangelo stated that if the motion that has been seconded passes today, then you will have to go through the whole process of having a public hearing all over again. It must be advertised twice in a local newspaper. The first time that you could actually meet, would be after the 10th of February.

Mayor Pelham asked Mr. Fratarcangelo why Council could not meet next week. He responded because you have to have notice published for two successive weeks and have a public hearing. Council would not be able to meeting until mid-February, perhaps the 17th. The City may use a newspaper of general publication within the area, such as The Hopewell News or the Progress-Index.

Councilor Shornak addressed the City Attorney about Councilor Walton raising a Point of Order. The Mayor is not supposed to be talking unless she hands the gavel to the Vice Mayor, which Mr. Fratarcangelo said she did immediately before speaking. However, Councilor Shornak stated that the Mayor used the gavel to silence Councilor Walton's Point of Order.

Upon the roll call, the vote resulted:

Councilor Zevgolis	-	NO
Councilor Gore	-	NO
Councilor Walton	-	NO
Mayor Pelham	-	yes
Councilor Shornak	-	NO
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion failed 4 no/3 yes.

PRESENTION – DAVID FRATARCANGELO

Mayor Pelham presented to Mr. Fratarcangelo a framed Ed Hatch print, "Business and Industry in Hopewell." She thanked him for his service as City Attorney for the City of Hopewell. She offered him best wishes in his career. Mr. Fratarcangelo thanked everyone in the City for the opportunity to serve Hopewell.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS

Councilor Shornak thanked everyone for coming out to the meeting.

Councilor Gore wants to make sure that Council gets this project done.

Councilor Holloway looks forward to the project going forward. She appreciates their help in the City.

Councilor Zevgolis thanked everyone for coming out tonight. Every City Councilor loves their City and wants to do what is best for their City. In the 12 years he was on Council, they had 4/3 votes. But when we came out of Closed Session you would have thought we were best friends.

Vice Mayor Luman-Bailey agreed with Councilor Zevgolis. All of Council is concerned about public safety and want to do what is best for the City. Some Council members had experiences where bond money sat there for years and the City paid interest on it. So we do not want to see that kind of think happen again. It has nothing to do with wanting to do what is best for our first response, public safety heroes. She thanked everyone for being at the meeting.

Mayor Pelham reminded citizens that this weekend is a Clean Up Weekend. Fees have been waived, except for Freon. It will be open Saturday 8am-4pm, and Sunday 8am-4pm. This is the end of the first semester for the middle school and the high school. That means that they have completed one year of academic study, since they are on block scheduling now. They will begin a new schedule tomorrow. Be careful on the roads with the bad weather while children are waiting for the school buses. She thanked everyone for their participation.

RECONVENE INTO CLOSED MEETING AT THE END OF THE WORK SESSION AND SPECIAL MEETING

Council reconvened into the Closed Meeting at the end of the Work Session and Special Meeting.

OPEN SESSION

Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes

Councilor Holloway	-	yes

AMEND – MAYOR PELHAM TO EXECUTE CONTRACT WITH MR. DIEHL AND MR. LACHENEY

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Gore, to resolve to amend the agenda, to allow Mayor Pelham to exeute a contract with Mr. Diehl and Mr. Lacheney. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion was made by Councilor Walton, and seconded by Councilor Holloway, to resolve to retain Mr. Lacheney as part-time City Attorney. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

**Councilor Pelham left the meeting at 9:10 p.m.*

ADJOURN

At 10:07 p.m., motion was made by Councilor Zevgolis, and seconded by Councilor Walton. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes

_____
Brenda S. Pelham, Mayor

_____
Cynthia Y. Ames, City Clerk

February 10, 2015
Regular Meeting
---DRAFT---

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL .HELD FEBRUARY 10, 2015

A Special Meeting and Work Session of the City Council of the City of Hopewell, Virginia, was held Tuesday, February 10, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:

Brenda S. Pelham, Mayor
Christina J. Luman-Bailey, Vice Mayor
Arlene _. Holloway, Councilor
Anthony J. Zevgolis, Councilor
Jasmine E. Gore, Councilor
K. Wayne Walton, Councilor
Jackie M. Shornak, Councilor

Mark A. Haley, City Manager
Thomas Lacheney, City Attorney
Cynthia Y Ames, City Clerk

ROLL CALL

Mayor Pelham opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

CLOSED MEETING

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Holloway, to resolve to convene into closed session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (appointments to City Council Boards and Commissions), according to Virginia Code Section2.2-3711(A)(1) and (3).

Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes