

## CITY OF HOPEWELL

Hopewell, Virginia 23860

# AGENDA

PHONE: 541-2249

FAX: 541-2248

### CITY COUNCIL

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

e-mail: [info@hopewellva.gov](mailto:info@hopewellva.gov)  
[rkearney@hopewellva.gov](mailto:rkearney@hopewellva.gov)  
[www.hopewellva.gov](http://www.hopewellva.gov)

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

---

---

**Date: May 24, 2016**

**MUNICIPAL BUILDING**

**TIME:** Work Session 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/Adopt Agenda**

### WORK SESSION

WS-1. – Work Session: Overview of the City Council Pending List.

### REGULAR MEETING

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

Prayer by Father Chris Hess, St. James Catholic Church 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:** May 2015 to September 2015
- C-2 **Pending List:** Provided to Council for tonight's Work Session.
- C-3 **Information for Council Review:** July 2016 Work Session with EDA (Tentative); Appomattox Cemetery Policy.
- C-4 **Personnel Change Report/Financial Report:** HR Report was provided on May 10, 2016; No Financial Report Provided.
- C-5 **Public Hearing Announcement:** NONE

- C-6        **Routine Approval of Work Sessions:** NONE
- C-7        **Ordinances on Second & Final Reading:** NONE
- C-8        **Routine Grant Approval:** NONE
- C-9        **Proclamations/Resolutions/Presentation:** St. James Catholic Church 100<sup>th</sup>  
Anniversary Recognition Proclamation – Father Chris Hess; Hopewell Police  
Department Proclamation – Chief Keohane; Building Safety Month Proclamation –  
Tevya Griffin.

**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.*

(NONE)

**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.)*

**REGULAR BUSINESS**

**Reports of City Manager**

- R-1.    **Regular Business:** - Approval of Amendment of the City’s FY 2015-16 Budget to transfer and re-appropriate \$700,000 from Fund 040-Sewer Operation to Fund 41-Sewer Main.

**RECOMMENDATION:** The City Administration recommends that City Council approve amendment of the City’s FY2015-16 Budget to transfer and re-appropriate \$700,000 from Fund 040 to Fund 41.

**MOTION: TO TRANSFER AND RE-APPROPRIATE FROM THE FISCAL YEAR 2015-16 BUDGET \$700,000 FROM FUND 040-SEWER OPERATION TO FUND 41 – SEWER MAIN.**

**Roll Call**

R-2. **Regular Business:** - Community Development Block Grant (CDBG) Presentation.

**RECOMMENDATION:** Council to set Public Hearing for June 14, 2016.

**Presentation:** Mrs. Tevya Griffin

R-3. **Regular Business:** – FOLAR's Presentation

**No Action Required/Mr. Johnny Partin**

R-4. **Regular Business:** - Keep Hopewell Beautiful (KHB) including Meeting Date Change.

**No Action Required/Updated Information from Mr. Horace Wade**

**Reports of the City Attorney:**

**Reports of the City Clerk:**

**Accepting TBR's for ALL Boards and Commissions:** [www.hopewellva.gov](http://www.hopewellva.gov);  
Including City of Hopewell School Board, Economic Development Authority (EDA), Keep Hopewell Beautiful (KHB).

**Reports of City Council:**

**Committees -**

**Individual Requests –**

**Any Other Councilor -**

**CITIZENS/COUNCILOR REQUESTS**

**CCR-1: Councilor Gore – Review and Discussion of SecureView.**

**CCR-2: Councilor Gore - Replant flowers on I-295 for the 100th Anniversary events to improve 1st impressions for visitors entering the City of Hopewell.**

**COUNCIL COMMUNICATIONS**

**ADJOURNMENT**

Motion: resolve to adjourn the Regular Meeting

Action: consensus

# **Work Session**

# **REGULAR MEETING**

# CONSENT AGENDA

# MINUTES

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD MAY 26, 2015**

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, May 26, 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  
Stefan M. Calos, Interim City Attorney  
Cindy 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	-	absent (arrived @ 6:37 p.m.)
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

**CLOSED SESSION**

Motion was made by Councilor Walton, and seconded by Councilor Zevgolis to go into CLOSED MEETING for the purpose of: 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 Appointed Boards, and Commissions); and Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body in accordance with Virginia Code Section 2.2-3711 (A) (1) (3). Upon the roll call, the vote resulted:

Councilor Shornak	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes

**Vote Result: 6-0 Yes**

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

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. Upon the roll call, the vote resulted:

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

**Vote Result: 7-0 YES**

Prayer by Patrick Plourde, followed by the Pledge of Allegiance to the United States of America.

**WORK SESSION**

**WS-1: Public Safety Design Update:**

City Manager Mr. Mark Haley stated that he and staff wanted to keep the public and Council in the loop as to where they are in our public safety design. The architectural team (Mr. Dan Hickok with RRMM) was present along with Mr. Watson, Director of Public Works and his staff of whom provided a brief overview of the process and where we are right now. Mr. Watson stated that they had finished the preliminary drawings, which means they have laid out the building footprint and where the rooms should go, we have enough information now to present you with what we think the budget should be for the project of which includes the fire station and the police station. Mr. Hickok reported to council that they planned on having the documents ready for bidding for construction contractors early this fall so that bids could be awarded at the first of the year 2016 and construction could start early next spring on the police station. As for the fire station he reported that they don't have a site plan to show you right now because there were some negotiations with a site here in town. Mr. Watson then reported to Council regarding the cost of the police station. The total cost for the police station, including renovating the area for the police in the basement of this building, is 3.3 million dollars. Now with the fire station Mr. Watson stated that they had two scenarios, one is with three bays and smaller, bunks and no emergency operation center, and that one came to five million dollars, roughly. And then the six-bay fire station is 7.8 million dollars, and has six bays which will accommodate 12 to 15 vehicles.

**WS-2: Cedar Tree Protection Ordinance Review:**

Ms. Griffin (Director of Development) represented to Council that her purpose here tonight was to provide details about a draft Cedar Tree Protection Ordinance for the area located at Cedar Lane and its intersections with Appomattox and Pecan Avenue in the City Point Historic District. She explained that they had looked at Cape Charles, Virginia and Smithfield, Virginia and that both of them have wonderful Tree Protection Ordinances. She explained that the purpose of this ordinance would be to preserve the character and appearance of Cedar Lane, for the continuous maintenance and replacement of trees, when appropriate, to ensure that the City Point Historic District is maintained and that the trees are intact for today and future generations. Council mention stated that preserving trees is important environmentally however, decided to revisit this possible ordinance after further discussion.

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**REGULAR MEETING**

**CONSENT AGENDA**

Motion was made by Councilor Zevgolis, seconded by Councilor Holloway, and passed 5-2 to accept the consent agenda however, extracting Ordinances 2015-26, An Ordinance amending Chapter 2, Article VI, Sec. 22-99 and Chapter 25, Sec. 25-54 of the City of Hopewell Code of Ordinances (In-Ops): Minutes-none; Pending & Action List-none; Information for Council Review-none; Personnel Change Report & Financial Report-none; Public Hearing Announcements: June 9, 2015 FY 2014-15 Budget Amendments and School Board Appointments-none; Routine Approval of Work Sessions-none; Routine Grant Approval-none; Proclamation/Resolutions/Presentations: LOVEwork Sign. Upon the roll call, the vote resulted:

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

**Vote Resulted: 5-2 Yes**

**Proclamation**

*WHEREAS*, the Chief Executive Officer of the Hopewell/Prince George Chamber of Commerce, a City Councilor, local artists and contractors (the "Project Team") desired to create and construct a piece of artwork depicting our history and culture on behalf of our Community; and

*WHEREAS*, the Project Team conducted numerous planning sessions in the design of the artwork and its location; and

*WHEREAS*, the Chamber of Commerce Visitor Center submitted the necessary paperwork and sketch thereby applying for a State grant from the Virginia Tourism Corporation to erect a LOVEwork Sign; and

*WHEREAS*, the Project Team spent hours of their own time assembling the necessary materials for construction and planning for the actual construction; and

*WHEREAS*, the Project Team gave tirelessly of their time in erecting the LOVEwork Sign for the benefit and enjoyment of the Community and visitors; and

*WHEREAS*, Becky McDonough, Steve McDonough, Danny Riddle, Kirk Thore, Kris Thore, Mark Shornak, Jackie Shornak, Keith Shornak and Neal Beasley were all involved in this act of giving back to their Community; and

*NOW, THEREFORE*, I Mayor, Brenda S. Pelham, of the City of Hopewell, Virginia, extends her appreciation and a special thanks to Becky McDonough, Steve McDonough, Danny Riddle, Kirk Thore, Kris Thore, Mark Shornak, Jackie Shornak, Keith Shornak and Neal Beasley for their service to the Citizens of the City of Hopewell, for their generosity of their time and talent and for creating a piece of artwork that will be remembered for years to come.

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

*IN WITNESS WHEREOF*, I have hereunto set my hand and cause the Seal of the City of Hopewell to be affixed, on this, the 26th day of May 2015.

Proclamation presented May 26, 2015

/s/ Brenda S. Pelham

Brenda S. Pelham, Mayor of Hopewell, Virginia

**SPECIAL ECONOMIC DEVELOPMENT ANNOUNCEMENT**

Mr. Dane, Assistant City Manager announced that we have Landen Strapping from Prince George, moving to the Hopewell Armory, and they hope to be operational by the end of June 2015 and next May 2016 the City of Hopewell for the first-time and hopefully will permanently host of the Southeast Craft Brewer's Fest.

**PUBLIC HEARING**

**PH-1 – Ordinance adding a new Article III (Stormwater Utility) to Chapter 14 (Erosion & Sediment Control) of the Code of the City of Hopewell as amended, to establish a stormwater utility fee to support a local stormwater management program:**

Mayor Pelham opened the public hearing and having no one signed up to speak on this particular public hearing, closed the public hearing. Motion was made by Councilor Holloway, and seconded by Councilor Gore to approve Ordinance 2015 adding a new Article III, Stormwater Utility, to Chapter 14, Erosion and Sediment Control, of the Code of the City of Hopewell as amended to establish a stormwater utility fee to support a local stormwater management program on first reading. Upon the roll call, the vote resulted:

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

**Vote Result: 7-0 Passed**

**AN ORDINANCE**

ADDING A NEW ARTICLE III (STORMWATER UTILITY) TO CHAPTER 14 (EROSION & SEDIMENT CONTROL) OF THE CODE OF THE CITY OF HOPEWELL AS AMENDED, TO ESTABLISH A STORMWATER UTILITY FEE TO SUPPORT A LOCAL STORMWATER MANAGEMENT PROGRAM.

BE IT ORDAINED by the Council for the City of Hopewell, Virginia that:

There is hereby added to the Hopewell City Code, as amended, a new article, to be numbered Article III, to Chapter 14 of the Hopewell City Code, to read as follows:

CHAPTER 14. EROSION & SEDIMENT CONTROL ARTICLE III. STORMWATER UTILITY

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**Sec. 14-33. Authority.**

The City is authorized by Virginia Code §15.2-2114 to establish a utility to enact a system of service charges to support a local stormwater management program consistent with Article 2.3 (§62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 or any other state or federal regulation governing stormwater management.

**Sec. 14-34. Purpose.**

The City Council finds that an adequate, sustainable source of revenue for stormwater management activities is necessary to protect the general health, safety, and welfare of residents of the City, and to meet requirements of the City's Virginia Pollution Discharge Elimination System (VPDES) Municipal separate storm sewer system (MS4) permit and federal and state regulations to address identified water quality and quantity needs. The City Council finds that property with higher amounts of impervious surface area contributes greater amounts of stormwater and pollutants to the storm sewer system and waters of the Commonwealth and should carry a proportionate burden of the cost of such activities. Therefore, the City Council determines it is in the best interest of the public to enact a Stormwater Utility Fee that shall allocate program costs to all property owners based on the amount of impervious surface area.

**Sec. 14-35. Definitions.**

The following definitions shall apply to this Article unless the context clearly indicates otherwise:

*Billing Unit* means twenty-one hundred (2,100) square feet of impervious surface area. All single-family homes will be billed one (1) billing unit rate.

*Director* means the Director of Public Works or the Director's authorized representative.

*Developed property* means real property that has been altered from its "natural" state by the addition of any improvements such as buildings, structures and other impervious surface area areas. Improvements include, but are not limited to, buildings, patios, driveways, walkways, parking areas, and compacted gravel areas.

*Impervious surface area* means surface area that is compacted or covered with material that is highly resistant to or prevents infiltration by water, including, but not limited to, most conventionally surfaced streets (including gravel), roofs, sidewalks, parking lots, and other similar structures.

*Municipal Separate Storm Sewer System (MS4)* is a conveyance or system of conveyances that is: Owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.; Designed or used to collect or convey stormwater (including storm drains, pipes, ditches, etc.); Not a combined sewer; and Not part of a Publicly Owned Treatment Works (sewage treatment plant).

*Storm water best management practice* means activities, prohibition of practices, maintenance procedures and other management practices, including both structural and non-structural practices, to prevent or reduce pollution of surface waters and groundwater systems.

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

*Storm water management facility means* a structural control measure that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow. A stormwater management facility is a type of stormwater best management practice.

*Unimproved parcel means* any parcel that has less than five hundred (500) square feet of impervious surface area.

*Utility fee means* any permit or local program fees allowed by Commonwealth of Virginia State Code.

**Sec. 14-36. Stormwater Utility Fee.**

- (a) A Stormwater Utility Fee is hereby imposed on every parcel of real property in the City that appears on the real property assessment rolls as of July 1 of each year and contains greater than 500 square feet of impervious surface area.
- (b) When new properties or impervious surface areas are brought into the utility system, such as from new construction, fees will accrue or increase commencing on the next billing cycle as established in Section 14-42(a).
- (c) The billing rate per billing unit to be used for calculating the Stormwater Utility Fee shall be \$48.00 per year. City Council may modify the billing rate in the future.
- (d) All Stormwater Utility Fees and other income from the fees shall be deposited into the stormwater enterprise fund. The funds deposited shall be used exclusively to provide services and facilities related to the storm water management program pursuant to the provisions of the Virginia Code §15.2-2114.
- (e) The stormwater utility shall be in effect starting July 1, 2015.
- (f) The stormwater utility shall be under the administration of the Director.
- (g) Consistent with Virginia Code §15.2-2114, the Stormwater Utility Fee shall be waived in its entirety for the following:
  - 1. A federal, state, or local government, or public entity that holds a permit to discharge stormwater from a municipal separate storm sewer system (MS4); except that the waiver of charges shall apply only to property covered by any such permit; and
  - 2. Public roads and street rights-of-way that are owned and maintained by state or local agencies including property rights-of-way acquired through an acquisitions process.

**Sec.14-38. Stormwater Utility Fee calculations.**

- (a) Unless otherwise specified in this article, the annual Stormwater Utility Fee for all property in the City shall be calculated in the following manner:
  - 1. Determine the impervious surface area of each parcel of real property in square feet;
  - 2. Divide the property's impervious surface area by the billing unit;
  - 3. Round the resulting calculation to the nearest whole number to determine the billing units and multiply by the billing rate established to obtain the annual Stormwater Utility Fee for the property.
- (b) The Stormwater Utility Fee is applicable to condominium unit owners and to property held by a common interest community association, as defined in Virginia Code §55-528. The common area within the common interest community shall be evenly divided among the individually owned parcels, or as per an alternative methodology, as determined by the Director, including but not limited to directly charging the association based on the methodology described in subsection (a) above.

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**Sec. 14-39. Stormwater Enterprise Fund.**

- (a) The stormwater fund is hereby established as a dedicated enterprise fund. The fund shall consist of revenue generated by the Stormwater Utility Fee as well as any other deposits that may be made from time to time by the City Council.
- (b) The stormwater fund shall be dedicated special revenue used only to pay for or recover costs for the following:
  - 1. The acquisition, as permitted in Virginia Code §15.2-1800, of real and personal property, and interest therein, necessary to construct, operate, and maintain stormwater control facilities;
  - 2. The cost of administration of the stormwater program;
  - 3. Planning, design, engineering, construction, and debt retirement for new facilities and enlargement or improvement of existing facilities, whether publicly or privately owned, that serve to control stormwater;
  - 4. Facility operation and maintenance;
  - 5. Monitoring of stormwater control devices and ambient water quality; and
  - 6. Other activities consistent with the state or federal regulations or permits governing stormwater management, including, but not limited to, public education, watershed planning, inspection and enforcement activities, and pollution prevention planning and implementation.

**Sec. 14-40. Billing, payment, and penalties.**

- (a) The Stormwater Utility Fee shall be divided into twelve equal payments over a year period, where the owner and/or occupant of each parcel of real property shall be billed on a monthly basis. Such bills or statements shall be included on and payable with the parcel's Sewer & Refuse bill. Properties that do not receive a Sewer & Refuse bill will receive an annual bill via the City's real estate tax bill in conjunction with the City's standard real estate tax billing cycle. Any fee not paid in full by the respective due date(s) shall be considered delinquent.
- (b) All payments received shall be credited firstly towards stormwater, then to sewer, and then lastly towards refuse charges.
- (c) A delinquent Stormwater Utility Fee shall accrue interest at the legal rate provided in Virginia Code § 6.2-301(A). Such interest shall be applied to late payments overdue for more than thirty (30) days, and shall be calculated for the period commencing on the first day such fee is first due, until the date the fee is paid in full.
- (d) Any delinquent Stormwater Utilities Fee, together with all interest due, shall constitute a lien on the property on which assessed ranking on parity with liens for unpaid taxes and shall be collected in the same manner as provided for the collection of unpaid taxes.

**Sec. 14-41. Stormwater Utility Fee credits.**

- (a) The Director shall administer a system of credits in accordance with Virginia Code § 15.2-2114.0 that provide for partial waivers of charges to any person who installs, operates, and maintains an approved stormwater best management practice that achieves a permanent reduction in stormwater flow or pollutant loadings. The credit policy shall also, in accordance with Virginia Code § 15.2-2114.E, provide for full or partial waivers of charges to public or private entities that implement or participate in strategies, techniques or programs that reduce stormwater flow or pollutant loadings, or decrease the cost of maintaining or operating the public storm sewer system and stormwater program.
- (b) The Director shall develop written policies to implement the credit system, which shall include a requirement for participating property owners and/or occupants to provide maintenance verification to the

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

City and for the owner to enter into a maintenance agreement with an inspection schedule for inspecting the best management practice(s) that justify the credit. No credit will be authorized until the City Council approves written policies to implement the system of credits; a copy of the approved policies shall be on file with the public works department.

- (c) City Council may modify the adopted system of credits to apply to future stormwater best management practices. Previously granted credits shall be grandfathered so that existing credits cannot be modified as long as the property owner continues to provide maintenance verification and meets the requirements of the maintenance agreement.
- (d) Except for new construction, applications for credits will be made by each year by December 31, with an approved credit to be effective on the following July 1. Applications received between January 1 and July 1 of each year will be reviewed and an approved credit to be effective on the following July 1.

**Section 14-42. Petitions for adjustments.**

- (a) Any property owner may request an adjustment of the Stormwater Utility Fee by submitting a request in writing to the Director within thirty (30) days after the date the bill is mailed or issued to the property owner. Grounds for adjustment of the Stormwater Utility Fee are limited to the following:
  - 1. An error was made regarding the square footage of the impervious surface area of the property;
  - 2. The property is exempt under the provisions of 14-36(g);
  - 3. There is a mathematical error in calculating the Stormwater Utility Fee;
  - 4. The identification of the property owner invoiced is in error; or,
  - 5. An approved credit was incorrectly applied.
- (b) The property owner shall complete a petition for adjustment form available on the City's website or supplied by the Director.
  - 1. If the applicant alleges an error in the amount of the impervious surface area, the applicant shall provide a plot, plan, or map showing all impervious surface areas within the property's boundaries, including buildings, patios, driveways, walkways, parking areas, compacted gravel areas, and any other separate impervious surface area structures. The applicant shall label dimensions of impervious surface area areas and showing the areas believed to be incorrect.
- (c) The requirement for a plan view of the property's impervious surface area are required in subsection (b) above may be waived by the Director, if at the sole discretion of the Director the error is obvious and is the result of technical error or oversight by the City. In such case, the City shall be responsible for recalculating the impervious surface area of the property.
- (d) The Director shall make a determination within forty-five (45) days of receipt of a complete submittal for the request for adjustment. In the event that the Director finds that the information provided in support of the request for an adjustment is deficient or incomplete, the Director shall offer the owner sixty (60) days to supply the missing information. The forty-five (45) day time for a decision will begin at such time as the requested information is provided. If the information requested is not provided to the Director within 60 days of the original request, the petition will be deemed withdrawn.
- (e) Any owner and/or occupant requesting an adjustment of the stormwater utility fee who is aggrieved by a decision of the Director may file an appeal with the Hopewell Circuit Court if allowed by state law.

**This ordinance shall take effect on July 1, 2015 with first billing in August 2015. The first billing will cover a one month period from July 1, 2015 to July 31, 2015.**

**PH-2: Residency Requirements for position of City Attorney per Chapter 2, Section 2-4 of the Code of the City of Hopewell (residency requirements for certain city officers and department heads):**

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

First, Assistant City Manager Charles Dane reported that the City Manager had asked staff upon the request of City Council to put together some information on what we could find around the region and around the state regarding residency requirements. Mr. Dane reported that Hopewell does have a residency requirement for department directors and above, Ordinance 2013-06 of the City Municipal Code, Chapter 2 Administration; Article I, Section 2.4 reads, the following city officers appointed to the City Council must become residents of the city no later than six months after the appointment: City Manager, City Attorney, and City Clerk. The Ordinance goes on to say that 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 requirements. If the assistant city manager or a department head relocates his or her primary residence while employed by the City, such assistant city manager or department head shall be subject to residency requirement and that residency requirements are in place for directors and above. Out of the twenty-six localities surveyed the City of Richmond does require residency from department heads and up, but of the 25 places that responded to the survey, 60 percent of them only require the City Manager or County Manager to live in their locality. 28 percent require the City Attorney, 20 percent require the City Clerk and the fire chief and police chief are about 24 percent are required to live in the locality, and then 20 percent for everybody else. Realistically, four out of five localities require directors or above but don't have a requirement for them to live in the locality and only one or two more require City Attorney or City Clerk.

Mayor Pelham opened the public hearing and the following individuals addressed City Council:

**Mr. Tommy Wells resident of Ward 5** commented that the Directors and above should be required to be residents of the City of Hopewell within six months of employment. And any who were hired under the old rule should be grandfathered and only when a job is replaced in that position would the rule apply.

**Ms. Debbie Randolph resident of Ward 1** commented: Let's not concentrate on making department heads live here, let's make them want to live here, along with all the other people that could make this town great.

**Mr. Homer Eliades resident of Ward 3** commented: I just cannot see us not requiring our leaders to live in the City of Hopewell.

**Ms. Janice Denton resident of Ward 5** commented: We need you to get Hopewell the very best we can get, regardless of where they live.

**Ms. Cheryl Collins resident of Ward 1** commented: Rescind those requirements and have your department heads move here.

**Mr. Scott Mitchell resident of Ward 1** commented: A lot of the points I wanted to make have already been brought up, so I won't reiterate but I feel that anyone that is employed by the City that's involved in the day-to-day decision-making, finances, operations, safety, et cetera, they need to leave — they need to live here. I mean you can't get a feel for this town and what it needs showing up at 8 A.M. and driving across the bridge at 5 P.M.

**Mr. Andrew Sherr resident of Ward 3** commented: I also agree that people should be invested in their communities. I know it took me a while, but I now realize that to effect change, you have to actively invest in my community.

Mayor Pelham closed the public hearing and stated after reviewing the comments brought forth tonight Council would decide on whether or not it'll come back on a future agenda for an action.

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**COMMUNICATIONS FROM CITIZENS**

Motion was made by Councilor Gore, seconded by Councilor Zevgolis to waive the rules and allow Mr. Carl Kindervater to speak under Communications from Citizens regarding Unfinished Business – 1, Amendment to Budget Resolution for FY 2015-16 incorporating Sections 26-27 (Employee/Retiree Health Insurance). Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Yes**

Mr. Kindervater commented that It was told to him and to the other members of the audience a couple meetings ago from that no changes to the retirees' insurance would happen for this year, but last Thursday I received a letter from human resources' Ms. Vance, stating that if I retired, if I had retired before 2004 my reimbursement was being reduced approximately 80 dollars, but if I retired after 2004 the reimbursements were going up. Mr. Kindervater asked Council to reconsider this change.

**UNFINISHED BUSINESS**

**UB-1 - Amendment to Budget Resolution for FY 2015-16 incorporating Sections 26-27 (Employee/Retiree Health Insurance).**

Motion was made by Councilor Zevgolis, and seconded by Councilor Walton to Amendment to Budget Resolution for FY 2015-16 incorporating Sections 26-27 (Employee/Retiree Health Insurance). Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-1 Passed**

**BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2015-2016**

WHEREAS, at the meeting of the Council of the City of Hopewell held on Tuesday, May 26, 2015, an amendment was introduced to incorporate sections 26 and 27 that were previously omitted from the FY

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

2015-16 Budget Resolution pending revisions of employers cost for health insurance coverage, and conveyance of this information to the retirees; and

WHEREAS, the estimate cost of providing insurance was included in the original budget resolution, no appropriation of funds are needed and;

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

Sec. 26 Effective July 1, 2015 upon adoption of this resolution, the following will be the City share of health care cost for the following groups:

Active Employees:

	KeyAdvantage Expanded City Amount	KeyAdvantage 250 City Amount	High Deductible HP City Amount
Employee Only	547.47	523.73	388.45
Employee + Spouse	871.76	875.25	650.65
Employee + Child	961.50	933.60	684.45
Employee + Children	1550.50	1470.60	1073.45
Employee + Family	1216.15	1209.84	913.16

Effective July 1, 2015 upon adoption of this resolution, the following will apply to ALL (including those that retired prior to 1/1/2004) retirees. "Retiree Only" rates apply to those retiring after 1/1/2004.

Retirees (rates based on years of service):

20+ years of service                      30% of the current retiree health insurance premium

20+ Years of Service <i>30% of the current retiree premium</i>	KeyAdvantage Expanded City Amount	KeyAdvantage 250 City Amount	High Deductible HP City Amount
Retiree	207.90	189.30	137.10
Retiree+ One	384.60	350.10	253.50
Family	561.30	511.20	370.20

15 - 19 years of service 20% of the current retiree health insurance premium

15-19 Years of Service <i>20% of the current retiree</i>	KeyAdvantage Expanded City Amount	KeyAdvantage 250 City Amount	High Deductible HP City Amount
Retiree	138.60	126.20	91.40
Retiree + One	256.40	233.40	169.00
Family	374.20	340.80	246.80

**May 26, 2015  
Regular Meeting  
---DRAFT---**

Work Related Disabled Rates:

Under 65 – Work Related Disabled Rates '(w/o Medicare Parts A & B)	Key Advantage Expanded City Amount	Key Advantage 250 City Amount	High Deductible HP City Amount
Retiree	207.90	189.30	N/A

Retiree Reimbursements:

Effective July 1, 2015, retirees that "Opt Out" of the City's health insurance plan will be eligible for reimbursement based on the following rates (in accordance with plan rates and practice, this reimbursement amount is subject to change every year):

Retirees BEFORE 1/1/2004

Retiree	547.47
Retiree + Spouse	871.76

Retirees AFTER 11/1/2004

Retiree Only	547.47
--------------	--------

Retirees Over Age 65:

AARP-- Retirees 65+ years of age:

Authorize the city to contract with AARP, or other provider, to provide supplemental health insurance coverage for retirees age 65 or older.

Effective July 1, 2015, the City will authorize only a "Carve-Out" city health insurance contribution if retiree is age 65 or older for city contribution for supplemental medical insurance which amount shall not exceed the city contribution amount for an "Active" single city employee premium contribution. Should the retiree' choose not to participate in the Medicare Part A and/or B, then the city shall only be obligated to pay a health insurance benefit equal to the "Carve-Out" supplemental health insurance plan. Retiree age 65 or older retired prior to 12/31/2003 shall be eligible for a health insurance contribution of the "Carve-Out" contribution amount and the city contribution amount to cover dependent(s) up to the city retiree limit for retiree before 1-1-2004, but not to exceed this combined benefit amount.

Further, city retiree reaching 65<sup>th</sup> birthday shall be entitled only the medical supplemental insurance premium and Medicare Part D drug premium determined by the city's insurance provider of record, for any health insurance coverage paid by the city, effective July 1, 2014. City shall not be obligated to provide health insurance under its regular health insurance group for any retiree who fails or refuses to enroll in Medicare health insurance, as part of their Social Security benefits.

Under no circumstances shall the city health premium share paid for medical supplemental insurance and Medicare Part D drug premium exceed: the city health premium share for a single active employee for any retiree hired prior to July 1, 2003 and retired after January 1, 2004; the city health premium percentage share for a single active employee for any retiree hired after July 1, 2003, but prior to July 1, 2008; · and the city health premium share shall be a fixed two hundred dollars (\$200.00) per month for any retiree hired after July 1, 2008.

**May 26, 2015**  
**Regular Meeting**  
**--DRAFT--**

Any city retiree eligible for VRS health insurance credit shall have the city health insurance contribution reduced by a dollar amount equal to the VRS eligible health insurance credit amount. The Virginia Retirement System health insurance credit shall be calculated by an amount equal to \$1.50, or current rate approved by VRS, times the years of service with a maximum reduction amount of \$45.00 dollars, or the maximum amount authorized by VRS.

Finance Director is authorized and directed to terminate the health insurance coverage for any retiree who fails to pay the city their respective share of the health insurance premium and who is sixty (60) days delinquent on premium payments. Any retiree who has their insurance coverage terminated for failure to pay their respective share of premium shall not be eligible for re-enrollment until: the delinquent premiums are paid to the city and only at the next open enrollment period.

Sec.27 City Council authorizes and directs a policy change with respect to employer health insurance plans contributions as of July 1, 2015, the city shall only pay such amount equal to the city contribution share of the premium cost as authorized in Sec.26, above, and any additional insurance coverage costs selected by employee shall be paid by employee by payroll deduction in the month prior to premium due date. For any employee electing to enroll in the HSA plan of record, the city shall contribute the sum of \$1,400 for single coverage and \$2,700 for family coverage, to be paid monthly into employee HSA account; to include employee and child or employee and spouse, paid the second pay period of each month on the basis of 24 pays per year. If employee is hired before 15th of month credit for that month is given, after 15th of month no credit and contribution payment shall begin the following month, to the employee HSA established at the city bank of record for HSA accounts.

**Regular Business:**

**Reports of Boards & Commissions Hopewell Department of Social Services Advisory Board:**

Mr. Plourde, Chairman of the Hopewell Department of Social Services Advisory Board reported on the committee and thanked Council for appointing members to the advisory board so that now they had a quorum so they can begin to meet. Mr. Plourde handed out a report compiled by the Virginia Department of Social Services and requested Council to review.

**R-2 – Authorize refunding/restricting of Series 2008A & 2009A General Obligation Bonds:**

Motion was made by Vice Mayor Luman-Bailey to amend the agenda and to move R-2 Authorize refunding/restricting of Series 2008A & 2009A General Obligation Bonds to R-1 and move R-1 Foster Care Public Service Announcement Update to R-2, and seconded by Councilor Gore and Mayor Pelham, All in favor? Voices in unison: Aye.

Jimmy Sanderson with Davenport and Company, The City of Hopewell's financial advisor appeared before Council to brief Council on two series' of bonds, series 2008-A and the series 2009-A.

Motion was made by Councilor Shornak, and seconded by Councilor Walton to adopt the resolution authorizing the issuance, sale, and award of one or more general obligation public improvement refunding bonds, series 2015-B of the City of Hopewell, Virginia in the maximum aggregate, principal amount of \$17,500,000 providing for the form, details, and payment thereof, and providing for the refunding of certain general obligation bonds of the City. Upon the roll call, the vote resulted:

**May 26, 2015  
Regular Meeting  
---DRAFT---**

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

**Vote Resulted: 7-0 Passed**

Motion was made by Councilor Zevgolis, and seconded by Vice Mayor Luman-Bailey to extend the meeting past 10:30 p.m. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Yes**

**R-1 – Foster Care Public Service Announcement:**

Mr. Ray Spicer Director of Social Services, introduced to Council a young man by the name of Eric who has been in Foster Care for over fourteen years and represented to Council that this was way to long for someone to be in Foster Care and that the need to adopt is greater now than it has ever been and encourages those who can to please consider adoption.

**R-3 – Hopewell Emergency Crew Service Fees/Ambulance Transport:**

Motion was made by Councilor Zevgolis, and seconded by Councilor Shornak to approve the service fees/ambulance transport for the Hopewell Emergency Crew to Basic Life Support \$450.00; Advance Life Support – 1 \$550.00; Advance Life Support -2 \$750.00 and Grant Transport Miles \$10.00. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Passed**

**R-4 – Budget Amendments to FY 2015-16 to add \$15,000 for Healthy Families and Unfund New Firefighter Position:**

**May 26, 2015  
Regular Meeting  
---DRAFT---**

Motion was made by Councilor Walton, and seconded by Councilor Gore to separate these two Amendments. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Yes**

Motion was made by Councilor Walton, and seconded by Councilor Gore to approve budget amendment to FY 2015-16 to add \$15,000.00 for Healthy Families. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Budget Resolution Amendment Passed**

**BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2015-2016**

*WHEREAS*, at the meeting of the Council of the City of Hopewell held on Tuesday, May 26, 2015, an amendment was introduced to appropriate funds for the FY 2015-16 Budget to provide funding for Healthy Families; and,

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

*WHEREAS*, sufficient funds exist in the respective fund balance reserve account;

*BE IT, HEREBY, RESOLVED* by the Council of the City of Hopewell: Sec I. The following designated funds shall be appropriated:

General Fund-011: Resources:

Fund Balance ..... \$ 15,000

Appropriation:

Healthy Families ..... \$ 15,000

Motion was made by Councilor Gore, and seconded by Councilor Zevgolis to Unfund the New Firefighter position. Upon the roll call, the vote resulted:

**May 26, 2015  
Regular Meeting  
---DRAFT---**

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

**Vote Resulted: 7-0 Budget Resolution Amendment Failed**

**R-5 – Resolve to Authorize the Hopewell Police Department to apply for JAG local solicitation grant:**

Motion was made by Councilor Walton, and seconded by Councilor Zevgolis to Authorize the Hopewell Police Department to apply for JAG local solicitation grant. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Approval to Apply for JAG Grant**

**R-6 – Appomattox Cemetery Presentation:**

Mr. Ed Watson, Director of Public Works, reported he had good news. They have made improvements to the cemetery where they are prepared to open about 103 grave lots or plots. Mr. Watson stated his concern that they would not be able to afford the maximum number of families access to this new area. Mr. Watson propose a graduated opening, or system, that would allow more families access to these lots. Council instructed the City Manager and Mr. Watson to move forward.

**R-7 – Approve Resolution and Authorize the Mayor to Execute Agreement with Ann Romano as Temporary City Clerk:**

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Holloway to Approve the Resolution appointing Ann Romano as Temporary City Clerk and Authorizing the Mayor to Execute an Agreement with Mrs. Romano to work six to nine hours per week at a rate of \$65.00 per hour. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 Approved Resolution and Mrs. Romano as Temporary City Clerk**

**May 26, 2015**  
**Regular Meeting**  
**---DRAFT---**

**R-8 – Approve and Authorize Mayor to enter into a contract for a new Interim City Attorney:**

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Walton to approve resolution and authorize the Mayor to enter into a contract for a new Interim City Attorney and to execute agreement. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 to Approve and Authorize a Contract for an Interim City Attorney**

**R-9 – VDOT Resolution:**

Motion was made by Councilor Walton, and seconded by Councilor Shornak to Adopt and Endorse the Virginia Department of Transportation (VDOT) Project Resolution for Federal Congestion Mitigation and Air Quality (CMAQ) Funds use for Route 10 Intersection Project, VDOT Project Number #0010-116-108, PE 101,C501/UPC #12955; and Authorizing the City Manager to sign future Project Administration Agreements. Upon the roll call, the vote resulted:

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

**Vote Resulted: 7-0 to Approve the VDOT Resolution**

Councilor Walton moved for adjournment of which was second by Councilor Shornak. Mayor Pelham: All in favor? Voices in unison: Aye.

**ADJOURN AT 11:59 P.M.**

---

Brenda S. Pelham, Mayor

---

Cynthia Y. Ames, City Clerk

**June 9, 2015**  
**Regular Meeting**

**--DRAFT--**

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD JUNE 9, 2015**

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, June 9, 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  
                                  K. Wayne Walton, Councilor  
                                  Jackie M. Shornak, Councilor

                                  Mark A. Haley, City Manager  
                                  Stefan M. Calos, Interim City Manager  
                                  Cindy Ames, City Clerk

**ROLL CALL**

Mayor Pelham opened the meeting at 6:34 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
Councilor Walton	-	present
Councilor Shornak	-	present

**CLOSED MEETING**

Motion was made by Vice Mayor Luman-Bailey, and seconded by Councilor Walton, 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, and Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, according to Virginia Code Section 2.2-3711(A) (1) & (3).

Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-0 yes**

**June 9, 2015**  
**Regular Meeting**  
**---DRAFT---**

**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:

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

**Vote Resulted: 6-0 Yes**

**REGULAR MEETING**

Mayor Pelham opened the regular meeting at 7:30 p.m., prayer was led by Herbert Bragg, followed by the Pledge of Allegiance to the Flag of the United States of America.

**CONSENT AGENDA**

Motion was made by Councilor Walton, and seconded by Vice Mayor Luman-Bailey, to approve the Consent Agenda, Minutes: none; Pending List: none; Information for Council Review: none; Personnel Change Report; May 2015 HR Report & Financial Report; Public Hearing Announcements: FY2014-15-Budget Resolution, School Board Appointments, Transfer of City Owned Property to Waukeshaw Properties for Economic Development; Routine Approval of Work Session: May 26, 2015- Public Safety; Ordinances on second and final reading: none; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Juneteenth 150<sup>th</sup> Anniversary. Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-0 Yes/Passed**

**PROCLAMATION**

WHEREAS, Ms. Rebecca Rose of the Washington Cultural Foundation of Prince George, Virginia, Inc., has gathered citizens of Hopewell and Petersburg National Battlefield City Point Unit, in organizing the 9<sup>th</sup> Annual Hopewell Juneteenth National Freedom Day Celebration, the Office of the Mayor of Hopewell, Virginia welcomes all in the commemoration of this historic occasion; and

**June 9, 2015  
Regular Meeting**

**--DRAFT--**

WHEREAS, more than two and a half years after President Abraham Lincoln issued the Emancipation Proclamation in 1862, on June 19, 1865, General Gordon Granger finalized the elimination of slavery to liberate a strong, vibrant group of Americans. Juneteenth, as it was called by former slaves, remains a glorious day in the history of our Nation; and

WHEREAS, since that day, African Americans have risen above the bonds of slavery to be counted among our Nation's political, economic and community leaders. The citizens of Virginia are vital to our state, our culture and our prosperity, and contributors to the success of this City of Hopewell, appreciation is extended to our African American community for their strength and determination; and

WHEREAS, June 20, 2015, 12:00 p.m. to 3:00p.m. will be the Juneteenth National Freedom Day Celebrating the 150<sup>th</sup> Anniversary of America's Juneteenth National Freedom Celebration in to the 150<sup>th</sup> Anniversary of America's Civil War; and

WHEREAS, the Juneteenth National Freedom Day Celebration will be held at Grants Headquarters, Petersburg National Battlefield, City Point Unit, Cedar Lane and Pecan Street, Hopewell, Virginia.

NOW, THEREFORE, I Brenda S. Pelham, on behalf of Hopewell City Council, hereby proclaim:

June 20, 2015 in commemoration of Juneteenth National Freedom Day June 19, 1865

On behalf of all Hopewellians we are proud to celebrate and pay tribute to those who fought against injustice and inequality. All attendees are saluted and everyone is encouraged to enjoy this celebration of African American culture today and through the year.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Hopewell in the Commonwealth of Virginia this 9<sup>th</sup> day of June 2015.

*/s/Brenda S. Pelham  
Mayor*

--00000--

**UB-1 – Unfinished Business – Contract Services for City Attorney:**

Motion was made by Councilor Shornak, and seconded by Vice Mayor Luman-Bailey to approve the contract with Sands Anderson, Professional Legal Services (Stefan M. Calos) for City Attorney. Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-0 Yes/Passed**

**June 9, 2015**  
**Regular Meeting**  
**---DRAFT---**

**Regular Business**

**R-1 – Request Approval of the Purchase of 310 North 2<sup>nd</sup> Avenue:**

Motion was made by Councilor Walton, and seconded by Councilor Shornak to approve the purchase of 310 North 2<sup>nd</sup> Avenue from Bond Proceeds in the amount of \$42,500.00. Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-0 Yes/Passed**

**R-2 – Legacy Business Program:**

Motion was made by Councilor Walton, and seconded by Councilor Shornak to approve the Economic Development Authority (EDA) Legacy Business Program. Upon the roll call, the vote resulted:

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

**Vote Resulted: 4-2 Yes/Approved**

**R-3 – Consolidation Plan Presentation – Review five (5) year consolidated Plan Goals and Priorities and City Demographic Data:**

Ms. Tevya Griffin, Director of Planning, explained that every five years HUD requires the City and the entitlement community to look at the needs in the City, mostly of the persons that are low to moderate income. The City looks at housing, income levels, poverty and educational attainment and those demographics were provided to Council in their packet. Ms. Griffin outlined to Council the recommendations for the planning priorities for the next five years.

**R-4 – Appomattox Cemetery – Opening of New Section:**

Motion was made by Councilor Shornak, and seconded by Councilor Walton to authorize the City Manager to develop a purchase plan that limits the sale of contiguous lots to six (6) per purchase for a period not to exceed twelve (12) months. Upon the roll call, the vote resulted:

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

**June 9, 2015**  
**Regular Meeting**  
**--DRAFT--**

**Vote Resulted: 6-0 Yes**

**Reports of the City Clerk**

Motion was made by Councilor Walton, and seconded by Councilor Shornak to appoint Johnny Partin to the Friends of the Lower Appomattox River Committee (FOLAR). Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-0 Yes/Appointed**

At 9:03 p.m., motion was made by Councilor Zevgolis, and seconded by Councilor Walton to adjourn.  
Mayor Pelham: All in favor? Voices in unison: Aye.

**ADJOURN AT 9:03 P.M.**

---

Brenda S. Pelham, Mayor

---

Cynthia Y. Ames, City Clerk

**June 18, 2015**  
**Special Meeting**  
**---DRAFT---**

**MINUTES OF THE SPECIAL CITY COUNCIL SPECIAL MEETING HELD JUNE 18, 2015**

A Special Meeting of the City Council of the City of Hopewell, Virginia, was held Thursday, June 18, 2015, at 4:30 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  
  
                                  Cynthia Y Ames, City Clerk

**ROLL CALL**

Vice Mayor Luman-Bailey opened the meeting at 4:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	absent (arrived at 5:18 p.m.)
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	absent
Councilor Shornak	-	present

**CLOSED MEETING**

Motion was made by Councilor Gore, and seconded by Councilor Shornak, 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), according to Virginia Code Section 2.2-3711(A)(1). Upon the roll call, the vote resulted:

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

**Vote Resulted: 5-0 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:

**June 18, 2015  
Special Meeting  
---DRAFT---**

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

**Vote Resulted: 6-0 Yes**

**ADJOURN**

At 7:16 p.m., motion was made by Councilor Gore, and seconded by Councilor Shornak to adjourn. Upon the roll call, the vote resulted:

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

---

Brenda S. Pelham, Mayor

---

Cynthia Y. Ames, City Clerk

**June 23, 2015  
Regular Meeting**

**--DRAFT--**

**MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 23, 2015**

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, June 23, 2015, at 5:30 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  
Stefan M. Calos, City Attorney  
Cynthia Y Ames, City Clerk

**ROLL CALL**

Vice Mayor Luman-Bailey opened the meeting at 5:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	absent (arrived @ 6:45 p.m.)
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

**Work Session**

**WS-1 – Flood Plain Ordinance Presentation**

**CLOSED MEETING**

Motion was made at 6:00 p.m. by Councilor Shornak, 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 (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 Section 2.2-3711(A)(1) and (3). Upon the roll call, the vote resulted:

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

**June 23, 2015  
Regular Meeting  
---DRAFT---**

**Vote Resulted: 6-0 Yes**

**OPEN SESSION**

**REGULAR MEETING**

Mayor Pelham opened the regular meeting at 7:30 p.m. and stated that the Closed Session question would not be read because Council would return back into Closed Session. 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 Herbert Bragg, followed by the Pledge of Allegiance to the Flag of the United States of America.

**CONSENT AGENDA**

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to amend the Consent Agenda by removing C-6 Routine Approval of Work Session and adding to R-9 Proclamations/Resolutions/Presentations a Fire Department Video. Minutes: none; Pending and Action List; none; Personnel Change Report and Financial Report: none; Public Hearing Announcements: none; Ordinances on second and final reading: none; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Playful City USA-KaBoom Announcement; Hopewell Fire Department Video. 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

**Vote Resulted: 7-0 Yes/Approved**

**PH-1 - Budget Resolution Amendments Fiscal Year 2014-15:**

Public Hearing was opened at 8:07 p.m. and having no one signed up to speak the Public Hearing was then closed. Motion was made by Councilor Gore, and seconded by Councilor Holloway, to adopt budget resolution amendments to appropriate and re-appropriate \$8,209,777.00 for Fiscal Year 2014-15 Budget to provide for operations and capital projects. Upon the roll call, the vote resulted:

**June 23, 2015**  
**Regular Meeting**  
**---DRAFT---**

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

**Vote Resulted: 7-0 Yes/Adopted**

**BUDGET RESOLUTION**  
**AMENDMENT FISCAL YEAR 14-15**

WHEREAS, at the meeting of the City Council of the City of Hopewell held on June 23, 2015, following a public hearing, budget amendments were introduced to appropriate and re-appropriate funds for the FY 2014-2015 budget to provide for operations and capital projects.

WHEREAS budget amendments to appropriate and re-appropriate funds in the amount of \$8,209,777 for operations and capital projects from the Unassigned Fund Balance and State funds for the FY 2014-2015 budget were 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 the designated funds and accounts shall be appropriated for operations from the Unassigned Fund Balance and State funds.

**Closed Session**

At 8:10 p.m. Council reconvened into Closed Session and at 8:15 p.m. returned and continued with the Regular Meeting.

**PH-2 – School Board Appointment:**

The public hearing regarding Hopewell City School Board Appointments was opened at 8:15 p.m., and one speaker had signed up to speak:

Mr. William Henry - 3001 Princess Anne St.

The public hearing was then closed at 8:20 p.m. Motion was made by Councilor Holloway, and seconded by Councilor Gore, to appoint Mr. Nelson Cuffey to the Hopewell School Board for a term extending July 1, 2015 through June 30, 2018. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	no
Mayor Pelham	-	yes
Councilor Shornak	-	no

**June 23, 2015**  
**Regular Meeting**

**---DRAFT---**

Vice Mayor Luman-Bailey      -      yes

**Vote Resulted: 5-2 Yes/Appointed**

**Unfinished Business**

**UB-1 – Appomattox Cemetery Fee Report:**

Mr. Watson, Director of Public Works reported that Council had asked him to report back on competitive prices or prices in the area for cemetery plots. What Mr. Watson found was the private cemeteries are going for a little over \$2,000 for their cemetery lots. And that Petersburg was at \$1,00 for their cemetery lots to non-residents Mr. Watson and Staff recommended that Hopewell charge a rate comparable to private lots for non-residents, which would be \$2,000 and also \$2,000 for non-residents, \$1,000 for cremains or an infant, which is basically a half a cemetery standard lot size. He also recommended a \$100 administrative fee for marking the grave sites, for marking markers. Mr. Haley, City Manager stated if Council likes these recommendations, the fee structure is part of the ordinance then we'll finish up the ordinance and bring the whole ordinance back for your approval. This is just a follow-up from the questions asked at the last meeting to come back to you with a fee structure so we don't come back with an ordinance and then have you say well what about the fees and then we start all that process again. So these are the fees for your feedback and we'll embody these into the ordinance if you so choose at a later date.

**Regular Business**

**R-1 – Presentation – The City of Hopewell, Virginia Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending June 30, 2014:**

Mr. Whitaker, Finance Director and Rob Churchman, a partner with Cherry Burkhardt reported to Council that the City has published its comprehensive annual financial report and I have some required communications I have to give to you. We are required to let you know what our services were hired for. We were hired to do an audit of the financial statements to make sure the statements are or are not fairly presented in all material respects as it accords with generally accepted accounting principles. Required to make sure I follow the required general government auditing standards and such. And also required because of the magnitude of federal money you receive, we're a little bit over \$9 million to provide what we call single audit or federal compliance and control testing in the area over those programs that you receive, whether social services, schools programs and so forth. The state also has some requirements under the specifications for audits of the counties, cities and towns. And we're required to do steps there in areas for example on CSA testing. Overall audit results. For '14, we have presented what we call an unmodified and for those of you who have been around for a while, that's in the old terms a clean opinion. Basically, the statements are prepared in all material respects in accordance with generally accepted accounting principles. Under government auditing standards, I'm required to let you know if I had any findings on compliance. There was no matters that I noted. There was one matter related to a weakness in controls, having to do with financial reporting and being able to close the books timely and get the huge document, of which is almost an inch and a half thick prepared. And basically, Mr. Whitaker's staff, he's had turnover in his staff throughout the year. And he's gotten that kind of settled down from what I can see now. But also changing systems in September of last year really put a stress on the finance department and other parts of the City to close the books down, get them analyzed, get them reconciled and so forth and get the statements done timely. I'm also required to let you know if had any findings in the single audit area and that's the federal compliance area. We did have one finding over Medicaid. It is a repeat finding we had in the prior year. In essence, dealing with the lack of an annual redetermination of the eligibility of participants. I will say that this is something that I do see very common, frankly, across Virginia and especially in the Medicaid area. I have multiple clients that have

**June 23, 2015**  
**Regular Meeting**  
**---DRAFT---**

been inundated with huge caseloads that have come on, pardon me, was that me? In the most recent past with obviously as you can imagine with the stress on the economy and the healthcare and so forth. So it is a finding that can be rectified and we will be testing again next year because once we have it one year, we have to test it the next year to make sure that it has been resolved. With regards to required communications, I'm required to let you know of certain things each year even if they haven't changed. I'm required to let you know if generally accepted accounting principles have changed. And they have changed this year. It's a minor change for the impact of the City. It really required the City to stop recording certain activities in a certain way relating to bond issuances. And instead of dragging those activities out over years and advertising them down, it requires them to go ahead and expense it in the current year and basically get that activity off the books and behind them. And that is shown and reflected in footnote 17 to the financial statements in the package you have in front of you. I'm also required to let you know if there's been any audit adjustments or any adjustments or any adjustments that were noted during the audit but that weren't material enough to record. There were both. Working with Mr. Whitaker and his staff, we came across and worked together to identify multiple changes to presentation and geography for lack of a better term in how things are presented accounting-wise. And there was also some minor items where literally they were so small it wasn't, had no impact on the financially but because we noted them during our test, we're required to accumulate those and document those under the auditing standards. And both of those items are not inconsistent with how prior years went.

**R-2 – Re-Appropriate Funds for Fiscal Year 2014-15 Budget to transfer funds from designated Capital Projects to other Capital Projects:**

A motion was made by Councilor Shornak, and seconded by Councilor Gore to adopt budget resolution amendments to re-appropriate \$40,000 for Fiscal Year 2014-15 to the Park and Recreation Department. 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

**Vote Resulted: 7-0 Yes/Adopted**

**BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2014 - 2015**

WHEREAS, at the meeting of the Council of the City of Hopewell held on Tuesday, June 23, 2015, an amendment was introduced to re-appropriate funds for the FY 2014-15 Budget to transfers funds from designated capital projects to other capital projects; and,

WHEREAS, a budget amendment to re-appropriate funds in the amount of \$40,000 between capital projects for the Park and Recreation Department, was introduced and,

WHEREAS, sufficient funds exist in the respective budgeted accounts;

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

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

**June 23, 2015**  
**Regular Meeting**  
**---DRAFT---**

Capital Fund-071: Resources:

Lifeguard Stand Replacement..... \$ 16,000

Appropriation:

Pool Bleachers and Ladder. .... \$16,000

Resources:

Recreation Van Purchase Match (2).....\$24,000

Appropriation:

Maintenance Van Purchase ..... \$24,000

**R-3 – Public Service Announcement – Stormwater Program – Public Information Sessions:**

Mr. Haley, City Manager made a public service announcement relative to moving forward with the stormwater program and getting into the public education and outreach component, which he knew Council was very anxious to participate in, the two public information sessions have been scheduled for July 16th, one in the midafternoon, and one on July 23rd in the evening.

**Closed Session**

Council then convened back 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 Section 2.2-3711(A)(1) and (3).

Council reconvened 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

**Vote Resulted: 7-0 Yes**

**June 23, 2015**  
**Regular Meeting**  
**---DRAFT---**

**Reports of the City Clerk**

A motion was made by Councilor Gore, and seconded by Councilor Zevgolis to appoint Roger Lee Henry to the Hopewell Redevelopment and Housing Authority (HRHA). Upon the roll call, the vote resulted:

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

**Vote Resulted: 6-1 Yes/Appointed**

A motion was made by Councilor Gore, and seconded by Councilor Zevgolis to appoint Ciera James and Claudia Bassway to the Hopewell Social Services Board. 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

**Vote Resulted: 7-0 Yes/Appointed**

A motion was made by Councilor Gore, and seconded by Councilor Walton to appoint Councilor Zevgolis, Councilor Shornak and City Attorney Stefan M. Calos to the Council Ethics Committee. 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

**Vote Resulted: 7-0 Yes/Appointed**

**June 23, 2015  
Regular Meeting**

**--DRAFT--**

A motion was made by Councilor Gore, and seconded by Councilor Holloway to appoint Councilor Gore, Vice Mayor Luman Bailey and Assistant City Manager Charles Dane to the Finance Committee. 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

**Vote Resulted: 7-0 Yes/Appointed**

**ADJOURN**

At 9:59 p.m., motion was made by Councilor Zevgolis, and seconded by Councilor Holloway to adjourn. 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

---

Brenda S. Pelham, Mayor

---

Cynthia Ames, City Clerk

**July 21, 2015**  
**Regular Meeting**

**--DRAFT--**

**MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 21, 2015**

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, July 21, 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

*\*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	-	present
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 Clerk); 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 Section 2.2-3711(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

**Vote Resulted: 7-0 Yes**

**July 21, 2015**  
**Regular Meeting**  
**--DRAFT--**

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

**Vote Resulted: 7-0 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 Belinda Todd, followed by the Pledge of Allegiance to the Flag of the United States of America.

**CONSENT AGENDA**

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to amend the Consent Agenda to add under C-5 Public Hearing Announcements: Rezoning for 1100 and 1102 Maplewood Avenue resident's homes. Upon the roll call, the vote resulted:

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

**Vote Resulted: 5-2 No**

**July 21, 2015**  
**Regular Meeting**  
**---DRAFT---**

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway to approve the Consent Agenda. Minutes: none; Pending and Action List: none; Information for Council Review: none; Personnel Change Report and Financial Report; Public Hearing August 18, 2015 - Announcements: Fiscal Year 2014-15 Budget Amendments and Cemetery Fees; Routine Approval of Work Sessions: none; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Evonik Safety Record. 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

**Vote Resulted: 7-0 Yes/Approved**

**RESOLUTION OF RECOGNITION OF THE SAFETY RECORD SET BY  
THE EMPLOYEES OF EVONIK INDUSTRIES, HOPEWELL,  
VIRGINIA**

**WHEREAS**, Evonik Industries, one of the world's leading specialty chemicals companies, with a facility located in the City of Hopewell, Virginia ("**City of Hopewell**"), has announced that the City of Hopewell employees set a historic safety record of 10 years, as of July 9, 2015, without a lost time accident; and

**WHEREAS**, the City of Hopewell facilities of Evonik Industries surpassed the 2010 safety record for 5.0 million hours without a day-away-from-work case; and

**WHEREAS**, this outstanding safety record was achieved through concerted efforts of management and employees, notwithstanding potential plant hazards; and

**WHEREAS**, the City Council of the City Hopewell, Virginia ("**City Council**") desires to hereby publically recognize this safety program which has contributed to the health, happiness and welfare of the citizens of the City of Hopewell; and

**Now, Therefore, Be It Resolved** by the City Council, that the City of Hopewell wishes to give formal recognition to the management and employees of Evonik Industries for their outstanding safety program which resulted in 10 years without a lost time accident.

*/s/ Brenda S. Pelham*  
*Mayor*

**July 21, 2015  
Regular Meeting  
---DRAFT---**

**Public Hearings**

**PH-1 – Consideration of Disposing of 0.06 acres of land – Waukeshaw Properties:**

The Mayor opened the Public Hearing and having no one signed up to speak then closed the Public Hearing. A motion was then made by Councilor Zevgolis, and seconded by Vice Mayor Luman-Bailey to adopt resolution authorizing the Mayor for the City of Hopewell to execute any and all documents, necessary to effectuate the sale/disposal of 0.06 acres of land located in downtown Hopewell and more specifically identified as sub parcel #080-0465-252 East Broadway, Hopewell, Virginia, Lot 27, Block 8, Subdivision: West City Point, subject to approval of the City Attorney as to form. 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

**Vote Resulted: 7-0 Yes/Approved**

**PH-2 – Community Development Block Grant (CDBG) allocations for Fiscal Year 2015-16 in the amount of \$182,288.00:**

The Mayor opened the Public Hearing and having no one signed up to speak then closed the Public Hearing. A motion was then made by Councilor Shornak, and seconded by Councilor Gore to resolve to authorize the department of development to submit the approved consolidated plan and one year action plan to the United States Department of Housing and Community Development and to adopt a fiscal year 2015/2016 community development block grant budget. 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

**Vote Resulted: 7-0 Yes/Adopted**

**Regular Business**

**R-1 – Consider a request by LUMOS NETWORKS Inc. (a tele-communications company located in Virginia) to place fiber optic cables, equipment cabinets, and associated switcher gear on the City's road section Public Right-of-Way (PROW):**

A motion was then made by Councilor Walton, and seconded by Councilor Gore to granting the right of way to encroach upon public rights of ways for installation and operation of a fiber optic telecommunications network, subject to approval of the City Attorney. Upon the roll call, the vote resulted:

**July 21, 2015**  
**Regular Meeting**  
**---DRAFT---**

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

**Vote Resulted: 7-0 Yes**

**R-2 – Police Station Design Review/Update:**

Mr. Watson, Director of Public Works, presented the following to Council: There will be no vote required this evening on this item. What I'm looking for is feedback, consensus basically. We're getting ready to present this to the board, which I have here the DDRC and I wanted you to see it before we did. So, an attempt to walk you through what the building looks like, let me explain first you've seen the floor plan for the building. We presented that to you, had the architect here a couple months ago to present that. Now, we're wrapping this building. The floor plan has been developed. Now we're wrapping this building and giving it an exterior. So I want to walk you through the drawings we developed. There's one in here you've seen already. And I think it will kind of give you a feel of where we are. Nothing's final. If you have something you want to do differently, we will see if we can make those changes. Especially focused on color, you may want to change color or even look at the design. But hopefully not, I think you all will like it. This is my first design. This is the first thing the architect submitted. Our direction to the architect was we wanted a building that, we wanted to brand City buildings. And we thought that the Courts building is a very popular and attractive building. Let's try to emulate that building in our design. And this is what you see. This is the first design we got and it looks like the Courts building, and as we progressed and refined the development, next page, this is the second drawing that came out of that work and this is the one that I believe you all have seen. This facility still emulates the Courts building and it has a second floor. This is our attempt to go with a brick building, more similar to the Beacon building. It's a very plain attempt. It just basically shows a brick police station. So we started adding some art that made it look less like a strip mall and more like an independent building with more vertical lines. We've simplified some of the drawing, changed some of the windows and given it more vertical lines so it wasn't massed so horizontally. So this is the design that we're recommending that you all like or accept, you don't have to accept it. Approve? Council in unison responded Approved.

**R-3 – Request to accept Grant Funding, in the amount of \$25,000, from John Randolph Foundation for summer camp programs offered by the Department of Recreation and Parks:**

A motion was then made by Councilor Gore, and seconded by Vice Mayor Luman-Bailey to resolve to approve accepting the grant from John Randolph Foundation for \$25,000 for the summer camp programs offered by the Hopewell Recreation and Parks. 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

**July 21, 2015  
Regular Meeting  
---DRAFT---**

**Vote Resulted: 7-0 Yes/Approved**

**R-4 – Stormwater Utility Staffing Position Approval:**

A motion was then made by Councilor Shornak, and seconded by Councilor Gore to resolve to approve the storm water utility staffing positions of storm water program manager, senior, storm water quality analyst, ground maintenance specialists and storm water ground maintenance specialist III and II. 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

**Vote Resulted: 7-0 Yes/Approved**

**R-5 – Board of Equalization request for refunds:**

Motion was made by Councilor Zevgolis, with regret, and seconded by Vice Mayor Luman-Bailey, to resolve to approve the real estate refunds in the amount of \$31,464.29 to Columbia HCA John Randolph, Incorporated and \$8,472.75 to Art Craft Riverside LC. 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

**Vote Resulted: 7-0 Yes/Approved**

**R-6 – Make Appointment of City Clerk:**

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to approve the Appointment of Ross A. Kearney, III at the salary of \$50,000 as City Clerk of Hopewell, Virginia. Upon the roll call, the vote resulted:

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

\*Councilor Gore was not excused from the meeting by the Chair/Mayor therefore, per Council Rules Councilor Gore vote is recorded as a yes.\*

July 21, 2015  
Regular Meeting  
---DRAFT---

**Vote Resulted: 5-2 Yes/Appointed**

**R-7 – Transfer \$50,000 from the Undesignated Reserve Fund to the EDA for a Economic Development Deal:**

Motion was made by Councilor Walton, and seconded by Councilor Shornak, to transfer \$50,000 from the Undesignated Reserve Fund to the EDA for an Economic Development Deal. 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

\*Councilor Gore was not excused from the meeting by the Chair/Mayor therefore, per Council Rules Councilor Gore vote is recorded as a yes.\*

**Vote Resulted: 7-0 Yes/Approved**

**R-8 – Loan \$350,000 to the EDA as a Short Term Loan for an Economic Development Project:**

Motion was made by Councilor Walton, and seconded by Vice Mayor Luman-Bailey, to provide a short term loan in the amount of \$350,000 to the EDA for an Economic Development Deal. 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

\*Councilor Gore was not excused from the meeting by the Chair/Mayor therefore, per Council Rules Councilor Gore vote is recorded as a yes.\*

**Vote Resulted: 7-0 Yes/Approved**

**REPORT OF THE CITY CLERK – BOARDS AND COMMISSIONS**

Motion was made by Councilor Walton, and seconded by Vice Mayor Luman-Bailey, to appoint Fred Harry to the HRWTF Board. Upon the roll call, the vote resulted:

Councilor Holloway	-	yes
Councilor Zevgolis	-	yes

**July 21, 2015  
Regular Meeting**

**---DRAFT---**

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

**Vote Resulted: 7-0 Yes/Appointed**

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.

**CITIZEN/COUNCILOR REQUESTS**

**CCR-1. Citizen/Councilor Request** – Councilor Gore – Review City Council Clean Up document e-mailed to Council 7/9/2015 to finalize pending items.

**CCR-2. Citizen/Councilor Request** – Councilor Gore – Request for City to enter Startup in a Day White House initiative and request to be point person and take pledge on behalf of the City. Joint initiative with NLC.

**CCR-3. Citizen/Councilor Request** – Councilor Gore – Request to City Council to authorize Best of Hopewell competition and LOVE sign competition Councilor Shornak..

**CCR-4. Citizen/Councilor Request** – Councilor Gore – Request to book 2 days at the Beacon to host “Put Hopewell on the Map” event..

**CCR-5. Citizen/Councilor Request** – Councilor Gore – Request City to join “End Veterans Homelessness” initiative; receive update facts and figures about Warming Shelter Stats and homeless veteran stats and those relocated to homes.

**ADJOURN**

At 10:00 p.m., motion was made by Councilor Walton, and seconded by Vice Mayor Luman-Bailey to adjourn. 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

**July 21, 2015**  
**Regular Meeting**  
**---DRAFT---**

---

Brenda S. Pelham, Mayor

---

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

**August 18, 2015  
Regular Meeting**

**--DRAFT--**

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD AUGUST 18, 2015**

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, August 18, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Brenda S. Pelham, Mayor  
Anthony J. Zevgolis, Councilor  
Jasmine E. Gore, Councilor  
K. Wayne Walton, Councilor  
Jackie M. Shornak, Councilor

Mark A. Haley, City Manager  
Stefan S. Calos, City Attorney  
Ross A. Kearney III, 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	-	absent (sick)
Councilor Holloway	-	absent (sick)
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

**CLOSED MEETING**

Motion was made by Councilor Zevgolis, and seconded by Councilor Gore, to resolve to go into closed meeting for discussion or consideration of specific appointees of city council; discussion concerning the expansion of an existing industry where no previous announcement has been made of the industry's interest in expanding its facilities in the community; 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) (5) & (7), respectively.

Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 Yes**

**August 18, 2015  
Regular Meeting  
--DRAFT--**

**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 Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 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	-	absent (sick)
Councilor Holloway	-	absent (sick)
Councilor Zevgolis	-	present
Councilor Gore	-	present
Councilor Walton	-	present
Councilor Shornak	-	present

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

Prayer was led by Chaplain Michael Wyche, followed by the Pledge of Allegiance to the Flag of the United States of America.

**CONSENT AGENDA**

Motion was made by Councilor Gore, and seconded by Councilor Zevgolis, to approve the Consent Agenda, Minutes: none; Pending and Action List: none; Information for Council Review: none; Personnel Change Report and Financial Report; HR Report & No Financial Report Provided; Public Hearing Announcements: September 8, 2015: Rezoning of 1100 & 1102 Maplewood Avenue from TH-1 to R-1; Portion of 7th Ave. alley vacation; Zoning Ordinance Amendment to amend and reenact Article IX, Downtown Design Review Committee, Section M, Article XIV-B, Tourist/Historic District, Section J, and Article XIX, Provisions for Appeal, Sections A and C to consider the number of members and the number of members that constitute a quorum. Ordinances on Second and Final Reading: none; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Edward Watson Director of Public Works – Central Virginia Waste Management Authority (CVWMA) 25th Anniversary Resolution. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes

August 18, 2015  
Regular Meeting

--DRAFT--

Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 Yes/Approved**

**RESOLUTION**

*WHEREAS*, the Central Virginia Waste Management Authority will celebrate 25 years of regional solid waste management and recycling initiatives in December 2015; and

*WHEREAS*, the Central Virginia Waste Management Authority was formed in 1990 by thirteen localities in the central Virginia region including the Cities of Colonial Heights, Hopewell, Petersburg and Richmond, the Town of Ashland and the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan and Prince George, which still comprise the Authority; and

*WHEREAS*, the Central Virginia Waste Management Authority, since its creation has endeavored to provide efficient and economical waste management and recycling solutions for its members and the over one million citizens in the region, and

*WHEREAS*, the Central Virginia Waste Management Authority developed, amended and updated in accordance with the Commonwealth's Solid Waste Management Plan requirements a comprehensive and integrated solid waste management plan; and

*WHEREAS*, the Central Virginia Waste Management Authority has reported the region's recycling rate 58% in 2014, which has consistently exceeded the Commonwealth's requirements imposed on each locality to recycle 25 percent of the solid waste generated; and

*WHEREAS*, the Central Virginia Waste Management Authority, has successfully developed a menu of recycling and solid waste programs through cost effective and efficient contracts with the private sector to meet the recycling and solid waste needs of the urban, suburban and rural communities in the region; and

*WHEREAS*, the City of Hopewell and its citizens have benefited and continue to benefit from the regional approach to solid waste management and recycling making the region and Hopewell a better place to live, work and visit; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hopewell, Virginia that Hopewell commends and congratulates the Central Virginia Waste Management Authority and the 13 localities that comprise the Authority on the occasion of its 25th anniversary.

**RESOLUTION PRESENTED THIS 18<sup>TH</sup> DAY OF AUGUST, 2015**

--0000--

**Public Hearing**

**PH-1- FOR THE CONSIDERATION OF A LOT SALE PRICE MODIFICATION FOR NON-CITIZENS AND THE ESTABLISHMENT OF ADMINISTRATIVE FEES OF THE CITY AT THE APPOMATTOX CEMETERY:**

**August 18, 2015  
Regular Meeting**

**--DRAFT--**

The Mayor opened the Public Hearing and having no one signed up to speak then closed the Public Hearing. A motion was then made by Councilor Shornak, and seconded by Councilor Walton, to adopt **Ordinance 2015-8-18** on 1st Reading with Council dispensing with the second reading for a lot sale price modification for non-citizens and the establishment of administrative fees of the City at the Appomattox Cemetery. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 Yes/Adopted**

**Ordinance 2015-8-18**

FEE STRUCTURE		
	Current	Proposed
Resident-Single Grave Cremains/Infant	\$ 127.50	\$250
Resident-Single Grave Adult	\$ 500	\$500
Non-Resident-Single Grave Cremains/Infant	\$ 127.50	\$500
Non-Resident-Single Grave Adult	\$ 1,000	\$2,000
Administrative Fee (per activity)	N/A	\$100

**COMMUNICATIONS FROM CITIZENS**

**Mr. Steve Barnes – Owner of Hopewell Body Shop** – Supports Portable Outside Signs to Promote Small Businesses.

Motion was made by Councilor Gore, and seconded by Councilor Shornak, to waive the Council Rules and allow the public to speak on Inoperable Motor Vehicles. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 Yes/Rules Waived**

**Charles Lewis – Ward 4** – Supports the Inoperable Vehicles Ordinance.

**August 18, 2015  
Regular Meeting**

**---DRAFT---**

**Jim LuPori – Ward 4** – Supports the Inoperable Vehicles Ordinance and wants the Portable Outside Signs to be taken down.

**Eric Camerun – Ward 5** - Supports Portable Outside Signs to Promote Small Businesses.

**Debbie Randolph – Ward 1** - Supports the Inoperable Vehicles Ordinance.

**Reports of Boards & Commissions**

Interim Superintendent Melody D. Hackney, Ed.D. – Hopewell Public Schools

Friends of the Lower Appomattox River (FOLAR) Johnny Partin– Progress Update presentation to Council

**Regular Business**

**R-1 - Authorize the City Manager to execute the Consent Agreement and Final Order with the Environmental Protection Agency (EPA) settling Clean Water Act and Virginia Pollutant Discharge Elimination System (VPDES) Permit Number VA006630 violations that occurred between December 2008 and April 2015.**

Motion was made by Councilor Zevgolis, and seconded by Councilor Shornak, to resolve to authorize the city manager to execute the consent agreement and final order with the environmental protection agency settling clean water act and VPDES permit #va0066630 violations that occurred between December 2008 and April 2015, in the amount of \$50,000.00. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

**Vote Resulted: 5-0 Yes/Authorized**

**R-2 – Approve Ordinance 2015-8-18A - Amending The Code of the City of Hopewell, Virginia, 1981, As Amended, Chapter 2 (Administration), Article 1 (In General), By Adding Section 2-14 (Assessment for electronic summons system) Providing for the Assessment of Costs in Criminal and Traffic Cases.**

Motion was made by Councilor Gore, and seconded by Councilor Shornak, to table approving Ordinance 2015-8-18A until Sheriff Sodat can report back to Council regarding this ordinance. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	no
Councilor Shornak	-	yes
Councilor Zevgolis	-	no

**Vote Resulted: 3-2 Yes/Ordinance Tabled**

August 18, 2015

Regular Meeting

---DRAFT---

**R-3 – Downtown Design Review Committee - Police Station Design Review.**

Mrs. Tevya Griffin, Director of Development, reported that the Downtown Design Review Committee (DDRC) met on August 5, 2015, and recommended and also some outstanding issues that we will be addressing. And then other questions raised by the DDRC and then staff also gave their comments and that was something that was asked of staff to do at this meeting to present what we thought about the design of the building. To give you an overview, the police station if located in this area is in the B1 district; that is a zoning district and it is required that any new construction in downtown go through the downtown design review committee through a certificate of appropriateness process. This is the same process that's used in the City Point Historical District. The architect looked at the plans and looked at exactly what the police station was proposing to look like and he had five recommendations. Those five things were approved by the DDRC. The first was the continuation of a cornice. There's already a cornice on the building but he's recommending that that cornice be smaller. The architects agreed with that. The other thing was streetscape lighting. In the downtown plan it requires streetscape lighting like you see in the downtown now. That was not on the plan. We have since provided Timmons Group with the renderings of those lights that will be added to the plan. The other thing that the architect felt, he felt the architectural style and compatibility and context of the building was right on. He really had no issues with the architecture presented. He thought it met the current architectural design guidelines. They also approved the brick color. If you remember from the last presentation, the rendering that had this coloring, there was a lighter color, then there was a middle color and then there was the darkest color. They approved the darker color, not the lighter and the mid-light. They also had a comment about the landscaping in the parking lot. If you look in the information that you were given, they were provided just a preliminary site plan. And they do not approve the preliminary site plan. That is done administratively through the staff but they do have some purview in looking at elements that improve the overall look of the building. And so they recommended that landscaping be provided in the parking lot. That's something that will happen anyway because that's a part of the site plan review process but they just wanted to make sure that was added in their comments. Outstanding issues that could not be answered that night but that they are looking into is transitional or traditional light fixtures. If you look on the building, the light fixtures, the architect did not feel that it met the historical architectural style and so he wanted those changed. The other is he thought that they should consider a lighter pre-cast at the building base. So if you look at the color of the building, the base of the building is the same color. He thinks that should be lighter to bring some pop to the building. The other thing is a decorative fence. If you look on the site plan, the fence says a chain link fence. And of course, they recommended it not be a chain link fence, maybe a wrought iron or aluminum black fence with I guess you'd call them pediments or pedestals throughout that are brick. And those things are going to get back to us. They've already given us the fence design and they're working on items one and two. Other concerns the DDRC was the building set back and that the façade of the building visible from the street. And just to give you kind of some background, in the downtown area you'll know and notice that most of the buildings have a zero lot line setback. They are right up to the sidewalk. If you look in your preliminary site plan, the building is moved back. So the DDRC is recommending the building actually be closer to West Carlson and closer to Route 10. The engineers were at the DDRC meeting and there is some concern with that because there are light poles, there are utilities in the current roadway and so that may be a problem. And that's something that we're going to address during the site plan review process. The other thing is the façade that's visible from Route 10. If you look at the overall view from Route 10, what they recommend is that that façade look more pronounced coming into the gateway. And because the building is turned where the entrance of the building, normally the entrance of the building is a more pronounced, they want it not to look like the entrance but to have more decorative features on this portion of Route 10. Now staff has some of the same comments. Building setback, façade visible to street, parking lot landscaping and the building scale. Our understanding that when the building was first proposed it was proposed as two stories and because of costs it was reduced to one story. The architectural treatment guidelines in the downtown plan really wants you to look at the width of the adjacent street in order to make

**August 18, 2015  
Regular Meeting**

**---DRAFT---**

a recommendation on how high the building should be. So based on the downtown plan, the building should be a minimum of two stories and a maximum of seven and a half stories. Of course, seven and a half is very high but it does call for a minimum of two stories. These are the guidelines.

**R-4 - Inoperable Vehicle Ordinance (City Manager Status Update).**

Mr. Mark Haley, City Manager, wanted to give Council a walk you through where they are with the in-op ordinance. When we began this process, we were essentially were at second reading where we had made some changes to strengthen some of the requirements, language in the towing section. At that point, a new attorney was brought in, fresh eyes, and we presented additional changes but they were more clarifications at a work session at your last Council meeting. Council had instructed me to find a way to properly communicate that and it was suggested to do that to use the sewer, garbage billing process. My research into that in my opinion won't render what you really want. There are only about just under 9,000 sewer accounts and not every person who may or may not have an in-op vehicle necessarily has a sewer account and receives a sewer bill. Moreover, mailing something to every sewer account will cost just under \$5,000 first class. In addition to that, it will take over five weeks to do it. I don't know if all of you are aware but not everybody in the City gets their sewer garbage bill on the first or the fifteenth of the month for the preceding months. It's a five week cycle. So the communication of by mailing something using that mechanism would take time. A special mailing would be about double that, would be close to about \$8,000 to mail it as its own mailing and not included in a sewer water bill as a stuffer. If you would like, because the ordinance hasn't been widely distributed, I will figure out ways to do that through public service, the website, an ad in the papers, et cetera. And we have ample time to have a public hearing on the September 8th. I can still advertise that. I think I have ample time to do that. So you could have a bona fide public hearing. In addition, so no one is caught off guard and to give even more time to communicate it, I would suggest that we could work with the police department on a grace period after approval of the ordinance where it would go into effect thirty or 45 days hence. Or you may say no, put it into effect tomorrow morning. That would be at your pleasure. But that's what I wanted to bring to your attention tonight, and that would be my recommendation is that you try to knock this thing out on September the 8th

**Reports of the City Clerk**

Board of Building Code & Fire Prevention Code of Appeals – 1 Vacancy - No TBR's on file; District 19 Community Service Board – 1 vacancy – 1 TBR on file; John Tyler Community College Board – 1 vacancy – 2 TBR's on file; Recreation Commission - 1 vacancy – No TBR's on file and MUST be a Junior Student; Senior Citizen Advisory Commission – 1 vacancy – No TBR's on file.

Motion was made by Councilor Gore, and seconded by Councilor Shornak to extend the meeting past 10:30 P.M. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	no
Councilor Shornak	-	yes
Councilor Zevgolis	-	no

**Vote Resulted: 3-2 Yes/Meeting Extended**

**August 18, 2015  
Regular Meeting  
--DRAFT--**

**CITIZENS/COUNCILOR REQUESTS**

CCR-1. **Citizens/Councilor Requests** – Councilor Gore - Review topics and agenda for City Council Advance on August 28<sup>th</sup> and 29<sup>th</sup>. The Goal of the Advance is to review/revise City Council's Strategic Plan adopted June 2014. Other goals include revising City Council Pending Action list and to receive department updates on current city progress. The mission of the City Council Advance is to provide the blueprint for staff to fulfill the vision for the City; moreover, to address issues/ideas of City Council in order to build consensus and to be on one accord moving forward.

CCR-2. **Citizens/Councilor Requests** – Councilor Gore - Request for staff to submit web tree information to Mr. Bragg and the Website ad-hoc committee of which is to include the IT Department with Broadband Grant/Access by the September 22, 2015 Council Meeting.

**ADJOURN**

At 10:57 P.M., motion was made by Councilor Gore, and seconded by Councilor Shornak. Upon the roll call, the vote resulted:

Councilor Gore	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Councilor Shornak	-	yes
Councilor Zevgolis	-	yes

---

Brenda S. Pelham, Mayor

---

Ross A. Kearney III, City Clerk

# **PENDING LIST**

**PROVIDED UNDER WORK SESSION**

**INFORMATION  
FOR COUNCIL  
REVIEW**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE: Appomattox Cemetery Policy**

**ISSUE:** In response to some recent requests to modify the existing City Code restrictions pertaining to marker sizes in the Appomattox Cemetery, The Public Works Department proposes some changes to City Code that will provide more flexibility in the operations of the cemetery.

**RECOMMENDATION:** It is recommended that the City Code, Section 12, Article II be modified as shown on the attached draft ordinance.

**TIMING:** To be effective upon passage.

**BACKGROUND:** Public Works has received several emotional appeals to increase the size limitations on new markers being installed in the Appomattox Cemetery. The current Code requires the markers be limited to one third of the lot width. Staff has no issues with increasing the size limitations to provide more space for larger and/or combined lots.

Upon reviewing the Ordinance to determine the best wording for making these changes, staff realized that there are other restrictions that would serve the operations of the cemetery best if they were named in a City Manager Policy, rather than stated in the more formal venue of the City Code.

**FISCAL IMPACT:** None

**ENCLOSED DOCUMENTS:** None

**STAFF:** Edward O. Watson, Director of Public Works

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

Draft – For Review Only

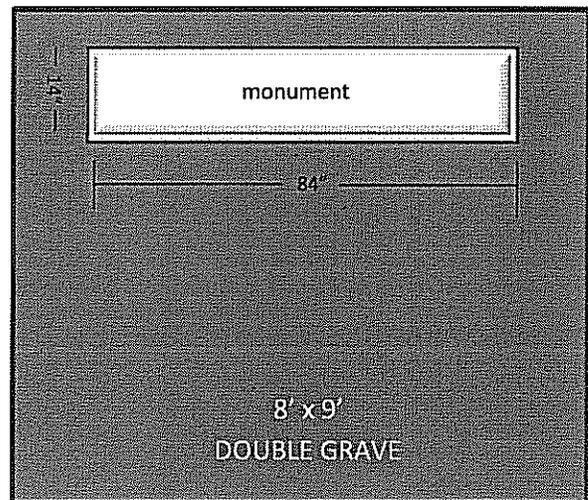
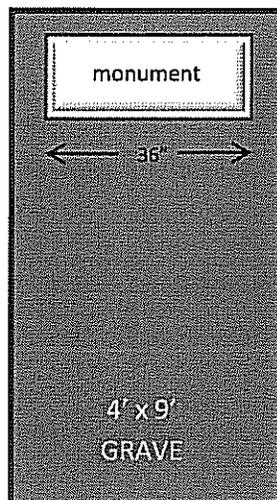
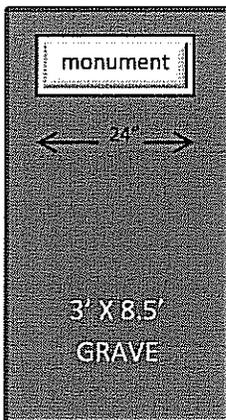
Appomattox Cemetery

Monument and Burial Policy

The following document lists the guidelines for monuments and markers placed at Appomattox Cemetery. Strick adherence to these guidelines is required.

- A permit is required to erect, modify or remove a monument/marker
- A permit is required to excavate a grave
- Complete payment of the lot and fees is required before placing a monument/marker and/or to excavate a grave
- No more than 2 monuments/markers may be placed on a grave (one upright or flat at the head and a flat at the foot)
- A foot marker must be level with the ground
- Monuments/ markers must be placed within the boundaries of the lot
- The lower base of a monument shall be dressed to a true level on the bottom
- The removal of any part of the foundation to overcome defective workmanship in the base stone is not permitted
- Temporary markers must be removed after a permanent monument is installed
- No more than 2 monuments/markers may be placed on a grave containing 3 sets of cremains
- Metal emblems or markers, flags and guidons are prohibited on lots or graves in the cemetery, except on Memorial Day
- Grave markers with porcelain or other photographs attached thereto shall be of approved design and shall require specific approval by the city manager or his duly authorized representative
- Maximum above ground height for single monuments is 36 inches and 40 inches for all others
- The base of a monument shall maintain at least a 6 inch buffer from the boundary on each side of the lot

Examples:



## **ARTICLE II. APPOMATTOX CEMETERY**

### **Sec. 12-21. Application of article.**

The provisions of this article shall apply to Appomattox Cemetery, located within the city, which is owned, operated and maintained by the city.

### **Sec. 12-22. Definitions.**

As used in this article, the term "*cemetery*" shall mean Appomattox Cemetery and the term "*supervisor*" shall mean the supervisor of such cemetery. The supervisor shall be appointed, and may be dismissed, by the city manager at any time and with the city manager's sole discretion.

### **Sec. 12-23. Violations of article generally.**

Except as otherwise provided in other sections of this article, a violation of any provision of this article shall constitute a Class 3 2 misdemeanor. In addition, any vendor that violates any provision of this article may be barred by the city manager or the court from providing goods and services related to the cemetery.

### **Sec. 12-24. General powers and duties of city manager.**

(a) The city manager shall have the general management and control of the cemetery and of the supervisor and other persons employed therein.

(b) The city manager shall make such rules and regulations for the proper maintenance and operation of the cemetery and for the guidance and direction of the supervisor and employees employed therein as he may deem necessary, not inconsistent with the provisions of this Code or with the Charter. It shall be unlawful for any person to fail, neglect or refuse to comply with such rules and regulations.

### **Sec. 12-25. Casual visitors.**

Casual visitors to the cemetery, who are not members of a funeral procession or party, shall not intrude upon a funeral party and shall not loiter about an open gate.

### **Sec. 12-26. Expulsion or arrest of noisy, boisterous, etc., persons.**

The supervisor may expel from the cemetery or arrest or have arrested any person disturbing its sanctity by noisy, boisterous or other improper conduct, or violating any of the rules and regulations prescribed in, or adopted under, this article.

**Cross references:** Disorderly conduct in public places, § 25-17; noise generally, Ch. 23.

**Sec. 12-27. Purchase of lots and burial space generally.**

(a) The purchase of lots, sections and grave spaces in Appomattox Cemetery shall be made in the manner provided in this article. All purchases shall be subject to any prior reservations made for the sale of lots.

(b) Any person who desires may purchase any unsold or unreserved burial space in the cemetery to have and to hold for future use. The contract of purchase of such burial space shall be on a form prescribed by the city manager or his duly authorized representative.

(c) The price or cost of lots, sections, half-sections and single grave portions in the cemetery shall be as prescribed or fixed by the city council.

**Sec. 12-28. Rights retained by city when lots sold.**

The city retains the general management and control of all lots in the cemetery which are sold. The city further retains the right to have the supervisor enter upon any lot to prohibit, modify or remove any structure, object, improvement or adornment on such lot which has been placed thereon in violation of this article, or which may be objectionable or injurious to the lot, adjoining lots or the cemetery in general.

**Sec. 12-29. Transfer back to city and resale of sections, grave sites, etc.**

No privately owned section, half-section, portion thereof or single grave site in the cemetery shall be transferred other than to the city. The council may, in its discretion, agree to any such transfer back to the city on such terms and for such consideration as it deems beneficial to the city. All such grave sites thus redeemed may thereafter be resold by the city.

**Sec. 12-30. Record of sale of sections, grave spaces, etc.**

The city manager, or his duly authorized representative, shall keep a record of sales of sections, parts of sections and single grave spaces in the cemetery, together with the names of the purchasers.

**Sec. 12-31. Record of burials, disinterments, and reinterments.**

The city manager, or his duly authorized representative, shall keep a record of all burials, disinterments and reinterments in the cemetery. Such record shall include the date thereof, the lot, block and grave number where done, and the name of the deceased.

**Sec. 12-32. Charges for grave openings, etc.**

The charges for grave openings, disinterments and reinterments in the cemetery shall be as prescribed by the council.

**Sec. 12-33. Permit for work.**

No person shall do any work on any lot or section in the cemetery, unless he shall first have secured a permit therefor from the city manager, or his duly authorized representative. ~~No charge shall be made for such permit.~~

**Sec. 12-34. Vaults and concrete slabs.**

No interment in the cemetery shall be allowed, unless a concrete or metal vault is used or a concrete slab used in lieu thereof.

**Sec. 12-35. Monuments.**

(a) No monument shall be erected in the cemetery, unless the specifications, plans and location are first submitted to and approved by the city manager or his duly authorized representative.

(b) Foundations for monuments shall be placed by the monument contractor from material approved by the city manager or his duly authorized representative.

(c) The foundation for a monument shall not be built until the price on the lot upon which it is to be placed has been fully paid.

~~(d) The lower base of a monument shall be dressed to a true level on the bottom so as to bear evenly at all points upon the foundation without the use of spraws, chips or underpinning. The bottom shall be beveled all around to a point one half to three fourths of an inch higher and extending back underneath for two (2) or three (3) inches to prevent chipping of the edges when the stone settles and the base is lowered into it.~~

~~(e) The removal of any part of the foundation, or the building up thereof, to overcome defective workmanship in the base stone shall not be permitted.~~

~~(f) No monument shall be placed nearer than one foot to the boundary line of the lot on which it stands. Unless otherwise considered advisable by the city manager or his duly authorized representative, the base of a monument shall not exceed one third of the width of the lot nor more than five (5) percent of the area of the lot.~~

(g) Notice of intention to bring a monument into the cemetery shall be given by the dealer to the supervisor, at least one day (24 hours) before the work is to be done.

~~(h) No monuments or materials may be brought into the cemetery on Saturdays, Sundays or holidays.~~

(i) After a monument has been placed in the cemetery, a written request from the owner shall be presented before a permit will be issued to remove such monument or to make any change upon it.

#### **Sec. 12-36. Enclosure of lots and sections.**

(a) The following regulations pertaining to the enclosure of lots and sections shall apply in the cemetery:

1. No fences or walls of concrete, stone, wood or iron will be allowed.
2. No coping or curbing of concrete, brick, stone or any other material shall be allowed.
3. Hedges, wooden or iron trellises, posts and chains for the purpose of enclosures, railings, steps, boxings or borders are prohibited.

(b) Lots and sections in the cemetery may be enclosed only in accordance with rules and regulations of the city manager which are not inconsistent with subsection (a) of this section. It shall be unlawful and a violation of this article for any person to fail, neglect or refuse to comply with such rules and regulations.

#### **Sec. 12-37. Omitted When emblems, markers, flags, etc., permitted.**

~~Metal emblems or markers, flags and guidons are prohibited on lots or graves in the cemetery, except on Memorial Day. They may be placed by authorized representatives of lodges, posts, camps, and the like, not more than two (2) days before Memorial Day, and removed not later than three (3) days thereafter, and stored until called for, and at no risk to the city. Such emblems shall be removed by the organization or individual placing them.~~

**Sec. 12-38. Planting of grass, flowers, etc.**

Permanent planting of grass, flowers, shrubs and the like shall be made in the cemetery by the city and further planting may be permitted only at the discretion of the supervisor. All plantings shall be under the control of the city. The owners of the lots shall not do any planting without the express approval of the supervisor.

**Sec. 12-39. Permit for plucking or cutting plants or shrubs.**

No person shall pluck or cut plants or shrubs growing in the cemetery, whether upon his own lot or others, without a permit from the supervisor.

**Sec. 12-40. Potted plants.**

Potted plants are permitted upon lots and graves in the cemetery at Easter, Memorial Day and other similar occasions, and may remain until the blossoms are dead. Live plants of particular value will then be removed. Upon application to the supervisor, potted plants may be allowed upon a lot or grave on special occasions for five (5) days. At all other times potted plants shall be removed from the lot at the time of mowing or trimming of the grave.

**Sec. 12-41. Omitted ~~Regulations applicable in Section B.~~**

~~(a) — The provisions of this section shall apply only to Section B of Appomattox Cemetery.~~

~~(b) — Within Section B of Appomattox Cemetery:~~

~~(1) — No mausoleum or vault above the ground shall be allowed.~~

~~(2) — Foundations for all markers shall be built from materials approved by the city manager or his duly authorized representative.~~

~~(3) — All lettering on individual grave markers will be of the V incises type and in no case will raised letters be permitted on these slabs.~~

~~(4) — Grave markers with porcelain or other photographs attached thereto shall be of approved design and shall require specific approval by the city manager or his duly authorized representative.~~

~~(5) — Individual slabs shall not be set in a pocket nor upon a limestone or sandstone base.~~

~~(6) — Rolls or pillow stones shall not be permitted.~~

~~(7) — After a marker has been placed, a written request order from the owner shall be presented before a permit will be issued to remove such marker or to make any change upon it.~~

**Sec. 12-41.1. Omitted Regulations applicable in Section C.**

~~(a) — The provisions of this section shall apply only to Section C of Appomattox Cemetery.~~

~~(b) — Within Section C of Appomattox Cemetery:~~

~~(1) — No mausoleum or vault above the ground shall be allowed.~~

~~(2) — Footstones standing on end shall be prohibited.~~

~~(3) — Foundations for all markers shall be built from materials approved by the city manager or his duly authorized representative.~~

~~(4) — All lettering on individual grave markers will be of the V incises type and in no case will raised letters be permitted on these slabs.~~

~~(5) — Grave markers with porcelain or other photographs attached thereto shall be of approved design and shall require specific approval by the city manager or his duly authorized representative.~~

~~(6) — Structures of the type commonly known as "headboards" or "footboards" shall be prohibited.~~

~~(7) — Individual slabs shall not be set in a pocket nor upon a limestone or sandstone base.~~

~~(8) — Rolls or pillow stones shall not be permitted.~~

~~(9) — After a marker has been placed, a written request order from the owner shall be presented before a permit will be issued to remove such marker or to make any change upon it.~~

**Sec. 12-42. Perpetual care foundation.**

(a) There is hereby created a perpetual care foundation for the purpose of maintaining in perpetuity the Appomattox Cemetery.

(b) There is hereby created a perpetual care fund consisting of the revenue from the sale of gravesites in fiscal year 1981/82, fiscal year 82/83 revised cemetery budget savings, and funds transferred from fiscal year 81/82 general fund surplus. To this fund shall be added the revenue from the sale of gravesites, plus any contributions or grants which may be received and designated for the purpose of augmenting the funds of the foundation. The mayor, city manager, and city treasurer shall constitute trustees of the perpetual care fund so established and, as such, shall have full power to invest and reinvest such funds, subject to the limitations that no investment shall be made except, upon the exercise of good faith and discretion, in securities which, at the time of making the investment are, by Title 26 of the Code of Virginia, 1950, as amended, permitted for investment or reinvestment by fiduciaries. Subject to such limitation, the trustees shall have full power to hold, purchase, sell, assign, transfer, or dispose of any of the securities or investments in which any part of the fund created herein have been invested.

(c) Any contribution or grant which shall be received for this fund shall be added to the fund established herein and invested in accordance with paragraph (b).

(d) The city treasurer shall be the custodian of the perpetual care fund.

(e) All interest and dividends received from investments of the perpetual care fund shall be deposited in open account in one or more banks or trust companies organized under the laws of the state or of the United States.

(f) The principal of the perpetual care fund may be used to expand the cemetery and/or increase the number of available gravesites for sale, but all money collected from the sale of the added gravesites shall be returned to the principal amount in the perpetual care fund.

(g) At such time as city council may determine, upon the recommendation of the trustees, that sufficient funds have accumulated so that the annual investment income will cover the annual cost of grounds and gravesite maintenance, such income shall be transferred annually to the general fund of the city to support cemetery operations. (Ord. No. 82-23, 9-28-82)

**PERSONNEL  
CHANGE  
REPORT**

**&**

**FINANCIAL  
REPORT**

**(NONE)**

**PUBLIC  
HEARING  
ANNOUNCEMENTS**

(NONE)

**ROUTINE  
GRANT  
APPROVAL**

**(NONE)**

**ORDINANCES  
ON SECOND  
&  
FINAL READING**

**(NONE)**

**PROCLAMATIONS**

§

**RESOLUTIONS**

§

**PRESENTATIONS**

---

**W**HEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

**W**HEREAS, the members of the law enforcement agency of the City of Hopewell play an essential role in safeguarding the rights and freedoms of the citizens of the City of Hopewell; and

**W**HEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

**W**HEREAS, the police department of the City of Hopewell has grown to be a modern and accredited law enforcement agency which unceasingly provides a vital public service;

**N**OW, THEREFORE, BE IT RESOLVED, I, **Brenda S. Pelham**, Mayor of the City of Hopewell, Virginia, call upon all citizens of the City of Hopewell and upon all patriotic, civil, and educational organizations to observe the week of May 10 through 16, 2015, as Police Week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

**I**N TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Hopewell in the Commonwealth of Virginia this 24<sup>th</sup> day of May, 2016.

---

**W**HEREAS, our The City of Hopewell, Virginia continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

**W**HEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

**W**HEREAS, these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

**W**HEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

**W**HEREAS, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings; and

**W**HEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

**N**OW, THEREFORE, BE IT RESOLVED that I, **Brenda S. Pelham**, Mayor of the City of Hopewell, Virginia, and on behalf of the City Council, encourage our citizens of our fair City to join with their communities in participation, and do hereby proclaim the month of May 2016 as:

## **“Building Safety Month”**

**I**N TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Hopewell in the Commonwealth of Virginia this 24<sup>th</sup> day of May, 2016.