

May 5, 2009

MINUTES OF THE CITY COUNCIL SPECIAL MEETING HELD MAY 5, 2009

A Special Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, May 5, 2009 at 6:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Brenda S. Pelham, Councilor
N. Gregory Cuffey, Councilor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
Gerald S. Stokes, Councilor
K. Wayne Walton, Councilor

Edwin C. Daley, City Manager
Ann M. Romano, City Clerk
Thomas E. Lacheney, City Attorney

Mayor Pelham opened the Special Meeting at 6:30 PM. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Cuffey	-	present
Councilor Bailey	-	ABSENT (arrived at 6:39 PM)
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Stokes	-	present
Councilor Walton	-	present

Prayer was offered by former Mayor James W. Patterson, Sr., followed by the Pledge of Allegiance to the Flag of the United States of America.

CLOSED SESSION

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Walton to convene into closed session to discuss Development, in accordance with Virginia Code Sec. 2.2-3711 (A)(3). Upon the roll call, the vote resulted:

Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

OPEN SESSION

At 7:00 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes

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Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

EXTEND TIME LIMIT FOR THE SCHOOL BOARD TO MAKE THEIR PRESENTATION

Motion was made by Councilor Harris, and seconded by Councilor Bailey, to extend the time limit for the School Board to make their presentation at the public hearing, from five minutes to as much time as needed. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

PUBLIC HEARING - PROPOSED 2009 REAL ESTATE TAX RATE

This was the night advertised for a Public Hearing to receive citizen comments regarding the proposed 2009 Real Estate Tax Rate.

The City of Hopewell proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 15.3 percent.

2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$0.95 per \$100 of assessed value. This rate will be known as the "lowered tax rate."

3. Effective Rate Increase: The City of Hopewell proposes to adopt a tax rate of \$1.01 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$0.06 per \$100, or 6.3 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of City of Hopewell will exceed last year's by 1.0 percent.

A public hearing on the increase will be held on May 5, 2009, at 7:45 p.m. at City Council Chambers, 300 N Main St, Hopewell, VA.

C. All hearings shall be open to the public. The governing body shall permit persons desiring to be heard an opportunity to present oral testimony within such reasonable time limits as shall be determined by the governing body.

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D. The provisions of this section shall not be applicable to the assessment of public service corporation property by the State Corporation Commission.

E. Notwithstanding other provisions of general or special law, the tax rate for taxes due on or before June 30 of each year may be fixed on or before April 15 of that tax year.

Avon Miles, 524 E. Cawson Street, Hopewell, Chairman of the School Board, gave a brief presentation regarding the proposed renovations to HHS.

Ron Caricofe, 3011 West Broadway, Hopewell, School Board Member and member of the Schools Facilities (Construction) Committee thanked Council for the time to bring back additional information requested by City Council. He asked that Council consider the \$1.01 Real Estate Tax Rate and to dedicate the additional six cents to the renovations at HHS and the building of the Human Services Building. Mr. Caricofe represented that the six cents would pay for the HHS renovations and the new Human Services Building.

The Public Hearing was opened at 8:45 PM.

Leonard Hughes, 3807 Kippax Drive, Hopewell, opposed any tax increase.

Elsie Mae Atkins, 449 Cobblestone Drive, Hopewell, supported a tax increase to renovate HHS. The students and the teachers deserve a positive environment, and a renovation that will not take 4-5 years.

Ann Audrey Eliades, 900 Mansion Drive, Hopewell, 7th grade student at Carter G. Woodson Middle School, asked that Council set whatever tax rate would provide the renovations to HHS. She wanted to be in a safe school when she goes to high school.

Thomas Homer Eliades, 900 Mansion Drive, Hopewell, 4th grade student at Dupont Elementary School, did not want to worry about the high school not being in good shape. He asked Council to please fix it.

Susan Eliades, 900 Mansion Drive, Hopewell, stated that this was a chance to grow with the expansion at Ft. Lee. The tax increase is needed to repair HHS.

Christopher Reber, 912 Mansion Drive, Hopewell, is a manager at Evonik/Goldschmidt Chemical. He is the only manager living in Hopewell and sending his children to Hopewell schools. He wants to keep his children in Hopewell schools and expects Council to select the right tax rate to repair HHS.

Homer Eliades, 618 Mansion Drive, Hopewell, voiced his pride in the public education in Hopewell. Renovations are needed at HHS. He is willing to pay higher taxes to renovate HHS. He wants all children to have a good place to learn.

Chuck King, 3105 River Road, Hopewell, indicated that parts of HHS are similar to schools in third world countries. HHS is becoming a shame. He works in the Hopewell School System and lives in Hopewell. The heart of Hopewell is its schools.

Todd Sheppard, 115 S. Radford Drive, Hopewell, stated that his wife is a Hopewell teacher and his son is a 4th grader at Dupont Elementary School. He recently moved back to Hopewell because of the schools. He trusted that Council would provide a HHS that is decent, prideful, and safe.

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Todd Butterworth, 108 Peter Francisco Drive, Hopewell, has sons in the Hopewell schools. Our schools have 21st Century learning challenges. Hopewell students need to be in a building that is safe and has handicapped accessibility.

Donald Jack, 425 East Broadway, Hopewell, is a single parent who came from Brooklyn, N.Y. His son was not doing well until he moved to Hopewell in the third grade. He is now an "A" student. Mr. Jack wants his son to go to HHS but wants it to be a good and safe facility.

Amanda Hillier, 1607 Huntington Court, Hopewell, is a teacher in Hopewell, a citizen and a mother. She does not want to see students go into a school that is not safe; they deserve better, and the teachers deserve a better school. She felt that paying higher taxes is still cheaper than sending children to private schools.

Jane Williamson, 3010 W. Broadway, Hopewell, moved to Hopewell five years ago. She looked at the crime rate, schools and housing before moving. Hopewell is a great City with affordable housing. She does not mind paying higher taxes to renovate HHS.

Mike Bujakowski, 500 Park Avenue, Hopewell, indicated that his father was transferred to Ft. Lee over 57 years ago, and raised his family in Hopewell, as Mr. Bujakowski is also doing. Today's decision will influence what happens to Hopewell in the future. Higher taxes will impact those on fixed incomes. If we do not have a HS fit for people to send their children to, they will go somewhere else.

Jan Butterworth, 108 Peter Francisco Drive, Hopewell, spoke on behalf of teachers, administrators and students. If the renovation is dragged out it will be totally disruptive with progress with achievement. She asked that Council do whatever they can to expedite the HHS renovations.

Norman McDaniels, 3851 Creekway, Chester, is an employee of Hopewell Schools. He raised several points: (1) build smaller schools; (2) need good leadership; (3) build positive relationships with students; (4) set a culture based around learning; and (5) do what you say you are going to do. The students are required to meet high standards. Your support equals high standards.

Elliott Eliades, 900 Mansion Drive, Hopewell, suggested that while Council is looking at tax numbers, consider going higher than the proposed \$1.01. The vision of this and former Councils brought Osage, new restaurants, and new hotels. Good schools will bring economic development.

Anthony J. Zevgolis, 3003 W. Riverside Avenue, Hopewell, cautioned Council. The City needs good streets, good schools, and paved sidewalks. While he was on Council for 12 years he approved every budget that came before him. He supported tax decreases four times. Schedule the HHS renovations but also consider the senior citizens and giving them some relief.

There being no other speakers, the public hearing was closed at 9:25 PM.

At 9:30 PM Mayor Pelham called for a five minute recess. The meeting reconvened at 9:40 PM.

Motion was made by Councilor Walton, and seconded by Councilor Stokes, to delay setting the tax rate until the next regular meeting, on May 12, 2009. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	NO
Councilor Stokes	-	NO
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

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**REGULAR BUSINESS - CITY ATTORNEY - IDENTITY THEFT PREVENTION PROGRAM
(FTC Red Flag Rules)**

New regulations, promulgated by the federal government regarding identity theft policies, require that creditors have a written identity theft policy in place by May 1, 2009. It is therefore critical that this matter be addressed right away.

The Red Flags Rules apply to “creditors” with “covered accounts.” The City is a “creditor” as defined by these rules because it extends credit on utility and sometimes other bills.

Under the Red Flags Rules, the city must develop a written program that identifies and detects the relevant warning signs or “red flags” of identity theft. The program must also describe appropriate responses that would prevent and mitigate the crime and detail a plan to update the program. The regulations require that the policy be approved by the City Council.

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Harris to resolve to approve the Identity Theft Prevention Program (FTC Red Flag Rules). Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

ADJOURN

Motion was made at 10:05 PM by Vice Mayor Cuffey, and seconded by Councilor Walton, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

Brenda S. Pelham, Mayor

Ann M. Romano, City Clerk