MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 4, 2007

A Special Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, December 4, 2007, at 6:00 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor
Brenda S. Pelham, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
E. Randy Sealey, Councilor
N. Gregory Cuffey, Councilor

Edwin C. Daley, City Manager
Edwin N. Wilmot, City Attorney
Ann M. Romano, City Clerk

Mayor Taylor opened the meeting at 6:00 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

Mayor Taylor opened the meeting with prayer, followed by the Pledge of Allegiance to the Flag of the United States of America.

ESTABLISHING COUNCIL MEMBERS SPEAKING CRITERIA

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to establish that each Council member shall speak to the issue no more than twice, each time no more than ten (10) minutes. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

PUBLIC HEARING - EXETER SITE - OSAGE BIO ENERGY, LLC - ETHANOL PRODUCTION FACILITY

This was the night advertised as a public hearing to receive public comments regarding whether to sell or give any or all of the City of Hopewell's right, title and interest in the following described real property: Parcel Nos: 048-0175 containing 42.789 acres more or less (commonly referred to as the "Exeter Site"); 048-0178 containing 9.940 acres more or less; 048-0179 containing 0.729 acres more or less; 048-0180 containing 0.927 acres more or less;

048-0181 containing 0.6545 acres more or less; and/or any adjacent City-owned rights-of-way generally bounded by South Main Street, LaPrade Avenue, South 6th Avenue, Winston Churchill Drive and N&W Railroad property, to Osage Bio Energy, LLC for the siting of an Ethanol production facility.

Administration provided three options for Council consideration:

(1) approve ordinance on first reading authorizing the sale of the City of Hopewell's right, title and interest in above described real property, to Osage Bio Energy, LLC for the siting of an Ethanol production facility, substantially as provided in the Development Agreement Between the City of Hopewell, Virginia And Osage Bio Energy, LLC;
(2) deny the request to authorize the sale of the City of Hopewell's right title and interest in above described real property, to Osage Bio Energy, LLC for the siting of an Ethanol production facility; or
(3) take no action.

Dr. Daley, City Manager, reported that a public hearing on this issue was held on June 26, 2007. At that time city staff was directed to work with Osage to develop an agreement. The agreement was revised many times during the past five months. The draft ordinance and the agreement were provided to all Council members. (Copies are filed in the City Clerk's office.)

Mayor Taylor opened the Public Hearing.

Janice Denton, 807 Smithfield Avenue, Hopewell, supported the proposed ethanol plant last year, but after further consideration, she voiced her opposition.

Patrice Gilliam, 1108 Maplewood Avenue, Hopewell, urged Council to waste no more time and make a decision to either vote for or against the ethanol plant.

Cheryl L. Collins, 600 Brown Avenue, Hopewell, presented 86 letters to be read into the record. (Mayor Taylor asked the City Clerk to read them at the end of the public hearing, as well as four other letters that were handed to him.)

Jerry Frink, 3900 Cambridge Place, Hopewell, was not opposed to the ethanol plant, but was opposed to that location. He used the analogy of "shooting marbles." When a marble was accidentally dropped it was referred to as a "slipsy." He urged Council not to create a "slipsy." He voiced concerns that the impact study ranked the ethanol plant as fourth on a list of four, and he was concerned for the residents near the site. He will support whatever decision Council makes.

Craig Shealy, Osage Bio Energy, LLC, Glen Allen, Virginia, reported that the business infrastructure and technology kept them interested in this site, but their primary interest was the people. He appreciated the comments of the nay sayers and was happy to be held accountable. The company has a 22-year history in the ethanol business; they have been in renewable fuels for many years. They believe it is right for the environment, for Virginia and for the Nation. The issue will be proposed and debated in Congress next week. The viability they plan to use is steam from the cogeneration facilities in Hopewell. He asked for Council's support.

Tim Richte, Director of Engineering, Osage Bio Energy, LLC, Glen Allen, Virginia, addressed several key issues: Trucks - there will be less than 1% change from today (one truck every 20 minutes); Noise - 150 ft. buffer; hammer mills will be enclosed within the buildings; Emissions - they will capture steam for their process; no CO^2 will be released into the environment; Thermal oxidizers - ¼% of the total emissions in Hopewell now. They will also be adding jobs to the community, and opportunities for Virginia farmers. He asked for Council's support.

Brian Taliaferro, 32614 Tidewater Trail, Center Cross, Virginia 22437, is part of the Essex County Farmers Association. His family has farmed corn, soybean, wheat and barley since 1973. Grain production in the state has been on the decline. There is a single grain buyer in the state. This opportunity has been a life long dream of his and he is in favor of the project. The plant is a multi-grain design.

Ed Davis, no address given, referred to a recent article in the Washington Post. Supports the proposed project. Emissions would be better than what we have now.

Eric Jones, 401 Cedar Lane, Hopewell, was opposed to the Ethanol plant and wants it away from downtown. Hopewell needs retail and restaurants to keep the money here in town. Vote no.

Molly Pugh, 717 Head of River Road, Chesapeake, represented Non-Profit Grain Producers. This is a great opportunity for grain growers and she asked for Council's support of the ethanol plant.

Tracy Webster, 223 N. 16th Avenue, Hopewell, supports the ethanol plant at the Exeter site. The city needs jobs, factories and revenue; it cannot count on retail.

Buddy Wagner, 223 N. 16th Avenue, Hopewell, opposes the ethanol plant at the Exeter site. The city is revitalizing downtown and the plant at that site goes against revitalization.

Robert "Bobby" Saunders, Jr., 1102 Blackstone Avenue, Hopewell, favors the ethanol plant. He feels it would be good for the city. He read Councilor Cuffey's article in the newspaper and agrees with him. There will be 50 new jobs and it will benefit farmers.

George Baker, 502 Cobblestone Drive, Hopewell, has spoken to his neighbors and only two are against the project, but 90% are against the plant at the Exeter site. He represents 59 households and 93 votes.

Faithea Flowers (for Mathew & Sheila Flowers), 1113 Pierce Street (representing 1101 Pierce Street, 1105 Pierce Street and Water Street), oppose this proposal as it is right now because: it was the fourth of four proposals; possible pollution/health problems; 50 jobs are good but more jobs would mean more to Hopewell. She and they oppose the project.

Billy Hamilton, Jr., 415 South 20th Avenue, Hopewell, travels 75-100 miles per day to work. He asked Council to vote yes to this project.

Phil Justice, 429 South 19th Avenue, Hopewell, does not support the ethanol plant. He referred to the Downtown Plan, the city's vision, and waterfront development. Hopewell does

not have to stay a blue collar town forever. If Council is not prepared to vote, perhaps it should study the issue further.

Jerry Williams, 3312 St. Charles Street, Hopewell, supports the ethanol plant. The city is considered developed out. It tried several retail and housing projects that failed. Growth in Hopewell is in the West side of town. He urged Council to approve the Osage development agreement.

Freda Tate, 406 Jefferson Avenue, Hopewell, opposes the ethanol plant at the Exeter site.

Patricia Cook, Beacon #206, Hopewell, is not opposed to the ethanol plant, but is opposed to it at the Exeter site. She is concerned for the safety of homes and families near the site. There have been explosions at other plants.

Joyce Pritchard, 713 Francis Street, Hopewell, favors the ethanol plant. She said that the Beacon Theatre has come out publicly against the plant because it will be against the ambience of the theatre. Vote yes for the plant.

Lewis Malon, 201 Church Street, Blackstone, Virginia, 23829, is a native of Prince George County and opposed the site for the ethanol plant. The City is on the right track with what they are doing downtown. This site is too close to downtown. Does not object to the plant, but to the site.

Dewey Mitchem, 113 South Marion Avenue, Hopewell, opposed the location of the plant. He was concerned with the facility being located that close to the downtown and worried about properties in Hopewell. Forty-three percent of Hopewell property is rental; that could lead to decay.

Debbie Randolph, 400 Cedar Lane, Hopewell, lives within one mile of the proposed site. She already deals with smells and noise from other plants. She has previously experienced an evacuation due to Regional Enterprises. (The city and state said that they met all of the guidelines, but it happened anyway.) Some key factors for city review should be: economics; crime issues; high number of rental properties; best use of the site. She opposed the plant.

John M. Hayes, 2201 Cloverdale Avenue, Hopewell, opposed the ethanol plant. The decisions that Council would make will impact the city for many decades. Put ethanol somewhere else in the city. He challenged Council: this issue is too big for a simple majority. It should be a 7/0 or 6/1, but definitely not a 4/3. Put it to a referendum.

Katherine Podlewski, 507 North 2nd Avenue, Hopewell, favors the ethanol plant because it will use steam and railroads, already available in Hopewell. She remarked on the demo of the Patrick Copeland School building and the Main Street Program.

Steven Hewlett, 222 North Main Street, Hopewell, opposed the ethanol plant because it does not make good business sense. The other three uses proposed for that site could provide 1400 to 2600 jobs vs. the 50 jobs by Osage. This plant would be counterproductive to the revitalization to the downtown. The ethanol people will not be living near the plant but those

living at Davisville, Thomas Rolfe Court (and Mr. Hewlett's law office) will be. Please consider another location.

At 7:29 PM that concluded all those individuals who had signed up to speak at the public hearing. Mayor Taylor invited anyone who had not signed up but who wished to speak to come forward to address Council.

Don Parr, 104 Christopher Newport, Hopewell, remembered a thriving downtown. He indicated that the Osage people had selected the site for the ethanol plant and that they are willing to pay the city $150 million for it. He said that the city purchased the land for $150,000 at auction, outbidding two private citizens (Lonnie Cooper and Jimmy Jones). In his opinion, the city has wasted a lot of time under economic development. He urged Council to vote for the project. Perhaps there should be a referendum. Mr. Parr referred to Hopewell as an industrial, blue-collar, redneck town.

Wayne Walton, 534 North Avenue, Hopewell, indicated that if there is a 4/3 vote the City will live with it forever. Council seems unable to reach a consensus, and it has not made informed decisions. He suggested that Council table the issue to try to reach a consensus.

Iris Walker, 3508 Sussex Drive, Hopewell, feels that if Hopewell is a redneck town, it is time for a change.

Loretta Woodson, no address given, retired from Ft. Lee and is originally from Iowa. Hopewell may be industrial, but if it is "redneck" it is time for a change.

David Whitney, no address given, referred to Hopewell as an industrial town. He suggested that Osage consider another location for the ethanol plant. He did not oppose the plant, but he did oppose the location. He asked if Osage would welcome unions.

Yolanda Stokes, Hopewell, from "Justice for the People" radio program on WHAP-Hopewell opposes the ethanol plant at the proposed location. She grew up in Hopewell and voiced concern for the possible health concerns of the children. She referred to Black History and genocide. She spoke out for those in public housing.

Tony Zevgolis, 3003 West Riverside Avenue, Hopewell, urged Council not to make the same mistake made in the past. In reference to the Exeter site, the proposed mall did not work. At the Yacht Club, the hotel did not work. At the Mallonee School Site, the city lost Food Lion. Hopewell cannot compete with Chesterfield, Prince George and Colonial Heights. A simple majority is enough to vote it up or down. Hopewell can co-exist with industry.

Randy Dean, 302 Sherwood Drive, Hopewell. He is Chair of the Hopewell Preservation, Inc. which has not take a public stand on this issue. Personally, he feels that it would benefit the city, but not at this site.

Michael Bailey, 617 Brown Avenue, Hopewell, favors the ethanol plant.

Elliott Eliades, 900 Mansion Drive, Hopewell, supports the ethanol plant.

Kevin Miles, 524 East Cawson Street, Hopewell, opposed the ethanol plant. He wondered how many of the 50 jobs would go to people from Hopewell. When his family lived at another location in City Point he watched his mother and family become ill because of the plants. He does not want to see any more of that.

Homer Eliades, 618 Mansion Drive, Hopewell, stated that his family has been in Hopewell 80-90 years. Most of the speakers supported the plant, but at another location. Hopewell is only 11 square miles. The winds would carry any odors through the city, not just where the plant is located. Taxes from this industry would be a great plus to the city. Hopewell has a $20 million bond that must be paid. Vote yes.

Ed Chambers, no address given, felt that a No vote = health, and a Yes vote = money. Do we want health or money?

Valerie Claiborne, no address given, asked that Council look at the socio-economic back ground. It is time to move forward. She went to Kentucky with City Council in June to see the ethanol plant there. Council must work together. She supports the ethanol plant.

Thomas Blanding, 424 Appomattox Street, Hopewell, felt that industry provided a living for many individuals, including blacks in Hopewell. We need industry here, as long as they follow all of the state and federal guidelines. He supports the ethanol plant.

Steve Barnes, no address given, thinks that Hopewell is lucky to have BRAC coming and many new homes are being built because of it. Hopewell has not been viewed favorably during the past 14 months. There has been too much dysfunction and our image must be corrected. Council was voted to represent the citizens. Jobs support dreams. Vote yes for ethanol.

Katherine Weigel, 105 Summit Court, Hopewell, lives within two miles of the Exeter site and opposed the plant at that site.

Steve Bennett, 3709 Delane Avenue, Hopewell, does not agree with how the city spends the tax payers' money. He was concerned that taxes would be increased and Council would be held accountable. He is opposed to the ethanol plant.

Daniel Bennett, 632 Cedar Level Road, Hopewell, owns some rental properties. He quoted from the Bible about making decisions. He was opposed to the ethanol plant at the proposed location.

Vanessa Justice, 429 South 19th Avenue, Hopewell, felt that the site should be changed to multi-use but it was never rezoned. Cities cannot grow "out" only "up." There was the possibility of a regional site with Prince George and Hopewell could have shared the responsibility. The small number of jobs is a break in public trust. She urged Council to listen to the public voice. The majority of citizens are in favor of the plant, but not at that site. Hopewell must diversify and not only depend on industry.

There being no other speakers, Mayor Taylor called for a 10-minute recess.

When the meeting reconvened, the City Clerk read into the record the list of reasons submitted to Mayor Taylor and Council, the individual comments, and names of 86 individuals who opposed the proposal:

Public Hearing Tuesday **December 4, 2007 - 6 pm**
Council Chambers - 300 Main Street, Hopewell Municipal Building

Mayor Taylor and City Council:

Please vote **NO** for the sale of the Exeter property to Osage Bio-Fuel, L.L.C. I am concerned due to:

☐ LOW REVENUES - The Ethanol Plant's tax revenues may not cover city costs for

- Continual maintenance of roads
- Lost back taxes
- Site clean up costs
- Loss from impacted housing assessment values

☐ LOWERED PROPERTY VALUES

- Potential loss of residential and commercial Property values

☐ NEGATIVE IMPACT ON DOWNTOWN REVITALIZATION PLAN

- Counterproductive to Hopewell taxpayer's $20 million+ investment in the revitalization

☐ IMPACT ON QUALITY OF LIFE

- 80 foot towers in the downtown
- Loud noise surrounding the plant 24 hours a day
- Increased truck traffic (65 plus a day)
- Bright Lighting on site
- Rail of product through City Point to Regional Enterprise

☐ LACK OF JOB PROSPECTS

- Hopewell's unemployment rate = 4.5%
- State unemployment rate = 2.9%
- Ethanol Plant will employ only 50 people
- City requested study shows commercial development could employ as many as 2600 people on that site

☐ OTHER _____
_____
_____

Name: _____ Signature: _____
Address:_____Ward: _____
Date: _____

NAME	ADDRESS	OTHER COMMENTS	WARD	DATE
John P. Randolph, Jr.	400 Cedar Lane		1	12/2/07
Jean Weaver	209 Pleasant Dr.	This is very bad for our health.	4	12/3/07
James Mueller	423 Cedar Lane		1	12/3/07
Allen Flannagan, Jr.	611 Appomattox St.	Some location other than the Exeter proposal might be OK.	1	12/4/07
Brenda L. Harrup	303 Ramsey Ave.	Other Comments:	1	12/3/07
	More negative image issues for Hopewell resulting in a decrease in tourism, environmental enhancement projects, such as Heritage Gardens. An increase in potential disaster incidence, and a greater compromised air quality. Our City deserves better things than this, and you can do better than this! Do the right thing - that's what you were elected to do. VOTE NO TO ETHANOL.			
Emily Thomas	2509 Maple St.		6	12/3/07
Betty S. Bernshausen	305 Ramsey Ave.		1	12/3/07
Nancy M. Lanik	500 Cedar Lane		1	12/3/07
Sally M. Bedwell	2505 Dolin St.	Health issues for citizens in downtown shopping as well as Cavalier Square and Carter G. Woodson School		12/3/07
J. T. Hughes	401 Cedar Lane	There are better ideas.	1	12/4/07
Emerson E. Bernshausen	305 Ramsey Ave.	Other comments:	1	12/3/07
	This, flat out, would be the most stupid thing this city would ever do. I would not want something like this on my conscience.			
Thomas C. Lanik	500 Cedar Lane		1	12/3/07
Louise McNulty	2507 Maple St.		6	12/3/07
Richard T. Allen	320 S. 17th Ave.			12/3/07
Chrystina Newton	315 S. 17th Ave.			12/3/07
Daniel Newton	315 S. 17th Ave.			12/3/07
Catherine Allen	320 S. 17th Ave.			12/3/07
Warren Gaines	1204 Pine Ave.			12/2/07
Michele Sculthorpe	1204 Pine Ave.			12/2/07
	That needs to be placed not around so many people. Instead we need something for our residents to work and enjoy			
Cholly Easterling	707 Francis St.		1	12/3/07
Edwin F. Neff	510 Cobblestone Dr.	Other Comments	4	12/3/07
	The short life of bio fuels - 30-40 years. Focus should be on hydrogen cells, for those hiding under the "green umbrella."			
Vivian Dale	410 Stone Hearth Ct.		4	12/3/07
Jeanne Smith	506 Cobblestone Dr.		4	12/2/07
Conrad M. Cobb	511 Cobblestone Dr.	Choose another site other than downtown Hopewell.	4	12/1/07
Robert R. Emory Frances D. Emory	411 Cobblestone Dr.	Other Comments:	4	12/2/07
	Having retired from Allied-Signal (Honeywell) after 44 years service, I am not anti-industry but feel property could be used for a project that would bring more jobs and more tax revenue to Hopewell.			
Phillip Mertz Brenda Orlando	423 Cobblestone Dr.		4	12/2/07
Dorothy Shields	441 Cobblestone Dr.		4	12/2/07
Katherine M. Schultz	428 Cobblestone Dr.		4	12/2/07

December 4, 2007

NAME	ADDRESS	OTHER COMMENTS	WARD	DATE
Betty L. Patrick	451 Cobblestone Dr.		4	12/2/07
Joan Blake	814 Kent St.		1	12/3/07
Helen Perkins	301 Cobblestone Dr.		4	12/2/07
John MacEwen	412 Cobblestone Dr.		4	12/1/07
Richard E. Peterson	406 Cobblestone Ave.		4	12/1/07
Curtis D. Goho June E. Goho	404 Cobblestone Dr.		4	12/1/07
Linda Sturt	100 Cobblestone Dr.		4	12/1/07
Aron & Catherine Edwards	504 Cobblestone Dr.	Odor - allergies	4	12/3/07
Carroll Hathaway	426 Cobblestone Dr.		4	12/1/07
Robert R. Ingram	414 Cobblestone Dr.		4	12/1/07
Ruth E. Baker George W. Baker	502 Cobblestone Dr.		4	12/2/07
Maurry E. Long	501 Cobblestone Dr.		4	12/1/07
Brian McDonald Retha McDonald	104 Cobblestone Dr.		4	12/1/07
Aaron E. Walker Marian B. Walker	507 Cobblestone Dr.		4	12/1/07
Sarah Williams	304 Carriage House Ct.		4	12/3/07
William Hocking	307 Carriage House Ct.		4	12/1/07
Nancy Derrick	3516 Cobblestone Ter.		4	12/1/07
Sara Anne Stamos George K. Stamos	3506 Cobblestone Ter.		4	12/1/07
Wesley Temple Susan Temple	3517 Cobblestone Ter.		4	12/2/07
Frank Huston	301 Carriage House Ct.		4	12/1/07
Armand & Phyllis Gagne	3605 Stone Mill Dr.		4	12/2/07
Lawrence Gilbert	514 Cobblestone Dr.		4	12/2/07
Shirley B. Newcomb	516 Cobblestone Dr.		4	12/3/07
Tony Trexler	203 Cobblestone Dr.		4	12/1/07
C. b. Knott	500 Cobblestone Dr.		4	12/1/07
Elsie T. Ahrend	415 Stone Hearth Ct.		4	12/2/07
Sylvia Fuller	417 Stone Hearth Ct.		4	12/2/07
Claudine Taylor	402 Stone Hearth Ct.		4	12/2/07
Virginia Fayed	419 Stone Hearth Ct.		4	12/2/07
Dorothy Carter	421 Cobblestone Dr.	Put something in Hopewell that will give people a job.	4	12/3/07
Nora W. Richardson	520 Cobblestone Dr.	Move it to another place.	4	12/2/07
Doreen Richardson	520 Cobblestone Dr.		4	12/1/07
Paula Colletti	401 Cobblestone Dr.		4	12/2/07
Thomas Colletti	401 Cobblestone Dr.		4	12/2/07
Betty J. Colletti	305 Cobblestone Dr.		4	12/3/07
Mary Nofsinger	402 Cobblestone Dr.		4	12/3/07
Anne B. Buyalos	447 Cobblestone Dr.		4	12/3/07
Cheryl A. Slayton	410 Cobblestone Dr.		4	12/3/07
Joyce A. Slayton	410 Cobblestone Dr.		4	12/3/07
Ruth T. Coleman	415 Cobblestone Dr.		4	12/3/07
William C. Carr. Sr.	443 Cobblestone Dr.		4	12/3/07

NAME	ADDRESS	OTHER COMMENTS	WARD	DATE
Nettie Carr				
John E. Daley	422 Cobblestone Dr.	Hazards	4	n/a
Franklin D. Sturkey	300 Carriage House Ct.	City should regain 100% control of property in question.	4	11/30/07
Lee East Macon T. East	308 Carriage House Ct.		4	12/1/07
Melissa A. Smith	408 Stone Hearth Ct.	Hopewell has suffered a severe case of "urban removable" (as opposed to urban renewal). Yes, build it, but at another site.	4	12/3/07
Stina Peach	409 Stone Hearth Ct.		4	12/3/07
R. Putnam	3515 Cobblestone Ter.		4	12/2/07
Marty Davis	3518 Cobblestone Ter.		4	12/3/07
George A. Washburn	3519 Cobblestone Ter.		4	12/3/07
Everett & Nancy Hinton	302 Carriage House Ct.		4	12/2/07
James Keiser	413 Cobblestone Dr.		4	12/3/07
Jacqueline J. King Edwin S. Hawkins	438 Cobblestone Dr.	Oppose the sale of Exeter property to Osage Bio-Fuel LLC.	4	12/3/07
Joanne & Larry Riley	202 Cobblestone Dr.	Other comments:	4	12/1/07
	Ethanol programs were big 3-4 years ago and are controlled by Bunge & Archer Daniels Midland. They are pipedream programs which require incredibly large amounts of corn to work and will never work in this country. All they will do is push the cost of grains through the roof. For this and all other reasons, we are against building of ethanol plant. It is a silly idea. Ethanol = Corn Based Fuel. To use corn for fuel, one must have an enormous amount of corn/gallon of gas equivalent. The financial equivalent needed in order to save money and stop using petroleum-based fuels is simply not there. There are many drawbacks to ethanol itself. It has already been done, in a big way by ADM & Bunge. Already been done in Brazil. Brazilian economy is not American one. Size comes into play. Financially short-sighted idea -- stupid, politically cute plan. This was very popular about 4-5 years ago. You are very late. Also, not wise with tax consequences of Democrats winning elections in 2008.			
J. David Whitley Betty W. Whitley	517 Cobblestone Dr.	Plant should be located further down Route 10.	4	12/2/07
Danny Wilson	3822 Libby Ave.		4	12/3/07

Councilor Harris submitted a Petition opposing the ethanol plant with 211 signatures, which was entered into the record:

PETITION

The City of Hopewell is preparing to develop an Ethanol Plant in the neighborhood within a radius of one-half mile, including Davisville, Thomas Rolfe Court, Hopewell Recreation Department, City Hall, the Beacon Theatre, the Police Headquarters, Kippax Place (High Rise), and the main Fire Department.

They are doing this against a Presidential Order concerning Environmental Justice. All of those who will support Environmental Justice, please sign this petition.

(The crucial meeting will be held at Council Chambers on
Tuesday, December 4, 2007 at 6:00 p.m.)
Come early in order to get a seat.

December 4, 2007

Curtis W. Harris

Vice President, SCLC
Pastor, Union Baptist Church
Councilor, Ward 2

William Roberts	Barry Walker
Rebecca Slagle	James E. Slagle
Barbara Cintron	Christopher M. Sherman
Clint Holcomb	Cordral M. Dudley
Larry Turner	Victor J. Goodwin
Raymond Maclin	Milton Brown
Wayne Briggs	Edward Mezia
Kristi Burgess	Deborah Sargent
Daniel Dayvault	Daniel Basnighton
Ruth J. Harris	Curtis W. Harris
Iris J. Walker	Mildred Jackson
Diane Brown	Lonnie Allen
Robin Crewe	Kim Studivant
Josh Scott	Leroy Thomas
Debra Williams	T.M. _____ (illegible)
Jimmy DeHaway	Virginia Blizzard
Elsie White	Jean William
Ernestin William	Patricia Blizzard
Robert Hagen	Harry Williams
Daphnie T. Christian	Pandora T. Jenkins
Lisa Rowell	Jean Carter
Frances Washington	Edna Cunningham
Howard Cunningham	Rechelle Brown
Wanda Priest	Rosa Blanding
Mildred A. Taylor	Thelma Tate
Darlene B. Thompson	John M. Hayes
Ann L. Hayes	Beatrice L. Priest
Janie T. Hayes	Lania Raines
Carolyn Claiborne	Annie Harris
Gracie L. Cain	Melvin Washington
Emma McDaniel	Virginia Jackson
Eunice Washington	Anita Gay
V. J. Jund	Catherine Claiborne
Minnie Clayborne	Phil Clayborne
Evelyn Fenner	Valerie Roberts
Isaiah Fenner	Shirley Covington
Avon Miles	Ben Jackson, Sr.
Larry Moore	John Tinch
Catherine Perry	Karrol Thompkins
Taylor Jones	Ramona Jones
Emma M. Tinch	Mary R. Wade
Alvin Jones, Sr.	Stephanie Hayes
Annette Wheat	Martha B. Jackson
Kevin Miles	Kevin Pegram
Alvin Flowers, Jr.	Matthew Flowers
Renee Broxie	Lewis Hendrick

December 4, 2007

James A. Wyche	Sheryl L. Patterson
Phyllis Byrd	James W. Patterson
Henry McCoy	Oscar Byrd
Ella Frazier	Cheryl Chambers
Victor Frazier	Rochelle Woodridge
Theodore Hawkins	Edgar Chamber
Louis Wesson	Julia P. Allen
Pearl Crittendon	Mandie Kelly
Sarah Moore	Brenda Powell
Thomas Myrick	Bernice D. Wyche
Florence Graves Crew	Enice McDonald
Sarah Crenshaw	Annie Harris
Vanessa Linton	Eliza Wilson
Leola Morton	Marlene Goodwyn
Brenda R. Adkins	Willie Crew, Jr.
Everette Goodwyn	Edna L. Jenkins
Mary E. Harper	Cheryl L. Collins
Deborah B. Randolph	Calvin Crocker
Rev. Marjorie Eugene	John B. Crawley
Bettie Crawley	Annie B. Bryant
Carl D. Johnson	James Moore, Sr.
Annie M. Nelson	Ryan Freeman
Sharon Jones	Charlotte Spriggs
Minnette Anizzle	Sonya Berry
Benlah Young	Brandi Brown
Margaret Carter	Latasha N. Coleman
Crystal E. Journette	Joyce C. Charity
Larry Dolsey	Delores Dolsey
Clarence Nicholas	Christene W. Teasley
Brittany Dolsey	Chantel Walker
Marcus Walker	Delores Hines
Aimee L. Olwin	Yvonne D. Smith-Jones
Michael A. Walker	William Johnson
Lucila Johnson	Charlotte W. Glass
Fern Glass	Tamara Foreman
Anna B. Wyche-Brady	Robert Evans, Jr.
Cynthia M. Johnson	Jerry Alexander
Regina Studivant	Ariel Yacklon
Viola Crockett	Christina Pope
Charles Gilliam	Willis Wilson
Howard	Orine S. Thorne
Franklin Thorne	Cammy Bryan
Robert Cole	Marion Studivant
Jacqueline N. Henry	Joseph Bradley, Jr.
Inez Mahoney	Edna Walker
Sterling A. Wheat	Emily Whitehead
Eleanor Thompkins	Dorothy W. Crockett
Zulene H. Brown	Sheila Flowers
Sylvester Tucker	Mildred Brown
Kenneth Harris, Jr.	Jeane J. Hawkins
Betty R. Ware	Towanna Liptrit

Cynthia McDowell	Lisa Brooks
Courtnee McDowell	Lessie B. Ellis
Angela Smith	Edna M. Lowery
Tamara T. Jackson	Patrice Bell
Pamela Johnson	Sonya Berry
Iesha Wyche	B. J. Wilkins
Erma M. Mabry	Teya Walker
Renee Williams	Sallie Shands

Next the City Clerk read into the record, the following letters and e-mails from individuals who were unable to attend the public hearing:

For Public hearing on ethanol Dec. 4th:

City Council, Friends and Neighbors:

Forty-three years ago my family arrived at Fort Lee after our last tour of duty overseas, and we put down roots in this area. My husband found work; we built a home and became Hopewell taxpayers. It was quite a pleasant town in those days despite the nasty plant odors. There were stores, restaurants, and a cinema showing children's movies on Saturdays!

Gradually, everything changed. The stores all left and the theatre became rundown and began to show the younger folk pornography. Finally reason took over and this last type of location was put out of business. After this, various city members tried their home-spun solutions. These served to make Hopewell the joke of nearby communities! We, the citizens, clung to the consolidation that at least the odors were finally less noticeable and we all continued to hope the downtown would improve.

After m any years of decline, improvement finally started to happen! In the last few years downtown access was made to the river, a new library has been built and the Beacon Theatre continued restoration, a long and expensive but proud undertaking. We have all been monitoring with interest, the next steps in restoring our downtown to its new life. When the city cleaned up the Exeter area we anticipated good things happening in that area too, especially with the expectation of so many new military families entering the surrounds of Fort Lee.

What happened? How on earth did the city council come up with the idea that the ethanol plant would be the town's answer to all their money problems? Right in the center [of] our town, a dangerous, noisy, smelly place congesting the roads in the center of everything? I've read reports recently from all over the US and all of them give dire expectations of so many proposed ethanol experimentations.

What does our city council see that others don't? More to the point, if we let the ethanol company build there instead of a better suited location in the city, where most of us would prefer, what will we be having to take care of again should the ethanol company go bankrupt? Moreover, what will happen to the downtown progress and change we have all been anticipating? Will the Exeter property and the downtown be left in worse shape than ever before?

The Mayor, Steve Taylor, stated in his article that the Exeter site has more potential than an ethanol plant and I do completely agree with this. Why are the Hopewell citizens not getting up in arms about this poor judgment? We can do better and should do better for our futures. I ask that city council members vote no to selling the Exeter property to the ethanol company and work to a better decision for the property and the citizens of Hopewell.

Thank you,

Hilda B. Bell, 208 Pleasant Drive, Ward 4

December 4, 2007

To: Hopewell City Council
Regarding: Public Hearing for Sale of Exeter Site to Osage
Date: December 4, 2007

Please vote no on this proposal to locate an ethanol plant practically on top of our downtown area. Voting in favor will stop all economic expansion and redevelopment of the surrounding area, and is not the highest and best use of the site.

The Kaufman and Canoles Impact Report indicates that a retail/office park is the best use of the Exeter Site with full-time jobs estimated at 2,644 and a net annual fiscal impact of more than $4 million compared to an ethanol plant's maybe 50 jobs. We paid $19,000 for this study.

The K. W. Poore & Associates' report for the B Village Redevelopment Plan indicates that we are leaking retail dollars to surrounding communities and currently have enough unsatisfied citizen demand to support more than 300,000 square feet of additional retail space or as many as 40 additional stores and restaurants. Hopewell citizens are spending almost 60% of our retail dollars outside the City because of our lack of retail stores in the city.

The Stokes Environmental Associates' Property Value Impact Analysis for an ethanol plant in Chesapeake projects expected impact reductions on residential property values of 26%. I have yet to see any study, analysis or report showing any benefit to Hopewell citizens for allowing an ethanol pant to be built in the middle of our city.

Our investment in the Exeter Site is approximately $6 million. This includes $5 million for clean-up, the back taxes we lost and our legal fees and other expenses. What we gain in this proposed agreement with Osage is $1 million purchase price, plus guarantied tax revenue of $1.25 million per year for only 4 years, less up to $100,000 per year to pay Osage's expenses to maintain a Letter of Credit that guarantee's their performance to us. This agreement may not net us any tax revenue over our expenses for possibly 7 years. The numbers on this proposal do not add up; they never have.

I understand the State's and Osage's desire to locate this ethanol plant on the Exeter Site. The benefits would all be theirs. However, City Council owes citizens to put the city's best interests first, no those of the State of Virginia, area farmers or a private business and its investors. Maybe our image problem that Dr. Odom spoke about in a recent joint meeting has something to do with our never aspiring to be more than just an industrial town and not following through on our redevelopment plans. It is time for us to start doing both! Vote No!

Linda Jones, 401 Cedar Lane, Hopewell, VA 23860

To: Hopewell City Council
For: Public Hearing on 12-4-07
Concerning Ethanol on Exeter Site

I am against an ethanol plant on the Exeter Site for these reasons:

1) The 30 to 50 plant jobs are not enough when the site could be developed to provide more than 2000 jobs.
2) I do not want ethanol railed through City Point to be barged from Regional Enterprise. It is too explosive and I've already been through one mandatory evacuation.
3) I am tired of my city not following through on development plans to make us better after investing all this money on redevelopment of the downtown.
4) What we give up for an ethanol plant will never equal what we get. We can be more than just an industrial city if we set our minds to it.

Please vote **NO** on selling and/or giving the Exeter site to Osage.

Robert Hughes, 401 Cedar Lane, December 1, 2007

To members of the Hopewell City Council
From Richard and Mary Stanley, 415 Cedar Lane, Hopewell

We are strongly opposed to the ethanol plant being located at the location currently being considered. Unlike many personnel opposed or for this location, we have not been residents of Hopewell all of our life. While assigned to Ft. Lee in themed-80's we chose to live in Hopewell and remained after retirement. After considering the pros and cons associated with the ethanol plant, the cons clearly outweigh the pros.

During the presentation by O sage they used one word that caught our ear … "we **hope** the emissions will be no higher than this level, we **hope** the noise will be no more than at this level, we **hope** the smell will be contained, we have a plan to control rodents."

Every week we hope to win the lottery but so far that has not happened. Just like their hopes may not happen once the plant is built. There must be a reason why there is not another ethanol plant in the US that uses wheat. There must be a reason why ethanol plants are located in agricultural areas instead of within city limits. Ethanol plants can be very profitable - for investors, farmers, builders. Hopewell does not have any farms within the city limit, which means they will not be paying any taxes to Hopewell. The money the farmers from surrounding areas make selling their wheat in Hopewell will probably not be spent in Hopewell. So what is the advantage?

The 50 jobs promised doesn't mean Hopewell people will be given the jobs. The highest paying jobs will go to personnel picked by their corporation and the low paying jobs will be handed out to those willing to work for the lowest salary … again what is the advantage?

BRAC is coming to Ft. Lee. People moving in will be looking for an area they are proud to live in - not in a n area that has large trucks running thru town at all times of the day and night, a smell and noise that never goes away. Those personnel arriving due to BRAC who will be looking for houses will have salaries far above those personnel working at the ethanol plant. But will they come to Hopewell - probably not.

We are extremely concerned about the close proximity to the schools, neighborhoods and downtown area. As a home owner we are also extremely concerned about what will happen to the value of our property as it [is] in close proximity to the site being considered. Look at the companies Prince George is bringing in - isn't it possible for Hopewell to look beyond the ethanol plant and look for a better use for this property that will provide more jobs, a cleaner and safer environment?

We hope the Hopewell City Council will take into consideration the concerns of the citizens they represent. Thank you for the opportunity to express our concerns.

/s/ *Mary Stanley* *Richard Stanley*

Following are e-mails that were read into the record:

12/4/07 - 4:55 PM
Ms. Romano:

I am sending my position on the Ethanol Plant to you in hopes that you will read my inputs at the public hearing. I will be unable to attend the meeting as I have my 1st Tuesday of the month meeting at my church.

I have copied some of the council members on the distribution but I am running out of time before I have to leave to go to another meeting this evening and I didn't copy the remainder of the members. I am not sure if my opinion will make any difference but I thought it important that I share with them.

Thanks,
Willie Hayes
A. O. "Willie" Hayes, CM
Hopewell Gallery of Art Worcz
205 E. Broadway, Hopewell, VA 23860 804-452-1341-Gallery/804-475-8299 Cell

12/3/07 11:16 PM
Steve Miller -
CONCERNED CITIZEN AGAINST THE PROPOSED ETHANOL PLANT

Dear Mayor and Councilors,

I regret that I will not be able to attend the public hearing Tuesday night due to having to travel out of town on business. So I wanted to send you a brief note concerning the proposed ethanol plant. I hope you will be able to take a moment to read it.

The overwhelming majority of everyone I talk with is against this ethanol proposal as am I. First of all, one must assume that the only reason the proposal is still being considered is to possibly avoid the ongoing lawsuit with the developer over the past failed attempts to build out the property. Clearly this developer is a jack-of-all-trades being able to do it all from the Food Lion/retail to the Townhouses/residential to the ethanol plant/industrial. Someone like this throws up a warning flag to me. He just wants to have/use our land to profit off without regard to what's best for Hopewell.

Most everyone has been aware, for quite awhile, that the ethanol industry expanded supply well ahead of demand and that now plants are closing for all the reasons listed in recent Hopewell News letters. We deserve something better on this property after years of waiting; another park in the short term seems better than this ethanol idea.

The root cause of our problem in Hopewell seems to be the inability of leadership to agree to/maintain a long term, consistent development plan. Each successive council seems to forge its own agenda, rather than maintain a master plan, often times undoing much past work. Plans like we need here require many, many years to come about and should have been in the works 20-30 years ago.

Hopewell still has so much undoing/demolition work to be done before things can truly start to turn around. We have an overwhelming disproportionate number of low-income residents. These folks are slowly taking over our city as more middle income/long time local families leave town. I believe that to end this cycle we must not only tear down the bluffs, we must tear down many other low quality areas/apartments, etc. Eventually there will be some proof and reason for more development opportunities to take hold.

I urge you to vote against the ethanol plant. I also urge you to do it unanimously by putting personal agendas and local politics behind you to do what is right for the future of Hopewell.

Sincerely,
Steve A. Miller, Jr.
Life-long Hopewell Resident
HHS Class of 1980
420 Prince George Avenue
458-6468

12/4/07 1:11 AM
Roanell Jones, Jr.

Subject: The Hopewell Ethanol Plant

Point blank concerns about the proposed ethanol plant.

Hopewell is historically and presently a proud industrial city. What "exactly" do the citizens want it to be, if anything else?

Smell/Noise - The City Council needs to go to a presently operating ethanol plant site to judge the smell in person, for its citizens. Is the smell of bread bad? Maybe it could help dilute the embarrassing smell of the paper mill. The noise level of a presently operating plant should be evaluated also, in person.

Traffic - What is Osage's plan for assisting the city in handling the increased truck traffic? Increased traffic is to be expected and accommodated in a growing city.

Appearance - Will the border areas of the plant look appealing?

The Exeter Site - Every other idea for the site has failed since Firestone operated a plant on the site. What problems did Firestone cause for the city and downtown? What do the citizens really want the site to be, that has not already fallen through?

Roanell Jones, Jr.
Hopewell Native

12/1/07 2:37 PM
Bill Ellis

Ethanol Plant at Hopewell's Exeter Site

Dear Mr. Mayor:

Your position on subject plant is well thought out. I live in DC but am from Surry County originally. I recently retired and now like to renovate historic houses. I have considered a project in Petersburg but would not favor doing that knowing that the nearby area of Hopewell is not keen on cleaning up its act, so to speak.

After the Kepone incident, no one knows the value of that better than you. Your research and instincts are correct and I hope that the others will support you.

Congratulations on attracting the Engine plant! Metals, Yes! But chemicals, probably not very beneficial. Whatever it is, the more attention you pay to protecting the environment, the better off Hopewell and its neighbors are in the long run. The rivers could be our greatest assets. Recreation and chemicals do not mix.

Bill Ellis

12/2/07 4:08 PM

Exeter Site - Ethanol Plant

Mayor Taylor:

I have been reading the paper, letters to the editor and other media about the coming vote on the "Exeter" site for a new ethanol plant in Hopewell. With the expansion of Fort Lee along with the Hopewell Downtown Plan, it would be foolish to put the ethanol facility on the Exeter Site. There is nothing wrong with new business, but Hopewell would be better served with the plant being located in the industrial area, as you stated.

I support you in the vote against the agreement with Osage to build on the Exeter Site.

Thank you,

Tony Trexler
203 Cobblestone Dr.
Hopewell, VA 23860

12/1/07 1:44 PM

ETHANOL PLANT

Mayor Taylor:

As residents of Hopewell, my husband and I want to express our concern regarding the ethanol plant on the Exeter site. We are completely opposed. The site is inappropriate for a plant of this type. We read your letter to the editor with great interest and completely agree with your comments.

David and Debbie Hunt

12/1/07 12:13 PM

ETHANOL PLANT

Dear Mayor Taylor:

I am not a resident of Hopewell (I live in Colonial Heights), but I agree with you about the proposed ethanol plant. A gallon of ethanol has about a fourth less energy than a gallon of gasoline. An economy that ran totally on ethanol would come to a halt because it would use more energy producing ethanol than the energy in the ethanol produced. Even using gasoline, natural gas, oil, or coal in ethanol production requires as much or more energy than is in the ethanol produced when all factors are considered. The fact that they are still arguing over this means it's an iffy thing. Regardless, our government has to subsidize it. Some people think it's worth it, but in the long run, other types of fuel will replace it. I would guess that in about five years no one will be talking about ethanol except for drinking.

Sincerely,
W. Homer Ballard, Jr.

12/3/07 5:44 PM
ETHANOL

Dear Brenda and Randy:

Since sending the attached note to Ken Emerson, I have been told that Brenda is firmly in favor of the ethanol facility, and that Randy, the "swing" vote, is leaning toward favoring the facility. I have dedicated many years of my life towards moving Hopewell away from its chemical industry past, and more into the mainstream of the bright future of the Central Virginia area. As my note-* to Ken says, the ethanol plant is a step backward. It brings Hopewell no avenue for additional future progress. I urge you to put the future of Hopewell foremost in your thoughts, and reject this proposal.

Sincerely,
Milton Martin
Note: Forwarded message attached.

Ken:

I am a bit reluctant to send this note, but several people have urged me onward. I understand that Council is to vote on the ethanol plant at Tuesday's meeting. In my opinion as a citizen of Hopewell, having an ethanol plant at the Exeter site would be a mistake for the future of the City. Hopewell needs to look forward, and to engage in economic development that is progressive and in keeping with national and international trends. Seeking more smokestack industries is not a positive direction for the future of Hopewell, Central Virginia, Virginia, or the nation. The city would be poorly served by consuming its very scarce land on any project that is not forward looking.

As an investor, I am not impressed with the ethanol industry or business model. The industry is economically viable solely due to government subsidies. The industry is having very adverse effects on other national industries, especially food supply. It has not shown itself to be environmentally sound, rather to be environmentally wasteful of resources. It has not shown itself to be long-lasting or durable. Most news I read today is about construction projects being halted, not about new plants being initiated. I urge you to do what you can so that the city makes sound decisions, both for the city and economically. I urge you to oppose the ethanol plant.
Respectfully, Milton Martin

12/4/07 9:07 AM

ETHANOL PLANT

Mayor Taylor:

I am a resident of the City Point area and am well within the two-mile radius that the ethanol plant surveys mention.

How would the existence of a manufacturing plant within 3 blocks of the site on Appomattox Street (former Patrick Copeland School) affect the city's efforts to attract a major hotel?

I am not in favor of this plant due to the proposed location and the status of ethanol production in this country at this time. The proposed location may have suited the city planners when the original manufacturing plant was built, but it does not fit in with today's visions for the city.

I am unable to attend tonight's meeting, due to the earlier time, but would like my opinion heard.

Thank you,

Karen Cline

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey to approve an ordinance on first reading authorizing the sale of the City of Hopewell's right, title and interest in the following described real property: Parcel Nos: 048-0175 containing 42.789 acres more or less (commonly referred to as the "Exeter Site"); 048-0178 containing 9.940 acres more or less; 048-0179 containing 0.729 acres more or less; 048-0180 containing 0.927 acres more or less; 048-0181 containing 0.6545 acres more or less; Avenue, South 6th Avenue, Winston Churchill Drive and N&W Railroad property, to Osage Bio Energy, and/or any adjacent City-owned rights-of-way generally bounded by South Main Street, LaPradeLLC for the siting of an Ethanol production facility.

ORDINANCE NO. 2007-16

An Ordinance authorizing the sale of the City of Hopewell, Virginia's right, title and interest in and to certain real property located in the City, authorizing the City Manager to execute all necessary and appropriate documents attendant to such sale, and authorizing the execution of all necessary and appropriate documents to settle and dismiss a lawsuit between the City, HDC, LLC v. City of Hopewell, et al.

WHEREAS, in 1996, the City of Hopewell, Virginia ("City") acquired four parcels of real property, located in the City, Parcel Numbers: 048-0178 containing 9.940 acres more or less; 048-0179 containing 0.729 acres more or less; 048-0180 containing 0.927 acres more or less; 048-0181 containing 0.6545 acres more or less, totaling approximately 12.25 acres by deed recorded in the land book records

of the City in Deed Book 280 at page 478 (hereinafter, the "City Property") (collectively with the HDC Property, as hereinafter defined, the "Property"); and

WHEREAS, HDC, LLC ("HDC") acquired legal title to a certain tract of land adjacent to the City Property, Parcel Number: 048-0175 totaling approximately 42.79 acres by deed dated June 25, 2002, and recorded in the land book records of the City as Instrument #020002147 (hereinafter, the "HDC Property") (collectively with the City Property, the "Property"); and

WHEREAS, the City and HDC entered into an agreement, dated October 25, 2000, entitled Agreement on the Redevelopment of the Exeter Site, Hopewell, Virginia (hereinafter, "Exeter Redevelopment Agreement") relating to the Property; and

WHEREAS, the City and HDC have asserted various claims, counterclaims and defenses in connection with the Exeter Redevelopment Agreement and the Property, in a lawsuit pending in the Circuit Court of the City of Hopewell, identified as HDC, LLC v. City of Hopewell, et al., CL2006-282 (the "Lawsuit"); and

WHEREAS, HDC and the City have been in the process of negotiating with each other and with Osage Bio Energy, LLC ("Osage") for the sale of Property to Osage for the development of an ethanol plant on the property, and the settlement of the Lawsuit, which sale and settlement are the subject of draft documents entitled "Development Agreement Between the City of Hopewell, Virginia and Osage Bio Energy, LLC," (hereinafter, the "Agreement") and "Settlement Agreement," which documents are attached hereto and incorporated by reference hereby; and

WHEREAS, in order to authorize the sale of the Property, it was necessary to conduct a public hearing, which hearing was held on Tuesday, December 4, 2007, and for which hearing public notice was properly and duly advertised; and

WHEREAS, sale of the Property and development of an ethanol production facility is deemed to be in the public interest, furthering the City's economic development by virtue of increased tax revenues and employment opportunities, and furthering the alternative energy production interests of the Commonwealth and United States; and

WHEREAS, the City is desirous of conveying the City's interest in and to the Property to Osage pursuant to the Agreement, and in settling the Lawsuit pursuant to the Settlement Agreement, to enable use of the Property for the purpose of the construction and operation of an ethanol production facility; and

WHEREAS, the Property is not of a kind necessitating a three-fourths vote of Council to convey, and is not a "public place" as contemplated under Va. Const., Art. VII, § 9 and Va. Code § 15.2-2100.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the sale of the City's right, title and interest in and to the Property hereinabove described, to Osage for the purpose of the construction and operation of an ethanol production facility on said Property, substantially in accordance with the provisions of the Agreement and the Settlement Agreement, is hereby authorized.

BE IT FURTHER ORDAINED that the City Manager of the City of Hopewell, Virginia, or his authorized designee, is hereby authorized to execute all necessary and appropriate documents to effect the conveyance of the Property herein authorized, and to settle the Lawsuit, substantially in accordance with the Agreement and Settlement Agreement hereinabove identified.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage on second and final reading.

BE IT FURTHER ORDAINED that the recitals contained in the "Whereas" paragraphs herein shall be deemed part of this ordinance, and are adopted by City Council hereby.

BE IT FURTHER ORDAINED that to the extent that the provisions of this ordinance may be inconsistent with any previous ordinance, resolution or action by City Council, this ordinance shall control, and shall be effective to negate, nullify or modify said previous City Council action to the extent necessary to give full effect to this ordinance and the actions authorized hereby.

BE IT FURTHER ORDAINED that approval of this ordinance in and of itself shall not be deemed to be approval of an alternative development for the Property under the Exeter Redevelopment Agreement, or to constitute any approval of settlement of the Lawsuit between HDC and the City. Only when the HDC Property, as hereinabove described, has been conveyed by recorded deed to Osage, and when the City receives its purchase price for the City Property, shall this ordinance be deemed to have authorized approval of an alternative development for the Property and settlement of the Lawsuit between HDC and the City. Upon recordation of the deed to the HDC Property from HDC to Osage, and receipt by the City of the purchase funds for the City Property, to which it is entitled under the Agreement, the alternative development shall be deemed to have been approved, and the Lawsuit settled, in accordance with the Settlement Agreement.

Councilor Harris expressed concern for people living in the vicinity of the proposed site; whether the City Attorney has given Council all of the information to make a correct decision, including any and all related studies; and concern for environmental justice. The City Attorney indicated that the city has not been commissioned to do a study, nor was one legally required.

A **Motion** was made by Councilor Harris, and seconded by Councilor Emerson, to table the issue. Upon the roll call, the vote resulted:

Councilor Cuffey	-	NO
Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	NO
Mayor Taylor	-	yes
Vice Mayor	-	NO

The motion failed.

Vice Mayor Pelham thanked citizens for their comments and correspondence. She expressed her confidence in the safety of the ethanol plant at the proposed location and pledged her support.

Councilor Cuffey voiced his appreciation to the citizens for the comments and communications to Council. After his visit to the ethanol plant in Kentucky in June, he felt assured by the lack of noise and odor that this would be a good decision for Hopewell.

Councilor Bailey reported that in March of 2006 the Council Chambers was packed with citizens against the townhouse proposal at the Exeter site. The site is not appropriate for mixed use residential. She supports the ethanol plant at the site.

Councilor Emerson appreciated everyone who came out to speak for and against the ethanol proposal. Very few people do not want the ethanol plant in Hopewell; just not at the Exeter site. He always heard how the downtown would be drawn into the Exeter site. Some members of Council do not see that vision. Incomes can be raised in Hopewell by bringing some retail to downtown. We have the infrastructure that they need.

Mayor Taylor felt that Hopewell needs to diversify its economic base. Osage proposes that it will offer 50 jobs working 24 hours a day. There is opportunity for commercial development at that site. DuPont was the first industry to occupy that site during World War I, then Tubize, and then Firestone. He is concerned that ethanol is a short-term solution to a long term problem.

Councilor Harris spoke again stating that he felt there was too much disagreement regarding this issue. He felt responsible to speak on behalf of all of the citizens, especially those in his neighborhood.

Councilor Sealey thanked all speakers at the public hearing. He also toured the plant in Kentucky and spoke to a property owner in close proximity to the plant who voiced no complaints about noise or odor. He raised some concerns during a recent meeting with Osage and the City pertaining to the agreement and is satisfied with the agreement. He will support it.

Vice Mayor Pelham referred to the City trying to move Social Services out of downtown because it does not fit in with the revitalization efforts. An earlier reference was made to the Lead Center as a school, when in fact it is a business that handles students with special needs.

Councilor Bailey indicated that she and Councilor Harris had favorable discussions about the ethanol proposal on the way to and from Kentucky in June. Councilor Harris raised a Point of Order indicating that she was incorrect, that he never supported the ethanol plant. Councilor Bailey amended her comments to say that it was, "her impression" that Councilor Harris favored the ethanol proposal. As relates to downtown revitalization, she felt that the ethanol plant is a link, not a wall. The city is well protected with the agreement, the $5 million Letter of Credit, and the second $3 million Letter of Credit.

Councilor Emerson's final comments reflected that there were 21 issues in the agreement that was given to the City Manager; and only 12 were in the contract.

Upon the roll call, on the original motion to approve the ordinance on first reading, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	NO
Councilor Sealey	-	yes
Mayor Taylor	-	NO
Vice Mayor	-	yes

The motion passed. (Councilor Emerson submitted a Transactional Disclosure Statement (Conflict of Interest Form) stating that he owns property in the vicinity of the Exeter Site.)

ADJOURN

At 10:15 PM **motion** was made by Councilor Sealey, and seconded by Vice Mayor Pelham, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

December 4, 2007

Steven R. Taylor, Mayor

Ann M. Romano, City Clerk