

October 14, 2008

MINUTES OF THE CITY COUNCIL MEETING HELD OCTOBER 14, 2008

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, October 14, 2008, at 5:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

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

Ann M. Romano, City Clerk
Edwin C. Daley, City Manager
Stefan M. Calos, Interim City Attorney

Mayor Pelham opened the regular meeting at 5:30 PM. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Cuffey	-	present
Councilor Bailey	-	present
Councilor Harris	-	ABSENT (arrived later)
Councilor Emerson	-	present
Councilor Stokes	-	present
Councilor Walton	-	present

CLOSED SESSION

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Bailey to convene into Closed Session to discuss Legal Matters, and Appointments to Boards & Commissions and Council Committees, in accordance with Virginia Code sec. 2.2-3711 (A)(1) & (7). Upon the roll call, the vote resulted:

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

OPEN SESSION

At 7:30 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 Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	out of the room
Councilor Harris	-	yes
Councilor Emerson	-	yes

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REGULAR MEETING

Mayor Pelham opened the regular meeting at 7:30 PM. Roll call was taken as follows:

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

Prayer was offered by Rev. Roy Denno, New Revelations Ministries, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Stokes, to approve the Consent Agenda: Minutes: City Council minutes of Special Meeting 9/25/08 and Regular Meeting 9/30/08; Pending List; Information for Council Review: Citizen Academy Meeting minutes 9/23/08; District 19 CSB minutes 5/22/08; TSB minutes 8/5/08 & agenda 10/7/08; Hopewell Twinning Assn. meeting announcement 10/6/08; Recreation Commission agenda 10/8/08 & minutes 9/10/08; Personnel Change Report & Financial Report; Public Hearings Announcements: none; Routine Approval of Work Sessions: Joint Meeting with Hopewell School Board 10/28/08, 5:30 PM; Ordinances on second and final reading: Ord. No. 2008-14-Humane Society; Ord. No. 2008-16-City Code Amendment-Solicitors; Ord. No. 2008-18-City Code Amendment-Sewers; Ord. No. 2008-19 - ARLS Lease; Agreement; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Customer Service Week; Elks Lodge. Upon the roll call, the vote resulted:

Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	out of the room
Councilor Harris	-	yes
Councilor Emerson	-	yes

Mayor Pelham presented the Proclamation for Customer Service Week to Police Chief Steve Martin:

PROCLAMATION

WHEREAS, customer service is an ever-changing process that is a critical part of the success of any organization, especially local government; and

WHEREAS, the City of Hopewell is continually attempting to ensure that customer service remains an integral part of our employees' daily lives; and

WHEREAS, the City's customer service initiatives focus on communication, education, training, and recognition; and

WHEREAS, each City employee and City agency need to continue to promote excellence in customer service.

NOW, THEREFORE, BE IT PROCLAIMED that the City Council of the City of Hopewell, Virginia hereby recognizes the week of October 6 -10, 2008 as

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Customer Service Week

and salutes and thanks each and every City employee for the quality of service so willingly given to both the internal and external customers

IN 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 14th day of October 2008.

/s/ Brenda S. Pelham, Mayor
City of Hopewell, Virginia

PUBLIC HEARING - ORDINANCE AMENDING AND REENACTING HOPEWELL CITY CODE CHAPTER 23, NOISE

This was the night advertised for a Public Hearing to receive citizen comments regarding an Ordinance amending and reenacting Hopewell City Code Chapter 23, Noise.

Dr. Daley recommended taking comments under advisement and taking action at the next meeting.

Mayor Pelham opened the public hearing at 7:50 PM.

Yolanda Stokes, 1531-A Piper Square Drive, reported that she was a volunteer working with a Faith Based Committee on coordinating an all-night prayer activity with 175 children from 27 churches at Rev. Charles Bennett's church. They were cited for noise. She requested that Council consider eliminating from the Noise Ordinance all churches and church functions, and all schools and school functions.

Pastor Charles Bennett, 632 Cedar Level Road, was not against the Noise Ordinance, but he did not agree with the way it was structured. The ordinance should contain a decibel reading.

There being no other speakers, the public hearing was closed at 7:55 PM.

This ordinance will be discussed at a Public Hearing scheduled for November 18, 2008.

COMMUNICATIONS FROM CITIZENS

Shamika James, 2306 Boston Street, Hopewell, purchased a home in Hopewell after 22 years in the military. She is active with children in the neighborhood; calls police for shootings; etc. She requested additional patrols on Boston Street.

Kamilah Craighead, 900 Elm Street, Hopewell, grew up on Maclin Circle. She spoke in support of Mayor Pelham and her involvement in the community and especially with the youth of the City.

Yolanda Stokes, 1531-A Piper Square Drive, Hopewell, has received many citizen phone calls about this Council. A petition was placed on her door. She was asked to present it but it was not signed. She referred to two impressive strong black people who influenced her life here in Hopewell. She supported both of them. This Council has a majority for change. The changes that she recognized regard the "good ole boy" network fading. Board and commission members are becoming bolder and they support a black and white City Council. Ms. Stokes believes that United we Stand - Divided we Fall. She advised Council to agree to disagree and move on.

Thomas Blanding, 424 Appomattox Street, Hopewell, stated that change did not take place when the national election started. Two years ago it was decided that the Chief of Police and the Fire Department would interact with citizens on a personal basis. Hopewell is being talked about across the

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state. This City Council is now talking about recalling some Councilors. That is an embarrassment. He advised Council not to let personal feelings put a black mark on Hopewell or the nation. He has been a pastor in Hopewell for 20 years. Mayor Pelham has worked with his congregation. He applauded her character and the citizens are behind her.

Rev. Charles Bennett, 632 Cedar Level Road, Hopewell, referred to an article in the newspaper trying to recall four Council members and take their positions away from them. Rev. Bennett expressed his respect for all members of Council. The City is moving in a positive direction. Hopewell is no longer a mean-spirited City. He felt there should be an accounting of the Beacon Theatre. He thanked Council and Police Chief Steve Martin. He supports Mayor Pelham, Vice Mayor Cuffey, Councilor Bailey and Councilor Stokes, and God should have mercy on anyone who tries to remove them from office.

Willie Burns, 2401 Waverly Street, expressed appreciation for the Mayor, Police Chief and Officer Walls. There are problems in his neighborhood with drugs, prostitution, indecency and noise violations. As of last week the problem was eliminated; those people are no longer there.

Craig Gilkison, 406 Riverside Avenue, Hopewell, read a story about City Council. He is a former Harbor Master who was removed from office before his term expired.

Earline Allen, 1818 Stewart Avenue, Hopewell, represented Ward #6. She presented a petition with many signatures in support of Mayor Pelham. (Petition filed in the City Clerk's Office.)

Anthony J. Zevgolis, 3003 West Riverside Avenue, Hopewell, is a former Mayor and served 12 years on City Council, and was twice a candidate for Congress. The editorial in the Hopewell News was violent and contemptible, and took sides. Council positions on boards and commissions are historically done after the Mayor and Vice Mayor are elected, after the Reorganizational Meeting. Sometimes a Council position would be removed because a Mayor wants to serve. Length of service is at the pleasure of Council. He expressed disappointment in the actions of two Council members.

Valerie Claiborne, 1808 Arlington Road, Hopewell, has heard that some people are not supportive of Mayor Pelham. Ms. Claiborne has always asked Council to work together. A problem exists regarding lack of respect. Some people do need to leave Council, but she did not mention any names. They cause too many problems. It is a time for change.

Tracy Webster, 223 North 16th Avenue, Hopewell, felt that the petition came from greed and jealousy. Mayor Pelham helps the youth of Hopewell. Citizen morale is very low. It is time to move forward, i.e., ethanol, etc. There should be a term limit for City Council. Hopewell must keep up with the times and with the world.

Pastor Calvin Moore, 2503 Raleigh Street, Hopewell, spoke in support of Mayor Pelham and Ward #6 concerns. She has always been supportive. He implored Council to resolve its issues and work together for the progress of Hopewell. Think of the citizens of Hopewell and not individual objectives.

Larry Dolcey, 3904 Jamestown Drive, Hopewell, is a retiree who wants a city that is safe and provides a good education. Mayor Pelham truly cares about youth with honesty and candor. Decisions were made because of facts. It is time for change. Mayor Pelham goes out into the community.

Donna Lott, 2211 Freeman Street, Hopewell, knew some Council members. Mayor Pelham has embraced youth. She supports Mayor Pelham and thanked her for support and guidance. She beseeched Council to come together.

Helen Blanding, 424 Appomattox Street, Hopewell, was a classmate of Mayor Pelham's. They share the same passions. They started the "Community Gang" at Thomas Rolfe Court. It lets children explore their gifts.

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Larry Ellis, 3413 Ivor Street, Hopewell, referred to a referendum for Mayor Pelham tonight. The most basic freedom we have is Freedom of the Press. Council votes are typically four vs. three recently; he does not like that. He does not want to have "block" votes on Council. It is a constitutional right to redress. If Councilor Harris thinks there are some irregularities on Council or if he thinks that the four are transcending voting privileges, he has that right to redress. Mr. Calos, Interim City Attorney, must understand the constitutional separation of church and state. There should be no special considerations for churches. He always expects fairness from Council.

Vera Edmondson, 1107 Winston Churchill Drive, Hopewell, expressed her disappointment in moving to Hopewell. Some people on Council are too old with old ideas.

Shamika James, 2306 Boston Street, Hopewell, stated that many soldiers are getting ready to come to Ft. Lee, and BRAC is coming. Make good decisions regarding BRAC, i.e., hotels, activities, etc. Bring money in and activities for soldiers.

Mayor Pelham asked the City Clerk to read into the record the following:

"What's A Judge to Do?"

An Opinion by **Joyce Pritchard**
October 13, 2008

So Councilor Curtis Harris is accusing his colleagues on Hopewell City Council of casting their votes with political motivation? Is this the SAME man who announced (after the successful vote to bring the much-needed ethanol plant into Hopewell) that from now on, no matter what the merits of the case, he was going to vote against any issue that was promoted by anyone who voted in favor of the ethanol plant? It's one thing to say something crazy (not to mention unethical) like that in extreme disappointment, but after Councilor Harris's "threat" was printed in the newspaper, the man went on to vote on at least two issues before council this summer using his stated rationale: "If you're for ethanol, I'm against whatever you're for." More than that, I saw him give a long preamble to one of his votes, stating that he was holding to his word, and voting for (or against) anything that someone who voted for the ethanol plant favored. One such time was his vote (under the Steve Taylor-led City Council) to single out a building owned by Councilor Christina Bailey in order to pursue an City-sponsored investigation of the presence of lead in the exterior paint of the building in support of allegations brought forth by the Beacon Theater. Was that not, in itself, a politically motivated action??? Naw, of course not....

And let's examine Harris's statement to the Richmond Times Dispatch "Our policy is not to dismiss people as long as they are serving." That certainly wasn't "his policy" when Harris voted with the Steve Taylor-led Council to dismiss Councilor Bailey from the library board this past June of 2008 (and she didn't want to be dismissed either). It was the middle of her term but Harris didn't worry about his "policy" then. Or maybe he was acting on his "other policy" of voting politically: that is, against anyone who voted for ethanol.

Councilor Harris stated in the Richmond Times Dispatch that he is going to "take his petition to a judge." Uh-huh. What the judge does with this petition will be fascinating to me because the Charter of the City of Hopewell says members of Boards and Commissions serve at the pleasure of Council. The Pelham-led Council has policies they are trying to enact. They discuss the appointments to Boards and Commissions in closed door sessions. Councilor Harris inappropriately disclosed discussions that took place behind closed doors to the public (why does this remind me of the Wilmot case?). Harris said he did so because he is worrying about being booted off the commissions he's on (forgetting perhaps he has a higher duty, which is to keep closed-door session matters

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"closed-door" instead of looking-out-for-himself). Well I am not on a Board, but now I'm worrying that if I ever get appointed to one, all my personal information will be discussed publicly -- who was "for" me, who was "against" me and for what reasons? Councilor Harris and "Citizens for Good Government" seem to have no problem getting such personal and confidential information out in the local and state newspapers.

Since it's within the purview of Council to determine who serves on Boards and Commissions (and Councils will disagree at times -- think back to the 4-3 Steve Taylor-led Council), what will the judge do when Harris takes his petition to him? Nothing, that's what. Because that's not really the point of the petition. The people who are promoting this petition do seem to have a straight-line-path to the Richmond Times Dispatch. I say this based on the obviously slated headline: "Hopewell officials face ouster" and so I ask Luz Lazo's bosses to encourage their Hopewell reporter to "do their homework" (or replace them with someone more balanced, please). Public officials cannot be removed from office in Virginia just on the basis of a petition being presented. We tried that with Patrick Copeland -- it didn't work then and it won't work now.

So what's a judge to do with such a petition? Order a thorough investigation to see if there's any misconduct? Yea! Let's do that! The information provided to the Richmond Times Dispatch and to the Richmond TV stations by those who obviously can't stand to be on the losing side of the 4-3 majority. They have made a state-wide mockery of Hopewell. So I want to get to the bottom of their methods and to affirm or have denied the ugly rumor that a copy of the political petition that's going around to remove four City Councilors from office (for voting for political rather than policy reasons) was faxed to Nicole Bell (TV12) from the Beacon Theater. What?! Isn't the Beacon a 501-c-3 non-profit who could lose their tax-exempt status for engaging in such political activities?

In January of 2006, I led an effort to protest state funds given to the Beacon because they were so involved in advocating the demolition of Patrick Copeland. The reason that opponents of the ethanol plant gave for opposing the plant was that its location would "hurt the Beacon." I've just about had it with Hopewell's political life revolving around the Beacon Theater. And they sure do seem to engage in a lot of political activity for being a "non-profit" (which is supposedly prohibited from political activity). So how and did that political document get faxed from the Beacon Theater? I know -- it must have been a low-level employee who inadvertently used the fax machine. He/she will be reprimanded and/or summarily dismissed, if it should become public. Isn't that how it always works in a business ("just trying to protect their investments"...) which the Beacon obviously is -- a business, not a politically neutral non-profit."

Councilor Harris addressed Council from the podium. In reference to previous citizen comments, he stated that although he is old, he is not finished. As soon as he gets the required number of signatures on his petition, he will take it to the Circuit Court in Hopewell. Four Council members are running this City. He wanted to let citizens know what he has accomplished. He expressed his love for Hopewell, and plans to stay here as long as he can.

Councilor Bailey referred to Mr. Traylor's street name change request. She thanked him and his grandmother for what she did for the City of Hopewell. The street name change will be discussed in the future. On October 25 there will be an activity at the Library in her honor. She supports Mr. Traylor as a Ward #1 resident.

Mayor Pelham addressed citizen concern regarding the petition; she offered to correct the comments in the newspaper. She explained the reason for her disagreement with another Councilor in the Municipal Building parking lot on October 7. She expressed her distrust of the Hopewell News; they give one-sided opinions. It is the "Hopeless News." The Progress-Index is more unbiased. Boards and Commissions are appointed and reappointed every two years. Mayor Pelham stated that she is not

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intimidated by making tough decisions. Although she respects Councilor Harris, she does not have to vote with him every time. Council must agree to disagree. She will continue to vote her convictions.

Councilor Emerson remarked that last week's meeting was a tough one. Although he became upset, it was for Ms. Collins not for himself. Because of her past position on the Patrick Copeland School issue, she was removed from the Architectural Review Board before the end of her term. The current Council working atmosphere is difficult.

COMMUNICATIONS FROM CITIZENS - STREET NAME CHANGE FROM "MADISON STREET" TO "PACE STREET" IN HONOR OF PATRICIA LOUISE ROSS PACE

The City received a street name change petition (filed in the City Clerk's Office) by Robert Pace Traylor, grandson of Mrs. Patricia Louise Ross Pace. Mrs. Pace originated Hopewell City's first children's education daycare center in City Point in 1941 at 208 Ramsey Avenue, licensed in 1947 as Mrs. Pace's Kindergarten & Hopewell School of Childhood.

The request was to rename a City Point Community street, currently known as Madison Street to Pace Street. It would be a way to honor Mrs. Pace and her 45 years of service to the families of Hopewell to rename the street where the original school was located. In 1958, the school was relocated to 519 Appomattox Street where it continued to educate and care for Hopewell children until its closing in 1986. Madison Street is currently one block between Appomattox Street and Riverside Avenue with no residential or business mailing addresses.

Robert Pace Traylor, 519 Appomattox Street, Hopewell, addressed Council regarding a proposed street name change in memory of his grandmother. He described his request for a proclamation in her honor. Mayor Pelham presented the proclamation. street name change in memory of his grandmother. He described his request for a proclamation in her honor. Mayor Pelham presented the proclamation.

PROCLAMATION

WHEREAS, "Mrs. Pace's Kindergarten" was an important part of the City of Hopewell for 45 years, 1941 to 1986, having begun at 208 Ramsey Avenue as Hopewell's First Licensed Daycare Center and later moving to Brown Apartment Building in 1948 then finally to 519 Appomattox Street; and

WHEREAS, "Mrs. Pace's Kindergarten" contributed to the City of Hopewell and the enrichment of the day to day lives of its citizens through the teachers' love and devotion to the thousands of children educated there; and

WHEREAS, "Mrs. Pace's Kindergarten" was one of the stabilizing factors that made the City and surrounding community that it served such a popular residential area; and

WHEREAS, the many services of "Mrs. Pace's Kindergarten" reached and touched the lives of many families of the City of Hopewell; and

WHEREAS, through its many community efforts, "Mrs. Pace's Kindergarten" helped to make the City of Hopewell a better place for all its citizens to live; and

WHEREAS, the Pace-Traylor family is celebrating the memory of their grandmother, Patricia Louise Pace, and wish to honor her school's 45 years of educating and caring for Hopewell children; and

WHEREAS, the Pace-Traylor family will observe a day of celebration on October 25, 2008; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HOPEWELL that this body commends "Mrs. Pace's Kindergarten" on the occasion of the commemoration of its 45 years of service to the Hopewell families whose children were educated there and to the community it served and

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proclaims Saturday, October 25, 2008, as Patricia Louise Pace Day in the City of Hopewell.

BE IT FURTHER RESOLVED that the Clerk of the Council is authorized and directed to transmit an appropriate copy of this resolution to the Pace-Traylor family.

IN 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 14th day of October 2008.

/s/ Brenda S. Pelham, Mayor
City of Hopewell, Virginia

There being no other speakers, the Communications from Citizens closed at 9:06 PM.

**UNFINISHED BUSINESS - SCHOOL BOARD - RESOLUTION - HHS RENOVATION/
RECONSTRUCTION PROJECT - \$7.5M LITERARY LOAN APPLICATION**

The Hopewell City School Board has embarked upon an extensive renovation/reconstruction project for the aging Hopewell High School at 400 South Mesa Drive in Hopewell. The \$20M project requires monies to pay for the needed renovation/reconstruction project that the City must borrow long term. The Commonwealth's Literary Loan Fund is a source needed to assist the City in funding the \$20M renovation/reconstruction project. The School Board seeks City Council approval of the 47.5M application made by the Hopewell City School Board for Literary Loan Funds as part of the necessary funding for the Hopewell High School Renovation/Reconstruction project.

The resolution is required because the first Resolution approved by City Council on September 30, 2008 gave the School Board *permission* to apply. This resolution approves the actual application.

Motion was made by Councilor Harris, and seconded by Councilor Bailey, to resolve to authorize application to the Virginia Department of Education for a \$7.5M loan from the Literary Loan Fund. Upon the roll call, the vote resulted:

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

**A RESOLUTION APPROVING AN APPLICATION OF THE HOPEWELL SCHOOL BOARD
FOR LITERARY LOAN FUNDS**

Virginia: At a regular meeting of the Hopewell City Council held on Tuesday, September 30, 2008, in City Council Meeting Room, at 300 North Main Street, Hopewell Virginia, the following resolution was adopted:

WHEREAS, the Hopewell City School Board has embarked upon an extensive renovation/reconstruction project for the aging Hopewell High School at 400 South Mesa Drive, in Hopewell;

WHEREAS, the \$20,000,000 million project requires monies to pay for the needed renovation/reconstruction project that the City must borrow long term; and,

WHEREAS, the Commonwealth's Literary Loan Fund is a source needed to assist the City in funding the \$20,000,000 million renovation/reconstruction project;

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NOW THEREFORE, BE IT RESOLVED by the Hopewell City Council that Hopewell City hereby approves of the \$7,500,000 million application made by the Hopewell City School Board for Literary Loan Funds as part of the necessary funding for the Hopewell High School renovation/reconstruction project.

The vote was:	Mayor Brenda S. Pelham	-	Yes
	Vice Mayor Greg Cuffey	-	ABSENT
	Councilor Christian J. Luman-Bailey	-	Yes
	Councilor Curtis W. Harris	-	Yes
	Councilor Kenneth B. Emerson	-	Yes
	Councilor Gerald S. Stokes	-	Yes
	Councilor K. Wayne Walton, Sr.	-	Yes

HOPEWELL CITY COUNCIL

A copy Teste:

/s/ Ann M. Romano

City Clerk

SEAL



WAIVE COUNCIL RULES & PROCEDURES

Motion was made by Councilor Stokes, and seconded by Vice Mayor Cuffey, to Waive Council's Rules & Procedures to add a Citizen/Councilor Request regarding Chapter 21 - School Board - Charter Change, and Chapter 18 - Bond Issues - Charter Change - Section 1: Issuance, Execution and Terms of Bonds. Upon the roll call, the vote resulted:

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

CITIZEN/COUNCILOR REQUEST - COUNCILOR STOKES - TWO PROPOSED CHARTER CHANGES - CHAPTER 18 and CHAPTER 21

Councilor Stokes reported that at the next Council meeting on October 28, 2008, he will present two charter changes: (1) Chapter 18 - Bond Issues, school buildings. We need to give more government to the people who will pay the bill. (2) Chapter 21 - for a seven-member school board. The purpose is to elect the school board by ward system the same as City Council. The Justice Department had no objections to doing it that way.

These two issues will be added to the agenda for October 28, 2008.

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REGULAR BUSINESS - RECOMMENDATION TO APPROVE BUDGET RESOLUTION FOR PERSONAL PROPERTY TAX RELIEF PERCENTAGE OF 58% FOR QUALIFYING VEHICLES FOR TAX YEAR 2008

Per Ordinance No. 2005-21, Section 2.(b), City Council must set the percentage of tax relief yearly as part of its annual budget. The percentage of tax relief must be recalculated annually and is based on information downloaded monthly by the Commissioner's Office from the Division of Motor Vehicles. The Commissioner's personal property tax book is generally completed in August and due by September 1st of each year; however, the Commissioner requested and was granted an extension to November 1, 2008 for the 2008 tax year.

The tax rate for personal property was set during the 2008 budget process and remained \$3.05 per hundred. The tax relief percentage does not change the amount of the personal property tax levy for 2008; however, it establishes the portion estimated to be applied as tax relief from the lump sum of \$1,618,029.64 paid annually by the State.

Motion was made by Councilor Walton to set the tax relief percentage at 58%. The motion died for lack of a second.

Motion was made by Councilor Walton, and seconded by Councilor Bailey, to set the personal property tax relief percentage for 2008 to be set at 58% for qualifying vehicles. Upon the roll call, the vote resulted:

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

RESOLUTION

A RESOLUTION SETTING FORTH THE PERSONAL PROPERTY TAX RELIEF PERCENTAGES FOR 2007, IN THE CITY OF HOPEWELL, VIRGINIA IN ACCORDANCE WITH THE PERSONAL PROPERTY TAX RELIEF ACT OF 1998 AND THE 2005 APPROPRIATIONS ACT

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code Section 58.1-3523 *et seq.* ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provision of Item 503 of Chapter 951 of the 2005 Acts of Assembly; and

WHEREAS, these legislative enactments require the City of Hopewell, Virginia to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the appropriation to the City of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hopewell, Virginia, that qualifying vehicles situated within the City during the tax year 2007, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;

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- Personal use vehicles valued at more than \$1,000 and up to \$20,000 will be eligible for 60% tax relief;
- Personal use vehicles valued at more than \$20,000 shall only receive 60% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (e.g., business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with Item 503.D.1, the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years expired on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed ‘non-qualifying’ for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

REGULAR BUSINESS - DISCUSSION OF CITY COUNCIL RULES & PROCEDURES

City Council’s Rules & Procedures were distributed to Council members to read and study. It will be on a future agenda for further action.

Councilor Walton suggested an addition as follows: “Once the Agenda becomes public record, items can only be removed by the person(s) who proposed them prior to the meeting.”

Item #304 - Citizen/Councilor Requests, was removed in its entirety. The City Manager suggested that instead, items go under Reports of Council Members to be added on future agendas rather than as a CCR. Therefore, Council would not have to vote on something that Council did not have information on. Citizens’ issue would go under Communications from Citizens. No action would be taken the same night it was presented on the agenda.

It was suggested that Council members review and e-mail to the City Manager any recommendations.

REGULAR BUSINESS - DISCUSSION OF CITY TRAVEL POLICY

Council received copies of the City Travel Policy for review and study. The City Manager would be recommending changes in the per diem amounts. Council was asked to e-mail changes to the City Manager to be incorporated into the policy.

REGULAR BUSINESS - DISCUSSION OF VOLUNTEER COACHING POLICIES

The City Manager proposed amendments to allow the Director of Recreation and the Police Chief to do approvals. This will be on the agenda again on October 28, 2008.

The City Manager also referred to the Taxi Cab Ordinance. He will review the owners’ recommendations.

Mayor Pelham welcomed Stefan Calos as the Interim City Attorney.

REGULAR BUSINESS - APPOINTMENTS TO BOARDS AND COMMISSIONS, AND ACCEPTANCE OF RESIGNATION BY MARY HAGER FROM THE NEIGHBORHOOD WATCH ADVISORY BOARD

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Bailey to make the following appointments/reappointments: appoint James Wisniewski to the Clean City Commission for a term extending through October 31, 2010; reappoint John Tunstall to the Disability Services Board for a

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term extending through December 31, 2012; appoint John Weigel to the District 19 CSB for a term extending through October 31, 2011; reappoint George Elder and Lonnie Cooper to the Dock Commission for terms extending through October 31, 2012; appoint Michael Pritchard and Jeanie Langford to the Historic Preservation Committee; appoint Dr. Ed Daley, City Manager, Staff, and Vice Mayor Cuffey and Councilor Bailey to the HCIP; reappoint Oscar Dillon to the Industrial Development Authority for a term extending through October 31, 2012; reappoint Isabel Vartanian to the ARLS Board for a term extending through October 31, 2012; appoint Tracy Webster and reappoint Helen Wyche, Ricky Harris, Louis Corletto and Loyd Taylor to the Neighborhood Watch Advisory Board for terms extending through October 31, 2010; appoint Sean Height, student, to the Recreation Commission for a term extending through May 31, 2010, and Marion Hebert, and reappoint James McMillen for terms extending through October 31, 2012; reappoint Chuck Bogatie to the HRWTF Commission for a term extending through October 31, 2010, and appoint Councilor Gerald S. Stokes to the HRWTF Commission for a term extending through October 31, 2010; reappoint to the Senior Citizens Advisory Board Tommy Wells, Herndon Smith, Mildred Lindsey, and Myrtle Casey for terms extending through October 31, 2010; reappointed to the Social Services Advisory Board Kathleen Vincent and Annie Pettaway for terms extending through October 31, 2012; reappoint to Virginia's Gateway Region, George Elder for a term extending through September 30, 2009; and, appoint Andrew Clark, Jr. to the Waterfront Development Committee.

REGULAR BUSINESS - REPORT OF CITY COUNCIL MEMBERS:

Councilor Walton wants to get to the business of Hopewell.

Councilor Emerson was on the HRWTF Commission for the past two years. He was disappointed in not being reappointed. He thanked Mark Haley and his staff for their work at and for the facility. It was a real education to him, and a great opportunity to work with the plant managers.

Councilor Bailey stated that before the next Council meeting there will be a celebration for Mrs. Pace's Kindergarten. She invited everyone to visit the library on October 25 to view the exhibit. Pictures will be available for citizens to guess the identity of some of the children in Mrs. Pace's Kindergarten. She invited everyone to go downtown if they had not been there lately. There is a new restaurant, Luna's; shops on East Broadway; the skateboard shop now does embroidery. The Art Gallery has monthly jazz or poetry readings. There has been some recent vandalism at the park. Councilors Bailey & Walton asked citizens to look out for that park and please call the police. Some people want to go back to calling it City Park. She encouraged Councilor Emerson to continue to attend the meetings of the HRWTF Commission. She would also like to do that. She is interested in the algae project.

Vice Mayor Cuffey mentioned lots of great things going on in Hopewell; many economic development opportunities; redevelopment of downtown. He thanked Phil Elliott; Ward 7 is starting to look great. He received a call from Hopewell Heights and appreciated their support. He will be out there soon to give them an update. He announced to the City Manager that Quality in Faith will be here from northern Virginia; and the renaming of a street request from a business owner.

Mayor Pelham commended the Hopewell Police Department. She welcomed Chief Martin's wife Naomi to the meeting. She announced a jazz performance at the Art Gallery on Saturday at 7:00 PM. She attended the Covenant Signing at Ft. Lee this week. The Fountain of Life Women retreat is being held in Richmond for 200 women. Mayor Pelham looks forward to this council working together for progress. Finally, she thanked all members of boards and commissions.

ADJOURN

Motion was made at 10:17 PM by Councilor Walton, and seconded by Vice Mayor Cuffey, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes

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Mayor Pelham	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

Brenda S. Pelham, Mayor

Ann M. Romano, City Clerk