

May 26, 2015
Regular Meeting

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

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, May 26, 2015, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

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

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

ROLL CALL

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

| | | |
|-------------------------|---|------------------------------|
| Mayor Pelham | - | present |
| Vice Mayor Luman-Bailey | - | absent (arrived @ 6:37 p.m.) |
| Councilor Holloway | - | present |
| Councilor Zevgolis | - | present |
| Councilor Gore | - | present |
| Councilor Walton | - | present |
| Councilor Shornak | - | present |

CLOSED SESSION

Motion was made by Councilor Walton, and seconded by Councilor Zevgolis to go into CLOSED MEETING for the purpose of: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (City Council Appointed Boards, and Commissions); and Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body in accordance with Virginia Code Section 2.2-3711 (A) (1) (3). Upon the roll call, the vote resulted:

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

Vote Result: 6-0 Yes

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Certification pursuant to Virginia Code § 2.2-3712 (D): only public business matters (i) lawfully exempted from open meeting requirements and (ii) identified in the closed-meeting motion were discussed in closed meeting. Upon the roll call, the vote resulted:

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

Vote Result: 7-0 YES

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

WORK SESSION

WS-1: Public Safety Design Update:

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

WS-2: Cedar Tree Protection Ordinance Review:

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

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CONSENT AGENDA

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

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

Vote Resulted: 5-2 Yes

Proclamation

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

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

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

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

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

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

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

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

Proclamation presented May 26, 2015

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/S/ Brenda S. Pelham

Brenda S. Pelham, Mayor of Hopewell, Virginia

SPECIAL ECONOMIC DEVELOPMENT ANNOUNCEMENT

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

PUBLIC HEARING

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

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

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

Vote Result: 7-0 Passed

AN ORDINANCE

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

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

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

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

Sec. 14-33. Authority.

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

Sec. 14-34. Purpose.

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

Sec. 14-35. Definitions.

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

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

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

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

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

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

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

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

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

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

Sec. 14-36. Stormwater Utility Fee.

- (a) A Stormwater Utility Fee is hereby imposed on every parcel of real property in the City that appears on the real property assessment rolls as of July 1 of each year and contains greater than 500 square feet of impervious surface area.
- (b) When new properties or impervious surface areas are brought into the utility system, such as from new construction, fees will accrue or increase commencing on the next billing cycle as established in Section 14-42(a).
- (c) The billing rate per billing unit to be used for calculating the Stormwater Utility Fee shall be \$48.00 per year. City Council may modify the billing rate in the future.
- (d) All Stormwater Utility Fees and other income from the fees shall be deposited into the stormwater enterprise fund. The funds deposited shall be used exclusively to provide services and facilities related to the storm water management program pursuant to the provisions of the Virginia Code §15.2-2114.
- (e) The stormwater utility shall be in effect starting July 1, 2015.
- (f) The stormwater utility shall be under the administration of the Director.
- (g) Consistent with Virginia Code §15.2-2114, the Stormwater Utility Fee shall be waived in its entirety for the following:

- 1. A federal, state, or local government, or public entity that holds a permit to discharge stormwater from a municipal separate storm sewer system (MS4); except that the waiver of charges shall apply only to property covered by any such permit; and
- 2. Public roads and street rights-of-way that are owned and maintained by state or local agencies including property rights-of-way acquired through an acquisitions process.

Sec.14-38. Stormwater Utility Fee calculations.

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

Sec. 14-39. Stormwater Enterprise Fund.

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

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

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

Sec. 14-41. Stormwater Utility Fee credits.

- (a) The Director shall administer a system of credits in accordance with Virginia Code § 15.2-2114.0 that provide for partial waivers of charges to any person who installs, operates, and maintains an approved stormwater best management practice that achieves a permanent reduction in stormwater flow or pollutant loadings. The credit policy shall also, in accordance with Virginia Code § 15.2-2114.E, provide for full or partial waivers of charges to public or private entities that implement or participate in strategies, techniques or programs that reduce stormwater flow or pollutant loadings, or decrease the cost of maintaining or operating the public storm sewer system and stormwater program.
- (b) The Director shall develop written policies to implement the credit system, which shall include a requirement for participating property owners and/or occupants to provide maintenance verification to the City and for the owner to enter into a maintenance agreement with an inspection schedule for inspecting the best management practice(s) that justify the credit. No credit will be authorized until the City Council approves written policies to implement the system of credits; a copy of the approved policies shall be on file with the public works department.

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

Section 14-42. Petitions for adjustments.

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

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

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

First, Assistant City Manager Charles Dane reported that the City Manager had asked staff upon the request of City Council to put together some information on what we could find around the region and around the state regarding residency requirements. Mr. Dane reported that Hopewell does have a residency requirement for department directors and above, Ordinance 2013-06 of the City Municipal Code, Chapter 2 Administration; Article I, Section 2.4 reads, the following city officers appointed to the City Council must become residents of the city no later than six months after the appointment: City

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Manager, City Attorney, and City Clerk. The Ordinance goes on to say that the assistant city manager and department heads residing within 30 miles of the city limits of the City of Hopewell at the time of initial employment are exempted from the residency requirements. If the assistant city manager or a department head relocates his or her primary residence while employed by the City, such assistant city manager or department head shall be subject to residency requirement and that residency requirements are in place for directors and above. Out of the twenty-six localities surveyed the City of Richmond does require residency from department heads and up, but of the 25 places that responded to the survey, 60 percent of them only require the City Manager or County Manager to live in their locality. 28 percent require the City Attorney, 20 percent require the City Clerk and the fire chief and police chief are about 24 percent are required to live in the locality, and then 20 percent for everybody else. Realistically, four out of five localities require directors or above but don't have a requirement for them to live in the locality and only one or two more require City Attorney or City Clerk.

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

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

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

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

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

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

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

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

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

COMMUNICATIONS FROM CITIZENS

Motion was made by Councilor Gore, seconded by Councilor Zevgolis to waive the rules and allow Mr. Carl Kindervater to speak under Communications from Citizens regarding Unfinished Business

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– 1, Amendment to Budget Resolution for FY 2015-16 incorporating Sections 26-27 (Employee/Retiree Health Insurance). Upon the roll call, the vote resulted:

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

Vote Resulted: 7-0 Yes

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

UNFINISHED BUSINESS

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

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

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

Vote Resulted: 6-1 Passed

BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2015-2016

WHEREAS, at the meeting of the Council of the City of Hopewell held on Tuesday, May 26, 2015, an amendment was introduced to incorporate sections 26 and 27 that were previously omitted from the FY 2015-16 Budget Resolution pending revisions of employers cost for health insurance coverage, and conveyance of this information to the retirees; and

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

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

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

Active Employees:

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

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

Retirees (rates based on years of service):

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

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

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

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

Work Related Disabled Rates:

| Under 65 - Work Related Disabled Rates (w/o Medicare Parts A&B) | KeyAdvantage Expanded City Amount | KeyAdvantage 250 City Amount | High Deductible HP City Amount |
|--|---|------------------------------------|---|
| Retiree | 207.90 | 189.30 | N/A |

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Retiree Reimbursements:

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

Retirees BEFORE 1/1/2004

| | |
|------------------|--------|
| Retiree | 547.47 |
| Retiree + Spouse | 871.76 |

Retirees AFTER 11/1/2004

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

Retirees Over Age 65:

AARP- - Retirees 65+ years of age:

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

Effective July 1, 2015, the City will authorize only a "Carve-Out" city health insurance contribution if retiree is age 65 or older for city contribution for supplemental medical insurance which amount shall not exceed the city contribution amount for an "Active" single city employee premium contribution. Should the retiree' choose not to participate in the Medicare Part A and/or B, then the city shall only be obligated to pay a health insurance benefit equal to the "Carve-Out" supplemental health insurance plan.

Retiree age 65 or older retired prior to 12/31/2003 shall be eligible for a health insurance contribution of the "Carve-Out" contribution amount and the city contribution amount to cover dependent(s) up to the city retiree limit for retiree before 1-1-2004, but not to exceed this combined benefit amount.

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

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

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

Finance Director is authorized and directed to terminate the health insurance coverage for any retiree who fails to pay the city their respective share of the health insurance premium and who is sixty (60) days

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delinquent on premium payments. Any retiree who has their insurance coverage terminated for failure to pay their respective share of premium shall not be eligible for re-enrollment until: the delinquent premiums are paid to the city and only at the next open enrollment period.

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

Regular Business:

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

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

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

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

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

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

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

Vote Resulted: 7-0 Passed

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

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

Vote Resulted: 7-0 Yes

R-1 – Foster Care Public Service Announcement:

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

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

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

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

Vote Resulted: 7-0 Passed

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

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

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

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Vote Resulted: 7-0 Yes

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

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

Vote Resulted: 7-0 Budget Resolution Amendment Passed

BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2015-2016

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

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

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

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

General Fund-0 11: Resources:

Fund Balance \$ 15,000

Appropriation: .

Healthy Families \$ 15,000

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

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

Vote Resulted: 7-0 Budget Resolution Amendment Failed

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

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

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

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

R-6 – Appomattox Cemetery Presentation:

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

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

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

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

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

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

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

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

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

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

R-9 – VDOT Resolution:

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

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

Vote Resulted: 7-0 to Approve the VDOT Resolution

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

ADJOURN AT 11:59 P.M.

/S/ Brenda S. Pelham

Brenda S. Pelham, Mayor

Cynthia Y. Ames, City Clerk