

**August 30, 2022  
Special Meeting**

**MINUTES OF THE SPECIAL CITY COUNCIL MEETING**

The City of Hopewell City Council held a Special Meeting on Tuesday, August 30, 2022, at 6:30 pm in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia 23860.

**PRESENT:**

Johnny Partin, Vice Mayor (Ward 3)  
Deborah Randolph, Councilor (Ward 1)  
Councilor Arlene Holloway (Ward 2)  
Jasmine Gore, Councilor (Ward 4)  
Janice Denton, Councilor (Ward 5)  
Councilor Brenda Pelham (Ward 6) \* present electronically

**ABSENT:**

Patience Bennett, Mayor (Ward 7)

**STAFF:**

Lois Gabriel, Interim City Clerk  
Dr. Concetta Manker, Interim City Manager  
Danielle Ferguson Smith, City Attorney

Vice-Mayor Partin called the meeting to order at 6:30 p.m.

Roll Call:	Mayor Bennett	-	Absent
	Vice Mayor Partin	-	Present
	Councilor Randolph	-	Present
	Councilor Holloway	-	Present
	Councilor Gore	-	Present
	Councilor Denton	-	Present
	Councilor Pelham	-	Present

Councilor Randolph moved to allow Councilor Pelham to participate in the meeting electronically. The motion was seconded by Vice Mayor Partin.

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Roll Call:

Vice Mayor Partin	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Holloway	-	Yes
Councilor Randolph	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6 – Ayes  
0 – Nays

Motion to approve the agenda made by Vice Mayor Partin and seconded by Councilor Gore.

Roll Call:

Vice Mayor Partin	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Holloway	-	Yes
Councilor Randolph	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6 – Ayes  
0 – Nays

Kim Hynes, Executive Director of CVWMA, presented information regarding the contract with Meridian Waste. The contract was signed in 2014 for a five year term and expired in 2019. The contract was renewed in 2019 and will expire in 2024. The terms of the contract include a rate of \$8.10 per home per month with a previous rate of \$7.00 per home per month.

Kim Hynes discussed the performance issues in the contractual relationships between CVWMA and the City of Hopewell and Meridian Waste and the City of Hopewell. She acknowledged that there have been missed trash collections and complaints from city council members as well as citizens that were not received and/or not acknowledged. The CVWMA phone system is older and does not acknowledge customer complaints. To combat the customer service issue CWMA

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hired a new customer service representative, made their online customer complaint process much more responsive and are working on updating their phone system so that more customers could leave their concerns with the company. Ms. Hynes acknowledged that CVWMA had done a poor job in letting customers know that their complaints had been received.

During her presentation, Kim Hynes discussed Hopewell's participation in a local agreement whereby the participating jurisdictions (Petersburg, Colonial Heights and Ashland) enjoyed economies of scale especially which allowed each locality to meet the state regulations with regard to recycling and garbage/refuse disposal. Because of the combined procurement agreement, one of the benefits for the City of Hopewell is that they would be able to share the increase in refuse collection over a broader number of residents and Hopewell residents would realize savings on their monthly bills.

Kim Hynes also addressed the changes to the trash collection schedule for Hopewell. In an effort to provide better service, CVWMA arranged for one half of Hopewell to have the trash collection on Mondays and the other half of the city to have collection on Tuesdays.

Ms. Hynes also reviewed the procurement process for each of the participating localities. CVWMA received three proposals for Hopewell on the September 2021 due date. The proposals received were from Zans Refuse, Meridian Waste and Waste Management. Zans Refuse was the lowest bidder and was a local company with offices in Chesterfield. However, CVWMA awarded the contract to Meridian Waste since it was an international company with better, efficient and more effective service.

Ms. Hynes informed City Council that CVWMA was in a procurement process to purchase new carts (trash bins) for the City of Hopewell for uniformity of cans. The new carts would be gray with black lids and each residence would have at least one cart.

CVWMA was also concerned about the lack of pickup for bulky trash items and Ms. Hynes described that now residents would simply need to contact CVWMA or Meridian to schedule a pickup for bulky trash items such as furniture, large tree limbs, etc. She promised that CVWMA would ensure that such items would not be abandoned on the curb.

Vice Mayor Partin then opened the floor for discussion.

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**DISCUSSION:**

Councilor Randolph asked Ms. Hynes what specific duties CVWMA performs for the group of localities. How were the changes to the trash collection schedule communicated to residents? Who is responsible for the costs of the new procurement of the carts?

Ms. Hynes responded that CVWMA has taken the burden off localities to meet the state mandated recycling rate as well as other state mandates. If Hopewell did not part of the regional agreement, then Hopewell would be responsible for reaching those same state mandates individually instead of collectively.

She also stated that CVWMA does not participate in the day-to-day trash collection for any locality. Instead, they manage the contracts between localities and the companies who handle the refuse/garbage collection and negotiate those agreements on behalf of the localities.

Councilor Randolph then asked for a per capita rate for their services. Based on a projected population size of 22,000 people, their rate is \$10,000 to \$11,000.

In response to the changes in trash collection schedule, Ms. Hynes stated that CVWMA sent out postcards notifying citizens of the changes approximately two weeks ago. Councilor Randolph expressed that she has concerns about customer service issues with CVWMA. She explained that she has both personally experienced poor customer service from them and has had citizen complaints about the same issue.

Kim Hynes acknowledged that the company has not dealt with consumer complaints very well. She pointed out that recently, CVWMA hired a new customer service representative to assist with dealing with the public directly. They have updated their online portal to field some of the bulky trash requests and created work orders for those issues and any other issues. They are working on their responsiveness to consumers with emails letting citizens know that CVWMA will take care of their issues.

To further their customer care efforts, Ms. Hynes noted that CVWMA is in the process of buying new carts for each customer household. Each cart will cost consumers \$13.21 per household and will be billed at .75 cents per month. Their

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bill will demonstrate the monthly increase of .75 cents for the new carts plus another .15 cents for CVWMA customer cost increase.

Councilor Gore stated that she called the special meeting because at the July 12, 2022 meeting she was blindsided by the demise of the trash collection contract negotiations. She stated that she became aware of the issue immediately before that meeting and that she felt forced by Meridian Waste to negotiate in order to continue trash collection for the City of Hopewell until December 2022. She pointed out that the City of Hopewell expressly secured the services of CVWMA to manage the trash collection contract and there was a failure somehow. Councilor Gore felt that it was unacceptable not to have prior notice from CVWMA and that it was unacceptable for CVWMA not to present at the July 12, 2022 meeting.

Kim Hynes explained that Meridian Waste proposed to CVWMA, an increase in their contract costs. Meridian Waste claimed that the reasons for the request were fuel costs, vehicle repair and replacement costs, etc. CVWMA denied their request for a cost increase. Meridian Waste then asked that CVWMA do a house count to get an accurate number of the houses in Hopewell serviced under the contract. CVWMA failed to do the house count in a timely fashion so Meridian Waste then performed their own house count. Meridian Waste reported that there were 338 more residences than previously reported. Given the increase in the number of homes serviced, they should be compensated more under the contract. Meridian Waste and CVWMA disputed the amount owed based on the contract between Meridian and CVWMA and the contract between Meridian and Hopewell. Ms. Hynes explained that the former City Manager and corporate counsel had been kept in the loop during negotiations.

CVWMA performed their own house count and found that there were 217 more homes than previously thought. Meridian Waste demanded \$256,000 because of the discrepancy in the number of homes serviced and demanded that the increase be retroactively applied to 2018. The fee dispute continued and CVWMA tried to Meridian Waste's demands. Meridian Waste continued to claim that CVWMA was in default on the contract.

Councilor Gore asked if Meridian did not collect trash per the contract, whether CVWMA had a backup plan. Kim Hynes stated that CVWMA had conversations

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with Waste Management to see if they could serve as a contractor under an emergency contract basis but that there was not a firm plan B.

Councilor Gore told Ms. Hynes that she wanted to end the contract with CVWMA due to poor customer service; poor customer communication and a lack of communication between CVWMA and the City of Hopewell. Councilor Gore stated that she understood Meridian Waste's frustration with CVWMA because City Council previously asked for a house count and was never provided with the data. Councilor Gore then asked if performance indicators with CVWMA and Meridian could be placed in the previously endorsed contract.

The Interim City Manager, Dr. Manker noted that the contract has already been endorsed.

The Interim City Manager and the City Attorney noted that the contract had been previously signed by the former City Manager. However, performance indicators could be made a part of a revised agreement if CVWMA would agree to renegotiate the contract.

Kim Hynes agreed to review the contractual terms again with the City of Hopewell.

Councilor Gore and Vice-Mayor Partin acknowledged that the best thing would be for CVWMA to meet with the Interim City Manager and the City Attorney to revise the contract to include performance indicators. City council members agreed to send their specific concerns about the current contract to Dr. Manker. The issue will be placed as an agenda item on the September 27, 2022 meeting.

Councilor Pelham questioned why Hopewell should continue to pay for non-performance. She noted that residents are paying .15 cents per household per month for poor customer service. She asked why citizens should pay for an increase in service where there has not been an increase in the performance of customer services from CVWMA and trash collection failures from Meridian Waste.

Kim Hynes replied that CVWMA penalized Meridian Waste for trash collection failures. Councilor Pelham asked for specific figures of penalties issued by CVWMA against Meridian Waste. Kim Hynes did not have that information but would provide the information at a later date. Councilor Pelham also asked what was the final figure that CVWMA paid to Meridian for the additional homes

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revealed by the house count. CVWMA paid \$8000.00 to Meridian as a stop gap measure. They did not pay the \$256,000 demanded by Meridian Waste.

Councilor Pelham then asked Ms. Hynes who received the fees collected from Meridian Waste for fines. Ms. Hynes informed City Council that CVWMA retains the fees once Meridian paid the fines for failure to collect trash.

Councilor Pelham stated citizens should pay for new carts because there was no reason for the new carts other having the same color carts throughout the city. Councilor Gore and Councilor Randolph shared the same concern about the cost of the new carts being passed on to the consumer at .75 cents per month per household.

Councilor Randolph reiterated that she feels like the City of Hopewell should not pay for an increase to CVWMA because their service is bad and that she has experienced it personally. She questioned why CVWMA did not have a better procedure in place to maintain an accurate house count for Hopewell. Kim Hynes explained that CVWMA relies on Data Integrators to count the number of homes in Hopewell. Ed Watson, from Hopewell Public Works, explained that Data Integrators receives their information from Virginia American Water. The problem stems from a lack of checks and balances. COVID-19 had exacerbated the inaccuracies because people simply paying their water bills so the meters were not accurate. Kim Hynes acknowledged that there is no system in place to manage the house count.

Councilor Randolph asked if there was a company in place replace Meridian Waste in the event that they needed to replace under the existing agreement. Kim Hynes acknowledged that getting a substitute company would be more expensive for a number of reasons, (new truck orders, more employees, etc). Another option could be that Waste Management could collect trash five days per week instead of two days.

Councilor Gore expressed that she wants to have a Plan B in place in the event of nonperformance by Meridian Waste. She also wants the Interim City Manager to review the Data Integrators Contract and bring the Department of Public Works in the conversation. She stated that her goal was to review issues with the Data Integrators Contract and whether to continue with the agreement.

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Councilor Randolph moved to adjourn the meeting. The motion was seconded by Councilor Holloway.

**Roll Call:**

Vice Mayor Partin	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Holloway	-	Yes
Councilor Randolph	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6 – Ayes  
0 – Nays

Meeting Adjourned

  
Patience Bennett, Mayor

  
Lois Gabriel, Interim City Clerk