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MINUTES OF THE CITY COUNCIL MEETING HELD AUGUST 23, 2011

A Work Session of the City Council of the City of Hopewell, Virginia, was held Monday, August 23, 2011, at 6:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Christina J. Luman-Bailey, Mayor
 K. Wayne Walton, Vice Mayor
 Michael Bujakowski, Councilor
 Gerald S. Stokes, Councilor
 Brenda Pelham, Councilor
 Jackie Shornak, Councilor
 Ann M. Romano, City Clerk

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

ABSENT: Curtis W. Harris, Councilor

WORK SESSION

Mayor Luman-Bailey opened the meeting at 6:40 PM and introduced Tom Hawthorne, VDOT, Richmond District Administrator; Sam Hayes, Construction Engineer, Richmond District Office; and Clay Thomas Design Engineer also from the VDOT the Richmond District Office (VDOT- Virginia Department of Transportation).

REGULAR BUSINESS – PRESENTATION BY VDOT

Mayor Luman-Bailey stated that the MPO has discussed some different projects that have been on the books for quite some time. Other localities have also had items on for a long time and have had to make modifications to the original project.

Mr. Hawthorne of VDOT presented his report on the Cedar Level Road project in Hopewell (copy filed in the City Clerk's Office). The original concept for Cedar Level Road was in the 1980's. He commented that due to the length of time (more than 10-years) since the original Public Hearing another public hearing will be required before taking any action on this project. Some background history includes the remainder to be built: Cedar Level Road from North Avenue to Miles Avenue. Actions already taken included a formal public hearing held on June 12, 1999. Following the Public Hearing in October 1999, a resolution was passed by City Council which endorsed the project design. The project was approved for right-of-way acquisition in 2000. The last right-of-way acquisition or parcel was acquired on December 12, 2003.

The Average Daily Traffic history on Cedar Level Road in 1987–9,090; 1999– 8,480; 2005–7,500; and 2011–7,500. VDOT will have more exact current figures.

As a point of interest Mr. Hawthorne mentioned that Virginia State Law requires right-of-way takings or purchases to be used for the intended purposes within a 20-year period or face the possibility of return to the original owner through a repurchase at the purchased price. Therefore, property owners have the right to purchase the property back.

It often takes approximately 10 years in order to use property purchased in, for example, 2003.

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VDOT traffic count projections look at 22 years out or in advance for the facility capacity designs. VDOT estimates growth to be flat. It is anticipated that growth will be approximately one half of one percent. The flat growth is based on the past. BRAC has been taken into consideration with this project. New commercial development was not taken into consideration

DISCUSSION: The City Manager reported some actions that contributed to the reduced ADT: closure of the A & P at Colonial Corner; closure of Walnut Mall on Crater Road in Petersburg; and, the opening of Southpark Mall. It is estimated that BRAC will create an increase of 47% in traffic. There will be minimal allocations to Hopewell. There was a question about whether or not the City could apply for any unused funds from the MPO, as well as a question about where the budget surplus is.

The General Assembly legislation set up the Virginia Traffic Infrastructure Bank, but the rules have not been developed yet. That might be an avenue for the City to seek a loan or a grant for this project. There have been expenses for the design. Since 2003, VDOT has not spent much money on the project. The 1999 resolution was clear. The City staff has indicated a modified project. There was discussion about doing the project in two phases, with no changes to the road. There is no guarantee there is enough money to cover the first step. There was a question about whether or not the City could use its own money next year in 2012 and be reimbursed. VDOT has done something similar in Chesterfield. They used a bond sale for transportation. They built the project and VDOT paid the county back. Hopewell could consider doing the same, assuming that the code section applies to cities as well as counties. The City Manager was unsure how the MPO impacts that. Chesterfield borrowed the money in its case. Hopewell had a written agreement with the Commonwealth. The City has \$4.5M today. If the City decided to do Option #4, it could lend VDOT \$1.5M. However, there is a guarantee for \$7.49M, but only if the MPO is willing to stand by that. The price of construction has increased due to inflation, etc.

A question arose regarding Option #4. If the multi-use path is removed, how close would that get to the money we actually have? A definition of "multi-use path" is similar to a bike/pedestrian trail. Some Councilors questioned why the City is considering a bike path if this project is in the interest of safety.

Another question was whether or not there is any risk to the project by changing it at this stage of the game. VDOT indicated that all future allocations would be through the MPO. It is unclear if there are guarantees or not. Councilors would hate to see Hopewell lose our place in line by making changes to the plan. According to VDOT, if the project continues to linger, risk grows. MPO has looked favorably at those projects that are flexible. All of the options presented to Council are viable. They do not advocate one over the other; it does not matter to them. They are identifying feasible options. If Council wants to proceed with the original plan, VDOT is agreeable. The sooner a decision is made the better.

If the City chooses to go with anything other than Option #1 or #2, it will cost more, due to additional design costs. It could be waived by overall reduced costs of the project. There was a question about if it would still reduce the cost if VDOT did not do the multi-use path. Options #3 and #4 would definitely have increased costs. The design that we have today is old. Storm Water Management (SWM) requirements, which included in the present day plans, would have to be modernized. The project might require additional rights-of-way to accommodate the SWM features. Storm Water Management has become more stringent in the last few years. Furthermore, the plans are currently in metric, and would have to be converted. Utility relocations could cost \$1 Million. If the City had the money right now, the project could be completed in two years. VDOT asked if Council wanted to change anything in the project. They requested adding Option #5, a three-lane option. VDOT asked for new direction on how to proceed. Option #2 is \$600,000 short (likely misunderstanding here).

Public Works would have to repave the road if this project is not done until 2017. It would require resurfacing from Cobblestone to North Avenue. They may have to do the whole thing. Improving the road like that would increase the speed. Vehicles will go faster if the curve is eliminated. The speed

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limit could be reduced from 35 MPH to 25 MPH on the curve. The Mayor feels that the curve realignment is for safety; it would keep the feel of a neighborhood road vs. a commercial road.

If Council does nothing, this will sit there for a long time. Council discussed whether a public hearing would be necessary or a Town Hall-type meeting instead. Many citizens want the road to be four lanes, especially Cobblestone residents. Councilor Stokes (Ward #4) would favor Option #1 with four lanes all the way from West Broadway to Mesa Drive, and Cedar Level Road to Ashland Avenue. A partial two-lane road will not be adequate. If the goal is a four-lane road, the City Manager suggested Option #2, Cobblestone to HHS. That would put the City in a position to do the second part of the project. If we wait until 2015, we would have to do this all again. The shelf life would be good through 2015.

We need to start the first half of this project and get it started. If engineering is done, it could move up on the list. The 1999 Resolution approved North Avenue to Miles Avenue. Option #2 is a portion of that. Approving funding has not changed the project. Another Resolution would be necessary to further define changes, just to be clear. Option #2 on the third lane, should be looked at and the timing. Then come back to Council at the next Work Session (September 27). (7:45 PM)

REGULAR BUSINESS – MARCH ALTMAN, DIRECTOR OF DEVELOPMENT – REDISTRICTING

Mr. Altman distributed two maps for Plan #1 and Plan #6 of the proposed redistricting in Hopewell. Each would require its own public hearing; they could not be combined. Plan #6 would put Councilor Stokes in Ward #3 (instead of his current Ward #4), using the railroad crossing as the dividing line. It would be a trade off with Ward #1. Sussex Street and Jackson Farm Road are currently in Ward #5, but the change would put them in Ward #4. Cedar Level Road would be used as a dividing line also. The plan is towards 2020. They will look at block dividers on Jackson Farm Road. Shift Kippax into Ward #5, with minor changes. December 31 is the deadline to submit the plan to the Department of Justice. Some felt that deviations are better in Plan #1. They could put Sussex Street and Jackson Farm Road back into Ward #5.

The City Attorney raised the issue of if and when the Department of Justice asks why Hopewell is not dropping 400 African/Americans from Ward #6 to Ward #7, which would create a third majority African/American district. Ward #7 is almost 50/50 among the population (not registered voters). In 2001 a third majority African/American district was not required. (*City Attorney Lacheney stated that there has been no approval yet from the Department of Justice for the City's request to move elections from May to November.*) Upon polling Council, it was their pleasure to select Plan #6. A public hearing will be scheduled for citizen input. (7:57 PM)

REGULAR BUSINESS – COUNCILOR SHORNAK – I-PADS – DISCUSSION OF THE NON-USE OF THE I-PADS PURCHASED FOR CITY COUNCIL AND HOW THEY CAN BETTER BE USED

Councilor Shornak reported that the I-Pads were originally purchased to reduce the amount of duplicating costs and hard copies of the agenda. Some Councilors prefer the I-Pads while others do not. For those I-Pads not being used, perhaps someone else in the City could make use of them.

DISCUSSION: If they are not being used, allow other City employees to use them until and if those Council members who do not currently use them, decide to use them. It would be a waste of money if they are not used. The City Attorney mentioned that before the purchase, there was discussion to update technology and to update Council Chambers. He donated his own City computer to Council Chambers so that presentations could move along faster. Citizens have mentioned that they could not hear from the audience. There was concern about the projector and handouts. There are Camera Projectors which cost about \$1,500.00. That would take care of any handouts, etc. The audience could see what Council sees by using the projector. Mr. Lacheney also suggested wireless microphones for City Council. Vice Mayor

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Walton would like to see us get to HTL links to receive material such as agendas. The City Manager will explore reuse of the unused I-Pads. (8:07 PM)

REPORTS OF COUNCIL MEMBERS

Mayor Luman-Bailey asked Council if they wished to amend the agenda for a Closed Session for Personnel (Performance Evaluation – City Attorney). The consensus of Council was to schedule it for the September 13 Closed Session at the Regular Meeting.

City Manager Daley commented on the earthquake that occurred today. There was minor damage in the gyms at all three elementary schools and some damage at the Courts Building. Chief Tunstall advised assessing all City buildings for damage. The City Manager also reported that he is trying to arrange a meeting with the Mayor and the Vice Mayor regarding the Green Survey. In conclusion, proposals have been received for dredging and design of the Marina.

Councilor Pelham asked if there is anything the City can do for individuals concerned about the personal property damage resulting from the earthquake. Dr. Daley indicated that the City could not tell anyone if they had structural damage; property owners should seek assessment from a company that provides that service. Ms. Pelham asked that all citizens check on senior citizens, the infirm, or persons living alone, in the aftermath of the earthquake.

ADJOURN

Motion was made by Councilor Bujakowski, seconded by Councilor Shornak, and unanimously passed to adjourn the meeting at 8:12 PM.

Christina J. Luman-Bailey
Mayor

Ann M. Romano, City Clerk