

March 10, 2015
Regular Meeting

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD MARCH 10, 2015

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, March 10, 2015, at 6:33 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Christina J. Luman-Bailey, Vice Mayor
 Arlene Holloway, Councilor
 Anthony J. Zevgolis, Councilor
 K. Wayne Walton, Councilor
 Jackie M. Shornak, Councilor

 Mark A. Haley, City Manager
 Thomas Lacheney, City Attorney
 Cynthia Y Ames, City Clerk

ABSENT: Brenda S. Pelham, Mayor
 Jasmine E. Gore, Councilor

ROLL CALL

Vice Mayor Luman-Bailey opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Pelham	-	ABSENT
Vice Mayor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Gore	-	ABSENT
Councilor Walton	-	present
Councilor Shornak	-	present

CLOSED MEETING

Motion was made by Councilor Zevgolis, seconded by Councilor Walton, and unanimously passed to convene into Closed Session for 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; and discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business's or industry's interest in locating or expanding its facilities in the community; and discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected; in accordance with Virginia Code Section 2.2-3711 (A)(3)(5) & (6).

OPEN MEEETING

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:

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

REGULAR MEETING

The Regular Meeting opened at 7:30 p.m. Prayer was offered by Chaplain Greg Taylor, followed by the Pledge of Allegiance to the Flag of the United States of America.

AMEND THE AGENDA

Motion was made by Councilor Zevgolis, and seconded by Councilor Walton to amend the agenda by removing item C-1 from the Consent Agenda (Minutes 2/10/2015 Regular Meeting; 2/17/2015 Work Session [*NOTE: The meeting of 2/17/2015 was cancelled due to inclement weather, and rescheduled on 2/24/2015.*]), to add a Resolution Confirming Local Emergency Declaration, and add R-6 Sesquicentennial Update. Upon the roll call, the vote resulted:

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

CONSENT AGENDA

Motion was made by Councilor Zevgolis, seconded by Councilor Shornak, and unanimously passed to accept the consent agenda: Minutes-none; Pending & Action List; Information for Council Review-none; Personnel Change Report & Financial Report; Public Hearing Announcements-none; Routine Approval of Work Sessions – 3/17/2014 Boards and Commissions; Ordinances on second and final reading-none; Routine Grant Approval-none; and, Proclamations/Resolutions/Presentations-Resolution Confirming Local Emergency Declaration. Upon the roll call, the vote resulted:

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

**RESOLUTION
CONFIRMING LOCAL EMERGENCY DECLARATION**

WHEREAS, on March 3, 2015, there was a diesel fuel spill at Virginia American Water; and

WHEREAS, the diesel spill created contamination and imperiled the Hopewell City water supply; and

WHEREAS, the diesel spill caused a severe disruption of water services to the residents and businesses in the City of Hopewell; and

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WHEREAS, due to the contamination of water, and the lack of available water resources because of the contamination, the City of Hopewell was in a state of extreme peril to the lives, health, safety, welfare, and property of the residents of the City; and

WHEREAS, as a result of this extreme peril, the declaration of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril; and

WHEREAS, the state of extreme peril continued through March 6, 2015, with many City residents facing or experiencing danger to their lives, health, safety, welfare, and property; and

WHEREAS, in accordance with § 44-146.21 of the Code of Virginia, Ben Ruppert, Director of Emergency Services for the City of Hopewell did declare a local emergency to exist on March 3, 2015; and

WHEREAS, pursuant to the declaration of a local emergency, the City's Emergency Operations Plan was activated.

NOW, THEREFORE, BE IT RESOLVED, and confirmed by the City Council for the City of Hopewell, Virginia that a local emergency did exist as a result of conditions caused by the diesel spill at Virginia American Water; and

BE IT FURTHER RESOLVED, that this local emergency ended on March 6, 2015 and this local emergency is declared to be at an end as of such date; and

BE IT FURTHER RESOLVED, and ordered that during the existence of this emergency, the powers, functions, and duties of the Director of Emergency Services, the Emergency Management organization, and the City of Hopewell are prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the City of Hopewell in order to mitigate the effects of said emergency.

ADOPTED BY THE CITY COUNCIL FOR THE CITY OF HOPEWELL ON March 10, 2015.

AFFIRMATION OF PUBLIC HEARING

City Manager Haley stated that the Council meeting was cancelled last week due to the water emergency. Mr. Whitaker would like to update Council on the budget time line, as it is a component of the Consent Agenda.

Finance Director, Jerry Whitaker, reminded Council that they have missed a couple of Work Sessions this year, therefore we have fallen behind. He proposed moving the Public Hearing to March 31, for the tax rate for 2015. Staff is proposing to advertise for a 2¢ increase for real estate. Mr. Whitaker affirmed the ad for a public hearing scheduled on March 31, 2015, will be published on March 17 and March 24, 2015.

COMMENTS OF THE VICE MAYOR

Vice Mayor Luman-Bailey recognized that two City Council members were absent; Mayor Brenda Pelham, and Councilor Jasmine Gore. They are at the NLC Congressional Conference, in Washington, D. C. representing the City of Hopewell. On behalf of mayor Pelham, she thanked all those who worked last week to resolve the water contamination issue resulting from a diesel spill. She included the City Manager,

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City staff, the Public Works Department, and all public safety officers. Especially, Officers Whittington, Irons and Johnson, who knew where the senior citizens were who could not get out to get the drinking water. The officers delivered the water to those seniors. VAWCO did a very efficient job in cleaning up. She also thanked Doug Woodhouse of the VAWCO.

PUBLIC HEARINGS

PH-1. PUBLIC HEARING - CONSIDER AN AMENDMENT TO CHAPTER 19, ARTICLE IV (VACANT BUILDING REGISTRATION PROGRAM) OF THE CODE OF THE CITY OF HOPEWELL

This was the night advertised for a public hearing to consider an amendment to Chapter 19, Article IV (Vacant Building Registration Program) of the Code of the City of Hopewell.

Tevya Griffin, Director of Planning addressed Council. City Administration recommended the amendment and reenactment of Chapter 19, Article IV (Vacant Building Registration Program) of the Code of the City of Hopewell. The purpose of this article is to keep an inventory of buildings in the City that might endanger the public's health, safety or welfare. The Vacant Building Registration program is hereby established to ensure that owners of vacant properties are known to the city and other interested parties and can be reached if necessary; to ensure that owners of vacant properties are aware of the obligations of ownership under relevant codes and regulations; and to ensure that owners meet minimum standards of maintenance of vacant properties.

The public hearing was opened at 8:01 p.m. There being no speakers, the public hearing was closed at 8:02 p.m.

Motion was made by Councilor Shornak, and seconded by Councilor Walton, to resolve to approve an amendment to Chapter 19, Article IV (Vacant Building Registration Program) of the Code of Hopewell, on first reading. Upon the roll call, the vote resulted:

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

PH-2. PUBLIC HEARING – CONSIDER AN AMENDMENT TO ARTICLE 1, DEFINITIONS, OF THE HOPEWELL ZONING ORDINANCE (RESIDENTIAL CARE HOME)

This was the night advertised for a public hearing to consider an amendment to Article 1, Definitions, of the Hopewell Zoning Ordinance (Residential Care Home).

Tevya Griffin, Director of Planning, addressed Council. City Administration recommended the amendment and reenactment of Article 1, Definitions, of the Hopewell Zoning Ordinance to add a residential care home as a definition. During the 2014 General Assembly session, several bills were passed that required action to be taken on the part of local governments. House Bill 527, Group Home Zoning Ordinances, requires the City to add a definition for residential care home in order to meet Code of Virginia standards.

The public hearing was opened at 8:04 p.m. There being no speakers, the public hearing was closed at 8:05 p.m.

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Motion was made by Councilor Walton, and seconded by Councilor Holloway, to consider an amendment to Article 1, Definitions, of the Hopewell Zoning Ordinance (Residential Care Home), on first reading. Upon the roll call, the vote resulted:

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

COMMUNICATIONS FROM CITIZENS

June Goko, Ward 4, and Janice Denton, Ward 5, thanked the City of Hopewell for how they handled the recent water issue. On behalf of the people of Cobblestone, they thanked the city very much. They could not praise the city enough.

Scott Firestine, Director of the ARL, informed Council of a community read at ARLS, “The Other Wesmore.” There will be a panel on the book April 28 at 7:00 p.m.

Brandon Howard, Ward 5, raised the issue of vagrants in the City. He has addressed the Police Department many times with no action. The more vagrants in the city, the more the crime rate will increase, and property values will decrease. Council needs to take some action to prevent more vagrants from coming into the city so they are not on street corners begging for money and protect property values and our city.

Steve Benham, Director of HRHA, presented Council with an Indiegogo Campaign Fact Sheet (filed in the City Clerk’s Office). HRHA chose to launch an Indiegogo campaign to raise funds for expanded youth programs and activities and community center supplies after Na’Seem Hopson won the VML essay contest. Indiegogo is a crowdfunding site similar to Kickstarter and Gofundme, in which organizations can launch campaigns for projects that need funding and receive global donations. There is no cost to launch campaigns. HRHA partnered with prince and Princess, Inc., a nonprofit organization, to process donations in order to provide donors with a receipt for tax purposes. The link is: <http://i99.me/at/HopewellStory>. (This should be added to the City’s website.)

REGULAR BUSINESS

R-1. REGULAR BUSINESS – 2015 LOCAL GOVERNMENT CHALLENGE GRANT BY THE VIRGINIA COMMISSION FOR THE ARTS AND MATCHING FUNDS – PARKS AND RECREATION DEPARTMENT

Each year the historic Hopewell Foundation offers a variety of programs and events for citizens that focus on arts and entertainment, while incorporating local history. These programs include the Summer Concert Series held at Weston Manor, the Lunch and Lecture Series, and an annual summer program for children. The Recreation and parks Department has been awarded grant funding from the Virginia Commission for the Arts in past years to assist with these programs. The grant requires the City to match the \$5,000 provided by the Virginia Commission for Arts, totaling \$10,000 in grand funding for the proposed programs. The City Administration recommended that \$5,000 be allocated as matching funds for the Local Government Challenge Grant presented by the Virginia Commission for the Arts to assist with arts and entertainment programming in the City. This grant and matching funds have been the primary funding source for the popular Weston Manor Concert Series for several years. A positive tourism-related

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fiscal impact is created when non-residents visit the City of Hopewell to see the performances at historic Weston Manor on the Appomattox River.

Motion was made by Councilor Shornak, and seconded by Councilor Holloway, to resolve to approve grant application for the 2015 local Government Challenge Grant by the Virginia Commission for the Arts. Upon the roll call, the vote resulted:

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

R-2. REGULAR BUSINESS – HEALTH INSURANCE RENEWAL 2015-2016 – HUMAN RESOURCES DEPARTMENT

Presentation was made by Gail Vance, Director of Human Resources. Staff recommended that Council authorize the City Manager to sign the Adoption Agreement with The Local Choice Health Insurance carrier to become effective July 1, 2015. At this time every year, the City has to look at the renewal rates from the health insurance carrier. For the upcoming FY15/16, CIGNA projected a substantial rate increase. Although CIGNA is a great partner and provider, the City could not absorb nor pass on this rate increase that is projected. Therefore, staff recommended that we pursue the quote that was obtained from The Local Choice (TLC). TLC is a program that is managed by the Commonwealth of Virginia’s Department of Human Resource Management (DHRM). TLC will offer:

- Competitive rates;
- Below-industry average rate adjustments/increases;
- Benefits that are compliant with the ACA requirements;
- Value-added features unequaled by the private sector; and
- Protection against catastrophic claims through shared risk pools, financial stability, and access to the same statewide and regional provider networks available to state employees.

TLC currently has over 300 local employer groups and covers more than 50,000 employees, retirees and dependents. TLC’s plan offerings closely align with the City’s current offerings and lastly, TLC came in with a substantially reduced rate for the upcoming Fiscal Year. That means the employees and the City will see a decrease in providing health care coverage for FY15/16.

No action was required by City Council at this time.

R-3. REGULAR BUSINESS – BUDGET RESOLUTION AMENDMENT FISCAL YEAR 2014-2015 TO APPROPRIATE FUNDS IN THE AMOUNT OF \$45,000 TO DEMOLISH 200 BUREN STREET

A memorandum of agreement was signed on December 12, 2014 between the City of Hopewell and the Hopewell Recreation and Parks Foundation to demolish 200 Buren Street. In accordance with the MOU, any structure on the property must be demolished 90 days from the date of the property conveyance to the City. That date is March 21, 2015. The total cost of asbestos removal and demolition is \$47,700. Currently there is \$4,000 in the demolition account. City Administration requested \$45,000 (\$43,700 for asbestos removal and demolition and \$1,300 for contingency).

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Vice Mayor Luman-Bailey stated that in the past the city has asked the National Guard to demolish properties owned by the city. Mrs. Griffin indicated that there is an application process. They would come to the city once a year, sometime in August. We do have a MOU with the parks and Recreation Foundation saying that this would be demolished by March 21. The National Guard would not be able to demolish the building by that time. They actually have to approve the demolitions, and they must meet their specifications.

One of the City's inspectors recognized that the property also contained branches, limbs, dead shrubs and trees. Therefore, Mrs. Griffin requested up to \$50,000 to make sure that everything that needs to be, is removed from the property. There is \$4,000 in the account now. Asbestos Testing has been completed - \$1,060. Asbestos Removal for the entire building - \$19,750; that has been done. Demolition is \$27,950.

Motion was made by Councilor Zevgolis, and seconded by Councilor Holloway, to approve a budget resolution amendment Fiscal Year 2014-2015 to appropriate up to \$50,000 for the demolition of 200 Buren Street. Upon the roll call, the vote resulted:

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

**BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2014-2015**

WHEREAS, at the meeting of the City Council of the City of Hopewell held on March 10, 2015, a budget amendment was introduced to appropriate funds for the FY 2014-2015, a budget amendment was introduced to appropriate funds for the FY 2014-2015 budget to provide for Buren Street demolition project, and

WHEREAS, a budget amendment to appropriate funds in the amount of \$50,000 for the demolition project from the Unassigned Fund Balance for the FY 2014-2015 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 that:

Sec. 1 The following designated funds and accounts shall be appropriated for the 200 Buren Street Demolition project from the Unassigned Fund Balance.

General Fund-011:

Resources:

Fund Balance..... \$50,000

Appropriations:

Transfer to Fund 071..... \$50,000

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Capital Project Fund-071:

Resources:

Transfer from Fund 011..... \$50,000

Appropriations:

Demolition Buildings..... \$50,000

Councilor Shornak submitted a Transactional Disclosure Statement (filed in the City Clerk's Office). Her daughter is an employee of the City of Hopewell.

R-4. REGULAR BUSINESS – HEALTHY FAMILIES BUDGET REQUEST FOR \$15,000 TO PROVIDE FOR A 90-DAY RESERVE TO START A NEW SERVICE

Bernetta Quinn, Director of Hopewell/Prince George Healthy Families made a one-time request for \$15,000 to offset any cost associated with the setup and preparation of beginning Target Case Management services for “at risk” families in the City of Hopewell.

Hopewell/Prince George Healthy Families (HPGHF) is a non-profit/governmental agency without the 501(c)3 status. The City of Hopewell is their fiscal agent. Hopewell/Prince George healthy Families has been in existence since 1999, when it was established in the community to provide intensive home visitation services to “at risk” families. During this time Hopewell had one of the highest child abuse and neglect rates in Virginia. Healthy Families is a national program; therefore, establishing a program in the City of Hopewell and County of Prince George seemed only natural due to the rates of abuse. It is a prevention program that provides home visitation services to families. It is now entering into collaboration with the Community Services Board (District-19) to subcontract in providing Target Case management Services to families enrolled in the program. Families who are ‘at risk’ and have Medicaid. This will allow HF to bring in additional funding. This will also help the community handle some of the issues of mental health and mental illness, especially with families who have young children. This can reduce the instances of psychiatric hospitalizations, non-managed medication and low parenting skills with parents.

Motion was made by Councilor Holloway to resolve to appropriate \$15,000 to Healthy Families to provide for a 90-day reserve to start a new service.

A substitute motion was made by Councilor Walton, and seconded by Councilor Zevgolis, to resolve to appropriate \$15,000 to Healthy Families to provide for a 90-day reserve to start a new service, contingent upon Prince George matching funds (\$15,000). Upon the roll call, the vote resulted:

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

R-5. REGULAR BUSINESS – RECOMMEND RAY SPICER BE APPOINTED TO THE CAPUP BOARD

Motion was made by Councilor Shornak, and seconded by Councilor Walton, to resolve to recommend Ray Spicer be appointed to the CAPUP Board. Upon the roll call, the vote resulted:

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Councilor Walton	-	yes
Councilor Shornak	-	yes
Vice Mayor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolts	-	yes

R-6. REGULAR BUSINESS – SESQUICENTENNIAL UPDATE

Charlie Dane, Assistant City Manager, provided a Sesquicentennial Activities update. The week begins on Friday, March 20. There will be two matinee productions of the play, "Soldier Come Home." Matinees are for schools only. The first one would be for Hopewell High School and the Governors School. The second one, in the early afternoon, would be for Prince George Schools. At 7:30 p.m. on Friday, March 20, is the first public performance of the play. Many of the actors are from the local and Richmond area. The director is from Chesterfield. Saturday, March 21, there is nothing scheduled. On Sunday, March 22, at 2:30 p.m. is a performance of the play, which is a VIP event. Invitees include City Council, dignitaries, elected officials in the surrounding localities, and, the Historic Hopewell Foundation Board. Following the play there will be a reception in the main ballroom of the Beacon Theatre for the VIPs. Sunday evening will be the last performance of the play at 6:30 p.m. All events are free to the public. Attendees must go to the Beacon Theatre website to reserve tickets. Wednesday, March 25, the Ft. Lee Army Band will provide a free concert at 7:00 p.m., of commemorative civil war music, traditional patriotic music and salutes to the various services. Thursday, March 26, is a Civil War Artifacts Road Show. It is an opportunity for local collectors to put on display all of their collectibles. Mayor Luman Bailey announced that on April 4, the National Park Service will sponsor a Lincoln Tour of City Point.

REPORT OF THE CITY CLERK

The City Clerk reported vacancies on the City's Boards, Commissions, and Authorities: Board of Architectural Review-2 vacancies-no TBRs on file; Dock Commission-1 vacancy-no TBRs on file; Virginia's Gateway Region-1 vacancy (2/28/2015); Recreation Commission-1 vacancy (1 student-rising junior); Senior Citizens Advisory Commission-3 vacancies-no TBRs on file; and, Social Services Advisory Board-3 vacancies-4 TBRs on file.

REPORTS OF CITY COUNCIL MEMBERS

Councilor Shornak thanked the City manager and all City Staff who worked on the warming center for the homeless. She provided a meal for them and brought her family to serve it and provide entertainment. She hoped we can continue to find more resources for these people. Anyone interested in helping should contact Pastor Boggs at First Baptist Church.

Councilor Luman-Bailey announced that we have taken action on the vagrancy issue by opening the warming shelter.

COUNCIL COMMUNICATIONS

Councilor Holloway thanked citizens for coming out to the meeting and urged them to continue. She thanked the City Manager and staff for weathering the storm during the water crisis.

Councilor Zevgolts congratulated staff and responders on the recent spill in the river. He encouraged citizens to call the City Clerk to get a Talent Bank Resume for boards and commissions. There are vacancies on the Architectural Review Board, the Dock Commission, Virginia Gateway Region, Recreation Commission, Senior Citizens Advisory Commission, and the Social Services Advisory Board.

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Councilor Walton thanked everyone for the team effort during the water crisis. At the end of the month, March 28, there will be a river clean up. He announced the River Fest in April in Dinwiddie sponsored by FOLAR.

Councilor Zevgolis stated that this was the first meeting he has been to with no dissenting votes.

Vice Mayor Luman-Bailey announced that Mayor Pelham and Councilor Gore will bring back information from the NLC Conference in D. C. when they return. She thanked Mr. Dane for his presentation. She wants to get the word out about all the scheduled activities coming up. Make the most of the events and work with the National Park Service on their events.

The City Manager thanked Council for their kind words on the handling of the water emergency. Chief Hunter and staff will be meeting tomorrow with City staff who worked on any aspect of the emergency, to share experiences. He extended the offer to City Council. He asked that they let the City Manager or Chief Hunter know their concerns. The warming shelter has closed, but the work does not end. Staff will continue to meet to work on other efforts for the homeless. Mayor Luman-Bailey was hopeful to be able to use some CDBG funds to assist.

ADJOURN

Motion was made by Councilor Zevgolis, seconded by Councilor Holloway, and unanimously passed to adjourn the meeting.

/s/ Brenda S. Pelham
Brenda S. Pelham, Mayor

Cynthia Y. Ames, City Clerk