

AGENDA



CITY OF HOPEWELL

Hopewell, Virginia 23860

AGENDA

PHONE: 541-2249

FAX: 541-2248

e-mail: info@hopewellva.gov

www.hopewellva.gov

rarrington@hopewellva.gov

CITY COUNCIL

Jackie M. Shornak, Mayor, Ward #7

Jasmine E. Gore, Vice Mayor, Ward #4

Christina J. Luman-Bailey, Councilor, Ward #1

Arlene Holloway, Councilor, Ward #2

Anthony J. Zevgolits, Councilor, Ward #3

Janice Denton, Councilor, Ward #5

Brenda S. Pelham, Councilor, Ward #6

John M. Altman, Jr., City Manager

Stefan M. Calos, City Attorney

Ronnieye L. Arrington, City Clerk

Date: February 13, 2018

MUNICIPAL BUILDING

TIME: Closed Meeting 6:00 p.m.

Regular Meeting 7:30 p.m.

5:45 p.m. Oath of Office – John M. Altman, Jr., City Manager

OPEN MEETING

6:00 p.m. Call to order, roll call, and welcome to visitors

CLOSED MEETING

MOTION: To go into closed meeting for (1) discussion and consideration of prospective candidates for employment (city attorney); (2) discussion of appointment of specific appointees of city council (CPMT, Library Board, Opioid Task Force); (3) discussion of specific appointees of city council (city clerk); (4) discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating or expanding its facilities in the community; (5) consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of city council (EEOC, CSA, cemetery, fire department, police department); and (6) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters requiring the provision of legal advice by such counsel (Beacon), in accordance with Virginia Code § 2.2-3711 (A) (1) [three items], (5), (7), and (8), respectively.

Roll Call

RECONVENE OPEN MEETING

CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D): *Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?*

Roll Call

MOTION: To amend/adopt agenda

Roll Call

REGULAR MEETING

7:30 p.m. Call to order, roll call, and welcome to visitors

Prayer by Chaplain Pamela Cooper of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Pelham.

Consent Agenda

All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.

- C-1** Minutes: Dec. 12, 2017, Jan. 18, 2018, Jan. 22, 2018
- C-2** Pending List:
- C-3** Routine Approval of Work Sessions:
- C-4** Personnel Change Report & Financial Report: Personnel Change Report included
- C-5** Ordinances on Second & Final Reading:
- C-6** Routine Grant Approval:
- C-7** Public Hearing Announcement:
- C-8** Information for Council Review:
- C-9** Resolutions/Proclamations/Presentations: Resolution appointing John M. Altman, Jr. to Riverside Community Criminal Justice Board; Resolution appointing John M. Altman, Jr. to all other boards, committees and/or commissions to which the city manager should be appointed; presentation by the IT Department responsive to requests from Vice Mayor Gore regarding a constituent complaint process linked to MUNIS
- C-10** Additional Announcements: Arlington Park Renovation Public Meeting by Aaron Reidmiller, Director of Recreation and Parks

Public Hearings

CITY CLERK: *All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to five minutes. No person shall be permitted to address Council a second time until all others have been heard, and no one may speak more than twice on any subject in any one meeting. All remarks shall be addressed to Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers may be barred by the mayor from further audience before Council, and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)*

PH-1 Request for Conditional Use Permit for a self-storage facility at 4013-4017 Old Woodlawn Street, in the Corridor Development District (B-4).

ISSUE: The City has received a request to build a self-storage facility in the Corridor Development District (B-4) at 4013-4017 Old Woodlawn Street. This was originally presented to Council at its October 24, 2017 meeting, and Council approved the amendment to the Zoning Ordinance allowing self-service storage facilities by Conditional Use Permit at its November 21, 2017 meeting.

RECOMMENDATION: Staff recommends that Council **approve the request to build a self-storage facility in the Corridor Development District at 4013-4017 Woodlawn Street.**

MOTION: _____

Roll Call

PH-2 Request for Conditional Use Permit to establish a micro-winery at 235 East Broadway in the Downtown Central Business District.

ISSUE: Haley’s Honey Meadery LLC requests a conditional use permit to establish a micro winery.

No action is required of Council at this time.

PH-3 Request to vacate a portion of a ten-foot wide alley between PID #043-034, 043-0365 and 081-0565.

ISSUE: The City has received an application from Haron Izhour requesting vacation of a portion of a ten-foot alley.

RECOMMENDATION: Staff recommends that Council **approve the request to vacate a portion of the ten-foot alley between PID #043-034, 043-0365 and 081-0565 in the High Point and West Hopewell subdivisions.**

MOTION: _____

Roll Call

UNFINISHED BUSINESS

UB-1 Discussion Concerning Plaza Art Policy and Commission

ISSUE: At the January 23, 2018 meeting, the Martin Luther King, Jr. Memorial Foundation requested that Council consider putting a bust of Rev. Dr. Curtis W. Harris in the Ashford Civic Plaza. At that time, Council queried as to the policy regarding art items being placed in the Plaza. Council tabled the request from the MLK Memorial Foundation pending the re-activation of the Ashford Civic Plaza Art Commission and a review of the accompanying policy.

RECOMMENDATION: Staff has no recommendation.

MOTION: _____

Roll Call

Communications from Citizens

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to three minutes. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall be addressed to Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council, and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)*

Regular Business

Reports of City Manager:

R-1 Report to City Council

ISSUE: This item will be reserved for updates to City Council from administration.

This requires no action of Council

R-2 Mutual Aid Agreements

A. Regional Mutual Aid with Central Virginia

ISSUE: Agreement for Mutual Aid Fire and Rescue Services among designated localities in Central Virginia (Colonial Heights, Hopewell, Petersburg, Richmond, Amelia, Caroline, Charles City, Chesterfield, Cumberland, Dinwiddie, Goochland, Hanover, Henrico, King and Queen, King William, New Kent, Powhatan, Prince George, Sussex, and the Richmond Ambulance Authority, the Capital Regional Air Commission, the Defense Supply Center Richmond, and Fort Lee). The City has entered into other mutual aid agreements, all of which benefit the City of Hopewell and all other entities involved.

B. Agreement between National Park Service and Hopewell Fire Department

ISSUE: Agreement to provide mutual aid and assistance for occurrences of emergency medical services, structural and wildland fire on, within, or threatening the adjacent boundaries of Petersburg National Battlefield and within the response area of the Hopewell Fire Department.

RECOMMENDATION: Staff recommends that Council **approve Hopewell's Fire and Emergency Services' inclusion in the Regional Mutual Aid Agreement and the Agreement between National Park Service and Hopewell Fire Department, and that the city manager be authorized to sign all necessary documents related thereto.**

MOTION: _____

Roll Call

R-3 Update to Opioid Task Force

ISSUE: The Opioid Task Force was created and members were appointed December 12, 2017. However, the school system was inadvertently not included.

RECOMMENDATION: Staff recommends that City Council **revise the appointment to include , the Superintendent of Schools or his/her designee, along with the Mayor, the Vice Mayor, the City Manager, the Chief of Police, the Fire Chief, the Commonwealth’s Attorney, the Sheriff, the Social Services Director, the Director of Riverside Criminal Justice Agency the Office on Youth Coordinator, a Health Department representative, and two service providers residing in Hopewell, Virginia, who work on opioid-related issues.**

MOTION: _____

Roll Call

Reports of the City Attorney:

Reports of the City Clerk:

Appointment of _____ to CPMT
Appointment of _____ to Library Board

Reports of City Council:

Committees

Individual Councilors

Citizen/Councilor Requests

Other Council Communications

Adjournment

CONSENT AGENDA

MINUTES

December 12, 2017
Regular Meeting
DRAFT

MINUTES OF THE CITY COUNCIL MEETING

A Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, December 12, 2017, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jackie Shornak, Mayor
Jasmine E. Gore, Vice Mayor
Christina J. Luman-Bailey, Councilor
Arlene Holloway, Councilor
Anthony J. Zevgolis, Councilor
Janice B. Denton, Councilor
Brenda S. Pelham, Councilor

Charles Dane, Interim City Manager (arrived at 7:09 pm)
Stefan M. Calos of Sands Anderson PC, City Attorney
Ronnieye L. Arrington, City Clerk

ROLL CALL

Mayor Shornak opened the meeting at 6:32 p.m. Roll call was taken as follows:

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

CLOSED MEETING

At 6:33 p.m. Councilor Denton moved to go into closed meeting for (1) discussion and consideration of prospective candidates for employment (city manager); (2) discussion of appointment of specific appointees of city council (HRHA); (3) consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of City Council (CSA, public safety building); and (4) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters requiring the provision of legal advice by such counsel, in accordance with Virginia Code § 2.2-3711 (A) (1) [two items], (7), and (8), respectively. The motion was seconded by Councilor Luman-Bailey. Upon the roll call the vote resulted:

Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

**December 12, 2017
Regular Meeting
DRAFT**

Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion passes 7-0

Councilor Denton submitted a Transactional Disclosure Statement citing Tom Wagstaff. Mayor Shornak submitted a Transactional Disclosure Statement citing that her daughter is a City employee and that the transaction was Budget.

AMEND/ADOPT AGENDA

Councilor Pelham made a motion to postpone the Unfinished Business Item – Hopewell Police Department Recruitment and Retention until the January work session. The motion was seconded by Vice Mayor Gore and discussion ensued. Upon the roll call, the vote resulted.

Mayor Shornak	-	No
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes

Motion passes 5-2

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Mayor Shornak called the meeting to order at 8:31, and thanked all for attending. The prayer was led by Rev. Jeff Butler of Woodlawn Presbyterian Church, followed by the Pledge of Allegiance to the Flag of the United States of America, led by Councilor Zevgolis.

CONSENT AGENDA

Councilor Luman-Bailey moved to approve the Consent Agenda which appears below. The motion was seconded by Councilor Denton.

- C-1** Minutes: August 29, 2017; November 20, 2017; December 6, 2017
- C-2** Pending List:
- C-3** Routine Approval of Work Sessions: Work Session between the Planning Commission and City Council – to be scheduled in Council’s 2018 calendar
- C-4** Personnel Change Report & Financial Report: Attached
- C-5** Ordinances on Second & Final Reading:
- C-6** Routine Grant Approval: Recreation & Parks - \$20,000 Virginia Environmental Endowment for the creation of interpretive educational signage along the Hopewell Riverwalk
- C-7** Public Hearing Announcement: January, 2017 – Street vacation—easement to Noble Oil
- C-8** Information for Council Review: Minutes: EDA (October, 2017)

December 12, 2017
Regular Meeting
DRAFT

C-9 **Resolutions/Proclamations/Presentations:** Retirement Certificates for Sheriff Luther Sodat and Treasurer Terri Batton; presentation to City by Sgt. Maj. Michael Warren of Fort Lee for supporting their 100th Year Anniversary Program

C-10 **Additional Announcements:**

Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes 7-0

Motion to Reconsider

Councilor Luman-Bailey made a motion to reconsider removing the Unfinished Business item from the agenda. Charles Dane, interim city manager stated that it was fine to move that item to the January agenda. Councilor Luman-Bailey then withdrew her motion.

PUBLIC HEARINGS

There were no public hearings.

COMMUNICATIONS FROM CITIZENS:

There were no communications from citizens.

REGULAR BUSINESS

Reports of City Manager:

R-1 Report to Council – Charles Dane, interim city manager, gave his report to City Council of current events including the fact that Hopewell High School won the state championship. He noted that the celebration thrown by the City to celebrate the team had over 200 attendees. He also said there would be a rally the next evening for the team. Mr. Dane introduced Michael Terry, the new finance director. He said Mr. Terry would come back to council in January and present his plan. This required no action of council.

R-2 Establishment of Council Calendar for 2018 – Council reviewed its calendar and made revisions, including the addition of work sessions and the reduction of meetings in November from two to one. Councilor Pelham made a motion to approve the 2018 council calendar with adjustments made by Council, and to add the ratification of the calendar to the January 9, 2018 meeting. That motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

**December 12, 2017
Regular Meeting
DRAFT**

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes 7-0

R-3 Appomattox Cemetery Drainage Repairs – Mr. Dane presented to council information regarding the drainage issue at the Appomattox Cemetery and proposed repairs, including planting foliage on slopes, adding filtration to slow the stream, etc. Discussion ensued. Motion was made by Councilor Zevgolis, and seconded by Councilor Denton to approve the transfer of \$60,000 from the Cemetery Trust Fund to the Cemetery operating fund to be used for the installation of drainage improvements at Appomattox Cemetery - Item R-3 – Appomattox Cemetery Drainage Repairs. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes 7-0

R-4 Appropriation of Aide to Locality (ATL) Funding Grant - The ATL grant budget line item currently sits at \$0.00. ATL has awarded the Fire Department \$75,525, but the budget funds need to be appropriated so that the budget line item can be properly adjusted. Vice Mayor Gore made a motion to appropriate \$75,525 to the ATL fire grant line item in the Fire Department budget, which was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes 7-0

December 12, 2017
Regular Meeting
DRAFT

R-5 Consider Capital Area Partnership Uplifting People’s (CAPUP) appeal of the Downtown Design Review Committee decision regarding fence height - Director of Planning presented to Council information regarding the requested appeal of the DDRC’s decision regarding fence height for the CAPUP project. The issue was that CAPUP wanted a 6’ fence in an area where only 4’ had been approved. There was significant discussion.

Councilor Denton moved to approve the 5 foot fence height instead of four feet. This motion was seconded by Mayor Shornak, but upon discussion, there was no vote.

Councilor Luman-Bailey made a substitute motion to postpone a decision on this item until Council could get more information from the DDRC. The motion was seconded by Councilor Zevgolis. Griffin explained that this matter was time sensitive and could not wait. Councilor Zevgolis withdrew his second, and there was no vote.

Councilor Luman-Bailey then made a substitute motion to approve a 4.5’ fence. The motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

Councilor Denton	-	No
Councilor Pelham	-	No
Mayor Shornak	-	No
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	No
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion fails 4-3

Councilor Pelham made a substitute motion to approve the 6-foot fence as CAPUAP requested. This motion was seconded by councilor Denton. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	No
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	No

Motion passes – 5-2

R-6 Landfill Financial Assurance for the DEQ – Mr. Watson, Director of Public Works and Mr. Dane presented to Council information regarding the fact that due to the tardiness of the 2016 CAFR, the DEQ is requiring that the City purchase a standby letter of credit. At a cost to the City of \$8,000, SunTrust will issue a line of credit on a certificate of deposit. Initially they were requiring a transfer of \$586,155 from the Solid Waste Fund to a fund that could be accessed by the DEQ.

December 12, 2017
Regular Meeting
DRAFT

Vice Mayor Gore made a motion to cover costs for the CD up to \$8,000 for funds to be placed in a CD or trust. Upon further discussion, Mr. Watson expressed concerns that the bank could require additional funds. Vice Mayor Gore amended her motion to approve payment of up to \$8,000 to fund the CD and/or trust and to return all funds not expended to the General Fund. Councilor Luman-Bailey seconded the motion. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes – 7-0

R-7 Request for 2% Increase for Registrar’s Office – Dane advised Council that the Code of Virginia mandates the compensation of the Registrar and staff. The Virginia Department of Elections issued a letter providing the salary for the registrar’s office for FY2018, but it was inadvertently overlooked in the budget process. Vice Mayor Gore asked if the funds could come out of the \$75,000 set aside for constitutional offices, and Mr. Dane said that it could. Councilor Pelham moved to approve the 2% increase to the registrar’s office compensation as recommended by the Virginia Department of Elections and as mandated by the Code of Virginia, and for the money to come from the funds set aside for Constitutional Offices. Vice Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes – 7-0

R-8 Creation of Opioid Task Force - Mr. Dane advised Council concerning the growing opioid epidemic. He provided a recommendation for the creation of the task force, and the membership of the task force.

Councilor Zevgolis made a motion to create an opioid task force to address the growing epidemic, and that the task force be comprised of council members, the City Manager, the Chief of Police, the Fire Chief, the Commonwealth’s Attorney, the Sheriff, the Social Services Director, the Director of Riverside Criminal Justice Agency, the Office on Youth Coordinator, a Health Department representative, and two service providers residing in Hopewell, Virginia, who work on opioid related issues. The motion was seconded by Councilor Denton.

December 12, 2017
Regular Meeting
DRAFT

The Vice Mayor amended the motion to add the Mayor and the Vice Mayor as council representatives. Stefan Calos of Sands Anderson, City Attorney, explained that there was no need to amend the motion, but rather insert the Mayor and Vice Mayor into the Motion.

Vice Mayor Gore moved that the task force be comprised of Mayor Shornak, Vice Mayor Gore, the City Manager, the Chief of Police, the Fire Chief, the Commonwealth's Attorney, the Sheriff, the Social Services Director, the Director of Riverside Criminal Justice Agency, the Office on Youth Coordinator, a Health Department representative, and two service providers residing in Hopewell, Virginia, who work on opioid related issues. The motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes – 7-0

As it was almost 10:30, Mayor Shornak asked if there was a motion to continue past 10:30 p.m. Councilor Pelham made the motion, which was seconded by Councilor Denton. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passes – 7-0

Council went back into closed session.

RECONVENE OPEN MEETING

Council re-convened into Open Session at 11:45 p.m. and responded to the question pursuant to Virginia Code § 2.2-3712 (D): were only public business matters (I) lawfully exempted from open-meeting requirements and (II) identified in the closed-meeting motion discussed in closed meeting? Upon the roll call, the vote resulted:

Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

December 12, 2017
Regular Meeting
DRAFT

Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes

Reports of City Attorney – Nothing to report.

Reports of City Clerk – Nothing to report.

Reports of City Council.

Individual Councilors

Vice Mayor Gore reported that the first meeting of the Youth Services Commission had been held and had gone well. She thanked Shanelle Ebanks for her help, and for providing the YSC members with t-shirts. She also thanked the Clerk for handling the swearing in of each of the members. Vice Mayor Gore gave a special thank you to Councilors Holloway, Denton and Pelham for attending that first meeting. Vice Mayor Gore also noted that she had been appointed to the Chesapeake Bay Advisory Committee and offered her assistance and a request for cooperation, coordination and collaboration from staff on common related goals.

Councilor Luman-Bailey thanked the Parks and Recreation department and Hopewell Downtown Partnership for their hard work on the tree lighting ceremony.

Mayor Shornak thanked all employees for making the holiday festivities awesome. She especially thanked Mr. Dane for his hard work. Mayor Shornak asked that all remember the Harris family in their prayers for the loss of Rev. Curtis Harris. The Mayor also acknowledged the newly opened Captain D's.

Councilor Denton extended Merry Christmas and Happy Holiday greetings to all. She said it was a pleasure serving Council and the citizens.

Councilor Zevgolis reminded Council that they had to ratify the calendar in January per the rules.

Councilor Pelham reminded everyone that school was out starting December 19th so everyone be on the lookout for them. She also congratulated Coach Irby and said she was looking forward to the basketball State Championship in March.

Citizen Councilor Requests:

ADJOURN

At 12:00 a.m. motion was made by Councilor Pelham and seconded by Councilor Zevgolis to adjourn. All council responded “aye” to the question of their approval of the motion.

December 12, 2017
Regular Meeting
DRAFT

Jackie Shornak, Mayor

Ronnieye L. Arrington, City Clerk

**January 18, 2018
Special Joint Meeting**

Councilor Denton	-	yes
Councilor Pelham	-	yes

Mayor Shornak thanked the Planning Commission and Staff for the work done to set up things for the meeting.

Prayer was given by Reverend Rudolph Dunbar, Retired, First Baptist Church of City Point, followed by the Pledge of Allegiance to the Flag of the United States of America led by Vice Chairman of the Planning Commission, Todd Butterworth.

Mayor Shornak then turned the meeting over to the Planning Commission. Tevya Griffin, Director of Development explained that the purpose of the joint meeting was to provide information regarding the comprehensive plan. She said that the plan would be provided to council by January 31, 2018 and would be followed by another work session to answer additional questions. She then turned the meeting over to Elliot Eliades, Chairman of the Planning Commission.

Mr. Eliades thanked the Mayor and then gave an extensive presentation on the Comprehensive Plan. Mr. Eliades said that the actual Comp Plan was approximately 300 pages long, and would be presented to Council at the same time as it was presented to the public; however, he did say the Commission would be coming back before Council prior to the Comp Plan release. He then opened the floor for questions from Council.

Councilor Zevgolis said that he like the Plan. He said that the City had a history of too many pans in the fire and nothing getting done. He said that we need to decide what will give us the best bang for our buck.

Councilor Luman-Bailey complimented the Planning Commission on the Plan and the presentation. She said that it was very flexible. She noted that other localities often have a Plan that is too strict and can cause implementation problems. Councilor Luman-Bailey said that more walkable areas in the community was a great idea.

Vice Mayor Gore noted that the old Comp Plan included an art district. She asked if there was any interest in art in this Plan. Mr. Eliades said that the results of their study showed that art areas were really not helpful and therefore not included in the comp plan. He said that the art area was included in the DDRC plan, but not incorporated in the Comp Plan. Vice Mayor asked if the Strategic Plan had been incorporated and Ms. Griffin responded that it was included in Chapter 2.

There was further discussion between the Council and the Planning Commission, with Council making very positive comments on the Plan.

ADJOURN

At 7:46 p.m., motion was made by Councilor Pelham, and seconded by Vice Mayor Gore to adjourn. Upon the roll call, the vote resulted:

Mayor Shornak	-	yes
Vice Mayor Gore	-	yes
Councilor Luman-Bailey	-	yes

January 18, 2018
Special Joint Meeting

Councilor Holloway	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes

/s/ Jackie M. Shornak
Jackie M. Shornak, Mayor

/s/ Ronnie L. Arrington
Ronnie L. Arrington, City Clerk

**January 22, 2018
Special Meeting**

MINUTES OF THE SPECIAL MEETING OF CITY COUNCIL HELD JANUARY 22, 2018

A Special Meeting of Hopewell City Council, was held Monday, January 22, 2018, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jackie M. Shornak, Mayor
Arlene Holloway, Councilor
Janice Denton, Councilor
Anthony Zevgolis, Councilor
Christina Luman-Bailey, Councilor

Ronnieye Arrington, City Clerk

ABSENT: Jasmine E. Gore, Vice Mayor (arrived at 6:33 pm)
Brenda S. Pelham, Councilor (arrived at 6:33 pm)
Charles Dane, Interim City Manager (presence not requested)
Stefan Calos, Sands Anderson PC, City Attorney (presence not requested)

ROLL CALL

Mayor Shornak opened the meeting at 6:31 p.m. Roll call was taken as follows:

Mayor Shornak	-	present
Vice Mayor Gore	-	absent (arrived at 6:33 pm)
Councilor Luman-Bailey	-	present
Councilor Holloway	-	present
Councilor Zevgolis	-	present
Councilor Denton	-	present
Councilor Pelham	-	absent (arrived at 6:33 pm)

ADOPT AGENDA

Motion was made at 6:31 p.m. by Councilor Zevgolis and seconded by Councilor Denton to adopt the agenda. Upon the roll call, the vote resulted:

Mayor Shornak	-	yes
Vice Mayor Gore	-	--- (absent)
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	--- (absent)

CLOSED MEETING

Motion was made by Councilor Zevgolis, and seconded by Councilor Denton, to go into Closed Meeting for (1) discussion of appointment of specific appointees of city council (city manager); and (2) consultation with legal counsel employed or retained by city council related thereto and other specific legal matters requiring the provision of legal advice by counsel retained by City Council, in accordance with Virginia Code § 2.2-3711 (A) (1) and (8), respectively. Upon the roll call, the vote resulted:

**January 22, 2018
Special Meeting**

Mayor Shornak	-	yes
Vice Mayor Gore	-	--- (absent)
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	--- (absent)

At 9:30 Council briefly exited Closed Session (but did not officially come out of Closed Session). Councilor Denton made a motion to extend the meeting beyond the three hours allowed by the Rules, which motion was seconded by Vice Mayor Gore. Upon the roll call, all of Council responded “aye” to the question. Council then returned to Closed Session.

RECONVENE OPEN MEETING

Council convened into Open Session at 10:50 p.m. and responded to the question pursuant to Virginia Code § 2.2-3712 (D): were only public business matters (I) lawfully exempted from open-meeting requirements and (II) identified in the closed-meeting motion discussed in closed meeting? Upon the roll call, the vote resulted:

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

ADJOURN

At 10:51 p.m., motion was made by Councilor Denton, and seconded by Councilor Zevgolis to adjourn. All councilors responded “aye” to the question. Meeting was adjourned.

/s/ Jackie M. Shornak
Jackie M. Shornak, Mayor

/s/ Ronnieye L. Arrington
Ronnieye L. Arrington, City Clerk

**PERSONNEL
CHANGE
REPORT**

DATE: February 8, 2018
TO: The Honorable City Council
FROM: Michelle Ingram, Human Resources Specialist
SUBJECT: Personnel Change Report – January 2018

ADDITIONS (Regular FT and PT positions only)

NAME	DEPARTMENT	POSITION	DATE
COSTANZO, GABRIEL	SHERIFF	CHIEF DEPUTY SHERIFF	01/01/2018
GOSIER, JOAN	TREASURER	TREASURER	01/01/2018
HIGGINS, DAVID	WATER RENEWAL	ELEC & INST TECH III	01/03/2018
LEWIS, DANA	SOCIAL SERVICES	BEN PROG SPC II	01/03/2018
MCCOMBER, JACLYN	RECREATION	P/T SPEC EVENTS ASST	01/05/2018
ROSE, SHERMIKA	SOCIAL SERVICES	BEN PROG SPC I	01/03/2018
TRAYLOR, SUSAN	SOCIAL SERVICES	ADMIN PRG ASST I	01/03/2018
VARGAS, DIANA	SOCIAL SERVICES	BEN PROG SPC 1	01/03/2018
WATERWORTH, LAUREN	RECREATION	P/T LIFEGUARD	01/03/2018

SEPARATIONS

NAME	DEPARTMENT	POSITION	DATE
COCHRAN, JOHNIE	RECREATION	P/T SPEC EVTNS ASST	01/11/2018
LIVERMAN, HERBERT	SHERIFF	P/T DEPUTY	01/12/2018

CC: March Altman, City Manager
Charles Dane, Assistant City Manager
Renia Coles, HR Director
Debbie Pershing, Senior Executive Assistant
Michael Terry, Finance Director
Dipo Muritala, Accounting Manager
Kim Hunter, Payroll

Concetta Manker, IT Director
Jay Rezin, IT
Dave Harless, Risk/Safety Coordinator
Carol Scarbrough, Parks & Recreation

PROCLAMATIONS

§

RESOLUTIONS

§

PRESENTATIONS

RESOLUTION

APPOINTMENT OF BOARD MEMBER

Two Year Term

WHEREAS, The Riverside Community Criminal Justice Board (RCCJB), has an affirmative recorded vote in accordance with the provisions of the RCCJB By-Laws;

WHEREAS, Sections 9.1-178 of the Code of Virginia prescribes CCJB membership and requires membership to be filled by each local governing body; and

NOW, THEREFORE, BE IT RESOLVED that Nat Troth, citizen representative; Mary Kay Martin, defense attorney, and John Marchington Altman, Jr., as the local government representative, be appointed to the RCCJB as members.

Adopted at a regular meeting of the City Council for the City of Hopewell, Virginia held on February 13, 2018.

Ronniece L. Arrington
City Clerk

JOINT RESOLUTION PROVIDING FOR THE IMPLEMENTATION OF THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT (CCCA) & THE PRETRIAL SERVICES ACT (PSA); ESTABLISHMENT OF THE RIVERSIDE COMMUNITY CRIMINAL JUSTICE BOARD; AND PROVISION FOR JOINT EXERCISE OF POWERS.

WHEREAS, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders (Sections 9.1-173 et.seq. of the Code of Virginia) and the Pretrial Services Act (Sections 19.2-152.2 et.seq. of the Code of Virginia), both of which are effective July 1, 1995; and

WHEREAS, section 53.1-82.1 of the Code of Virginia requires that the City of Hopewell, and the Counties of Prince George and Surry submit a Community Based Corrections Plan in order to receive reimbursement for eligible costs of jail construction; and

WHEREAS, the Comprehensive Community Corrections Act and the Pretrial Services act both mandate that any locality required to submit a Community Based Corrections Plan is therefore further required to establish Community Corrections Programs and Pretrial Services; and

WHEREAS, Riverside Criminal Justice Agency has previously served the City of Hopewell, the County of Surry, and the County of Prince George and provided the judicial system with sentencing alternatives for certain misdemeanants and persons convicted of non-violent felonies; and

WHEREAS, Riverside Criminal Justice Agency will provide the judicial system with Pretrial Services to these same localities; and

WHEREAS, Sections 9.1-178 and 19.2-152.5 of the Code of Virginia require that each county and city participating in Community Corrections Programs establish a Community Criminal Justice Board; and, in the case of multi-jurisdictional efforts, that each jurisdiction mutually agree upon the appointments to said Board; and

WHEREAS, the establishment of a multi-jurisdictional Riverside Community Criminal Justice Board will result in a reduction in administrative costs to each locality, an increase in funding priorities and available grant dollars, promote efficiency in offender supervision and provide for a comprehensive regional offender database.

NOW, THEREFORE, BE IT RESOLVED that the City of Hopewell, County of Surry and County of Prince George, implement the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial

Services Program and that Riverside Criminal Justice Agency be responsible for said implementation; and

NOW, THEREFORE, BE IT RESOLVED that the Riverside Community Criminal Justice Board be established and that the following individuals be hereby appointed to said Board pursuant to Section 9.1-178 and 19.2-152, 2 to 7 of the Code of Virginia:

Membership of the Riverside Community Criminal Justice Board shall include but may not be limited to:

A Judge of the Sixth Judicial Circuit Court.

A Judge of the Sixth Judicial General District Court.

A Judge of the Sixth Judicial Juvenile and Domestic Relations Court.

A Commonwealth's Attorney.

A Chief of Police or Sheriff in a jurisdiction not served by a police department, to represent law enforcement.

The Chief Magistrate for the Counties of Prince George and Surry, and the City of Hopewell.

A person appointed by each governing body to represent the governing body.

An attorney who is experienced in the defense of criminal matters.

A representative of local education.

District 19 Community Services Board Administrator.

One citizen to be appointed at the discretion of the Prince George County Board of Supervisors.

One citizen to be appointed at the discretion of the Surry County Board of Supervisors.

One citizen to be appointed at the discretion of the Hopewell City Council.

A Sheriff or the Riverside Regional Jail Administrator responsible for jails serving those jurisdictions involved in the local pretrial services and community based probation programs.

Non-statutory members as recommended by the CCJB.

NOW, THEREFORE, BE IT RESOLVED that this action provide for a joint exercise of powers which will serve as documentation of a regional program service agreement between the City of Hopewell, County of Prince George and County of Surry; and that the County of Prince George will act as the administrative and fiscal agent for the Riverside Criminal Justice Agency.

**Adopted at a regular meeting of the City of Hopewell City Council
Meeting held on October 10, 2017.**

Ronnieye L. Arrington
City Clerk

John Marchington Altman, Jr., City Manager-Hopewell
300 North Main Street
Hopewell, VA 23860
804-541-2243 phone 804-541-2248 fax
email: cdane@hopewellva.gov

Rick Newman, Commonwealth's Attorney-Hopewell (H)
100 East Broadway
Hopewell, VA 23860
804-541-2255 phone 804-541-2338 fax
email: rnewman@keephopewellsafe.com

James Eckenrode, Sheriff-City of Hopewell (H)
P. O. Box 1193
Hopewell, VA 23860
804-541-2300 phone 804-541-2326 fax
Email: jsodat@hopewellva.gov

John Keohane, Chief of Police- City of Hopewell (H)
300 North Main Street
Hopewell, VA 23860
804-541-2282 phone 804-541-2345 fax
Email: jkeohane@hopewellva.gov

Nat Troth, Citizen Representative-Hopewell, **At Large Rep** (H)
c/o Sixth District Courts Services Unit
P. O. Box 6
Prince George, VA 23875
804-733-2786 phone 804-733-2787 fax
email: nat.troth@djj.virginia.gov

Percy Ashcraft, County Administrator-Prince George, **Vice Chairman** (PG)
P. O. Box 68
Prince George, VA 23875
804-722-8600 phone 804-733-2602 fax
email: pashcraft@princegeorgeva.org

Susan Fierro, Commonwealth's Attorney-Prince George (PG)
P. O. Box 188
Prince George, VA 23875
804-733-2790 phone 804-862-3586 fax
email:

Bucky Allin, Sheriff-Prince George County, **Chairman** (PG)
6601 Courts Drive, Suite 160A
Prince George, VA 23875
804-733-2690 phone 804-733-2629 fax
email: hallin@princegeorgecountyva.gov

Eric Young, Interim Chief of Police-Prince George (PG)
6600 Courthouse Road
Prince George, VA 23875
804-733-2774 phone 804-733-2658 fax
email: eyoung@princegeorgecountyva.gov

Major Joseph Metzger, Chief of Police-Ft. Lee - **At Large Rep** (PG)
1900 Mahone Avenue, Building 8526
Fort Lee, Va. 23801
804-734-7402 804-734-7411-fax
email: joseph.c.metzger.civ@mail.mil

Tim Beard, Citizen Representative-Prince George (PG)
PO Box 6
Prince George, VA 23875
804-733-2786 phone
timothy.beard@djj.virginia.gov

Donald Hunter, Ex Officio Member (PG)
6255 Hunter Place
Prince George, VA 23875
804-722-8614 804- 722- fax
email: dhunter@princegeorgeva.org

Tyrone W. Franklin, County Administrator-Surry (S)
45 School Street
P.O. Box 65
Surry, VA 23883
757-294-5271 phone 757-294-5204 fax
email: twfranklin@co.surry.state.va.us

Derek A. Davis, Commonwealth's Attorney-Surry (S)
P. O. Box 358
Surry, VA 23883
757-294-3118 phone 757-294-3560 fax
email:

Carlos L. Turner, Sheriff-Surry County (S)
45 School Street, Surry Municipal Building

Surry, VA 23883
757-294-5264 phone 757-294-5111 fax
email:

Vacant, Citizen Representative-Surry (S)

Honorable Nathan Lee, Judge (all)
Circuit Court
P. O. Box 280
Prince George, VA 23875
804-733-2623 phone 804-733-3319 fax
email: nclee@courts.state.va.us

Honorable Carson E. Saunders, Chief Judge (all)
Juvenile and Domestic Relations
315 South Main St
Emporia, VA 23847
(434) 634-5400
csaunders@courts.state.va.us

Honorable Bruce Clark, Judge (all)
General District Court
100 East Broadway
Hopewell, VA 23860
804-541-2257 phone 804-541-2364 fax
email: bruceclark51@gmail.com

Neill Bradley, Chief Magistrate (all)
Sixth Judicial Circuit
P. O. Box 1391
Hopewell, Va. 23860
804-894-0968
email: nbradley@courts.state.va.us

Col. Jeffery Newton., Superintendent, Riverside Regional Jail (all)
P. O. Box 1041
1000 River Road
Hopewell, VA 23860
804-524-6600 Ext.: 6026 804-524-6659 fax
email: jnewton@rriva.org

Joseph E. Hubbard, Executive Director (all)
District 19 Community Services Board
20 West Bank Street, Suite 2

Petersburg, VA 23803
804-862-8055 phone
email: jhubbard@d19scsb.com 804-862-8064 fax

Jon Cliborne, Executive Director (all)
Crater Criminal Justice Academy
6130 County Drive
Disputanta, VA 23842
email: jcliborne@ccja.org
804-722-9742 804- 722-9574 fax

Mary K. Martin, Defense Attorney (all)
310 W. City Point Road, PO Box 1626

Hopewell, VA 23860
804-452-1984 phone 804-452-1986 fax
email: mkmlaw@verizon.net

Kristen Eichert, Director of Behavioral Health Outreach – Ex Officio Member (all)
John Randolph Medical Center
411 W. Randolph Road
Hopewell, VA 23860
804-452-3847 804.454-6855 (Cell)
Kristen.Eichert@hcahealthcare.com

Education Rep-- vacant

Effective January 1, 2016

RESOLUTION

Be it hereby RESOLVED, that John Marchington Altman, Jr., as City Manager, is appointed to any and all boards, committees and/or commissions to which the city manager would be appointed. Mr. Altman will serve until his successor has been appointed, or he resigns, or he is removed from office, or is otherwise disqualified from serving. Such boards, commissions and committees include, but are not limited to the following:

Crater Criminal Justice Training Academy
Crater Planning District Commission
Hopewell Water Renewal Commission
Investment Policy Committee
John Randolph Medical Center Board
Petersburg Area Regional Tourism Corporation (PART)
Riverside Community Corrections Board
Riverside Regional Jail Authority
Virginia First Cities Coalition

Mr. Altman's service shall include attendance at meetings, voting and otherwise representing the interests of the City of Hopewell.

Be it further RESOLVED, that Mr. Altman is hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as deemed necessary or advisable, to carry out the purposes and intent of the foregoing boards, committees and/or commissions.

CERTIFICATE

I, Ronnieye L. Arrington, Clerk of the City of Hopewell, Virginia, certify that on February 13, 2018, at a lawfully organized meeting, City Council agreed to the information as set forth in the above resolution. Given under my hand and seal of the Clerk of the City of Hopewell this ____ day of February, 2018.

Clerk

PUBLIC HEARINGS

PH-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Hold a public hearing to consider citizen comments regarding a request for a Conditional Use Permit to build a self-storage facility in the Corridor Development District, (B-4) at 4013 and 4017 Old Woodlawn Street, and Western.

ISSUE: The City has received a request to build a self-storage facility in the Corridor Development District, (B-4) at 4013, 4017 Old Woodlawn Street, and a property identified as simply Western.

RECOMMENDATION: The City Administration recommends that City Council consider citizen comments regarding this matter and vote to approve with base conditions.

TIMING: Hold a public hearing on February 13, 2018.

BACKGROUND: City Council approved a Zoning Ordinance Amendment to allow self-storage facilities in the B-4 District at their meeting on November 21, 2017. The Planning Commission recommended approval of the self-storage facility in the B-4 District located at 4013 and 4017 Old Woodlawn Avenue, and Western, at their meeting on January 11, 2018.

FISCAL IMPACT: Allow development of a self-service storage facility in the B-4 Zoning District.

ENCLOSED DOCUMENTS:

1. Application
2. Staff Report
3. Maps
4. Renderings

STAFF: Tevy W. Griffin, Director, Department of Development

SUMMARY:

- | Y | N | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Christina J. Luman-Bailey, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony J. Zevgolis, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Jasmine E. Gore, Ward #4 |

- | Y | N | |
|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jackie M. Shornak, Ward #7 |



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICANT: Amin Land Holdings LLC c/o Ashish Amin

ADDRESS: 4013-4017 Old Woodlawn Street
Hopewell, VA

PHONE #: 571-237-5664 FAX #: _____

INTEREST IN PROPERTY: X OWNER OR _____ AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT.

OWNER: Amin Land Holdings LLC c/o Ashish Amin

ADDRESS: 4013-4017 Old Woodlawn Street
Hopewell, VA

PHONE #: 571-237-5664 FAX #: _____

PROPERTY ADDRESS / LOCATION:

4013-4017 Old Woodlawn Street

PARCEL #: 08984 ACREAGE: 1.776 AC ZONING: B4
08978
08977

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- FLOOR PLANS OF THE PROPOSED BUILDINGS _____
- THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____
OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Empty lot

THE CONDITIONAL USE PERMIT WILL ALLOW:

Self Storage Facility

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

The proposal will provide a secured / interior corridor storage facility and provide residence an option of climate controlled storage in the city.

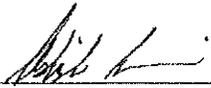
PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

The proposal will provide a secured / interior corridor storage facility on what is currently an empty lot. The proposal looks to add a storage amenity to the city and add curb appeal to the important Woodlawn Street / Route 36 artery.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

The proposal is set to abide by the conditions set for
a self storage facility.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.


APPLICANT SIGNATURE

11/22/17
DATE

OFFICE USE ONLY

DATE RECEIVED 11/22/2017

DATE OF ACTION Planning Commission 1/11/2018

APPROVED DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:





COLONIAL CORNER SHOPPING CENTER

9A

9B



SITE



OAKLAWN BLVD

WOODLAWN STREET

ASHLAND STREET



Stay-Over
SUITES

Wawa

EconoLodge

FAIRFIELD
INN & SUITES
Marriott

COLONIAL CORNER
SHOPPING CENTER

United States · VA · Hopewell



4013 Old Woodlawn St,
Hopewell, VA 23860

4017 Old Woodlawn St,
Hopewell, VA 23860

Emory St

36

Feedback

50 feet

20 m

Pictometry Bird's Eye © 2017 Pictometry International Corp.



> United States · VA · Hopewell · Hopewell



4013 Old Woodlawn St,
Hopewell, VA 23860

4017 Old Woodlawn St,
Hopewell, VA 23860

Emory St

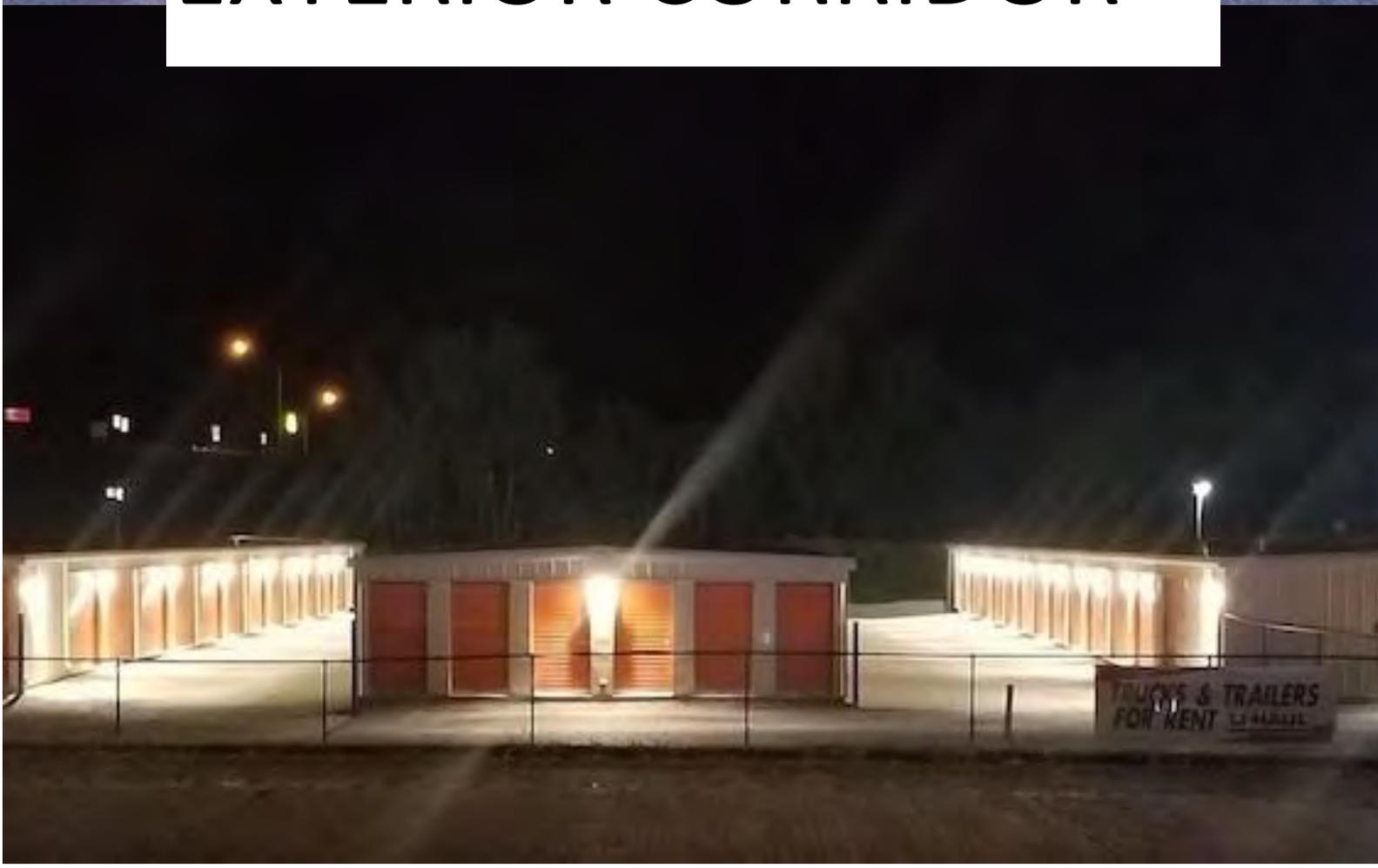
Feedback

25 feet 10m

Pictometry Bird's Eye © 2017 Pictometry International Corp



EXTERIOR CORRIDOR





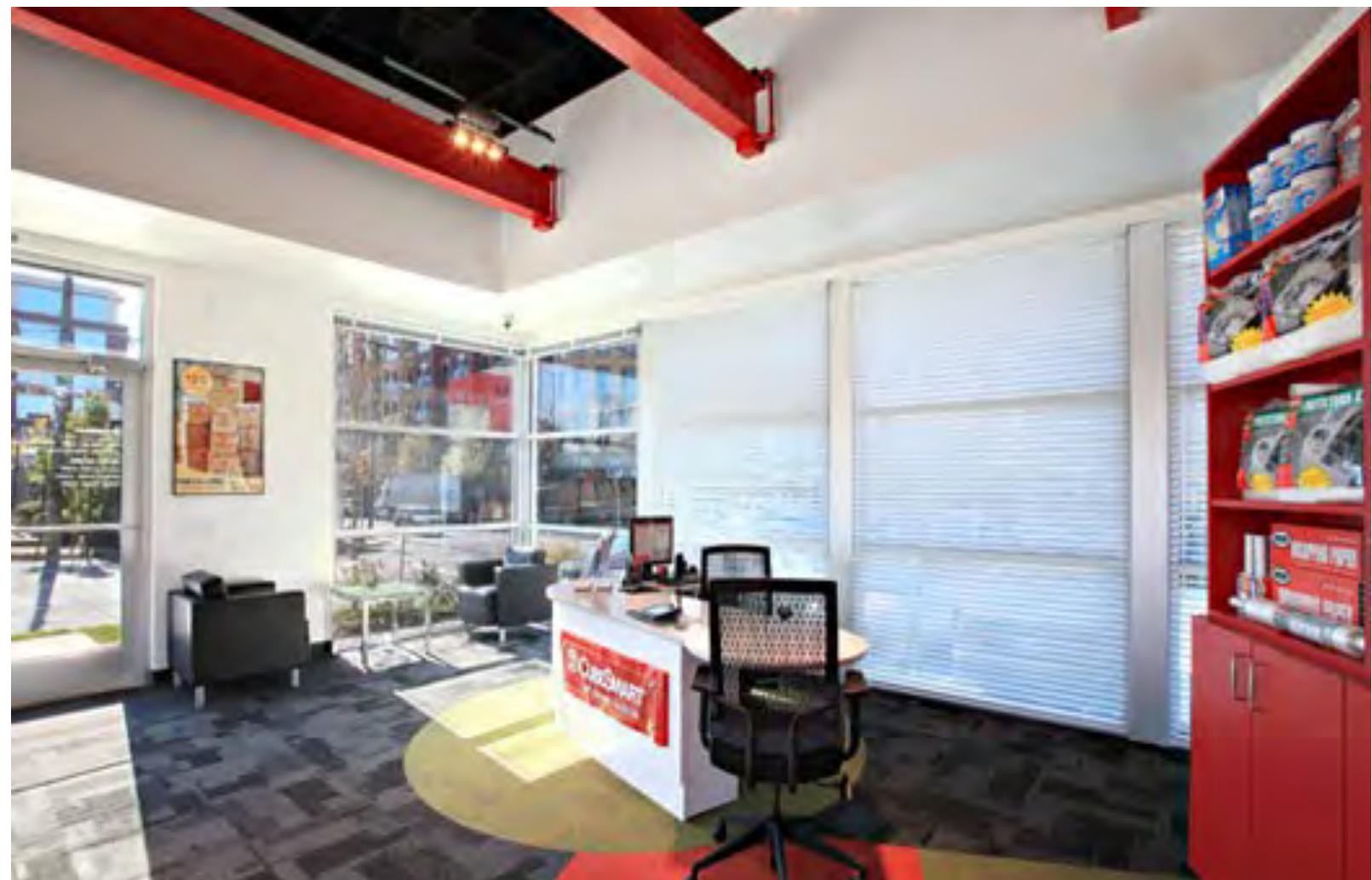


INTERIOR CORRIDOR



















PH-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Public Hearing to consider citizen comments regarding a request to allow a micro-winery (meadery) in the B-1 Zoning District, with a Conditional Use Permit.

ISSUE: The City has received an application for a Conditional Use Permit to allow a micro-winery to locate in the B-1 Zoning District, located at 235 East Broadway Street. In order to operate a micro-winery in this district, a Conditional Use Permit must be approved by City Council.

RECOMMENDATION: The City Administration recommends City Council consider citizen comments regarding the Conditional Use Permit request. Administration is not requesting action at this meeting.

TIMING: A public hearing will be held on Tuesday, February 13, 2018.

BACKGROUND: On May 10, 2016, City Council voted to approve a Zoning Ordinance Amendment to allow a micro-winery in the B-1 Zoning District with a Conditional Use Permit, issued by City Council. Prior to this amendment, micro-wineries were not an allowable use in this district.

FISCAL IMPACT: Economic Development

ENCLOSED DOCUMENTS: 1. Staff Report

STAFF: Tevya W. Griffin, Director of the Department of Development

SUMMARY:**Y N**

- Councilor Christina J. Luman-Bailey, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor Anthony J. Zevgolis, Ward #3
- Vice Mayor Jasmine E. Gore, Ward #4

Y N

- Councilor K. Wayne Walton, Ward #5
- Mayor Brenda Pelham, Ward #6
- Mayor Jackie M. Shornak, Ward #7



The City
of
Hopewell, Virginia

2017 0818

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

Lots 14-15 Bldg 8

APPLICATION FEE: \$300

0800 795

APPLICATION #

APPLICANT: Tonya + Mike Haley

ADDRESS: 622 Fairlie Rd
Colonial Heights VA 23834

PHONE #: 804-310-6845 FAX #: _____

EMAIL ADDRESS: haleyshoneymeadey@gmail.com

INTEREST IN PROPERTY: _____ OWNER OR AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: _____

ADDRESS: 235-237 E. Broadway Ave
Hopewell, VA 23860

PHONE #: _____ FAX #: _____

PROPERTY ADDRESS / LOCATION:
235-237 E. Broadway Ave

PARCEL #: 0800795 ACREAGE: 5500 ZONING: B-1
square feet

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION Article VI OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Empty building

THE CONDITIONAL USE PERMIT WILL ALLOW:

the production, ~~at~~ bottling, and selling of honey wine.

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

The micro winery will not affect the safety of persons residing or working in the area. there are ~~no~~ no explosives or chemicals that will impact the safety of citizens.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

The meadery (meadery) does not use any equipment or chemicals that will be detrimental to the public.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

The meadery will educate the public about mead, beekeeping, and sustainability. Also, to produce jobs and tax revenue.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

T. Haley

APPLICANT SIGNATURE

10/30/2017

DATE

Tonya Haley

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED 10/30/2017

DATE OF ACTION _____

FZ Zone \$300 fee waived.

APPROVED _____ DENIED _____

APPROVED WITH THE FOLLOWING CONDITIONS:



HALEY'S HONEY MEADERY, LLC
235 East Broadway Street
Lots 14, 15, Block 8, West City Point Subdivision

Conditional Use Permit to establish a Meadery
Staff Report prepared for the City Council regular meeting
February 13, 2018

This report is prepared by the City of Hopewell Department of Development Staff to provide information to Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	January 11, 2018	Recommended Approval with conditions
City Council	February 13, 2018	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	N/A
Existing Zoning:	B-1, Downtown Central Business District
Size of Area:	.126 acres or 5,488 square feet
Owner:	Degratia Development LLC
Location of Property:	Lots 14 and 15, Block 8, West City Point Subdivision
Election Ward:	Ward 1
Land Use Plan Recommendation:	Commercial
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 080-0795
Zoning of Surrounding Property:	North: B-1 South: B-1 East: B-1 West: B-1

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a Conditional Use Permit request from Haley's Honey Meadery to establish a micro winery at 235 East Poythress Street.

IV. SUBJECT PROPERTY:

The subject property is zoned B-1, Downtown Central Business District and is identified as Tax Sub-parcel # 080-0795 and is located at 235 East Broadway. The property is identified as Lots 14-15, Block 8, West City Point.

V. APPLICABLE ZONING ORDINANCE SECTION(S):

ARTICLE I, Definitions: Micro winery, with Conditional Use Permit, states

A facility that manufactures wine onsite. Main ingredients not necessarily produced onsite.

ARTICLE IX Downtown Central Business District, B-1, Section A: Use Regulations states:

Micro winery, with Conditional Use Permit issued by City Council.

Article XXI, Amendments, Section G, Conditional and Special Use Permits, Sub-Section c. 1-4:

1. *When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.*
2. *The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.*

3. *Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.*
4. *In approving any conditional use permit, the City Council may impose conditions or limitations on any approval as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:*
 - i. *Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and*
 - ii. *A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.*

Article XXI, Amendments, D. Conditional and Special Use Permits, Sub-Section d.

d. *Approval Criteria*

As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

1. *The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.*
2. *The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.*
3. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.*
4. *The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving*

through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

5. *The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.*
6. *The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*
7. *The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

VI. ZONING/STAFF ANALYSIS:

The applicant will lease a store front at 235 East Broadway to establish a micro winery. The applicant would produce mead or honey wine. Mead is an alcoholic drink fermented with honey and water fermented with yeast. Haley's uses honey from Prince George and Chesterfield County. The applicant also uses various fruits like strawberries and blueberries grown in Virginia. Mead may be still, carbonated, sparking; dry, semi-sweet or sweet.

Manufacturing of the mead would take place in the micro-winery. For definition purposes, the micro-winery is considered a farm winery. The mead therefore can be sold in an ABC store. The amount of alcohol that can be made in mead is limited by the capacity of the yeast added to withstand alcohol. Yeast cannot live in a solution containing more than 14% alcohol. However, there are rare occasions where mead can be manufactured at 18% alcohol. Mead will be distributed from this location. Vino will be the shipping company for the meadery. Patrons can also take mead away from the business in designated containers for future consumption.

The store will have an industrial look with a bar, tasting room, and small manufacturing area. The exterior design of the building will be approved by the

Downtown Design Review Committee (DDRC) as the building is located in the B-1 Zoning District, and the historic downtown district.

The owner desires to open the first meadery in the Tri-Cities area. The closest meadery is located in the Scott's Addition section of Richmond. Williamsburg, Virginia also has a meadery.

VII. PLANNING COMMISSION RESOLUTION:

During their public hearing on January 11, 2018, the Planning Commission recommended approval of the Micro-Winery with the following condition:

1. The permit would not exist in perpetuity or be connected to the property, 235 East Broadway, also identified as Sub-Parcel #080-0795, but would become annulled, if the business moved from the location.

The reason for assigning this condition is to maintain the integrity and purpose of the conditional use permit process. The applicant has received two conditional use permits for the same business at 205 and 207 East Cawson Street. Due to financing and construction delays with the Cawson Street properties, the applicant chose this alternative location. By allowing another micro winery in the same area the City could increase the potential impacts of the use on adjacent property owners. The condition would allow the micro winery at this location as long as the applicant owns the business but would remove the permit if the applicant sold the business or relocated.

VIII. STAFF RECOMMENDATION:

Staff is recommending City Council consider citizen comments during the meeting. Staff does not recommend action at this time.

IX. PROPOSED RESOLUTION

The Hopewell City Council recommends *tabling, approving, approving with conditions, denying* with a vote of ___ to ___ the Conditional Use Permit to establish a micro winery at 235 East Broadway Street, also identified as Lots 14 and 15, Block 8, West City Point Subdivision

Attachments:

1. Application

PH-3



Vacation of a portion of an alley located between Poplar Street and Oaklawn Boulevard adjacent to Sub-Parcels #081-0565, #081-0570, #043-0345, #043-0340 and #043-0365.

Staff Report prepared for the City Council
Regular Meeting- February 13, 2018

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	November 2, 2017	Recommend Approval
City Council	January 13, 2018	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density District and B-3, Highway Commercial District
Size of Area:	Approximately 730 square feet
Proposed Use:	Unknown
Location of Property:	Between Poplar Street and Oaklawn Boulevard at the intersection of Sunnyside Avenue
Election Ward:	Ward 7
Land Use Plan Recommendation:	Commercial
Strategic Plan Goal:	N/A

III. EXECUTIVE SUMMARY:

Haron IzHour is requesting the vacation of a portion of an alley located between Poplar Street and Oaklawn Boulevard adjacent to Sub-Parcels 081-0565, #081-0570, #043-0345, #043-0340 and #043-0365. Four of the five properties adjacent to the alley are owned by the applicant.

IV. STAFF ANALYSIS:

The applicant is requesting the vacation of a portion of an alley in order to consolidate ten smaller lots into one parcel. The lots front on Poplar Street, Oaklawn Boulevard and Short Street.

The two adjacent property owners along the portion of the alley to be vacated did not sign the request to vacate. The City has reached out to both adjacent property owners. Neither have objections to the request and have no interest in participating in the alley vacation.

The applicant would like to consolidate the lots and include a portion of the alley to build a commercial retail center in the future. However, a business plan has not yet been created. Furthermore, Sub-Parcel #043-0345 must be rezoned from R-2 to B-3 in order to build a commercial retail center,

V. PUBLIC SERVICE AND SITE CONSIDERATIONS:

There are no land characteristics that would impede the approval of the alley vacation.

VI. STAFF RECOMMENDATION:

Staff has no objections to the vacation of the alley. The approval of the vacation is not an endorsement of future requests related to this property. Each request will stand on its own merit for review and consideration.

VII. PLANNING COMMISSION RESOLUTION:

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission at their November 2, 2017 meeting recommended approval, with a vote of 3-0, of the request submitted by Haron Izhour to vacate a portion of an alley located between Poplar Street and Oaklawn Boulevard adjacent to Sub-Parcels 081-0565, #081-0570, #043-0345, #043-0340 and #043-0365.

Attachment(s):

1. Application
2. Preliminary Re-subdivision Plat

City Council Policy No. CC-3

APPLICATION FOR STREET/ALLEY VACATION

I (We) HARON IZMOOR of 800 ASHLAND AVE. HOPEWELL, VA
(Names) (Mailing Address)

petition the City of Hopewell to vacate the undeveloped right-of-way situated at: 10' ALLEY
VACATION BETWEEN PARCELS 081-0575, 043-0365,
043-0345.

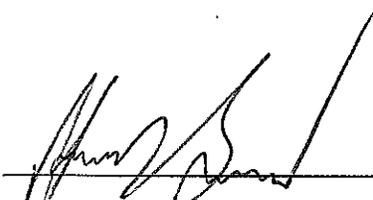
There has _____ has not X been previously a petition to vacate this right-of-way.

Attached is a drawing of the right-of-way to be vacated.

There is/are NO property owner(s) adjoining this right-of-way. Attached is/are the signature(s) of the adjoining property owner(s) and a \$100.00 deposit per property owner.

I (We) agree to pay for two public notice advertisements in the Hopewell News as well as all other costs incurred by me/us associated with this application, regardless of Council's final decision regarding the petition.

I (We) have received Council's Policy concerning right-of-way vacations.



(Signature of Petitioner)

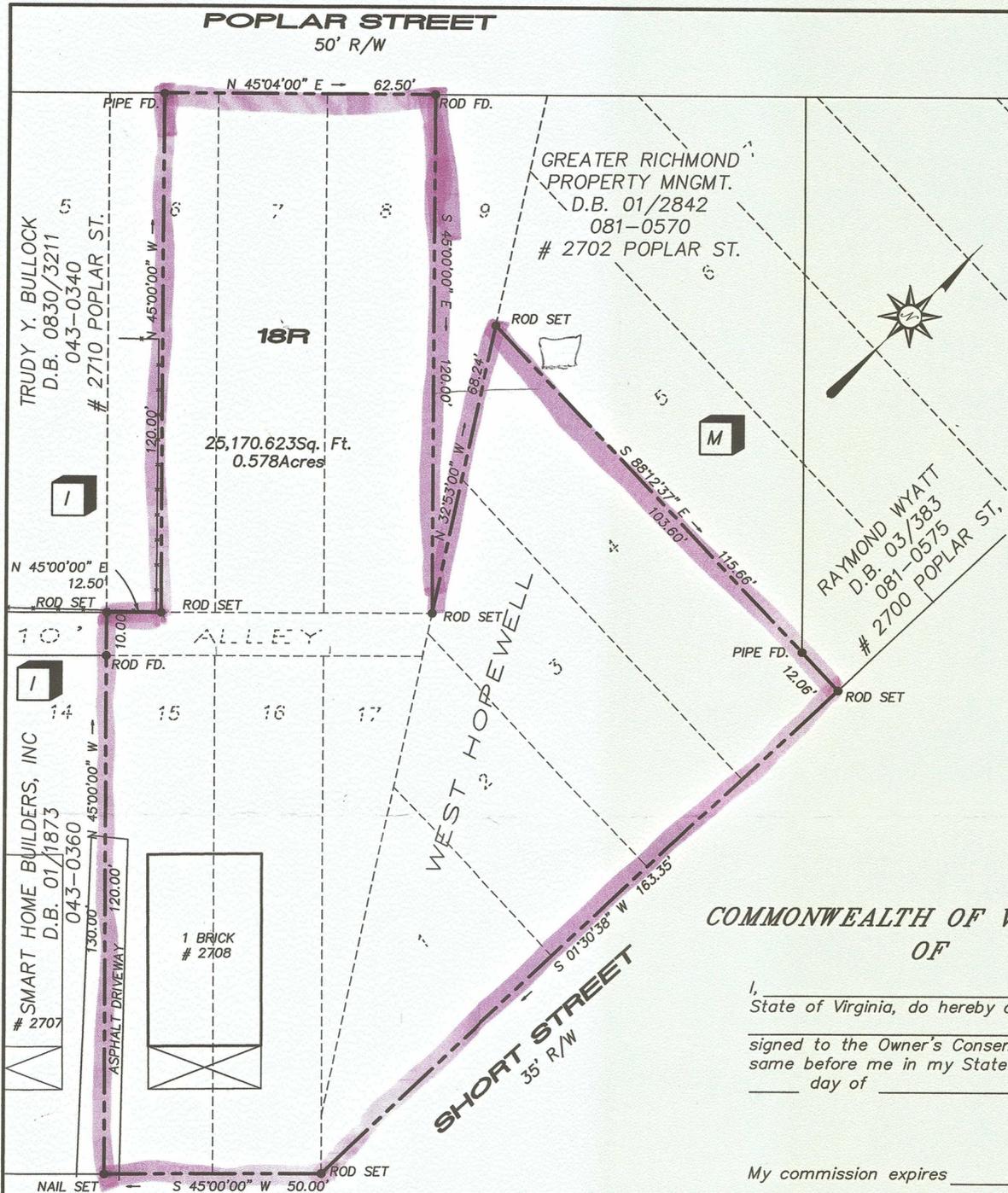
804-721-2185

(Telephone Number)

(Signature of Petitioner)

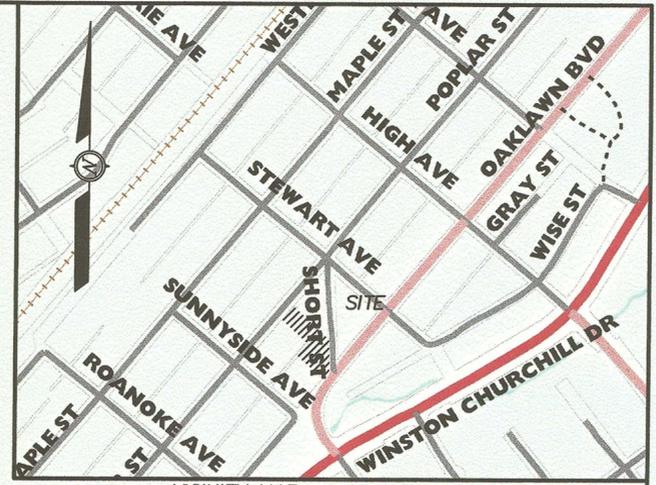
(Date)

#20170735



GENERAL NOTES

1. **USE:** COMMERCIAL
2. **ZONING:** R2 & B3
3. **WATER:** ARWA
4. **SEWER:** PUBLIC
5. **DRAINAGE:** ROADSIDE
6. **AREA:** TOTAL AREA= 0.578 ACRES
AREA IN LOTS= 0.578 ACRES
7. **NUMBER OF LOTS:** 1
8. **EASEMENTS:** ALL EASEMENTS SHOWN ON PLAT ARE FOR DRAINAGE AND UTILITIES, UNLESS OTHERWISE NOTED.
9. **BUILDING LINES:** ALL BUILDING LINES ARE TO CONFORM TO THE CITY OF HOPEWELL ZONING ORDINANCE.
10. **P.I.D.:** 081-0565, 043-0365, 043-0345



SUBDIVISION CERTIFICATE

The subdivision of land shown on this plat, designated as PLAT SHOWING A RESUBDIVISION OF LOTS 1-4 ~ BLOCK M ~ WEST HOPEWELL LOTS 7,8,15-17 & 1/2 OF 6 ~ BLOCK I ~ HIGH POINT ADDITION CREATING LOT 18R is with the free consent and in accordance with the desires of the undersigned owners. The dedication of streets and easements are of the width and extent shown on this plat.

COMMONWEALTH OF VIRGINIA } TO WIT
OF }

I, _____, a Notary Public in and for the State of Virginia, do hereby certify that _____ whose names are signed to the Owner's Consent and Dedication have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2017.

My commission expires _____ Notary Public

COMMONWEALTH OF VIRGINIA } TO WIT
OF }

I, _____, a Notary Public in and for the State of Virginia, do hereby certify that _____ whose names are signed to the Owner's Consent and Dedication have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2017.

My commission expires _____ Notary Public

CERTIFICATE OF APPROVAL

This subdivision known as PLAT SHOWING A RESUBDIVISION OF LOTS 1-4 ~ BLOCK M ~ WEST HOPEWELL LOTS 7,8,15-17 & 1/2 OF 6 ~ BLOCK I ~ HIGH POINT ADDITION CREATING LOT 18R is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

Date Mayor, City of Hopewell

Date Chairperson, City Planning and Zoning Commission

SURVEYORS CERTIFICATE

To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivision for recordation in the City of Hopewell, Virginia have been complied with.

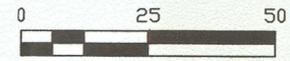
STEPHEN L. BARCENA, L.S.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND IS SUBJECT TO ANY ENCUMBRANCES THAT ONE MAY REVEAL.
THIS IS TO CERTIFY THAT ON 7/13/17 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES OTHER THAN AS SHOWN HEREON.

THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAPS COMMUNITY PANEL #5100800016D DATED 7/16/15

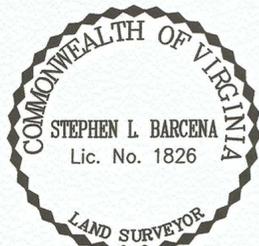
PLAT SHOWING A RESUBDIVISION OF LOTS 1-4 ~ BLOCK M ~ WEST HOPEWELL LOTS 7,8,15-17 & 1/2 OF 6 ~ BLOCK I ~ HIGH POINT ADDITION CREATING LOT 18R HOPEWELL, VIRGINIA

OAKLAWN BOULEVARD
S.R. # 36 VARIABLE WIDTH R/W



SOURCE OF TITLE

PID 081-0565
The property embraced within the limits of this Subdivision was conveyed from Loyd Lawrence, Trustee in Dissolution of Oaklawn Brick Property, LLC by deed dated December 12, 2012 to Haron Izhour and recorded December 20, 2012 as Instrument Number 120002417 in The Clerk's Office of The Circuit Court, Hopewell, Virginia.
PID 043-0365
The property embraced within the limits of this Subdivision was conveyed from Castle 2016, LLC by deed dated April 4, 2017 to Haron Izhour and recorded April 10, 2017 as Instrument Number 170000766 in The Clerk's Office of The Circuit Court, Hopewell, Virginia.
PID 043-0343
The property embraced within the limits of this Subdivision was conveyed from Nancy T. Winn, Trustee under The Robin Anne Harville Irrevocable Inter Vivos Trust Agreement Dated January 16, 2008. by deed dated April 18, 2017 to Haron Izhour and recorded April 24, 2017 as Instrument Number 170000905 in The Clerk's Office of The Circuit Court, Hopewell, Virginia.



STEPHEN L. BARCENA, L.S.

BASILINE LAND SURVEYING
414 N. SYCAMORE ST. 2nd FLOOR
PETERSBURG, VIRGINIA 23803
BLS23803@MSN.COM
PH.: 804.520.9180 / FX.: 804.722.9517

DATE: JULY 28, 2017	SCALE: 1" = 25'
DRAWN BY: SLB	
CHECKED BY:	CALC. CHK.: SLB
JOB NO.: 21319	F.B. TDS

NOT VALID UNLESS SIGNED IN RED PREVIOUS JOB NO.

REV.:

Poplar St

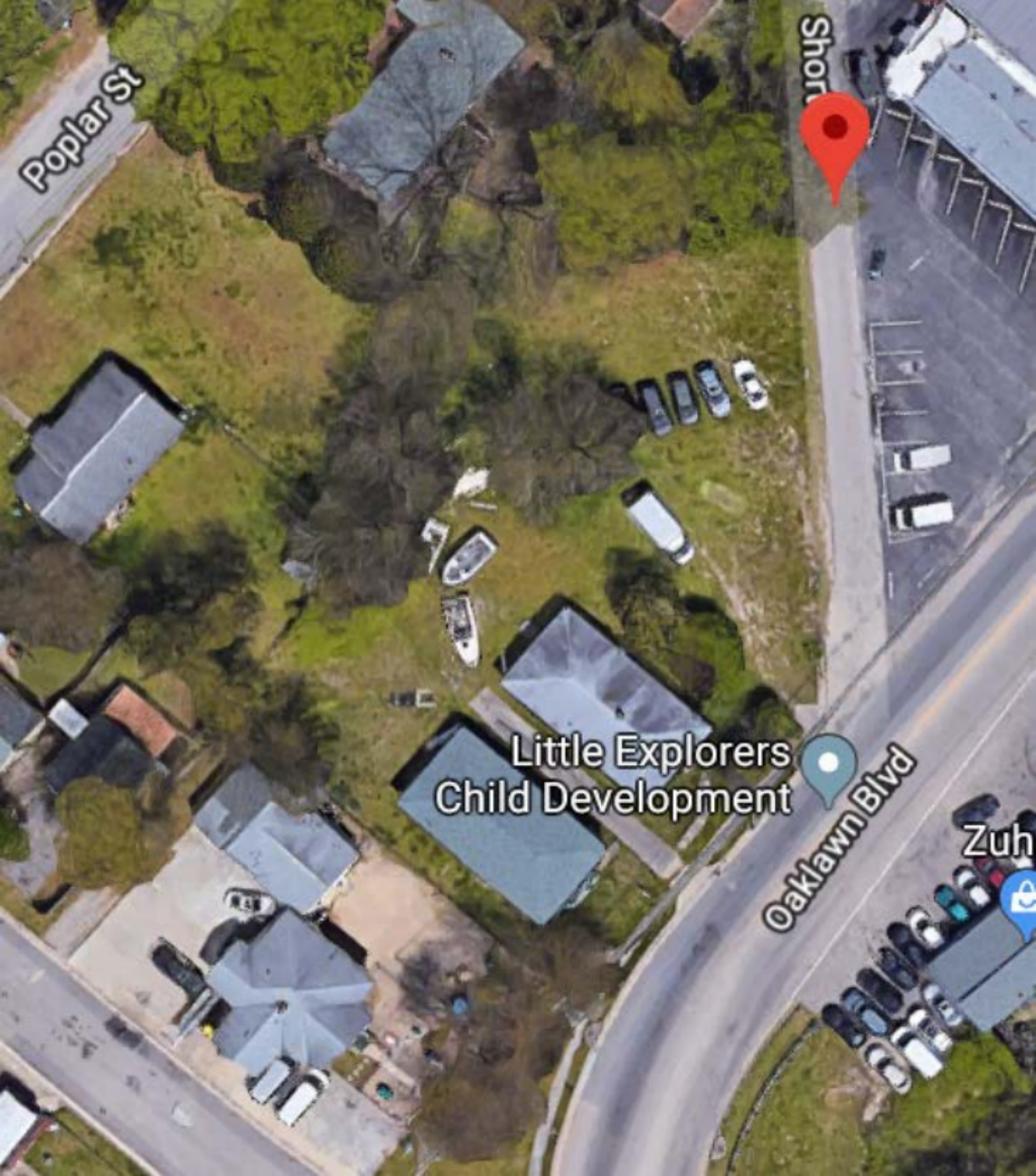
Shor



Little Explorers
Child Development

Oaklawn Blvd

Zuh



UNFINISHED BUSINESS



PROPOSED

ASHFORD CIVIC PLAZA

PUBLIC ART GUIDELINES

*Developed by the
Ashford Civic Plaza Commission*

PURPOSE:

The City Council of the City of Hopewell is proudly committed to developing the City into a focal point for the region. Art, culture and accessibility to our rivers are top priorities, and the placement of public art is an important instrument of this vision. Promoting aesthetic enhancement of the City's downtown and its appeal to visitors, citizens, and our local businesses and providing for the inclusion of public artworks is an essential element.

From time to time requests are received from individuals and organizations for permission to place monuments, memorials or plaques to an individual, organization or event in the Ashford Civic Plaza. When properly designed, planned and displayed, memorials may provide for simplified interpretation and furnish the general public with essential knowledge.

The City of Hopewell is committed to the integrity of the Plaza while providing opportunities for appropriately designed monuments, memorials, and plaques that honor an individual, organization or event beneficial to the greater good of the community.

POLICY STATEMENT:

1. The quality of timelessness should be considered in the significance of the individual, community or event being memorialized. Memorial proposals should represent the values of the community and be mindful of future generations.
2. Memorials may be commemorative in nature honoring individuals or an event, and should be represented in a form that has a broader community interest and moves the viewer to a special experience. Examples include sculpture and art works, plaques about history or the environment, poetry, site furnishings, etc.
3. It is recognized that the Plaza may reach a saturation point and the Commission reserves the right to consider limitations or a moratorium of future memorial installations.
4. Maintenance concerns should be a primary consideration, with adequate provision made for continued future maintenance. In all cases, permanent memorials or artwork should be weather resistant and made from durable material. Such materials include but are not limited to bronze, brass, concrete, or granite.
5. Unless otherwise agreed, the donors of the proposed memorial are required to pay for design, manufacturing, installation, and a maintenance endowment to ensure adequate quality of care for the memorial.

6. The City may consider contributing funds to a community monument only when the memorial is for a broad community purpose that marks an event that has broadly effected the community.
7. Improvements made in the Plaza become the property of the City of Hopewell.

DEFINITIONS:

A distinction is made between simple plaques and more elaborate memorials. The seven basic types of memorials will be categorized as follows:

1. Simple plaques are those mounted flush with the ground or wall. The size should be appropriately designed per the limitations and consideration of the setting.
2. Adorned plaques are those installed as part of a larger, more intrusive setting. These plaques include installations such as those that are pedestal mounted or affixed to a wall.
3. Sculpture and other art works including but not limited to representational, non-objective, contemporary, and abstract pieces in a wide variety of artistic mediums such as metal, glass, bronze, ceramic, wood, etc. that are permanent in nature and require low maintenance. Artworks that are integrated into a placement or setting will be strongly encouraged.
4. Plaza is the Ashford Civic Plaza.
5. Commission is the Ashford Civic Plaza Commission.
6. Chairman is the Chairperson of the Ashford Civic Plaza Commission.
7. Memorial is any monument or plaque that honors an individual, organization, or event beneficial to the greater good of the community.

CRITERIA:

All memorials vary greatly in the impact they have upon the Plaza; the review and process for allowing them to occur in the Plaza should reflect those differences. All memorials, however, should be judged for appropriateness according to the following criteria. These criteria are intended to serve as guidelines for the Ashford Civic Plaza Commission (ACPC).

1. The person or event being memorialized is deemed significant enough by the Commission to merit such honor.
2. The memorial represents broad community values and has been embraced and supported by the community the memorial is intended to honor.
3. The memorial has timeless qualities and makes a statement of significance to future generations.

4. The location under consideration shall be an appropriate setting for the memorial; as determined by the Commission; in general, there should be some specific geographic justification for the memorial being located in that spot within the Plaza.
5. The location of the memorial will not be contrary to any adopted master plans or public policy.
5. The quality, scale, and character of the memorial is at a level commensurate with the setting.
6. The memorial contributes to the Plaza from a functional or design standpoint.
7. The memorial should be designed by a qualified professional in the field appropriate to the size, scale and complexity of the proposal.

BASIC CONDITIONS FOR APPROVAL:

1. All Inclusive Costs: The cost of design, fabrication, plaques, transportation, installation, site preparation work, foundation, lighting, electrical, permits etc. must be financed by the requesting party. The memorial proposal shall include all-inclusive costs and any exclusion shall be stated clearly in the proposal. Additionally, any party hired or employed by the requesting party must provide proof of insurance approved by the City that may include and not limited to: general liability, automobile insurance, professional liability insurance, performance insurance bonds, workman's compensation coverage and others as required by the City of Hopewell.
2. Maintenance: In general, the City may consider maintenance of approved memorials if the memorial meets City standards for construction and materials. However, complex or large memorials that require significant and costly maintenance may require insurance, bond or an endowment fund, and a maintenance schedule by the memorial donor adequate to ensure its care conditions satisfactory to the donor and the City. The posted insurance or bond should also cover costs of installation and /or removal. If an adequate level of maintenance is not continued, the City reserves the right to remove or modify the memorial or a portion of the memorial. If the City commits to maintaining a particular memorial, and the City is not able to maintain the memorial at a level satisfactory to the donor, the donor shall have the opportunity to supplement maintenance as required.
2. Wording on memorial plaques: Individuals and groups may be recognized for their contributions towards a memorial project. All text and design must be approved by the Commission prior to fabrication of plaque.
3. Resiting of memorials or public art: The Commission may consider resiting a specific memorial or artwork for one or more of the following reasons:
 - a. The condition or security of the memorial or public art can no longer be reasonably guaranteed.
 - b. The memorial or public art has become a danger to public safety.

- c. The site has changed so that the memorial or public art is no longer compatible with the site.

Once the Commission has determined that a memorial or artwork meets one or more of the above criteria, the following process is initiated:

- a. The Commission makes a good faith attempt to discuss resiting with the sponsor.
- b. If the sponsor agrees to the proposed resiting, the recommendation will be referred to City Council for approval.
- c. If the sponsor does not agree to the proposed resiting, he/she will have the right to appeal the decision to City Council. The decision of the Council shall be final and binding upon the appellant.

APPROVAL PROCESS:

1. Initial Feasibility Consultation: Before proceeding with the subsequent steps of this process, applicants desiring to place a memorial shall submit a letter to the City Manager that outlines in sufficient detail the main purpose and concept of their proposal. Staff will then schedule a feasibility consultation with the Commission. Every applicant will be advised of the contents of this policy, the appropriateness of the proposed memorial in light of the policy, and the necessary courses of action required to complete the application.
2. Written Proposal: Once the initial feasibility of applicant's proposed memorial has been approved by the Commission, the applicant will be required to submit a written proposal with the following information:
 - a. the design,
 - b. size and materials,
 - c. plaque wording, as appropriate,
 - d. sketches and scaled drawings,
 - e. artists renderings and/or models,

A maintenance plan must also be submitted and approved prior to final project approval.

3. Proposal Review: The Chairman of the Commission shall call a meeting to review all proposals and to make a recommendation to the City Council regarding the quality, validity and significance of the requested memorial to be placed in the Plaza. The Commission shall consider appropriateness of site location, size, shape and design as well as general aesthetics in its review. The Commission shall meet to review the proposal concept within thirty (30) days of submission

4. Conceptual Approval, Modification or Disapproval: Upon completion of the proposal review, the Commission will recommend accepting, rejecting, or modifying the proposal. This recommendation will be forwarded in writing to the City Council. If the Commission recommends rejection of the proposal, unless the City Council requests a review of the proposal, the Commission recommendation is final. Should conceptual approval with or without the recommended modifications be recommended by the Commission, the requesting party will then be required to complete the following steps before presentation to the Council for its approval:
 - a. Prepare any additional submission requests as required by the Commission as part of the conceptual approval.
 - b. Submit proof of insurance requirements for review by the Commission.
 - c. Site plans, detailed design and schematic drawings as may be required.
 - d. Coordinate with staff to finalize any engineering, structural or other similar review of the memorial proposal. If there are questions (utility locations and impacts, etc.) regarding the proposed site, these concerns must be addressed before the proposal can be placed on the Council’s agenda for its action.
 - e. As is appropriate, provide documentation concerning the name of the foundry, the type of material, the type of coating and patina, and the artist conceptual idea for the memorial.

Once all the requirements listed above have been completed, the proposal will be placed on the regularly scheduled meeting agenda of the City Council within ninety (90) days after Commission approval. The Council will consider all information, including the Commission recommendation, staff recommendation, the written proposal and concepts, and public testimony in its decision making process. The Council may authorize the placement of the proposed memorial; it may request modification of the proposal; it may reject the proposal, or it may request additional information on the proposal. The decision of the Council is final, unless it chooses to reconsider its decision.

All work on the memorial shall be completed within eighteen (18) months of City Council's final approval.

**COMMUNICATIONS
FROM CITIZENS**

REGULAR BUSINESS

R-1

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Regional Mutual Aid with Central Virginia

ISSUE: Update Mutual Aid Agreement with all areas at one time

RECOMMENDATION: Approve MOU

TIMING:

BACKGROUND: Long standing MOU in place

FISCAL IMPACT:

ENCLOSED DOCUMENTS: Yes

STAFF: Chief Hunter HFD

- | | | |
|--------------------------|--------------------------|---|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor, Brenda S. Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina J. Luman-Bailey, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |

- | | | |
|--------------------------|--------------------------|-------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony Zevgolis, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine E. Gore, Ward #4 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Wayne Walton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jackie Shornak, Ward #7 |

**AGREEMENT FOR MUTUAL AID FIRE AND RESCUE SERVICES
Among Designated Localities in Central Virginia**

This Agreement is made and entered into this ____ day of _____, 2017, by and among the cities of Colonial Heights, Hopewell, Petersburg and Richmond, the counties of Amelia, Caroline, Charles City, Chesterfield, Cumberland, Dinwiddie, Goochland, Hanover, Henrico, King and Queen, King William, New Kent, Powhatan, Prince George, and Sussex, the Richmond Ambulance Authority, the Capital Regional Air Commission, the Defense Supply Center Richmond, Fort A. P. Hill, and Fort Lee, all within the Commonwealth of Virginia, if executed on the appropriate page (page 4) of this Agreement.

WHEREAS, the fire and rescue departments/agencies of the parties hereto perform fire and rescue services within their specified service areas and territories in the Central Virginia region of the Commonwealth of Virginia;

WHEREAS, the parties hereto desire to secure to each other the benefits of mutual aid in situations involving fire and rescue services (including emergency medical services); and

WHEREAS, the parties hereto are authorized to enter into this agreement by §§ 27-1 *et seq.*, and § 44-146.20, Code of Virginia, 1950, as amended;

NOW, THEREFORE, it is mutually agreed as follows:

A. When one of the parties to this Agreement requests aid for a situation within its service area involving fire and rescue (including emergency medical) services from another party to this Agreement, that requested party may dispatch, when available, the requested equipment and personnel to aid in the situation. Requests for aid may be made and received directly by and from the representatives of the fire and rescue service departments/agencies for the parties to this Agreement.

The rendering of assistance under the terms of this Agreement shall not be mandatory, but the party receiving the request for aid shall immediately inform the requesting department/agency if, for any reason, assistance cannot be rendered.

B. Any dispatch of equipment and personnel pursuant to this Agreement is subject to the following conditions:

(1) Any request for aid hereunder shall include a statement of the amount and type of equipment and personnel requested, and shall specify the location to which the equipment and personnel are to be dispatched. However, the amount and type of equipment and the number of personnel to be furnished shall be determined by a representative of the requested responding department/agency.

(2) The personnel of the requested responding department/agency shall report to the officer in charge of the requesting department/agency at the location to which the equipment is dispatched, and shall be subject to the orders and direction of that official.

However, the requested responding agency reserves the right to follow its own safety guidelines while complying with incident objectives. Personnel of the requested responding agency shall continue to be subject to the applicable rules of conduct, regulations, and policies of their own jurisdiction while acting pursuant to this Agreement.

(3) The personnel and equipment of the requested responding department/agency shall be released by the requesting department/agency when the services of the requested responding department/agency are no longer required or when the requested responding department/agency is needed within the area for which it normally provides services.

(4) Responses and/or services shall be provided as determined at the time of need and/or as pre-arranged for certain response areas (i.e. automatic responses).

C. Each party to this Agreement waives any and all claims against all the other parties which may arise out of the parties' actions outside of their respective jurisdictions under this Agreement.

Nothing in this Agreement is intended or shall be construed to require any party to indemnify and save harmless the other parties to this Agreement from claims by third parties for property damage or personal injury which may arise out of the activities of the other parties.

D. All equipment used by the requested responding department/agency in carrying out this Agreement shall, at the time of action hereunder, be owned by the requested responding department/agency; and all personnel acting for the requested responding fire and rescue department/agency under this Agreement shall, at the time of such action, be employees or volunteer members of the requested responding department/agency.

E. Actions taken and expenditures made pursuant to this Agreement shall be deemed conclusively to be for a public and governmental purpose and all of the immunities from liability enjoyed by a party when acting through its fire fighters or emergency medical technicians for a public or governmental purpose within its territorial limits shall be enjoyed by it to the same extent as when such party is so acting, under this Agreement, beyond its territorial limits.

The personnel of any party to this Agreement, when acting hereunder, or under other lawful authority, beyond the territorial limits of their jurisdictions, shall have all of the immunities from liability and exemptions from laws, ordinances and regulations, enjoyed by them while performing their respective duties within the territorial limits of their jurisdictions.

F. All services provided by a party under this Agreement shall be performed without monetary compensation for the first twelve hours of service. If the performance of services exceeds twelve hours, the requesting department/agency receiving such services agrees to reimburse the requested responding department/agency for the entire replacement cost of specialized extinguishing agents, materials, and/or other expendable consumer supplies not covered in standing agreements, which are used by the requested responding department/agency

in providing firefighting, emergency-rescue, or other disaster services within the requesting department/agency's jurisdiction.

G. All salaries, pensions, health insurance, disability protection, worker's compensation, death benefits, and other benefits provided to employees of the parties to this Agreement, as well as to all volunteer members who respond, shall apply to the services performed by those employees or volunteer members under this Agreement outside their respective jurisdictions.

H. This Agreement rescinds and supersedes all previous written agreements and oral understandings relating to the provision of mutual aid for fire and rescue and emergency medical services between and among the parties.

This Agreement is not intended to rescind or supersede any automatic mutual aid agreements or financial agreements for fire and rescue and emergency medical services between and among the parties.

I. Any of the parties hereto may withdraw from this Agreement by giving thirty (30) days written notice to that effect to the other parties at the addresses shown on the signature pages. Any notice shall be effective if given by registered or certified mail, return receipt requested, or by other receipted delivery.

This Agreement shall remain in effect until superseded, amended, or rescinded in writing by one or more participating signatory parties. However, it shall remain in effect for all remaining signatory parties unless or until it is terminated in writing by the remaining parties.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

CITY/COUNTY OF

By: _____

Address for Notice:

Contents Approved:

Fire Rescue

Form & Correctness Approved:



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Mutual Aid with National Parks Service

ISSUE: Update Mutual Aid Agreement

RECOMMENDATION: Approve MOU

TIMING:

BACKGROUND: Long standing MOU in place

FISCAL IMPACT:

ENCLOSED DOCUMENTS: Yes

STAFF: Chief Hunter HFD

Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Mayor, Brenda S. Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina J. Luman-Bailey, Ward #1
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2

Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolis, Ward #3
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine E. Gore, Ward #4
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie Shornak, Ward #7

AGREEMENT

BETWEEN

**UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
PETERSBURG NATIONAL BATTLEFIELD**

AND

**HOPEWELL FIRE DEPARTMENT
HOPEWELL, VIRGINIA**

ARTICLE I

Background and Objectives

An Agreement by and between the Hopewell Fire Department, acting by and through the Chief of Hopewell Fire Department, and the United States Department of the Interior, National Park Service (hereinafter Service), acting by and through the Superintendent, Petersburg National Battlefield.

WHEREAS, the Service and the Hopewell Fire Department hereby enter into an Agreement to **PROVIDE MUTUAL AID AND ASSISTANCE FOR OCCURRENCES OF EMERGENCY MEDICAL SERVICES, STRUCTURAL AND WILDLAND FIRE** on, within, or threatening the adjacent boundaries of Petersburg National Battlefield and within the response area of the Hopewell Fire Department; and

WHEREAS, the Service administers Petersburg National Battlefield that was established as a unit of the National Park System, United States Department of the Interior, pursuant to 16 U.S.C. § 423 – 423h; and

WHEREAS, the Director of the National Park Service (or his delegate) is required pursuant to 54 USC 100101 (formerly 16 USC § 1a-1) to authorize only those uses of land within the Park which will not be a derogation of the values and purposes for which the Park was established, except as may have been or shall be directly and specifically provided by Congress; and

WHEREAS, 54 USC 102711 (formerly 16 USC 1b(1)) authorizes the Secretary of the Interior to render emergency firefighting and cooperative assistance to nearby fire prevention agencies and for related purposes outside of the National Park System; and

WHEREAS, the Reciprocal Fire Protection Act of May 27, 1955, 69 Stat. 66; 42 U.S.C 1856a-1856d authorizes reciprocal agreements for mutual aid for fire protection with agencies maintaining fire protection facilities in the vicinity of Service property and for the property for

which said agency normally provides fire protection services; and

WHEREAS, the Wildfire Suppression Assistance Act of 1989; and

WHEREAS, National Park Service Acts as amended (67 Stat. 495; 54 USC 102711); and

WHEREAS, the Hopewell Fire Department provides fire protection services to residents in their service area in the vicinity of the Petersburg National Battlefield, and has an interest in working cooperatively with the National Park Service; and

WHEREAS, 54 USC 100101 provides for the promotion and regulation of the various areas of the National Park System so that the authorization of activities be construed and the protection, management and administration of these areas be conducted in the light of the high public value and integrity of the National Park System; and

WHEREAS, the National Park Service has determined that such an agreement is neither incompatible with the public interest nor inconsistent with the use of such lands for Park purposes;

NOW, THEREFORE, both parties do mutually understand and agree as follows:

ARTICLE II Statements of Work

The Agreement herein made is subject to the following terms and conditions:

- (1) The purpose of this Agreement is to provide mutual aid and assistance between the Petersburg National Battlefield and the aforesaid Hopewell Fire Department in those situations where wildland, vehicular, and/ or structural fires threaten or otherwise endanger property under the protection of either agency.
- (2) The provisions of said Agreement will be separated into two sections: structural/vehicular fires, and emergency medical services.
- (3) The area of Service property covered by this Agreement will be that section of Petersburg National Battlefield within or adjacent to the Hopewell Fire Department's area of responsibility, including other areas in the Park within which Hopewell Fire Department assistance may be requested.
- (4) Each party to this Agreement agrees to be responsible for the payment of all expenses and/ or costs incurred by it which may arise out of its performance under this Agreement or any other fire-fighting and emergency medical service activities related thereto **except** for those additional contracts or agreements that may be in place that specifically authorize transfer and/or payment for services rendered.
- (5) The Hopewell Fire Department agrees that all of its employees or agents shall not be considered to be Federal employees for any purpose while carrying out any activity authorized herein.
- (6) Any alterations to this Agreement must be in writing and signed by the parties hereto.

Renewals will be subject to regulations existing at the time of renewal and such other terms and conditions deemed necessary to protect the public interest.

(7) Each party to this Agreement expressly waives and releases all claims against all other parties to this Agreement for compensation for any loss, damage, personal injury, or death occurring during the performance of this Agreement.

(8) This agreement and the obligations of the Service hereunder shall be subject to the availability of funds and nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

(9) Each party to this Agreement will furnish such equipment and personnel to aid and assist the other party as can be made available without jeopardizing the emergency medical service or fire protection of its own area of responsibility.

(10) All requests for assistance must originate from the Incident Commander in charge of the incident, regardless of location.

(11) The parties to this Agreement will meet annually, along with other cooperators, for the discussion of matters related to the application of this Agreement, and will provide for other meetings as necessary for the discussion of matters relevant to the prevention and suppression of fires and responses to other all-risk incidents. The parties will exchange information necessary for the coordination of operations, including preparedness, planning, prevention, communications, training, etc.

A. Structural Fires

The Hopewell Fire Department will respond to requests for assistance as promptly as possible and with due regard for the safety of all persons.

(1) When the Hopewell Fire Department Officer in Charge arrives at the scene of any structural or motor vehicle fire within the boundaries of the park, the Officer in Charge for the Hopewell Fire Department will assume Incident Command responsibility for all firefighting activities until the fire is extinguished and declared out.

(2) As an aid to implementing this Agreement, members of the Hopewell Fire Department may visit the Petersburg National Battlefield and engage in pre-planning and training activities with Service staff.

B. Emergency Medical Incidents

The Hopewell Fire Department will respond to requests for assistance as promptly as possible and with due regard for the safety of all persons.

(1) When the Hopewell Fire Department Officer in Charge arrives at the scene of any emergency medical service incident within the boundaries of the park, the Officer in Charge for the Hopewell Fire Department will assume Incident Command responsibility for all emergency medical

activities until the patient has been treated and transported to a medical facility or acknowledges a refusal of transport.

(2) As an aid to implementing this Agreement, members of the Hopewell Fire Department may visit the Petersburg National Battlefield and engage in pre-planning and training activities with Service staff.

ARTICLE III Term of Agreement

The Memorandum of Understanding hereby made shall terminate five (5) years from the effective date hereof, at noon, Eastern Standard Time, unless prior thereto it is relinquished, abandoned, or otherwise terminated pursuant to the provisions of this Agreement or of any applicable Federal law or regulation. In addition, the Agreement will expire at the end of the specified term unless formally reaffirmed or rewritten if necessary. The effective date of this Agreement shall be the date of its execution by the Superintendent.

Unless relinquished, abandoned, or otherwise terminated pursuant to the provisions of the Agreement or of any applicable Federal law or regulations, the Agreement will be considered for renewal.

ARTICLE IV Key Officials

The key officials for the parties are:

For the Service:

Lewis Rogers
Superintendent
Petersburg National Battlefield
1539 Hickory Hill Road
Petersburg, Virginia 23803

Scott B. Carrigan
Chief Park Ranger
Petersburg National Battlefield

For the Hopewell Fire Department:

Donald R. Hunter II
Fire Chief
Hopewell Fire Department

ARTICLE V
Property Utilization

The Hopewell Fire Department shall maintain and dispose of any property acquired under the terms of this agreement as set forth in Service property management regulations.

ARTICLE VI
Reports

Each party to this agreement will provide the other party with fire reports and copies of correspondence directly related to the implementation of this agreement. Reports and correspondence will be directed to the signatories of this Agreement within fifteen (15) working days of the date of the incident.

ARTICLE VII
Termination

This Agreement may be terminated by either Party by providing sixty (60) days written notice to the other.

ARTICLE VIII
Standard Clauses

This Memorandum of Understanding is subject to conditions established by the Superintendent or his/her representative, and to all laws, regulations, and policies governing the National Park Service and other applicable conditions as outlined herein.

During the performance of this Agreement, the parties agree to abide by the terms of Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex, or national origin. The parties will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

No member or delegate to Congress or resident Commissioner shall be admitted to any share or part of this Agreement, or to any benefit that may arise there from; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.

This Agreement constitutes the full, complete, and entire agreement between the National Park Service and the Hopewell Fire Department. No modification or amendments of this Agreement shall be binding on any party hereto unless such modification or amendment shall be in writing, executed in duplicate by the Service and the Hopewell Fire Department, attached to this Agreement and incorporated in and by reference made a part of this Agreement.

ARTICLE IX
Authorizing Signatures

IN WITNESS WHEREOF, the Superintendent of Petersburg National Battlefield, acting on behalf of the United States Department of the Interior, National Park Service, in the exercise of the delegated authority from the Secretary of the Department of the Interior, has caused this Agreement to be executed this _____ day of _____, _____.

Lewis Rogers
Superintendent
Petersburg National Battlefield

ACCEPTED this _____ day of _____, _____.

Donald R. Hunter II
Fire Chief
Hopewell Fire Department

R-3

**REPORTS
OF THE
CITY
ATTORNEY**

**REPORTS
OF THE
CITY CLERK**

REPORTS OF THE CITY COUNCIL

- **COMMITTEES**
- **INDIVIDUAL REQUEST**
- **ANY OTHER COUNCILOR**

ADJOURN