

January 6, 2015
Reorganizational Meeting and
Special Meeting
MINUTES OF CITY COUNCIL MEETING HELD JANUARY 6, 2015

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

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

Mark A. Haley, City Manager
David C. Fratarcangelo, City Attorney
Cynthia Y. Ames, City Clerk

ADJOURNMENT

Motion was made by Councilor Pelham, seconded by Councilor Holloway and unanimously passed to adjourn the City Council Meeting held on December 9, 2014.

ROLL CALL

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

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

CLOSED MEETING

Motion was made by Councilor Pelham, seconded by Councilor Luman-Bailey to resolve to go into closed meeting for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (City Council appointees). In accordance with Virginia Code Section 2.2-3711 (A) (1). Upon the roll call, the vote resulted:

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

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Statement entered into the minutes upon Councilor Walton's request:

“Good Evening Everyone,

I cannot support this motion for the following reasons:

Over the past six years I have done my best to make informed decisions before Council based on my instincts and doing research on issues that impact our City. I have always tried my best to move this City forward. This motion on the floor, if passed, will lead us in to unprecedented territory! Staff has put together an Agenda that will allow Council to go “behind closed doors and hash it out” on who will be the next Mayor and Vice Mayor. This will be my 4th reorganizational meeting and will be a departure from how we have done it during my terms. In my research I usually read and more importantly ask advice from seasoned elected officials and staff locally and from other localities. There is an Attorney General's opinion out there that says this is an illegal activity. Other seasoned local attorneys in the area have cautioned against this practice along with some of their elected officials. Our appointed lawyer has opined that this is legal as it is just an opinion and not written law. Usually when we have a legal question come up we are guided by opinions so now we have an opinion of our local attorney and one from the Attorney General of Virginia. I ask you, which one should I adhere too? Based on this and my own smell test that “if you have to ask the question if something is wrong” then don't do it!!

I know this will jeopardize my chances for Mayor but I cannot in good conscious participate in these back room discussions on something so important to our City.”

Councilor K. Wayne Walton
Ward 5 – City of Hopewell
January 6, 2015

Statement entered into the minutes upon Councilor Shornak's request:

“Due to the highly controversial issue of the legality of having a closed session to discuss the election of Mayor and Vice Mayor, I hereby decline to be present during this meeting. I feel it is in the best interest of the City of Hopewell and its citizens for me not to participate in such (a) meeting which could result in civil litigation to the City and mistrust from the citizens. This closed meeting is contrary from what has been done in past organizational meetings. Therefore, I would feel more comfortable to voice my vote for Mayor and Vice Mayor in front of the public. I am a proponent for “open government” and feel this meeting is somewhat questionable. My philosophy has always been “when in doubt, don't do it.” My vote for Mayor and Vice Mayor will reflect who will best represent our City and one who possesses honesty and integrity. I am asking Council to please refrain from going into closed session as it gives the appearance of impropriety. Thank you”

Councilor Jackie M. Shornak
Ward 7 – City of Hopewell
January 6, 2015

OPEN MEETING

At 7:30 p.m. Council convened into Open Meeting. Councilors responded to the question: “Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Meeting?” Upon the roll call, the vote resulted:

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

Councilor Walton and Councilor Shornak did not vote: Council Rules and Procedures 204. Method of Voting A. Every member present when a question is put shall vote either “yes” (or “aye”) or “no” (“nay”). No member shall be excused from voting except on matters involving the consideration of his official conduct. Or where his financial or personal interests are involved. (City Charter §8) Application to be excused from voting must be made before the vote is called. The member having briefly stated the reason for his request, the decision shall be made without debate in accordance with City Charter and State Law.

REORGANIZATIONAL MEETING

Former Vice Mayor Gore opened the Reorganizational Meeting at 7:30 p.m. Roll call was taken as follows:

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

The gavel was passed to Cynthia Y. Ames, City Clerk, she stated the purpose of the meeting was to elect a Mayor, and a Vice Mayor, each of whom shall serve a period of two years in accordance with Chapter 4, Section 4, of the City Charter.

PRAYER

Prayer by Charles E. Dane, Assistant City Manager, followed by the Pledge of Allegiance to the Flag of the United States of America.

The floor was opened for nominations for Mayor.

Motion was made by Councilor Shornak, seconded by Councilor Walton, to nominate K. Wayne Walton for Mayor.

Motion was made by Councilor Pelham, seconded by Councilor Luman-Bailey, to nominate Councilor Pelham for Mayor.

There being no other nominations for Mayor, nominations were closed.

Upon the roll call, on the motion to elect Councilor K. Wayne Walton, as Mayor, the vote resulted as follows:

Councilor Luman-Bailey	-	NO
Councilor Holloway	-	NO

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Councilor Zevgolis	-	NO
Councilor Gore	-	NO
Councilor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes

The result was 5 no/2 yes. The motion failed.

Upon the roll call, on the motion to elect Councilor Pelham, as Mayor, the vote resulted as follows:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	NO
Councilor Gore	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The result was 4 yes/3 no. The motion passed.

Councilor Pelham was declared Mayor of the City of Hopewell, for a term extending through December 31, 2016.

The gavel was passed to Councilor Pelham, she opened the floor for nominations for Vice Mayor.

Motion was made by Councilor Walton, and seconded by Councilor Shornak, to nominate Councilor Shornak, for Vice Mayor.

Motion was made by Councilor Zevogolis, and seconded by Councilor Holloway, to nominate Councilor Luman-Bailey, for Vice Mayor.

There being no other nominations for Vice Mayor, the nominations were closed.

Upon the roll call on the nomination for Councilor Shornak for Vice Mayor the vote resulted:

Councilor Luman-Bailey-	NO
Councilor Holloway	- NO
Councilor Zevgolis	- NO
Councilor Gore	- NO
Councilor Walton	- yes
Councilor Pelham	- NO
Councilor Shornak	- yes

The vote resulted in 5 no/2 yes. The motion failed.

Upon the roll call on the nomination for Councilor Luman-Bailey for Vice Mayor the vote resulted:

Councilor Luman-Bailey-	yes
Councilor Holloway	- yes
Councilor Zevgolis	- yes
Councilor Gore	- yes

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Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The vote resulted in 5 yes/2 no. The motion passed.

Councilor Luman-Bailey was declared Vice Mayor, of the City of Hopewell for a term extending through December 31, 2016.

The Honorable Tammy Ward, Circuit Court Clerk administered the Oath of Office to Mayor Pelham, and Vice Mayor Luman-Bailey.

Motion was made by Councilor Zevgolis, seconded by Councilor Gore to adjourn the Reorganizational Meeting and take a few minutes to reorganize the seating of Council. Upon the roll call, the vote resulted:

Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes
Councilor Zevgolis	-	yes
Councilor Gore	-	yes
Councilor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

SPECIAL MEETING

Mayor Pelham opened the special meeting at 7:30 p.m. Roll call was taken as follows:

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

CITIZEN/COUNCILOR REQUEST 1 – COUNCILORS GORE AND PELHAM – TOWN HALL/COMMUNITY SUMMIT TO ADDRESS VIOLENCE IN THE COMMUNITY

Consensus of Council to hold a Town Hall Forum to address crime in the City. Item is to be moved to February. The city manager is to speak with the chief of police and check on a venue.

COUNCIL COMMUNICATIONS

Councilor Shornak stated she was humbled by the support of Ward 2 and thanked them for their work in moving the City forward and coming together as a community.

Councilor Walton wished everyone a Happy New Year and reminded citizens it was support your local Police Department Week, and to make sure they put out the blue porch light to show support for our local Police Department.

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Councilor Gore thanked Ward 4 for letting her serve the last two years and she is looking forward to serving the rest of her four year term.

Councilor Holloway thanked everyone for coming out and she is looking forward to working with council.

Councilor Zevgolis stated there are no winners or losers as each councilor has the best interest for Hopewell in their hearts.

Vice Mayor Luman-Bailey thanked everyone for attending and stated it is time to start the new year fresh and to turn the page.

Mayor Pelham thanked God for the opportunity to help the City make great strides. Councilors can agree to disagree and move on, and do the best for the City. We need to educate our children to become great citizens of Hopewell. Happy New Year.

ADJOURNMENT

At 8:08 p.m. **motion** was made by Councilor Shornak, seconded by Councilor Gore and unanimously passed to adjourn the meeting.

Brenda S. Pelham, Mayor

Cynthia Y. Ames, City Clerk