

# AGENDA



## CITY OF HOPEWELL

Hopewell, Virginia 23860

### AGENDA

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### 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. Zevgolis, 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

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Date: October 9, 2018

MUNICIPAL BUILDING

Closed Meeting: 6:00 p.m.  
Regular Meeting: 7:30 p.m.

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### OPEN MEETING

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

**PROPOSED MOTION:** To go into closed meeting for (1) discussion and consideration of specific appointees of city council (City Attorney) and (2) 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) and (8), respectively.

Roll Call

### CLOSED MEETING

### 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

**PROPOSED MOTION:** To amend/adopt agenda

Roll Call

### REGULAR MEETING

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

Prayer by Rev. Leroy Mashore of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Denton.

### 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: September 25, 2018
- C-2 Pending List:
- C-3 Routine Approval of Work Sessions:
- C-4 Personnel Change Report & Financial Report: Finance Report attached
- C-5 Ordinances on Second & Final Reading:
- C-6 Routine Grant Approval: Aaron Reidmiller, Director of Parks and Recreation - \$20,000 Grant from Virginia Department of Health for Thrive 450 Unit
- C-7 Public Hearing Announcement:
- C-8 Information for Council Review: ARB minutes: 4/23/18, 6/25/18, 7/23/18, 8/27/18
- C-9 Resolutions/Proclamations/Presentations:
- C-10 Additional Announcements: Awards: Go Green; Healthy Eating Active Living (HEAL)

### 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)

None

### 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 Designation of Fall Clean Up Week**

**ISSUE:** Fall Clean-Up Week is a Hopewell tradition that affords residents the opportunity to clean around their neighborhood and dispose of unwanted belongings to the Hopewell Convenience Center free of charge. Staff is requesting that Council approve and designate the week of Saturday, October 20, 2018 to Saturday, October 27, 2018 as Fall Clean-Up Week.

**MOTION:** \_\_\_\_\_

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**Roll Call**

**R-2 Change Order to Expand and Modify the Design of the New Fire Station**

**ISSUE:** The proposed change order for design modifications to the new fire station will increase the “fixed-price” contract by more than 25%, which requires approval of the governing body under Virginia Code § 2.2-4309 (*Modification of the contract*). Staff is requesting that Council authorize the City Manager to execute a Change Order in the amount of \$190,000 with RRMM Architects.

**MOTION:** \_\_\_\_\_

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**Roll Call**

**Reports of the City Attorney:** City Council rules

**Reports of the City Clerk:** Boards, Committees, Commissions & Authorities:

<b>Name of Board, Committee, etc.</b>	<b>Vacancies</b>	<b>TBR's</b>
Ashford Civic Plaza Commission	9	2
Architectural Review Board (as of 10-31-18)	1	0
Board of Building Code and Fire Prevention Code Appeals	5	1
Board of Zoning Appeals	2	0
Board of Equalization	4	1
District 19 Community Services Board	1	0
Dock Commission	5	1
Economic Development Authority (as of 10/31/18)	2	1
Historic Preservation Committee	11	0
HRHA (as of 10/31/18)	1	1
Keep Hopewell Beautiful	5	0
Library Board (as of 10/31/18)	2	0
Planning Commission	1	0
Youth Services Commission	8	4
Recreation Commission	3	1
Social Services Advisory Board	5	0
Transportation Safety Board	3	0
Technology Fund Committee	1	0

**Reports of City Council:**

**Committees**

**Individual Councilors**

**Citizen/Councilor Requests**

**CCR-1-** Shornak – Waiver for Veterans on Personal Property Tax

**Other Council Communications**

**Adjournment**

# **REGULAR MEETING**

# **CONSENT AGENDA**

# MINUTES

**MINUTES OF THE SEPTEMBER 25, 2018 CITY COUNCIL MEETING**

A meeting of the Hopewell City Council was held Tuesday, September 25, 2018, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

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

John M. Altman, Jr., City Manager  
Charles Dane, Assistant City Manager  
Stefan M. Calos of Sands Anderson PC, City Attorney  
Ronnieye L. Arrington, City Clerk  
Frazelle Hampton, Assistant City Clerk

**ABSENT:** Jasmine E. Gore, Vice Mayor

**ROLL CALL**

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

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

**CLOSED MEETING**

At 6:32 p.m., Councilor Pelham moved to go into closed meeting for (1) discussion and consideration of specific appointees of city council (City Attorney); (2) discussion and consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the city would be adversely affected (Francisco Landing); (3) discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (CFB building, old City Jail); (4) consultation with legal counsel 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 (police, cemetery); and (5) 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), (3), (6), (7), and (8), respectively. The motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

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Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

**Motion passed 6-0**

**RECONVENE OPEN MEETING**

Council convened into open meeting at 7:31 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 Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

**Council agreed 6-0**

**AMEND/ADOPT AGENDA**

Councilor Pelham made a motion to amend the agenda to remove item R-4 (*Appointment of City Attorney*), and to approve the agenda as amended, which 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	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

**Motion passed 6-0**

Mayor Shornak requested a roll call, the result of which was:

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

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

Mayor Shornak called the meeting to order, and thanked all for attending. The prayer was led by Rev. J. Jefferson Butler of the 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:**
- C-2 Pending List:** Attached
- C-3 Routine Approval of Work Sessions:**
- C-4 Personnel Change Report & Financial Report:** Personnel report attached
- C-5 Ordinances on Second & Final Reading:**
- C-6 Routine Grant Approval:**
- C-7 Public Hearing Announcement:**
- C-8 Information for Council Review:** Minutes: ARLS – 9-18-18; CPMT – 8-20-18; HRHA – 7-09-18; Investment Committee – 6-26-18; Planning Commission – 8-02-18
- C-9 Resolutions/Proclamations/Presentations:** Recognition to John Randolph Medical Center, Vulcan Materials Corporation, and Dominion Fireworks for assistance with fireworks at the Appomattox event
- C-10 Additional Announcements:** Riverwalk Groundbreaking Ceremony

Aaron Reidmiller, Director of Parks and Recreation recognized John Randolph, Vulcan Materials, and Dominion Fireworks for their assistance with Fireworks over the Appomattox. He also announced the Riverwalk Groundbreaking Ceremony. Councilor Denton made a motion to approve the Consent Agenda, which was seconded by Vice Mayor Gore. 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

**Motion passed 6-0**

**PUBLIC HEARINGS**

- PH-1 Rezoning Request – Appomattox Street, Lots 1 & 2, Copeland Subdivision and Lots 1, 2 and 3, Block 16, B Village Subdivision** – Tevya Griffin, Director of Development provided Council with a condensed version of the Staff Report for the rezoning request. Mayor Shornak opened the public hearing. Deb Randolph spoke on behalf of the EDA, and stated that EDA members approved of the project. She also said that as a resident of Ward 1, she had

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parking concerns but was sure that her concerns would be addressed. Former Councilor Wayne Walton also spoke in favor of the project. Katherine Podlewski spoke in opposition to the project. Michael Ernst said he was not opposed to the project, but did have parking concerns. Council asked questions and had further discussion. Mayor Shornak closed the public hearing. Councilor Denton moved to approve the rezoning request for Appomattox Streets, Lots 1 & 2, Copeland Subdivision, and Lots 1, 2, and 3, Block 16, B Village subdivision. The motion was seconded by Councilor Zevgolis. 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

**Motion passed 6-0**

**PH-2 Sale of City Property - Appomattox Street, Lots 1 & 2, Copeland Subdivision and Lots 1, 2 and 3, Block 16, B Village Subdivision** –Assistant City Manager Charles Dane gave Council information and background on the Francisco Landing Holdings LLC project. He advised Council that Staff was not seeking approval of the sale at this time. Chip and Ed Bowman, the proponents of the project, came forward and presented information and history to Council, including the fact that they are the great-great grandsons of Peter Francisco. Mayor Shornak opened the public hearing. Kathleen Podlewski spoke in opposition to the project. Eliot Eliades spoke in favor of the project. He acknowledged the parking concerns, but said he had no doubt the concerns would be addressed and solved. Mayor Shornak closed the public hearing. **No action requested of Council.**

Councilor Luman-Bailey submitted a Transactional Disclosures Statement stating that she is an adjacent property owner.

**COMMUNICATION FROM CITIZENS**

Mayor Shornak asked if any citizen wished to speak, but no one came forward.

**REGULAR BUSINESS**

**Reports of City Manager:**

**R-1 Request to vacate portion of Western Street and Old Woodlawn Avenue** – Director of Development Tevya Griffin came before Council requesting the vacation of a portion of Western Street and Old Woodlawn Avenue. Derek Johnson of Timmons Group spoke to Council on behalf of Amin Land Holdings LLC regarding the proposed project. After discussion, Councilor Zevgolis moved to vacate the undeveloped portion of Western Street and Old Woodlawn Avenue. His motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

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Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

**Motion passed 6-0**

Councilor Denton submitted a Transactional Disclosure Statement stating that she was a Realtor with Ingram & Associates.

Mayor Shornak submitted a Transactional Disclosure Statement stating a familial relationship with Riley Ingram.

**R-2 City of Refuge Funding Request** – Charles Dane presented information to Council regarding the City of Refuge’s request. He explained that the program had been in operation for 11 months, and that there had already been 9 diversions from the court system to the program. Mr. Dane said that each diversion saves the City \$44/day. Rev. Collier, who heads the program, also spoke to Council about the extensive benefits of the program. Rick Newman, the Commonwealth Attorney, added his voice in support of the program. There was discussion regarding whether other entities would make donations as well. The City Manager spoke in support of the program and answered questions regarding from where the funds would be taken (Unallocated Funds). Councilor Zevgolis noted there may be an issue with Council making an allocation due to its being one member short. Councilor Luman-Bailey moved to allocate the requested \$50,000 for this year only from Fund Balance to the General Fund to the City of Refuge program, pending verification of the legality of the vote. The motion was seconded by Councilor Holloway. Mr. Calos located the relevant law (Va. Code §15.2-1428, *Procedures for certain acts*) and opined that there was no problem with Council making this allocation absent a member, as the affirmative votes of only 4 councilors were required. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	abstain*
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes

**Motion passed 5-0**

*\* Mr. Calos explained that Councilor Pelham was excused from voting because she was a member of the City of Refuge board.*

Councilor Pelham submitted a Transactional Disclosure Statement stating that she is a member of the City of Refuge Board and a Trustee.

Mayor Shornak submitted a Transactional Disclosure Statement stating that she is a past member of the City of Refuge Board.

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**R-3 Request to appropriate funding for the Hopewell Riverwalk project** – Mr. Reidmiller advised Council of the funding from the Virginia General Assembly (\$100,000) and the donation from Friends of the Lower Appomattox River (FOLAR) (\$40,680), and asked that Council approve the appropriation of the \$140,680 to the Riverwalk project. Councilor Luman-Bailey moved to approve the appropriation of the \$140,680 already received for the Riverwalk project. The motion was seconded by Councilor Holloway. 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

**Motion passed 6-0**

**Reports of City Attorney** – Mr. Calos discussed the revisions to Council’s Rules. Council opted to decide on the approval of the Rules at the next meeting when all Council members could be present.

**Reports of City Clerk** – Nothing to report.

**Reports of City Council.**

**Individual Councilors**

- Luman-Bailey – Thanked all for attending the Ward 1 meeting. She also discussed the proposed development on the Copeland Site. Councilor Luman-Bailey said she was looking forward to going to the October VML meeting as Hopewell had done well in the Go Green Challenge.
- Pelham – Thanked Council for supporting the City of Refuge request for funding. She noted that through the Court diversions, the City saves more money than was being given to the City of Refuge. Councilor Pelham also encouraged citizens to attend the September 27, 2018 Ward Meeting being held at the Elks Lodge.
- Zevgolis – Noted that he had already had his Ward meeting at which they discussed the proposed balanced school year. He stated that his constituents had voiced some concerns, which he shared. He recommended a voter referendum to address this issue. He also said he had some Charter changes to suggest.

**Citizen Councilor Requests**

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**ADJOURN**

At 9:51 p.m. motion was made by Councilor Denton and seconded by Councilor Luman-Bailey to adjourn. All council responded “aye” to the question, with the exception of Councilor Pelham, who said “no”.

/s/ Jackie Shornak

Jackie Shornak, Mayor

/s/ Ronnieye L. Arrington

Ronnieye L. Arrington, City Clerk

# **FINANCIAL REPORT**

**City of Hopewell, VA**  
**Finance Department Turnover Assessment**  
**Implementation Plan**  
**Progress Report**  
**09.30.2018**

**Implementation Plan**

- **External Reporting**
  - **CAFR (FY16, FY17, FY18)**
  - **Closing, Reporting and Audit Workflow**
  - **Other (New – FY16, FY17, FY18)**
  - **APA, DEQ, Single Audit, FAC (FY15)**
  
- **Budget Development FY19**
  
- **Internal Reporting (reporting for the period of 01.03.2018 – 09.30.2018 is deferred due to priority action given to External Reporting and Budget Development FY19 Implementation Plan)**

**City of Hopewell, VA  
Finance Department Turnover Assessment  
Implementation Plan  
Progress Report  
09.30.2018**

- **External Reporting**
  - **CAFR (FY16, FY17, FY18)**
  - **Closing, Reporting and Audit Workflow**
  - **Other (New – FY16, FY17, FY18)**
  - **APA, DEQ, Single Audit, FAC (FY15)**

City of Hopewell, VA September 30, 2018				
External Reporting -- CAFR Compliance Implementation Plan FY 2016, FY 2017 & FY 2018				
	Date Start	Date Due	% Completion Status	Comment(s)
<b>Perform Assessment &amp; Planning Requirements:</b> for Completion and Audit of the CAFR, APA Report(s) and Single Audit Fiscal Years Ending FY2016, FY 2017 & FY 2018	12.01.17	12.31.17	100%	
<b>Communicate Implementation Plan:</b> to Stake Holders & Essential Participants such as... City Administration & Staff Schools Administration & Staff City Council Auditor- PBMares (PBM) Government & Regulatory Agencies	01.03.18	01.16.18	100%	Actual completion date 01.26.18 Lapse in achieving due date: City closings -- Inclement weather, holidays. Calendar availability of stake holders & essential participants (prescheduled commitments).
FY 2016 Implementation Plan Activities	Date Start	Date Due	% Completion Status	Comment(s)
<b>FY 2016 Audit &amp; CAFR Preparation</b>	01.03.18	03.31.18	100%	Overall estimated % of completion as of 09.30.18
Issued authorization to prior auditor-CBH to allow current auditor-PBM access to audit work papers (Fiscal Year Ended 6.30.2010 thru 6.30.2015)				Task completion 100% 02.01.18
Received concurrence from current auditor-PBM on the City's CAFR implementation plan approach & timetable				Task completion 100% 02.01.18
Obtained additional input from current auditor-PBM on items the City are to have available during the audit field work process				Task completion 100% 02.02.18
Requested departments to provide documents, schedules and other required information for FY16 CAFR preparation				Task completion 100% 01.19.18
Ongoing review of information received from departments and follow-up communications with departments including interviews, meetings emails etc.				Task completion 100% 05.31.18
Schools: <u>Task completion pending Schools providing corrected fund statements information to auditor (PBM)</u>				<b>Task completion ( 100%)</b> City Manager requested Schools Superintendent to ensure Schools staff prioritize & complete required task.
<u>City Finance Director recommended to City Manager solution approaches, if implemented immediately by Schools would prevent further delays in the completion of the CAFR and the Audit.</u> (08.21.2018)				City Manager requested Schools Superintendent to consider recommended solution approaches, if implemented immediately by Schools would prevent further delays in the completion of the CAFR and the Audit
				Schools communicated fund statements information to auditor (PBM) 9.26.18
City Closing, Reporting, Audit WorkFlow (CRAW) Implementation Plan				<b>Task completion ( 100%)</b> (see % completion status & comments of the City CRAW implementation plan)
<b>FY 2016 Audit</b>	04.01.18	04.30.18		
FY 2016 CAFR Audited & Issued			95%	Review and finalization in process (City, Schools & PBM)
FY 2016 APA Report(s) Issued			0%	Pending FY16 CAFR opinion issuance
FY 2016 Single Audit Issued			0%	Postponed until FY16 audit completed and FY15 issues resolved.

FY 2017 Implementation Plan Activities	Date Start	Date Due	% Completion Status	Comment(s)
<u>FY 2017 Audit &amp; CAFR Preparation</u>	04.01.18	07.31.18		
Received confirmation from auditor-PBM on date to start preliminary internal control field work process for both City & Schools <b>(07.09.18 to 07.13.18 Field Work Period)</b>	06.14.18	06.29.18	100%	Task completion 06.25.18
Obtained input from auditor-PBM on items the City are to have available during the audit field work process & the departments that will be reviewed	06.14.18	06.18.18	100%	Task completion 06.18.18
Requested departments to provide documents, schedules and other required information for FY17 CAFR preparation	06.15.18	6.29.18	100%	Task completion 06.29.18
Auditor-PBM started preliminary internal control field work process for both City & Schools	07.09.18	07.20.18		Task completion at <b>07.31.18</b>
			100%	City
			0%	Schools ( <b>postpone to 08.06.18</b> )
			40%	Schools ( <b>estimated as of 09.30.18</b> )
Received confirmation from auditor-PBM on date to start audit field work & testing process for both City & Schools <b>(08.06.18 to 08.17.18 Field Work Period)</b>	07.20.18	07.25.18	100%	Task completion <b>07.30.18</b>
Received confirmation from auditor-PBM on <b>return date to continue</b> audit field work & testing process for both City & Schools <b>(09.10.18 to 09.14.18 Continued Field Work Period)</b>	09.04.18	09.05.18	100%	Task completed
City Closing, Reporting, Audit WorkFlow (CRAW) Implementation Plan				<b>Task work in process ( 50% )</b> <b>(see % completion status &amp; comments of the City CRAW implementation plan)</b>
<u>FY 2017 Audit</u>	08.01.18	08.31.18		
FY 2017 CAFR Audited & Issued FY 2017 APA Report(s) Issued FY 2017 Single Audit Issued				
FY 2018 Implementation Plan Activities	Date Start	Date Due	% Completion Status	Comment(s)
<u>FY 2018 Audit &amp; CAFR Preparation</u>	08.01.18	10.31.18		
<u>FY 2018 Audit</u>	11.01.18	11.30.18		
FY 2018 CAFR Audited & Issued FY 2018 APA Report(s) Issued FY 2018 Single Audit Issued				





City of Hopewell, VA September 30, 2018					
External Reporting - APA, DEQ, Single Audit & FAC Issuance and/or Completion FY 2015					
	Date Start	Date Due	% Completion Status	Comment(s)	
Perform Assessment & Contact Prior Auditor -- Cherry Bekaert (CBH); for Issuance and/or Completion Status of	12.01.17	12.31.17	100%		
APA Reports (Comparative Transmittal, Sheriff's Report)					
DEQ (Landfill Financial Assurance Report)					
Single Audit Report					
Federal Audit ClearingHouse (FAC) Reporting					
Other					
<b>Implementation Plan:</b>					
Obtain from CBH Confirmation of Issuance and/or Completion Status	01.03.18	01.31.18			
<b>APA Reports</b>					
FY15 Comparative Transmittal			100%	Actual completion date 01.24.18	
FY15 Sheriff Report			NA	The City is required to request its auditor to conduct APA agreed upon procedures and issue a Sheriff report. CBH advised as of <b>01.31.18</b> the City had not made such request for FY15 or FY14.  The City requested on <b>02.01.18</b> CBH and APA to consider the impact on the City's current CAFRs implementation Plans (FY16, FY17 & FY18)  APA advised on <b>02.05.18</b> it will not pursue requesting the FY15 Sheriff's internal controls attesting report for FY15.	
DEQ (Landfill Financial Assurance Letter)	01.03.18	01.31.18	NA	The City requested on <b>02.01.18</b> DEQ to advise on the City delinquent reporting (agreed upon procedures) related to the Financial Landfill Letter for FY15, FY16 & FY17.  DEQ advised on <b>02.02.18</b> since the City has recently put a standby trust deposit in place to satisfy DEQ requirements. The City should take measures to ensure the DEQ Letter going forward for the fiscal year ending 6.30.2018 (FY18) is submitted on a current basis ( <b>12.31.18</b> )	
Single Audit Report FAC Reporting	01.03.18	01.31.18	85%	CBH provided the City with a draft FY15 report on <b>03.30.18</b> . Finalization & issuance of the report is pending City review of the draft and discussions with the City's current auditors (PB Mares LLP). CBH issuance of the FY15 single audit & corresponding FAC Reporting is reset for <b>10.31.18</b>	

**City of Hopewell, VA  
Finance Department Turnover Assessment  
Implementation Plan  
Progress Report  
09.30.2018**

- **Budget Development FY19**

City of Hopewell, VA				
September 30, 2018				
Budget Development				
FY 2018 - 2019				
	Date Start	Date Due	% Completion Status	Comment(s)
Perform Assessment & Planning Requirements for FY 2018 - 2019 Budget Development:	12.01.17	12.31.17	100%	
Annual Operating				
Capital Project				
Capital Improvement Plan (CIP)				
<u>Draft Proposed City Budget Calendar for FY 2018 - 2019</u> (Received input from Key Stake Holders)	01.03.18	01.31.18	100%	Actual completion date 02.21.18 Lapse in achieving due date:
City Manager				City closings -- Inclement weather,
City Attorney				holidays.
City Administration & Staff				Calendar availability of stake holders
School Administration & Staff				& essential participants (prescheduled
City Council				commitments).
School Board				
				The City received notification from
				APA regarding the required submission
				due date of 01.31.18 pertaining to the
				reason for non submission of the
				FY17 comparative transmittal on
				11.30.17. (Note: On 01.31.18 APA
				confirmed receiving the City response.)
				Transition, orientation and prioritization
				joint discussion with the new City
				and the former Interim City Manager.
<u>Communicate Draft to Stake Holders:</u>	02.15.18	02.23.18	100%	Task completion 100% 02.23.18
<u>Finalize City Budget Calendar for FY 2018 - 2019</u>	02.23.18	02.28.18	100%	Task completion 100% 03.27.18
<u>Implement City Budget Calendar for FY 2018 - 2019</u>	03.01.18	05.31.18	100%	Actual completion date 06.12.18
<u>Prepare the approved FY19 City Budget for loading to the City's accounting administrative system ( MUNIS)</u>	6.18.18	6.30.18	100%	Task completion 100% 06.29.18
<u>Review &amp; verify the loaded approved FY19 City Budget to the City's accounting administrative system ( MUNIS)</u>	6.25.18	6.30.18	100%	Task completion 100% 06.29.18
<u>Confirm &amp; verify City departments having access to their loaded approved FY19 City Budget to the City's accounting administrative system ( MUNIS)</u>	6.29.18	6.30.18	100%	Task completion 100% 07.02.18
Finance Department preparing DRAFT FY 2018-2019 Financial Plan (i.e. City budgetary document) -- issuance September 2018	7.16.18	8.31.18	75%	Task work in process

**City of Hopewell, VA  
Finance Department Turnover Assessment  
Implementation Plan  
Progress Report  
09.30.2018**

- **Internal Reporting (reporting for the period of 01.03.2018 – 09.30.2018 is deferred due to priority action given to External Reporting and Budget Development FY19 Implementation Plan)**

**ROUTINE  
GRANT  
APPROVAL**



Healthy People in Healthy Communities  
www.vdh.virginia.gov

VIRGINIA DEPARTMENT OF HEALTH  
CRATER HEALTH DISTRICT  
301 Halifax Street  
Petersburg, VA 23803

MEMORANDUM OF UNDERSTANDING (MOU)

MOU Number: VDH-19-022-0032

I. **PARTIES TO THE AGREEMENT:** This Memorandum of Understanding is entered into by the **City of Hopewell**, 300 N. Main Street, Hopewell, VA 23860, hereinafter called the "Contractor" and Commonwealth of Virginia through the Department of Health, **Crater Health District**, 301 Halifax Street, Petersburg, VA 23803, hereinafter called the "Department."

**WHEREAS**, the Department desires to enter into an agreement with the Contractor to secure fitness equipment to support the Hopewell Recreation and Parks Woodlawn Park project located at 3509 Boston St, Hopewell, VA 23860, and;

**WHEREAS**, the Contractor desires to perform such services;

**THEREFORE**, in consideration of their respective undertakings, the Department and the Contractor hereby covenant and agree to the following terms.

II. **PERIOD OF AGREEMENT:** From execution date of last signature on the last page, through September 30, 2019 and may not be renewed.

III. **PURPOSE:**  
This MOU sets terms for providing funding to the Contractor to support costs associated with the Woodlawn Park project (see Appendix A), specifically to secure safe and inclusive fitness equipment, which will increase the opportunity for physical activity for members of the priority population within both the Contractor's and District's jurisdiction. The GameTime Thrive 450 unit (see Appendix B) will be a separate addition to the Woodlawn Park project's play space. The park's two activity spaces will be connected through Americans with Disabilities Act accessible paths. The Thrive 450 unit is designed is for ages 13 and older. The addition of the unit will complete the goal of Woodlawn Park being an inclusive recreation activity space, which provides activity equipment for all ages.

IV. **SCOPE OF SERVICES:**  
The following scope of services for the Contractor will result in satisfying the above purpose.

THE CONTRACTOR WILL:

*EMF*

MOU and maintain such documentation for five years as per GAO/OMB regulations. Any expenditure recorded after this date will be attributed to the next budget period.

Closing the Gap funds may not be used to pay the salary of an individual at a rate in excess of the Executive Level II salary of the Federal Executive Pay Scale, as per Notice of Award # 5NU58DP005512-04-00 .

Final reconciliation billing, along with any overpayments due to the Department, shall be submitted no later than October 15, 2018 to:

Virginia Department of Health  
Crater Health District  
301 Halifax Street  
Petersburg, VA 23803

**Inclusion of Indirect Costs:** Capped at 10%; these are costs not associated with any other particular line item identified on the budget form.

**VI. FEDERAL AWARD INFORMATION:**

Contractor is a Vendor  
 Contractor is a Sub recipient **Information Below Does Apply**

Federal Award Identification Number: 5NU58DP005512-04-00  
Federal Award Date: September 30, 2017 – September 29, 2018  
Total Amount of Federal Award: \$10,656,484.00  
Name of Federal Grantor: HRSA  
CFDA Number & Name: 93.757 – Closing the GAP – Component 1 and 2  
Research and Development:  Yes  No

Do you receive more than \$750,000 in federal funds?  Yes  No

**FEDERAL AWARD RESTRICTIONS:** There are general Federal cost principles that are applicable to all Federal Awards. These general principles are outlined in Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards (2 CFR Section 200.0 – 200.521). The local health districts are required to adhere to these principles while managing federal grant awards (specifically Subpart E – Cost Principles). The Electronic Code of Federal Regulations can be found at [www.eCRF.gov](http://www.eCRF.gov).

General Provisions Sections:	200.400-200.401
Basic Considerations Sections:	200.402-200.411
Direct and Indirect (F&A) Costs Sections:	200.412 – 200.415
Special Considerations for States, Local Governments and Indian Tribes Sections:	200.416-200.417
General Provisions for Selected	

**Monitoring:** The Department will monitor the Contractor to evaluate the progress and performance of the program. The Contractor shall furnish the Department on request information regarding payments claimed for services under this contract. The Department and Federal personnel shall be provided access to all program-related records and facilities under reasonable request.

The Contractor shall retain all books, accounts, reports, files and other records relating to the performance of the contract for a period of five years after its completion. All accounting records must be supported by source documentation and retained in order to show for what purpose funds were spent. All such records shall be made available and produced for inspection when required by the Department.

Should an audit by authorized state or federal official result in disallowance of amounts previously paid to the Contractor, the Contractor shall reimburse the Department upon demand.

**Time and Effort Reporting:** The Contractor shall comply with time and effort reporting as required by the Federal Office of Management and Budget (OMB) Circular A-87 (Cost Principles for State, Local and Indian Tribal Government). All employees paid in whole or in part from grant funds should prepare a timesheet indicating the hours worked on each specific project for each pay period. Based on these time sheets and hourly payroll cost for each employee, a statement indicating the distribution of payroll charges should be prepared and placed in the appropriate files and shall be made available for inspection when required by the Department. The Contractor shall retain all books, reports, files and other records relating to time and effort reporting for a period of five years after completion.

**Audit of Financial Records:** The Contractor shall comply with the audit and reporting requirements defined by the Federal Office of Management and Budget (OMB) Circular A-133 (Audits of States, Local Government and Non-Profit organizations) as applicable. The Contractor will, if total Federal funds expended are \$750,000 or more a year, have a single or program-specific financial statement audit conducted for the annual period in compliance with the General Accounting Office audit standards. A copy of the portion of the audit that affects the program will be submitted to the Commonwealth of Virginia. If there are no audit findings, a letter indicating no finds shall be submitted. The copy of the portion of the audit findings or the letter indicating no findings shall be sent to the Virginia Department of Health.

If total federal funds expended are less than \$750,000 for a year the Contractor must meet the above audit requirements or maintain financial records for such audit that are available for review by appropriate officials of the granting Federal agency, pass-through entity, and the General Accounting Office.

**APPROPRIATIONS:** The Contractor acknowledges the understanding that this MOU is subject to appropriations and constraints by the State or the Federal government budget.

**SMOKEFREE ENVIRONMENT:** Public Law 103-277, also known as the Pro-Children Act of 1994, requires that smoking not be permitted in any portion of any portion of any indoor facility owned or leased or contracted for by an entity adjusted routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. Failure to comply with the

contractor are encouraged to resolve any issues in controversy arising from the award of the contract or any contractual dispute using Alternative Dispute Resolution (ADR) procedures (*Code of Virginia, § 2.2-4366*). ADR procedures are described in Chapter 9 of the *Vendors Manual*. The Contractor shall comply with all applicable federal, state and local laws, rules and regulations.

**C. AVAILABILITY OF FUNDS:**

It is understood and agreed between the parties herein that the Department shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this agreement.

**D. BACKGROUND CHECKS:**

1. The VDH may require a background check for Contractor staff assigned to any resulting agreement. The Contractor shall be required to pay for all background checks processed for staff assigned to any agreement resulting from this contract agreement at a rate of \$50.00. Fees are on a per background check basis and will be invoiced by Department Accounting. The Contractor employees will be required to complete a form granting authority to release information. The Contractor shall allow the Department access to review Contractor staff personnel and employment records.
2. Background investigation results will be reviewed by the VDH, and are not releasable to the Contractor, however, can be provided to the individual of the investigation upon a written request.
3. In the event agreement award is made prior to completion of background checks, any unfavorable results shall be subject to the terms and conditions of this contract agreement.
4. In the event of any staff turnover or staff reassignments, the Contractor shall notify the Department and shall submit the appropriate background history questionnaire, authority for release of information and have fingerprints obtained for any proposed new staff member. This shall be in addition to the requirement to provide the required credentials information. The Department may remove any Contractor employee that the Contract Administrator feels threatens the health or safety of staff, security of the facility, or quality of the service provided by the Contractor.

**E. CANCELLATION OF AGREEMENT:**

The Department reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 60 days written notice to the Contractor. In the event the initial contract period is for more than 12 months, the resulting contract may also be terminated by the contractor, without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the Contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

**K. CONFIDENTIALITY OF HEALTH RECORDS:**

By signature on this MOU, the Contractor agrees to comply with all applicable statutory provisions and regulations of the Commonwealth of Virginia and in the performance of this MOU shall:

1. Not use or further disclose health records other than as permitted or required by the terms of this MOU or as required by law;
2. Use appropriate safeguards to prevent use or disclosure of health records other than as permitted by this MOU;
3. Report to the Department of Health any use or disclosure of health records not provided for by this MOU;
4. Mitigate, to the extent practicable, any harmful effect that is known to the Contractor of a use or disclosure of health records by the Contractor in violation of the requirements of this MOU;
5. Impose the same requirements and restrictions contained in this MOU on its subcontractors and agents;
6. Provide access to health records contained in its records to the Department, in the time and manner designated by the Department, or at the request of the Department, to an individual in order to afford access as required by law;
7. Make available health records in its records to the Department for amendment and incorporate any amendments to health records in its records at the Department's request; and
8. Document and provide to the Department information relating to disclosures of health records as required for the Department to respond to a request by an individual for an accounting of disclosures of health records.

- L. ANTI-DISCRIMINATION:** By executing this MOU Contractor certifies to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and § 2.2-4311 of the *Virginia Public Procurement Act (VPPA)*. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (*Code of Virginia, § 2.2-4343.1E*).

In every contract over \$10,000 the provisions in 1. and 2. below apply:

- b. Any payment terms requiring payment in less than 30 days will be regarded as requiring payment 30 days after invoice or delivery, whichever occurs last. This shall not affect offers of discounts for payment in less than 30 days, however.
- c. All goods or services provided under this MOU or purchase order, that are to be paid for with public funds, shall be billed by the contractor at the MOU price, regardless of which public agency is being billed.
- d. The following shall be deemed to be the date of payment: the date of postmark in all cases where payment is made by mail, or the date of offset when offset proceedings have been instituted as authorized under the Virginia Debt Collection Act.
- e. **Unreasonable Charges.** Under certain emergency procurements and for most time and material purchases, final job costs cannot be accurately determined at the time orders are placed. In such cases, contractors should be put on notice that final payment in full is contingent on a determination of reasonableness with respect to all invoiced charges. Charges which appear to be unreasonable will be researched and challenged, and that portion of the invoice held in abeyance until a settlement can be reached. Upon determining that invoiced charges are not reasonable, the Commonwealth shall promptly notify the Contractor, in writing, as to those charges which it considers unreasonable and the basis for the determination. A contractor may not institute legal action unless a settlement cannot be reached within thirty (30) days of notification. The provisions of this section do not relieve an agency of its prompt payment obligations with respect to those charges which are not in dispute (*Code of Virginia, § 2.2-4363*).

2. To Subcontractors:

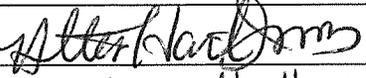
- a. A contractor awarded an agreement under this MOU is hereby obligated:
  - (1) To pay the subcontractor(s) within seven (7) days of the contractor's receipt of payment from the Commonwealth for the proportionate share of the payment received for work performed by the subcontractor(s) under the agreement; or
  - (2) To notify the agency and the subcontractor(s), in writing, of the contractor's intention to withhold payment and the reason.
- b. The contractor is obligated to pay the subcontractor(s) interest at the rate of one percent per month (unless otherwise provided under the terms of the agreement) on all amounts owed by the contractor that remain unpaid seven (7) days following receipt of payment from the Commonwealth, except for amounts withheld as stated in (2) above. The date of mailing of any payment by U. S. Mail is deemed to be payment to the addressee. These provisions apply to each sub-tier contractor performing under the primary agreement. A contractor's obligation to pay an interest charge to a subcontractor may not be construed to be an obligation of the Commonwealth.

**S. CONTINUITY OF SERVICES:**

- a.) The Contractor recognizes that the services under this MOU are vital to the Department and must be continued without interruption and that, upon contract expiration, a successor, either the Department or another contractor, may continue them. The Contractor agrees:
  - (i) To exercise its best efforts and cooperation to effect an orderly and efficient transition to a successor;
  - (ii) To make all Department-owned facilities, equipment, and data available to any successor at an appropriate time prior to the expiration of the contract to facilitate transition to successor; and
  - (iii) That the Department Contracting Officer shall have final authority to resolve disputes related to the transition of the contract from the Contractor to its successor.
  
- b) The Contractor shall, upon written notice from the Contract Officer, furnish phase-in/phase-out services for up to ninety (90) days after this contract expires and shall negotiate in good faith a plan with the successor to execute the phase-in/phase-out services. This plan shall be subject to the Contract Officer's approval.
  
- c) The Contractor shall be reimbursed for all reasonable, pre-approved phase-in/phase-out costs (i.e., costs incurred within the agreed period after contract expiration that result from phase-in, phase-out operations) and a fee (profit) not to exceed a pro rata portion of the fee (profit) under this contract. All phase-in/phase-out work fees must be approved by the Contract Officer in writing prior to commencement of said work.

**IX. STATUS OF PERSONNEL:** Tiffany Cox, Community Health and Prevention Department Supervisor for the Closing the Gap Program, has been designated as the Department administrator for this MOU.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be duly executed intending to be bound thereby. This Memorandum of Understanding becomes effective on the date of the last signature.

<b>CONTRACTOR:</b>	<b>VIRGINIA DEPARTMENT OF HEALTH:</b>
By: 	By: 
Title: <i>Director of Recreation and Parks</i>	Title: <i>District Health Director</i>
Date: <i>10-1-18</i>	Date: <i>9/27/18</i>

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia, § 2.2-4343.1* or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, sexual orientation, gender identity, political affiliation, or veteran status or any other basis prohibited by state law relating to discrimination in employment.

**Appendix A, Woodlawn Park Conceptual Visualization (watercolor image)**

**Appendix C, Quote from GameTime for Thrive 450 Unit**

The following is the four (4) page quote obtained by Hopewell Recreation and Parks from GameTime for the Thrive 450 unit and only for reference of Part# 14912.



Playcore Wisconsin Inc. dba  
 GameTime c/o Cunningham Recreation  
 PO Box 240981  
 Charlotte, NC 28224  
 800.438.2780  
 704.525.7356 FAX

QUOTE  
 #134402  
 08/06/2018

**Hopewell Parks: Thrive 450 Fitness Structure**

Hopewell Parks and Recreation  
 Attn: Aaron Reidmiller  
 300 North Main Street  
 3rd Floor Room 322  
 Hopewell, VA 23860  
 Phone: 804-541-2353 Ext. 201  
 Fax: 804-541-2464

Project #: P94171  
 Ship To Zip: 23860

Qty	Part #	Description	List \$	% Disc.	Selling \$	Ext. Selling \$
<b>NEW EQUIPMENT -</b>						
		• Reference drawing 94171-01				
1	14912	GameTime - Thrive 450 [Accent: _____] [Basic: _____]	\$20,255.00	9.00	\$18,432.05	\$18,432.05
1	INSTALL	MISC - Install Thrive 450 Fitness Structure			\$5,495.00	\$5,495.00

- Owner is responsible for all performing all site preparation required to provide a level site.
- Owner is responsible for supply and installation of any required border, drainage, or safety surfacing materials.

SubTotal: \$23,927.05  
 Freight: \$1,068.27  
**Total Amount: \$24,995.32**

Contract: USC





**INFORMATION  
FOR COUNCIL  
REVIEW**

# MINUTES OF THE APRIL 23, 2018 MEETING OF THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF HOPEWELL, VA

A meeting of the Architectural Review Board (ARB) for the City of Hopewell was held on April 23, 2018 in the 2<sup>nd</sup> Floor Conference Room of the Municipal Building, located at 300 North Main Street at 6:00 p.m.

**Members Present:**

Mary Calos, Chairman  
Rita Joyner, Vice Chairman  
Edith Holsopple  
Joseph Bailey  
Kathleen Vincent

**Members Absent:**

None

Staff Present: Chris Ward, Senior Planner

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Mrs. Calos called the meeting to order at 6:01 p.m.

Mr. Ward conducted the roll call. A quorum was established. Mrs. Joyner was absent at the time of roll call.

**ADMINISTRATIVE MATTERS**

**Mrs. Calos requested to move the presentation by Austin Anderson, City Engineer to the beginning of the agenda. All agreed.**

**PRESENTATIONS**

Austin Anderson was introduced by Mrs. Calos. He explained that the Prince Henry Improvement Project has been awarded and will be available in FY2019 which starts July 1, 2018. The Revenue Sharing grant requires a 50/50 match from the City and works off reimbursement, which means the City must expend 100% of project costs before VDOT reimburses the City. Due to budgeting and other projects in front of this one, the Prince Henry Improvement Project bidding should start around Spring 2019. There are 8 projects in front of this one. The City will have 2 years from contract execution to show activity on the project. The question was asked – why the backlog on projects? Austin answered that the City applies for more projects than has the money to complete all at once. Mrs. Joyner and Mr. Bailey stated that this is exciting news and look forward to the improvements. Mrs. Calos noted that the road is deteriorating quickly and hopes that it can be addressed as soon as possible.

Mrs. Calos inquired about crosswalks – they were not shown on cross-section detail Austin was showing. Mr. Anderson noted that decorative crosswalks are included in the improvements. He also noted that the VCU plan will be used as a guide for the designs and ARB will be consulted throughout the process.

Mrs. Joyner noted that more work has been done since Mr. Anderson came onboard than has been done in decades and she was excited about the project.

Mr. Anderson also inquired about the Maplewood improvements. Much discussion was had amongst all members about whether to proceed with all aspects of the project or hold off on some elements. The decision was reached to proceed with all elements of the project (wrought iron tree surrounds, benches, one-way street Maplewood, etc.) once the funds were 'unfrozen.' Mr. Anderson anticipates an Autumn timeframe for the project to proceed. Mrs. Joyner noted that small things make a difference and the residents will likely appreciate improvements on their street.

Mr. Bailey inquired about having more of the loose pea gravel removed since it still causes traction problems and street cleaning issues. Mr. Anderson indicated that he can send crews out to clean up the excess gravel. Mr. Bailey requested that residents be notified so that cars can be moved before crews show up.

### **MINUTES**

The members wanted to clarify the record regarding selection of the cedar tree contractor. The Board received additional proposals from other qualified contractors after identifying Cambium as the project contractor. A thorough review revealed Arborscapes as the contractor with the closest scope of work to the original scope funded by the Cameron Foundation, therefore leading to Arborscapes as the contractor for the project.

Mrs. Vincent made the motion: After receiving additional proposals from qualified contractors, ARB members selected Arborscapes as the contractor for the Cedar Tree Preservation Project. Mrs. Joyner seconded. Motion passed unanimously.

The members reviewed the minutes from October 4, 2017, November 1, 2018, and March 7, 2018. Mrs. Joyner requested that 'Suny' be changed to SUNY (State University of New York) in the March minutes. Mrs. Joyner made a motion to accept the minutes with the requested change. Mrs. Holsopple seconded. Motion passed unanimously.

### **CONSENT AGENDA**

Mrs. Joyner made a motion to accept the Consent Agenda and to allow discussion of Item H as requested by Mrs. Calos. Mrs. Vincent seconded. Motion passed unanimously.

- h. Historic Plaques – Mrs. Calos noted that three plaques still have not been picked up from the Department of Development. She requested that the owners for the three plaques be contacted again, either by phone or mail. Mr. Ward will contact the owners.

A request was made to verify how much money was available to make plaques for those who may have been left out. Mrs. Joyner noted that, with the new Cost Share project, there will likely be new homes eligible for a plaque and we should wait until that's complete. The members agreed.

### **CITIZEN COMMENTS**

None.

### **UNFINISHED BUSINESS**

Mr. Ward distributed a possible plan for the Bank Street garages proposed by the owner, Eric Flail. He is thinking of transforming the lot and garages into a place where tiny houses can locate. Some members liked the idea – some members didn't think the use was compatible with the district. Mrs. Calos suggested that the garages could be utilized in a future townhome development.

Mr. Ward proposed an alternative use for the Bank Street garages – a market venue for arts, crafts and/or food similar to how Saturday Market started in Portland, OR where each stall could be a different vendor.

Mrs. Vincent noted that the Secretary of the Interior visited Petersburg National Battlefield today and how great it would have been if he had come to City Point. Mrs. Joyner asked how to obtain visitation numbers for City Point.

### **NEW BUSINESS**

Mrs. Calos reported that her meeting with City Manager regarding maintenance cooperation with the National Park Service was very productive. Mr. Altman knows that Superintendent and will work to schedule a meeting with him.

The members reviewed the map detailing owner, renter, and vacant units along with the spreadsheet showing ownership and assessed value. A request was made to expand the ownership and assessed value spreadsheet to include the whole district. Mr. Ward will obtain the information and bring to the next meeting.

Mrs. Joyner asked about the status of 505 Prince Henry – has he been cited, is he in court? Mr. Ward stated that he knew that action had been taken regarding the property but he would check on the actual status and report back.

### **REPORTS OF BOARD MEMBERS**

The members reviewed the proposed presentation for City Council. The members agreed that Tevya Griffin will introduce Mrs. Calos. Mrs. Calos would provide a brief introduction, and Mrs. Holsopple and Mrs. Joyner will give the full presentation.

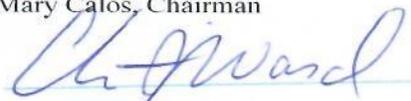
### **ADJOURNMENT**

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted,



Mary Calos, Chairman



Christopher Ward, Senior Planner

**MINUTES OF THE JUNE 25, 2018 MEETING  
OF THE ARCHITECTURAL REVIEW BOARD  
City of Hopewell**

A meeting of the Architectural Review Board for the City of Hopewell was held on Monday, June 25, 2018, at the Hopewell Municipal Building, in the 2<sup>nd</sup> Floor Conference Room, located at 300 North Main Street at 6:00pm.

Architectural Review Board Members present:

Mary Calos, Chairman

Rita E. Joyner, Vice Chairman

Joseph Bailey

Absent:

Edith Holsopple

Kathleen Vincent

Staff:

Chris Ward, Senior Planner

Citizens Present:

Curt Holsopple

The meeting was called to order at 6:18 p.m. by Mrs. Calos. Mr. Ward conducted the roll call. A quorum was established.

**ADMINISTRATIVE MATTERS/CONSENT ITEMS**

There were no requests for withdrawal/deferral or amendments to the agenda.

The minutes from the May 21, 2018 meeting were reviewed by the members. Mr. Ward noted, after the question from Mr. Bailey, that the minutes from the April 23, 2018 meeting still need to be reviewed and approved. Mr. Ward will have those minutes available at the next meeting

**CITIZEN COMMENTS**

Mr. Holsopple informed the group that his property at 501 Prince Henry Avenue needs a new roof and he has been researching standing metal seam roof materials to find one that matches the old roof as close as possible. He showed the members the manufacturer's product sheets and two types of roofing. The group agreed that the rounded edge standing seam roof looked the best. The color choice agreed up on by the members was the natural tin color with a protective coating. The members also suggested that Mr. Holsopple look at the Frith house on Cedar Lane that installed a metal roof in the recent past. Mr. Holsopple wants to move quickly on the roof replacement and the members agreed that he could submit the COA application and have it reviewed by the members through email since he has already presented the materials, colors, and roof profiles. Mr. Ward will email the COA application and instructions to Mr. Holsopple tomorrow.

Mr. Holsopple also noted that he attempted to download the City Point Handbook from the city website but was unable to complete the download. Mr. Ward noted that the city website currently undergoing some changes and that may be the cause. Mr. Ward offered to provide Mr. Holsopple with a hard copy of the handbook.

## **PRESENTATIONS**

None

## **CERTIFICATES OF APPROPRIATENESS**

None

## **UNFINISHED BUSINESS**

Mr. Ward informed the members of the recent meeting between the City Manager and the NPS Superintendent and how each is working to restart the shared maintenance agreement, specifically for Water Street Park. The City Manager also told the Superintendent that the City would do what it could to assist with completing the shoreline stabilization project around City Point. The Superintendent also informed the City that the manor house will be closed December through February but is available by reservation for groups.

Mr. Holsopple asked if there was any plan to encourage overgrowth as a means of stabilizing the shoreline. Mrs. Calos stated that overgrowth was not part of this process.

Mr. Ward noted that three (3) historic plaques remain unclaimed. Reminder letters were sent out in May 2018. The members asked that Mr. Ward contact the owners again and offer installation of the plaques by Public Works.

Mr. Ward showed the members a photo of the plaque on the Lodge at 599 Prince Henry and that it is faded to the point that it's unreadable. The members asked that this plaque be replaced.

## **NEW BUSINESS**

Mr. Ward updated the group on the status of the items noted during the District Walk last month. The owner of 608 Prince Henry is a close relative of the Planning Commission Chairman and has been notified of the overgrown bushes/trees. The Planning Commission Chairman has told the Development Department that the problem will be addressed.

Mr. Ward showed the members the violation history for 505 Prince Henry and how the problems with that property have been going on for at least ten years. The members discussed the option of approaching the owner with moving the structure off his property to a new location, preferably across the street to city-owned property. Mr. Ward has reached out to Marc Wagner with DHR but has not heard back from him. Mr. Ward also showed the Historicorps team the house and they noted that the power line relocation before moving the house would be costly. The members agreed that the ARB should formalize a proposal to move the building, present it to the City Manager to get the City onboard, then present the proposal to the property owner. Mr. Ward offered to develop the draft proposal. Issues such as funding and relocation spot should be fully examined when/if the property owner agrees to the proposal. Mrs. Calos requested that this property be addressed during the Cost Share project (historic district update). She also noted that this property could serve as an African-American museum and is the perfect vehicle to tell the story of the freedmen and white schools. Mrs. Joyner noted that the Cameron Foundation provides funding for historic preservation.

Mr. Ward updated the members about 1010 Pelham. The Development Department researched police calls and property maintenance/code enforcement violations for this property. There have been approximately five police calls since January 1, 2017 and seven zoning/code violations since June 2017.

It was also discovered that back taxes are owed on this property going back almost fifteen years. The City Clerk is researching options for this property.

Mr. Ward spoke with the Building Official and a Code Inspector about the porch and railing at the Naldara House on National Park Service property. The Building Official stated that the City has no jurisdiction over NPS properties and that citing them would have little effect. An Inspector went to the property to assess the railing and spoke with a NPS maintenance person about fixing the railing. The City Manager also spoke with the Superintendent about Naldara House and the Superintendent stated that it's currently empty and there no plans to rehabilitate the property. He would have someone assess the railing. Mrs. Joyner asked if possible the NPS would be interested in relinquishing the property like they are doing with the Aderholt-Hunter house. Mrs. Calos responded that she believed the house is too important for NPS to let it go. Mrs. Calos and Mrs. Joyner requested that Mr. Ward draft a letter to NPS outlining the concerns with Naldara House and Bonocourt House.

The members agreed to pursue another grant for the installation of cedar trees along Cedar Lane. Ms. Calos appointed Mrs. Joyner to compile and submit the grant to the Cameron Foundation. Mrs. Joyner noted that she would check the grant submission schedule. Mrs. Calos asked Mr. Ward to check that the City was not sponsoring another Cameron grant since only one grant can be awarded to the City at a time.

Mr. Ward stated that he had a conversation with Ed Watson in Public Works about the storyboards in City Point. Mr. Watson offered to have a crew wash the storyboards and paint the frames if the ARB requested it. Mrs. Joyner put forth a motion to have Public Works clean the storyboards and paint the frames. Mr. Bailey seconded. The motion carried 3-0.

Mrs. Joyner informed the members of the correspondence from Patrick Tivnan from the Office of Real Property at Veteran Affairs and how they are interested in rehabilitating and re-occupying the National Cemetery Lodge at City Point National Cemetery.

Mrs. Calos requested that a review of the TH-1 ordinance be added to next month's agenda.

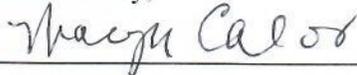
Mrs. Calos nominated Mrs. Joyner to serve as Chairman in the upcoming year starting July 1, 2018. Mr. Bailey seconded. The motion carried 3-0.

Mrs. Joyner nominated Mr. Bailey to serve as Vice Chairman in the upcoming year starting July 1, 2018. Mrs. Calos seconded. The motion carried 3-0.

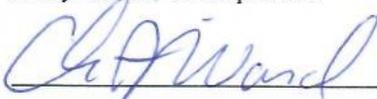
The members noted that they should recruit new members to fill the two vacancies. The credentials of new recruits should be considered based on the Certified Local Government requirements.

The meeting adjourned at 7:52PM.

Submitted by,

  
\_\_\_\_\_

Mary Calos, Chairperson

  
\_\_\_\_\_

Christopher Ward, Senior Planner

Date: 8/28/18

**MINUTES OF THE JULY 23, 2018 MEETING  
OF THE ARCHITECTURAL REVIEW BOARD  
City of Hopewell**

A meeting of the Architectural Review Board for the City of Hopewell was held on Monday, July 23, 2018, at the Hopewell Municipal Building, in the 2<sup>nd</sup> Floor Conference Room, located at 300 North Main Street at 6:00pm.

Architectural Review Board Members present:

Rita E. Joyner, Chairman  
Joseph Bailey, Vice Chairman  
Mary Calos  
Edith Holsopple  
Kathleen Vincent

Absent:

None

Staff:

Chris Ward, Senior Planner

Citizens Present:

Curt Holsopple  
Cassandra Vanderkeift  
R.L. Gilliam, II

The meeting was called to order at 6:01 p.m. by Mrs. Joyner. Mr. Ward conducted the roll call. A quorum was established.

**ADMINISTRATIVE MATTERS/CONSENT ITEMS**

There were no requests for withdrawal/deferral or amendments to the agenda.

Ms. Joyner noted that the minutes from the April 23, 2018 and June 25, 2018 meetings were not included in the agenda packet sent out before the meeting. Ms. Holsopple made the motion to defer action to the next meeting so that members could review them. Mr. Bailey seconded. The motion passed 5-0.

Ms. Vincent made a motion to approve the consent agenda. Ms. Holsopple seconded. The motion passed 5-0.

**CITIZEN COMMENTS**

Mr. Holsopple informed the group that the new roof installation at his property located at 501 Prince Henry Avenue has been completed and they are very happy with the results. He expressed his thanks to the Board for their consideration and timely approval of the new roof. He also stated that a previous owner of the property stopped by and commented on how good it looks. They also plan to add a porch to the front that restores the original look of the house.

Ms. Vincent asked if the property had asbestos shingles. The Holsopples answered that yes it does but they are fairly easy and safe to remove if done properly.

## **PRESENTATIONS**

None

## **CERTIFICATES OF APPROPRIATENESS**

None

## **UNFINISHED BUSINESS**

### **505 Prince Henry Avenue**

Mr. Ward reviewed the draft proposal he developed to acquire the structure only for relocation to the city-owned lot across the street. He noted that this was only a draft proposal and welcomed any comments and/or revisions. He stated that the property has been an issue for both the owner and the City for at least 10 years and this may be a solution for both parties.

Ms. Cassandra Vanderkeift joined the meeting. Ms. Joyner stated that Ms. Vanderkeift was a member of the Planning Commission and asked her to introduce herself.

Several members noted that the reuse of the structure as a museum dedicated to the story of the freedmen was an appropriate end use. Mr. Ward asked if the structure had ever been used as a house and Ms. Calos and Ms. Holsopple noted that it had. Mr. Ward noted that if the museum idea wasn't a viable option that the structure could be rehabilitated for residential use. Ms. Calos asked if the proposal was ready to be shared with the current property owner and Mr. Ward answered that he thought it was appropriate to get the City Manager's input first and will send the proposal to him this week. Mr. Ward noted that he has discussed this idea with the City Manager previously and he was generally onboard with the idea. The members agreed that the proposal should move forward.

Mr. Gilliam joined the meeting.

### **National Park Service**

Ms. Joyner stated that the condition of the buildings and grounds of the NPS are in a sad state and are adversely affecting the City Point district. The code violations are extensive. Ms. Joyner noted that letters have been sent to the NPS in the past as evidenced by the 1998 letter from the ARB found by Mr. Ward in the files. Ms. Joyner stated that she believes the letter should be sent to all levels of the NPS, Virginia's Congressional delegation, and the President to let them know that there are repercussions to cutting budgets. Sending the letter to all these recipients has been successful in the past, namely with the Aderholt-Hunter house. Photos of NPS buildings and grounds will be included. Ms. Joyner stated that she would work with Mr. Ward on finalizing the letter and will include the 1998 letter as an attachment. Ms. Calos handed the members her thoughts on what should be included in the letter to urge better maintenance of the park. Ms. Vincent noted that Superintendent Rogers has been temporarily assigned to another location for four months. Ms. Joyner noted that Senator Tim Kaine's staff is holding appointments in the near future and thinks she will set a time to discuss the condition of NPS with them.

### **Historic Plaques**

Mr. Ward noted that three (3) historic plaques remain unclaimed. He informed the members that Public Works will not go on private property to install the plaques. Ms. Calos suggested that an ARB member could install them. Mr. Ward noted that the Lodge has indicated that they would like a new sign to replace the faded one. Mr. Ward will get that ordered once Ms. Griffin returns from vacation.

Ms. Calos stated the head groundskeeper with NPS inquired about how to obtain City Point historic plaques for Naldara and Bonnacord House and asked Mr. Ward to contact her for more details.

### **Bank Street Garages**

Mr. Ward updated the members on the status of the Bank Street garages property. The current owner lives out of state and cannot maintain it. He wants to donate the property to the city and is working on the donation terms. Ms. Calos stated that it should be confirmed that the City even wants the property.

### **Cedar Tree Replacement Grant**

Ms. Joyner noted that a Letter of Intent is due to the Cameron Foundation by January 1, 2019. Ms. Vincent asked if the new trees are for filling in the gaps. Ms. Joyner answered in the affirmative. Mr. Bailey stated that the survey of those gaps still needs to occur.

### **NEW BUSINESS**

None

### **REPORTS OF BOARD MEMBERS**

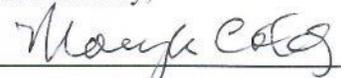
Ms. Calos suggested that recently completed Certificate Of Appropriateness (COA) projects should be presented to City Council and the property owners should receive a certificate of completion. Ms. Joyner agreed. Ms. Joyner also noted that City Council requested a questionnaire be distributed and collected from COA applicants once the process is completed. She stated that she would work on that in the near future.

Mr. Ward distributed two photographs provided by the owner of 608 Brown Street showing the decay on the porch and the material that will be used to repair it. The property owner stated that these improvements had been approved in the past and the same repair would occur this time. Ms. Joyner stated that the repair material looked nothing like the original porch flooring. Mr. Bailey noted that the material appeared to be upside down in the photograph. Ms. Calos noted that repairs that include a 'like for like' replacement do not need ARB approval. Ms. Joyner asked Mr. Ward to locate the previous approval.

At the suggestion of adjournment, Mr. Gilliam asked whether other agenda items would be discussed. Ms. Joyner stated that those items were discussed before he arrived. Mr. Gilliam asked if he could ask questions and proceeded to inquire about the terms and qualifications of the members on the ARB. At five minutes, Ms. Joyner informed Mr. Gilliam that his time had expired.

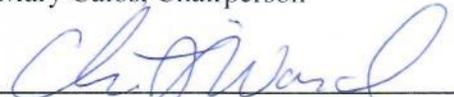
The meeting adjourned at 6:54 PM.

Submitted by,

  
\_\_\_\_\_

Mary Calos, Chairperson

Date: 8/28/18

  
\_\_\_\_\_

Christopher Ward, Senior Planner

**MINUTES OF THE AUGUST 27, 2018 MEETING  
OF THE ARCHITECTURAL REVIEW BOARD  
City of Hopewell**

A meeting of the Architectural Review Board for the City of Hopewell was held on Monday, August 27, 2018, at the Hopewell Municipal Building, in the 2<sup>nd</sup> Floor Conference Room, located at 300 North Main Street at 6:00pm.

Architectural Review Board Members present:

Rita E. Joyner, Chairman  
Joseph Bailey, Vice Chairman  
Mary Calos  
Edith Holsopple  
Kathleen Vincent

Absent:

None

Staff:

Chris Ward, Senior Planner

Citizens Present:

None

The meeting was called to order at 6:03 p.m. by Mrs. Joyner. Mr. Ward conducted the roll call. A quorum was established.

**ADMINISTRATIVE MATTERS/CONSENT ITEMS**

Ms. Calos made a motion to add a review of meeting minutes from April and June 2018 to the agenda as well as a review of the ARB By-Laws needed for Certified Local Government (CLG) consideration. Ms. Vincent seconded. The motion carried 5-0.

Mr. Bailey made the motion to accept the meeting minutes from April, June, and July 2018 with corrections to typographical errors. Ms. Calos seconded. The motion passed 5-0.

Mr. Bailey made a motion to approve the consent agenda. Ms. Holsopple seconded.

Ms. Calos asked about the status of Historicorps and the Lodge. Mr. Ward stated that Mr. Jerrail Brown with the lodge had indicated that Historicorps would be invited to give a presentation to all the lodge members but that Historicorps has not received the invitation yet. Ms. Calos suggested that contact with both groups be continued so that the relationship can move forward.

The motion passed 5-0.

**CITIZEN COMMENTS**

No citizens were present.

**PRESENTATIONS**

No presentations were given.

## CERTIFICATES OF APPROPRIATENESS

Ms. Joyner presented the COA application for the construction of a deck at 603 Brown Ave. Ms. Joyner noted that the proposed deck would not be seen from the street and therefore is not really subject to the COA process. Mr. Bailey asked if the deck would be painted. Ms. Joyner replied that it was not likely since the deck is most likely salt treated lumber. Ms. Vincent made a motion to approve the COA for the construction of a deck at 603 Brown Ave as presented. Mr. Bailey seconded. The motion carried 5-0.

## NEW BUSINESS

Ms. Joyner informed the members that Certified Local Government status requires that the ARB have and maintain by-laws. Ms. Joyner noted that the by-laws put forth for consideration were constructed using the language straight from the ordinance. She also stated that the by-laws will need to be reviewed and approved by the City Attorney and City Council. In addition, several minor typographical errors in the ordinance have been corrected.

Ms. Vincent made the motion to accept the by-laws as presented. Ms. Calos seconded. The motion carried 5-0.

Ms. Joyner stated that we are moving closer to completing the CLG application.

Ms. Joyner directed the members to the offer letter submitted by Eric Flail, owner of what's known as the Bank Street garages property. Mr. Flail has offered to donate the parcel to the City without restrictions. Ms. Vincent asked what costs the City would incur by taking ownership of the property. Ms. Joyner noted that maintenance costs would be the only continuing cost. Ms. Calos stated that City Council should weigh the potential future use of the property as a consideration to accept the donation. She anticipates that the City Council would be 100% behind the idea of accepting it. Ms. Vincent asked Mr. Ward what the acceptance of the parcel would do towards the idea of using the property as an art market. Mr. Ward stated that the acceptance of the parcel could support that potential reuse. Ms. Calos noted that the existing garages could be repurposed as storage spaces and/or parking for the townhouses at a future date. Ms. Vincent commented that the townhouses may be more desirable if additional storage space and parking were available. Ms. Calos made the motion to recommend that City Council accept the donation of the parcel offered by Mr. Eric Flail known as the Bank Street garages. Ms. Vincent seconded. Mr. Bailey asked if there were any restrictions that would be attached to the donation. Mr. Ward answered that there were no restrictions in the donation offer. The motion carried 5-0.

Mr. Bailey made the following motion: To go into closed meeting for 1) 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 the public body in accordance with Virginia Code § 2.2-3711 (A) (7). For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Ms. Vincent seconded.

Mr. Ward called the roll:

Ms. Joyner – Aye

Mr. Bailey – Aye

Ms. Calos – Aye

Ms. Holsopple – Aye

Ms. Vincent – Aye

The motion carried 5-0.

The meeting entered closed session at 6:44PM.

Mr. Bailey made a motion to come out of closed session. Ms. Vincent seconded

Mr. Ward called the roll:

Ms. Joyner – Aye

Mr. Bailey – Aye

Ms. Calos – Aye

Ms. Holsopple – Aye

Ms. Vincent – Aye

The motion carried 5-0.

Mr. Ward read the 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?

Mr. Ward called the roll:

Ms. Joyner – Yes

Mr. Bailey – Yes

Ms. Calos – Yes

Ms. Holsopple – Yes

Ms. Vincent – Yes

### **REPORTS OF BOARD MEMBERS**

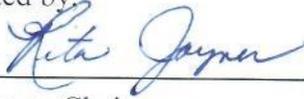
Ms. Calos informed the members that the Maplewood apartments have been sold. She requested that Mr. Ward send the new owners the City Point Handbook and Design Guidelines to the new owners with an emphasis on chapters 1 and 2. Ms. Calos made the motion to send the book to the new owners. Mr. Bailey seconded. The motion carried 5-0.

Mr. Bailey inquired about two cedar trees in front of St. Johns Church and if they should be pruned. He stated that they are smaller trees and the canopy impedes movement along the sidewalk. Ms. Calos suggested that Arborscapes be asked to prune the tree when they return to plant the new cedar tree. Ms. Vincent asked where the new tree was being planted. Mr. Ward wasn't sure of the exact location but would send out that information to the members the next day.

Ms. Joyner informed the members that contact was made with the property management company responsible for maintaining the Micklem House and they have committed to address the issues with the house. Ms. Joyner requested that the owners be contacted and informed of the declining condition of the house. Ms. Joyner also requested a status on the taxes. Mr. Ward will draft a letter and check the taxes.

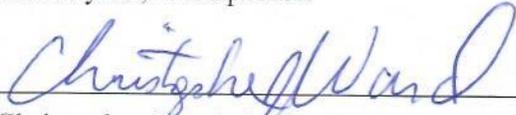
The meeting adjourned at 7:13 PM.

Submitted by



Rita Joyner, Chairperson

Date: 9/24/2018



Christopher Ward, Senior Planner

# **PUBLIC HEARINGS**

**There are no Public Hearings**

**COMMUNICATIONS  
FROM CITIZENS**

# **REGULAR BUSINESS**

**R-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 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Designate Fall Clean Up Week

**ISSUE:** To have City Council approve and designate the week of Saturday, October 20, 2017 to Saturday, October 27, 2017 as Fall Clean-Up Week.

**RECOMMENDATION:** The City Administration recommends that City Council resolve to approve Saturday, October 20, 2018 to Saturday, October 27, 2018 as Fall Clean-Up Week.

**TIMING:** City Council action is requested on October 9, 2018.

**BACKGROUND:** Fall Clean- Up Week is a Hopewell tradition that affords residents the opportunity to clean around their neighborhood and dispose of unwanted belongings to the Hopewell Convenience Center free of charge. *See attached flyer for exceptions*

**FISCAL IMPACT:**

**ENCLOSED DOCUMENTS:** Fall Clean Up Week Flyer

**STAFF:** Tevya W. Griffin, Director, 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
- Councilor Brenda Pelham, Ward #6
- Mayor Jackie M. Shornak, Ward #7

# City of Hopewell

## FALL CLEAN UP

**SATURDAY, OCTOBER 20 - SATURDAY, OCTOBER 27, 2018**

Keep Hopewell Beautiful in partnership with the Hopewell Public Works Department has scheduled Fall Citywide Clean-up from Saturday, October 20, to Saturday, October 27, 2018.

Hours of operation during “Fall Clean-Up” at the Citizen Convenience Center are 12:30 p.m. to 6:00 p.m. Monday-Friday, and Saturday from 8:00 a.m. to 6:00 p.m. Citizens are encouraged to participate in this effort by cleaning around their homes and along their streets. During this week, Hopewell residents may dispose of trash at no charge at the Citizen Convenience Center located at 507 Station Street, behind Fire Station #1. There will be the usual \$10.25 fee for the removal of freon to dispose of appliances.

The following items will not be accepted at the Citizen Convenience Center: concrete, masonry, garbage (items normally disposed of in your trash toter), paint of any kind, atteries, automobile motors, and hazardous waste materials. Tires are limited to four (4) per citizen, and they must be separated from the rim. There can be no more than eight (8) tires per household.

Firestone Tire located in the Cavalier Square Shopping Center is partnering with the City and will also accept up to four (4) tires per person and batteries (no limit) during Fall Clean-Up Week.

Remember, “Fall Clean-Up” activities apply to Hopewell residents only.  
Help make your neighborhood and city clean.

For additional information contact:

Department of Development  
300 North Main Street, Suite 300  
Hopewell , VA 23860  
(804) 541-2220



Register your clean up event  
on the Keep Hopewell  
Beautiful Facebook Page.  
Take pictures of the event and  
upload.



**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 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE: Change Order to Expand and Modify the Design of the New Fire Station**

**ISSUE:** In accordance with §2.2-4309 of the Code of Virginia the proposed change order for design modifications to the new fire station will increase the “fixed-price” contract by more than 25% the amount of the contract which requires approval of the governing body.

**RECOMMENDATION:** City Staff recommends that Council authorize the City Manager to execute a Change Order in the amount of \$190,000 with RRMM Architects.

**TIMING:** This approval needs to be made as soon as possible to provide enable the project to be advertised for bid by next spring.

**BACKGROUND:** Over the past two years since the completion of the fire station design, the restructuring of the ambulance service between the Hopewell Volunteer Emergency Crew and Hopewell Fire Department has caused is a need to review the design and expand the capacity of the new fire station. Given the questions raised regarding the design of the Police Station, the City Manager requested the Fire Chief to review the design for the fire station to insure that needs of the department were being meet not only today but into the future. This will be only time in the 30-40 years that the City will be a new fire station, it is in the City’s best interest to be assured that we have a station that will serve the departments needs. As a result of the review, the proposed improvements that will be addressed with this change order include:

- Add approximately 1400 square feet of floor space to provide 6 additional bunk rooms, a larger laundry room, and conference room
- Adjust walls for more I.T. room square footage to accommodate offsite disaster recovery storage
- Modify the design of the dispatch room to a room from one person to one that is similar to the dispatch room in the new police station. (3 additional dispatch workstations)
- Extend equipment pad for parking apron
- Install traffic light in front of fire station

Council action form 1-3-17

**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 Tony Zevgolts, Ward #3             |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Jasmine Gore, Ward #4             |

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

**10-9-2018**  
**R-**

**FISCAL IMPACT:** \$190,000 change order will reduce the \$380,000 of uncommitted fund balance remaining in the original \$7.7 million of funding for the Public Safety Building to \$190,000.

**ENCLOSED DOCUMENTS:**

**STAFF:** Donald Hunter, Fire Chief  
Edward Watson, Director of Public Works

Council action form 1-3-17

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**SUMMARY:**

<b>Y</b>	<b>N</b>	
<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 Tony Zevgolis, Ward #3
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Jasmine Gore, Ward #4

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

**10-9-2018**

**R-**

**REPORTS  
OF THE  
CITY  
ATTORNEY**

## HOPEWELL CITY COUNCIL RULES OF PROCEDURE

*These rules are authorized by the Hopewell Charter, Chapter IV, Section 4*

### **CONDUCT OF MEETINGS— ROLES OF PRESIDING OFFICER, CITY CLERK, AND CITY ATTORNEY**

**101. Robert's Rules of Order; Parliamentarian; Presiding Officer** – Where these rules are silent, *Robert's Rules of Order* prevails (Charter IV.4). The city attorney is parliamentarian, whose ruling, when requested by or through the presiding officer, is final and binding, subject only to appeal to and a two-thirds vote of all council members. The presiding officer is the council president (mayor) or, in the mayor's absence, the vice-president (vice mayor) (Charter IV.5). If the mayor and vice mayor are absent, the temporary chairman (see Rule 103) is the presiding officer.

[Approved 6.26.18 (this and other rules are to be adopted once all rules are approved)]

**102. Roll Call; Quorum** – The presiding officer takes the chair at the appointed meeting hour, and immediately calls council to order. The clerk then calls the roll, and enters in the meeting minutes the names of the councilors as present or absent. In the absence of a quorum, the clerk attempts to procure the attendance of absent councilors. A quorum exists when a majority of all councilors is present (Charter IV.4).

**103. Temporary Chairman** – In the absence of the mayor and vice mayor, the clerk calls council to order, and calls the roll. If a quorum exists, council elects by majority vote of those present one of its members to be temporary chairman until the mayor or vice mayor appears.

**104. Appeals** – See Rule 101.

**106. Presiding Officer's Designee** – The presiding officer may designate another councilor to preside for a single issue. If the mayor is the presiding officer, the vice mayor is designated. If the vice mayor is unavailable, the presiding officer may designate any other councilor.

**204. Voting Order** – Roll call for voting is by ward number. At the first meeting in January, the roll call starts with the Ward 1 councilor, and proceeds numerically, through the Ward 7 councilor. At each meeting thereafter, the roll call is rotated by beginning with the Ward 2 councilor at the second meeting, and so on until each councilor has voted first. Once all councilors have voted first, the process repeats.

[Except as otherwise indicated, the above were approved 9.11.18; those not included have not been approved]

Current . . .

105. **Voting** – All questions shall be stated and put by the Chair. All votes concerning the approval of any Ordinance or Resolution shall be by roll call by the Clerk, followed by immediate statement of result. All other votes may be taken by “ayes” and “nays,” or by roll call, at the discretion of the Chair. It shall not be in order for members to explain their vote during the call of the roll. Silence shall be recorded as an affirmative vote.

*Proposed changes (as redlined as of 6/26/18 meeting) . . .*

105. ~~**Voting** – All questions shall be stated and put by the Chair. All votes concerning the approval of any Ordinance or Resolution shall be~~ **Methods – Votes upon a motion to adopt an ordinance or Resolution are** by roll call ~~by the Clerk, followed by immediate statement of result.~~ All other votes ~~may be taken~~ are by “ayes” and “nays,” ~~or by” (Charter IV.8), unless the presiding officer requests a roll call, at the discretion of the Chair. It shall not be in order for members to explain their vote during the call of the roll. Silence shall be recorded as an affirmative vote.~~

*Proposed changes (redlined per comments at 6/26/18 meeting) . . .*

105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert's Rules), a councilor who abstains or otherwise fails to vote without having been excused under this rule or Rule 209 may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

*Proposed changes (redlined per comments at 9/11/18 meeting) . . .*

105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. ~~All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert's Rules), a councilor (a) who abstains or otherwise~~ is present but fails to vote without having been excused under this rule, or (b) who, in violation of Rule 209, excused himself or herself from the meeting to avoid voting, may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

*Proposed changes (clean) . . .*

105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the

presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (*Robert's Rules*), a councilor (a) who is present but fails to vote without having been excused under this rule, or (b) who, in violation of Rule 209, excused himself or herself from the meeting to avoid voting, may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

Current . . .

**MEMBERS – DUTIES AND PRIVILEGES**

201. **Seating Arrangement** – Members shall occupy the respective seats in the Council Chamber assigned as follows: The Mayor shall occupy the seat at the center desk; the Vice Mayor shall occupy the seat at the desk to the immediate left of the Mayor; the Immediate Past Mayor shall occupy the seat at the desk to the right of the Mayor; the remainder of Councilors shall be assigned desks chronologically by Ward Number, starting with Ward One to the far left of the Vice Mayor and the remaining Wards to the far right of the Immediate Past Mayor or Mayor if no Immediate/Former Past Mayor is serving on Council. The two remaining seats to the far left of the Mayor shall be occupied by the City Manager and City Attorney and the two remaining seats to the far right of the mayor shall be occupied by the City Clerk and the Assistant City Clerk. (See Minute Book No. 23, Page No. 348) (See Minute Book 24, Page No. 474 & 475 7/14/98.) Reconfiguration of Diagram 7/14/98.) (See Minute Book 26, Page 101, 7/3/00.)



Assistant City Clerk	City Clerk		Immediate Former Mayor	Mayor	Vice Mayor		City Manager	City Attorney	
The four wards not represented by the Mayor, Vice Mayor and Immediate Past Mayor (*if there is one) are seated in chronological order to the far left of the Mayor with the first consecutively numbered ward.									

*Proposed changes (redlined per then-clerk Kearney as of 3.13.2017) . . .*

**CONDUCT OF MEETINGS—**  
**MEMBERS –DUTIES AND PRIVILEGES OF COUNCIL**

201. **Seating Arrangement**— ~~Members shall occupy the respective seats in the Council Chamber assigned~~ Councilors are seated at the council chamber dais as follows: ~~The Mayor shall occupy the seat at the ; center desk; the Vice Mayor shall occupy the seat at the desk to the ; vice mayor: immediate left of the Mayor; the mayor; immediate past mayor: immediate~~ Immediate Past Mayor shall occupy the seat at the desk to the right of the

~~Mayor; the mayor; remainder of Councilors shall be assigned desks chronologically members: in increasing numerical order by Ward Number ward, starting with Ward One to at the far left of the Vice Mayor mayor and the remaining Wards to the far immediate right of the Immediate Past Mayor or Mayor if no Immediate/Former Past Mayor is serving on Council city manager. The two remaining seats to are occupied, from the far left of the Mayor shall be occupied, by the City Manager clerk, the city attorney, and City Attorney and the two remaining seats to the far right of the mayor shall be occupied by the City Clerk and the Assistant City Clerk. (See Minute Book No. 23, Page No. 348) (See Minute Book 24, Page No. 474 & 475 7/14/98.) Reconfiguration of Diagram 7/14/98.) (See Minute Book 26, Page 401, 7/3/00.)~~ the city manager, respectively.



**Sample Seating Chart**

<u>Reserved</u>	<u>Councilor (Ward 5)</u>	<u>Councilor (Ward 3)</u>	<u>Councilor (Ward 2)</u>	<u>Immediate Past Mayor (Ward 6)</u>	<u>City Clerk</u>	<u>Immediate Former Mayor (Ward 7)</u>	<u>Mayor</u>	<u>Vice Mayor (Ward 4)</u>	<u>Councilor (Ward 1)</u>	<u>City Manager</u>	<u>City Attorney</u>	<u>City Clerk</u>	<u>Assistant City Clerk</u>	<u>City Attorney</u>	<u>City Clerk</u>	<u>Assistant City Clerk</u>	<u>City Attorney</u>
<p>The four wards not represented by the Mayor, Vice Mayor and Immediate Past Mayor (*if there is one) are seated in chronological order by Ward beginning to the far left of the Mayor with the first consecutively numbered ward.</p>																	

[podium]

*Proposed changes (clean) . . .*

**CONDUCT OF MEETINGS—  
MEMBERS OF COUNCIL**

- 201. Seating** – Councilors are seated at the council chamber dais as follows. Mayor: center; vice mayor: immediate left of mayor; immediate past mayor: immediate right of mayor; remainder of members: in increasing numerical order by ward, starting at the far left of the mayor and the immediate right of the city manager. The remaining seats are occupied, from the far left, by the clerk, the city attorney, and the city manager, respectively.

**Sample Seating Chart**

<u>Reserved</u>	<u>Councilor (Ward 5)</u>	<u>Councilor (Ward 3)</u>	<u>Councilor (Ward 2)</u>	<u>Immediate Past Mayor (Ward 6)</u>	<u>Mayor (Ward 7)</u>	<u>Vice Mayor (Ward 4)</u>	<u>Councilor (Ward 1)</u>	<u>City Manager</u>	<u>City Attorney</u>	<u>City Clerk</u>
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[podium]

*Current . . .*

202. **Addressing the Chair** – Every member speaking to a question or making a motion shall address the Chair as Mr. or Madame Mayor who shall thereupon pronounce the name of the members entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

*Proposed changes (redlined) . . .*

202. **Addressing the Chair** – ~~Every member speaking to a question or making a motion shall address the Chair as Mr. or Madame Mayor who shall thereupon pronounce the name of the members entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.~~  
**Council** – See Rule 406.

*Proposed changes (clean) . . .*

202. **Addressing Council** – See Rule 406.

*Current . . .*

209. **Excuse During Meeting** – Any member desiring to be excused while Council is in session shall obtain such permission from the presiding officer.

*Proposed changes (redlined as of 7/1/18) . . .*

209. **Excuse During Meeting** – Any ~~member desiring to~~councilor may be excused ~~while Council is in session shall obtain such~~during a meeting, with permission ~~from~~of the presiding officer.

*Proposed changes (redlined per comments at 9/11/18 meeting) . . .*

**Excuse During Meeting** – Any councilor may ~~be excused himself or herself during a meeting, with permission of the presiding officer~~except to avoid voting.

*Proposed (clean) . . .*

209. Any councilor may excuse himself or herself during a meeting, except to avoid voting.

Current . . .

406. **Decorum** – Council Members and Administration shall be addressed to Title or Mr., Mrs., or Miss during meetings. Any person making personal, impertinent, abusive or slanderous statements, or who shall incite disorderly conduct while addressing Council or present in Council Chamber shall be reprimanded by the Mayor and may be barred from further audience before Council. A second occurrence shall require removal from the meeting and subsequent meetings except by petition to Council which must be approved by majority vote. Any Council member making personal, impertinent, abusive or slanderous statements, or who shall incite disorderly conduct shall be reprimanded by the Mayor and may removed from the meeting, but only upon a majority vote of the members of Council, not including the member being so reprimanded.

Proposed (redlined) . . .

406. **Decorum** – ~~Council Members~~Councilors and ~~Administration shall be~~others are addressed ~~or referred~~ to ~~Title or as~~ Mr., Mrs., ~~or Miss during meetings,~~ Ms., Madam, and/or by title. For example, "Madam Mayor," "Vice Mayor Jones," "Councilor Smith," "Mr. Williams," or "the City Manager." Any person ~~making~~who makes personal, impertinent, abusive, or slanderous statements, or ~~who shall incite~~incites disorderly conduct ~~while addressing Council or present in Council Chamber shall be reprimanded by the Mayor and may be barred from further audience before Council. A second occurrence shall require removal from the meeting and subsequent meetings except by petition to Council which must be approved by majority vote. Any Council member making personal, impertinent, abusive or slanderous statements, or who shall incite disorderly conduct shall be~~council chamber ~~may be~~ reprimanded by the ~~Mayor~~presiding officer, and ~~may~~ removed from the meeting, ~~but only~~ upon a majority vote of ~~councilors present, excluding any councilor who is the~~ members~~subject of Council, not including the member being so reprimanded~~motion.

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*Proposed (clean) . . .*

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406. **Decorum** – Councilors and others are addressed or referred to as Mr., Mrs., Miss, Ms., Madam, and/or by title. For example, "Madam Mayor," "Vice Mayor Jones," "Councilor Smith," "Mr. Williams," or "the City Manager." Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion.

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**REPORTS  
OF THE  
CITY CLERK**

# **REPORTS OF THE CITY COUNCIL**

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

**CCR-1**

## § 58.1-3506. Other classifications of tangible personal property for taxation

A. The items of property set forth below are each declared to be a separate class of property and shall constitute a classification for local taxation separate from other classifications of tangible personal property provided in this chapter:

1. a. Boats or watercraft weighing five tons or more, not used solely for business purposes;
- b. Boats or watercraft weighing less than five tons, not used solely for business purposes;
2. Aircraft having a maximum passenger seating capacity of no more than 50 that are owned and operated by scheduled air carriers operating under certificates of public convenience and necessity issued by the State Corporation Commission or the Civil Aeronautics Board;
3. Aircraft having a registered empty gross weight equal to or greater than 20,000 pounds that are not owned or operated by scheduled air carriers recognized under federal law, but not including any aircraft described in subdivision 4;
4. Aircraft that are (i) considered Warbirds, manufactured and intended for military use, excluding those manufactured after 1954, and (ii) used only for (a) exhibit or display to the general public and otherwise used for educational purposes (including such flights as are necessary for testing, maintaining, or preparing such aircraft for safe operation), or (b) airshow and flight demonstrations (including such flights necessary for testing, maintaining, or preparing such aircraft for safe operation), shall constitute a new class of property. Such class of property shall not include any aircraft used for commercial purposes, including transportation and other services for a fee;
5. All other aircraft not included in subdivisions A 2, A 3, or A 4 and flight simulators;
6. Antique motor vehicles as defined in § 46.2-100 which may be used for general transportation purposes as provided in subsection C of § 46.2-730;
7. Tangible personal property used in a research and development business;
8. Heavy construction machinery not used for business purposes, including land movers, bulldozers, front-end loaders, graders, packers, power shovels, cranes, pile drivers, forest harvesting and silvicultural activity equipment and ditch and other types of diggers;
9. Generating equipment purchased after December 31, 1974, for the purpose of changing the energy source of a manufacturing plant from oil or natural gas to coal, wood, wood bark, wood residue, or any other alternative energy source for use in manufacturing and any cogeneration equipment purchased to achieve more efficient use of any energy source. Such generating equipment and cogeneration equipment shall include, without limitation, such equipment purchased by firms engaged in the business of generating electricity or steam, or both;
10. Vehicles without motive power, used or designed to be used as manufactured homes as defined in § 36-85.3;

11. Computer hardware used by businesses primarily engaged in providing data processing services to other nonrelated or nonaffiliated businesses;
12. Privately owned pleasure boats and watercraft, 18 feet and over, used for recreational purposes only;
13. Privately owned vans with a seating capacity of not less than seven nor more than 15 persons, including the driver, used exclusively pursuant to a ridesharing arrangement as defined in § [46.2-1400](#);
14. Motor vehicles specially equipped to provide transportation for physically handicapped individuals;
15. Motor vehicles (i) owned by members of a volunteer emergency medical services agency or a member of a volunteer fire department or (ii) leased by volunteer emergency medical services personnel or a member of a volunteer fire department if the volunteer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle. One motor vehicle that is owned by each volunteer member who meets the definition of "emergency medical services personnel" in § [32.1-111.1](#) or volunteer fire department member, or leased by each volunteer member who meets the definition of "emergency medical services personnel" in § [32.1-111.1](#) or volunteer fire department member if the volunteer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle, may be specially classified under this section, provided the volunteer regularly responds to emergency calls. The volunteer shall furnish the commissioner of revenue, or other assessing officer, with a certification by the chief of the volunteer emergency medical services agency or volunteer fire department, that the volunteer is an individual who meets the definition of "emergency medical services personnel" in § [32.1-111.1](#) or a member of the volunteer fire department who regularly responds to calls or regularly performs other duties for the emergency medical services agency or fire department, and the motor vehicle owned or leased by the volunteer is identified. The certification shall be submitted by January 31 of each year to the commissioner of revenue or other assessing officer; however, the commissioner of revenue or other assessing officer shall be authorized, in his discretion, and for good cause shown and without fault on the part of the volunteer, to accept a certification after the January 31 deadline. In any county that prorates the assessment of tangible personal property pursuant to § [58.1-3516](#), a replacement vehicle may be certified and classified pursuant to this subsection when the vehicle certified as of the immediately prior January date is transferred during the tax year;
16. Motor vehicles (i) owned by auxiliary members of a volunteer emergency medical services agency or volunteer fire department or (ii) leased by auxiliary members of a volunteer emergency medical services agency or volunteer fire department if the auxiliary member is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle. One motor vehicle that is regularly used by each auxiliary volunteer fire department or emergency medical services agency member may be specially classified under this section. The auxiliary member shall furnish the commissioner of revenue, or other assessing officer, with a certification by the chief of the volunteer emergency medical services agency or volunteer fire department, that the volunteer is an auxiliary member of the volunteer emergency medical services agency or fire department who regularly performs duties for the emergency medical services agency or fire department, and the motor vehicle is identified as regularly used for such purpose; however, if a volunteer meets the definition of "emergency medical services personnel" in § [32.1-111.1](#) or volunteer fire

department member and an auxiliary member are members of the same household, that household shall be allowed no more than two special classifications under this subdivision or subdivision 15. The certification shall be submitted by January 31 of each year to the commissioner of revenue or other assessing officer; however, the commissioner of revenue or other assessing officer shall be authorized, in his discretion, and for good cause shown and without fault on the part of the auxiliary member, to accept a certification after the January 31 deadline;

17. Motor vehicles owned by a nonprofit organization and used to deliver meals to homebound persons or provide transportation to senior or handicapped citizens in the community to carry out the purposes of the nonprofit organization;

18. Privately owned camping trailers as defined in § 46.2-100, and privately owned travel trailers as defined in § 46.2-1500, which are used for recreational purposes only, and privately owned trailers as defined in § 46.2-100, which are designed and used for the transportation of horses except those trailers described in subdivision A 11 of § 58.1-3505;

19. One motor vehicle owned and regularly used by a veteran who has either lost, or lost the use of, one or both legs, or an arm or a hand, or who is blind or who is permanently and totally disabled as certified by the Department of Veterans Services. In order to qualify, the veteran shall provide a written statement to the commissioner of revenue or other assessing officer from the Department of Veterans Services that the veteran has been so designated or classified by the Department of Veterans Services as to meet the requirements of this section, and that his disability is service-connected. For purposes of this section, a person is blind if he meets the provisions of § 46.2-100;

20. Motor vehicles (i) owned by persons who have been appointed to serve as auxiliary police officers pursuant to Article 3 (§ 15.2-1731 et seq.) of Chapter 17 of Title 15.2 or (ii) leased by persons who have been so appointed to serve as auxiliary police officers if the person is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle. One motor vehicle that is regularly used by each auxiliary police officer to respond to auxiliary police duties may be specially classified under this section. In order to qualify for such classification, any auxiliary police officer who applies for such classification shall identify the vehicle for which this classification is sought, and shall furnish the commissioner of revenue or other assessing officer with a certification from the governing body that has appointed such auxiliary police officer or from the official who has appointed such auxiliary officers. That certification shall state that the applicant is an auxiliary police officer who regularly uses a motor vehicle to respond to auxiliary police duties, and it shall state that the vehicle for which the classification is sought is the vehicle that is regularly used for that purpose. The certification shall be submitted by January 31 of each year to the commissioner of revenue or other assessing officer; however, the commissioner of revenue or other assessing officer shall be authorized, in his discretion, and for good cause shown and without fault on the part of the member, to accept a certification after the January 31 deadline;

21. Until the first to occur of June 30, 2019, or the date that a special improvements tax is no longer levied under § 15.2-4607 on property within a Multicounty Transportation Improvement District created pursuant to Chapter 46 (§ 15.2-4600 et seq.) of Title 15.2, tangible personal property that is used in manufacturing, testing, or operating satellites within a Multicounty Transportation Improvement District, provided that such business personal property is put into service within the District on or after July 1, 1999;

22. Motor vehicles which use clean special fuels as defined in § 46.2-749.3, which shall not include any vehicle described in subdivision 38 or 40;
23. Wild or exotic animals kept for public exhibition in an indoor or outdoor facility that is properly licensed by the federal government, the Commonwealth, or both, and that is properly zoned for such use. "Wild animals" means any animals that are found in the wild, or in a wild state, within the boundaries of the United States, its territories or possessions. "Exotic animals" means any animals that are found in the wild, or in a wild state, and are native to a foreign country;
24. Furniture, office, and maintenance equipment, exclusive of motor vehicles, that are owned and used by an organization whose real property is assessed in accordance with § 58.1-3284.1 and that is used by that organization for the purpose of maintaining or using the open or common space within a residential development;
25. Motor vehicles, trailers, and semitrailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce;
26. All tangible personal property employed in a trade or business other than that described in subdivisions A 1 through A 20, except for subdivision A 18, of § 58.1-3503;
27. Programmable computer equipment and peripherals employed in a trade or business;
28. Privately owned pleasure boats and watercraft, motorized and under 18 feet, used for recreational purposes only;
29. Privately owned pleasure boats and watercraft, nonmotorized and under 18 feet, used for recreational purposes only;
30. Privately owned motor homes as defined in § 46.2-100 that are used for recreational purposes only;
31. Tangible personal property used in the provision of Internet services. For purposes of this subdivision, "Internet service" means a service, including an Internet Web-hosting service, that enables users to access content, information, electronic mail, and the Internet as part of a package of services sold to customers;
32. Motor vehicles (i) owned by persons who serve as auxiliary, reserve, volunteer, or special deputy sheriffs or (ii) leased by persons who serve as auxiliary, reserve, volunteer, or special deputy sheriffs if the person is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle. For purposes of this subdivision, the term "auxiliary deputy sheriff" means auxiliary, reserve, volunteer, or special deputy sheriff. One motor vehicle that is regularly used by each auxiliary deputy sheriff to respond to auxiliary deputy sheriff duties may be specially classified under this section. In order to qualify for such classification, any auxiliary deputy sheriff who applies for such classification shall identify the vehicle for which this classification is sought, and shall furnish the commissioner of revenue or other assessing officer with a certification from the governing body that has appointed such auxiliary deputy sheriff or from the official who has appointed such auxiliary deputy sheriff. That certification shall state that the applicant is an auxiliary deputy sheriff who regularly uses a motor vehicle to respond to such auxiliary duties, and it shall state that the vehicle for which the classification is sought is the vehicle that is regularly used for that purpose. The certification shall be submitted by January

31 of each year to the commissioner of revenue or other assessing officer; however, the commissioner of revenue or other assessing officer shall be authorized, in his discretion, and for good cause shown and without fault on the part of the member, to accept a certification after the January 31 deadline;

33. Forest harvesting and silvicultural activity equipment;

34. Equipment used primarily for research, development, production, or provision of biotechnology for the purpose of developing or providing products or processes for specific commercial or public purposes, including medical, pharmaceutical, nutritional, and other health-related purposes; agricultural purposes; or environmental purposes but not for human cloning purposes as defined in § 32.1-162.21 or for products or purposes related to human embryo stem cells. For purposes of this section, biotechnology equipment means equipment directly used in activities associated with the science of living things;

35. Boats or watercraft weighing less than five tons, used for business purposes only;

36. Boats or watercraft weighing five tons or more, used for business purposes only;

37. Tangible personal property which is owned and operated by a service provider who is not a CMRS provider and is not licensed by the FCC used to provide, for a fee, wireless broadband Internet service. For purposes of this subdivision, "wireless broadband Internet service" means a service that enables customers to access, through a wireless connection at an upload or download bit rate of more than one megabyte per second, Internet service, as defined in § 58.1-602, as part of a package of services sold to customers;

38. Low-speed vehicles as defined in § 46.2-100;

39. Motor vehicles with a seating capacity of not less than 30 persons, including the driver;

40. Motor vehicles powered solely by electricity;

41. Tangible personal property designed and used primarily for the purpose of manufacturing a product from renewable energy as defined in § 56-576;

42. Motor vehicles leased by a county, city, town, or constitutional officer if the locality or constitutional officer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle;

43. Computer equipment and peripherals used in a data center. For purposes of this subdivision, "data center" means a facility whose primary services are the storage, management, and processing of digital data and is used to house (i) computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems; (ii) systems for monitoring and managing infrastructure performance; (iii) equipment used for the transformation, transmission, distribution, or management of at least one megawatt of capacity of electrical power and cooling, including substations, uninterruptible power supply systems, all electrical plant equipment, and associated air handlers; (iv) Internet-related equipment and services; (v) data communications connections; (vi) environmental controls; (vii) fire protection systems; and (viii) security systems and services;

44. Motor vehicles (i) owned by persons who serve as uniformed members of the Virginia Defense Force pursuant to Article 4.2 (§ 44-54.4 et seq.) of Chapter 1 of Title 44 or (ii) leased by persons

who serve as uniformed members of the Virginia Defense Force pursuant to Article 4.2 (§ 44-54.4 et seq.) of Chapter 1 of Title 44 if the person is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle. One motor vehicle that is regularly used by a uniformed member of the Virginia Defense Force to respond to his official duties may be specially classified under this section. In order to qualify for such classification, any person who applies for such classification shall identify the vehicle for which the classification is sought and shall furnish to the commissioner of the revenue or other assessing officer a certification from the Adjutant General of the Department of Military Affairs under § 44-11. That certification shall state that (a) the applicant is a uniformed member of the Virginia Defense Force who regularly uses a motor vehicle to respond to his official duties, and (b) the vehicle for which the classification is sought is the vehicle that is regularly used for that purpose. The certification shall be submitted by January 31 of each year to the commissioner of the revenue or other assessing officer; however, the commissioner of revenue or other assessing officer shall be authorized, in his discretion, and for good cause shown and without fault on the part of the member, to accept a certification after the January 31 deadline;

45. If a locality has adopted an ordinance pursuant to subsection D of § 58.1-3703, tangible personal property of a business that qualifies under such ordinance for the first two tax years in which the business is subject to tax upon its personal property pursuant to this chapter. If a locality has not adopted such ordinance, this classification shall apply to the tangible personal property for such first two tax years of a business that otherwise meets the requirements of subsection D of § 58.1-3703;

46. Miscellaneous and incidental tangible personal property employed in a trade or business that is not classified as machinery and tools pursuant to Article 2 (§ 58.1-3507 et seq.), merchants' capital pursuant to Article 3 (§ 58.1-3509 et seq.), or short-term rental property pursuant to Article 3.1 (§ 58.1-3510.4 et seq.), and has an original cost of less than \$500. A county, city, or town shall allow a taxpayer to provide an aggregate estimate of the total cost of all such property owned by the taxpayer that qualifies under this subdivision, in lieu of a specific, itemized list; and

47. Commercial fishing vessels and property permanently attached to such vessels.

B. The governing body of any county, city or town may levy a tax on the property enumerated in subsection A at different rates from the tax levied on other tangible personal property. The rates of tax and the rates of assessment shall (i) for purposes of subdivisions A 1, 2, 3, 4, 5, 6, 8, 11 through 20, 22 through 24, and 26 through 47, not exceed that applicable to the general class of tangible personal property, (ii) for purposes of subdivisions A 7, 9, 21, and 25, not exceed that applicable to machinery and tools, and (iii) for purposes of subdivision A 10, equal that applicable to real property. If an item of personal property is included in multiple classifications under subsection A, then the rate of tax shall be the lowest rate assigned to such classifications.

C. Notwithstanding any other provision of this section, for any qualifying vehicle, as such term is defined in § 58.1-3523, (i) included in any separate class of property in subsection A and (ii) assessed for tangible personal property taxes by a county, city, or town receiving a payment from the Commonwealth under Chapter 35.1 (§ 58.1-3523 et seq.) for providing tangible personal property tax relief, the county, city, or town may levy the tangible personal property tax on such qualifying vehicle at a rate not to exceed the rates of tax and rates of assessment required under such chapter.

Code 1950, §§ 58-829.2:1, 58-829.3, 58-829.5 to 58-829.9, 58-831.01; 1960, c. 418; 1970, c. 655; 1976, c. 567; 1978, c. 155; 1979, cc. 351, 576; 1980, c. 412; 1981, cc. 236, 445; 1982, c. 633; 1984, c. 675; 1985, c. 220; 1986, c. 195; 1988, c. 822; 1989, cc. 80, 694; 1990, cc. 677, 693; 1991, cc. 247, 330, 478; 1992, cc. 642, 680; 1993, c. 100; 1994, cc. 171, 221, 266, 631; 1995, c. 142; 1996, cc. 537, 603, 605; 1997, cc. 244, 250, 433, 457; 1999, cc. 289, 358; 2000, cc. 409, 413, 441, 442, 604; 2001, cc. 41, 447; 2002, cc. 6, 63, 148, 337; 2003, cc. 657, 670; 2004, cc. 4, 556, 591; 2004, Sp. Sess. I, c. 1; 2005, cc. 271, 325, 357; 2006, cc. 200, 231, 400; 2007, cc. 88, 322, 609; 2008, cc. 26, 94, 143; 2009, cc. 40, 44; 2010, cc. 264, 849; 2012, cc. 97, 288; 2013, cc. 39, 271, 287, 393, 652; 2014, cc. 50, 409; 2015, cc. 487, 502, 503, 593, 615; 2016, c. 483; 2017, cc. 116, 447; 2018, cc. 28, 292.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

## **ORDINANCE 2018-XX**

### **An Ordinance amending and reenacting Article III, Tax on Public Service Corporations and Tangible Personal Property Other than Machinery and Tools of Chapter 34, Taxation, of the Code of the City of Hopewell.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Article III, Tax on Public Service Corporations and Tangible Personal Property Other than Machinery and Tools of Chapter 34, Taxation, of the Code of the City of Hopewell is amended and reenacted as follows:

#### **CHAPTER 34 – TAXATION**

##### **ARTICLE III. TAX ON PUBLIC SERVICE CORPORATIONS AND TANGIBLE PERSONAL PROPERTY OTHER THAN MACHINERY AND TOOLS**

###### **Sec. 34-47. - Qualification for special tax rate of motor vehicle owned or leased by disabled veteran.**

- (a) Pursuant to Code of Virginia, § 58.1-3506(A)(19), one motor vehicle owned by a disabled veteran, or leased by such veteran, if obligated by terms of such lease to pay tangible personal property tax, which is regularly used by such veteran, is hereby defined as a separate item of taxation and shall constitute a classification separate from other classifications of tangible personal property.
- (b) By January 31 of each year, each disabled veteran shall provide the commissioner of the revenue with a certification of total disability in accordance with Code of Virginia, § 58.1-3506, and a personal certification that he regularly used the qualifying motor vehicle during the previous calendar year. The certification must include the vehicle identification of the motor vehicle for which the separate tangible personal property classification is sought.

**State law references:** Authority for above section, Code of Virginia, §58.1-3506.

In accordance with Section 7, Effective date of ordinances and resolution; emergency measures, of Chapter 4 of the City Charter, this ordinance shall become effective after thirty (30) days from the date of its adoption by the City Council. In all other respects said Code of the City of Hopewell shall remain unchanged and be in full force and effect.

**ADJOURN**