

MINUTES OF THE OCTOBER 23, 2018 CITY COUNCIL MEETING

A meeting of the Hopewell City Council was held Tuesday, October 23, 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	-	absent
Councilor Zevgolis	-	present
Councilor Denton	-	present
Councilor Pelham	-	present

CLOSED MEETING

At 6:37 p.m., Councilor Zevgolis moved to go into closed meeting for (1) discussion and consideration of specific appointees of city council (Youth Services Commission, Economic Development Authority, Neighborhood Watch Advisory Council, Transportation Safety Board, Board of Building Code and Fire Prevention Code Appeals, Ashford Civic Plaza Commission, Crater District Area Agency on Aging, Social Services Advisory Board, Board of Zoning Appeals, Recreation Commission, Law Library Committee, District 19 Community Services Board, Hopewell Redevelopment and Housing Authority, Downtown Design Review Committee, Board of Equalization, John Tyler Community College Board, Planning Commission, Senior Citizens Advisory Commission, Dock Commission, Friends of the Appomattox River, Central Virginia Waste Management Authority); (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; (3) discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position of city council (old City Jail); (4) consultation with legal counsel where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of city council (zoning violations/illegal gambling); (5) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters requiring the

**October 23, 2018
Regular Meeting**

provision of legal advice by such counsel (fire department/Hopewell Emergency Crew, intellectual property, electoral board, CSA/VML), in accordance with Virginia Code § 2.2-3711 (A), (1), (3), (5), (7), and (8), respectively. The motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

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

Motion passed 6-0

RECONVENE OPEN MEETING

Council convened into open meeting at 8:03 p.m., and responded to the question pursuant to Virginia Code § 2.2-3712 (D): were only public business matters (I) lawfully exempted from open-meeting requirements and (II) identified in the closed-meeting motion discussed in closed meeting? Upon the roll call, the vote resulted:

Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	---- (absent from dais)
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Councilor Denton	-	Yes

AMEND/ADOPT AGENDA

Councilor Pelham made a motion to amend the agenda to remove item R-1, and to adopt the agenda as amended. Motion failed for lack of a second.

Councilor Denton moved to adopt the agenda without amendment. Her motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

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

Motion fails 3-3

Councilor Pelham made a substitute motion to amend the agenda to move item R-1 to the next meeting and approve the agenda as amended. The motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

**October 23, 2018
Regular Meeting**

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

Motion fails 3-3

Stefan Calos of Sands Anderson PC, City Attorney, advised Council that there was no rule requiring them to adopt the agenda.

At 8:18 p.m. Mayor Shornak requested a roll call, the result of which was:

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

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. Ronald Brown 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:** October 9, 2018; amended 9-25-18
- C-2 Pending List:**
- C-3 Routine Approval of Work Sessions:**
- C-4 Personnel Change Report & Financial Report:** Attached
- C-5 Ordinances on Second & Final Reading:**
- C-6 Routine Grant Approval:**
- C-7 Public Hearing Announcement:** November 13, 2018 – Request for Zoning Ordinance amendment for non-conforming lot; request for Right of Way (portion of Trenton); request for Conditional Use Permit (Liberty Avenue); and Sale of old jail
- C-8 Information for Council Review:** Minutes: Downtown District Review Committee 9-15-18; Hopewell Redevelopment & Housing Authority 8-13-18
- C-9 Resolutions/Proclamations/Presentations:** Small Business Saturday
- C-10 Additional Announcements:** 5K and Fun Run; DCR Riverwalk Phase II grant

**October 23, 2018
Regular Meeting**

Charles Dane, Assistant City Manager, announced the award of the grant for the Riverwalk Project. Mr. Dane also announced the City Point 5k, Kids Fun Run and KinderDash event. He asked that everyone check social media to ensure the events would still be held in the event of inclement weather. Mayor Shornak announced that Comcast was offering veterans internet service for \$9.99. She also announced National Library Week. Councilor Zevgolis moved to approve the Consent Agenda, which motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

Motion fails 3-3

PUBLIC HEARINGS

There were no public hearings.

COMMUNICATION FROM CITIZENS

Steve Romano of Ward 3 spoke about the Boards and Commissions dinner and the associated costs. Katherine Podlweski of Ward 1 spoke about her love of community and her mentors in the community. Cassandra Vanderkeift spoke about the upcoming election and asked that Council consider putting the names of the Council members for wards 1, 2, 3 and 7 on the website. She also mentioned proposed constitutional amendments to be voted on and asked everyone to be aware of them. James Vinson came forward and said that there is not enough communication between the community and Council. He said Council should have a more personal relationship with the community. John Eliades of Ward 3 came forward and expressed his disappointment with Council and the handling of City business. Mayor Shornak asked if any other citizens wished to speak, but no one came forward.

REGULAR BUSINESS

Reports of City Manager:

R-1 Approval of disposition of public property – John M. Altman, Jr. spoke to Council regarding the proposed development of the Patrick Copeland site. There were discussions and questions regarding the proposed development agreement, which was presented as a draft. Councilor Pelham moved to postpone discussion of this item until the next meeting. Councilor Luman-Bailey seconded the motion. Upon further discussion, Councilor Denton moved to approve the development agreement with modifications and with a revised version to be submitted to City Council for final approval at the next council meeting. Her motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	No
Councilor Holloway	-	Yes

**October 23, 2018
Regular Meeting**

Councilor Zevgolis	-	Yes
Councilor Denton	-	Yes

Motion passes 5-1

Councilor Luman-Bailey filed a Transactional Disclosure Statement as to the ownership of neighboring property.

R-2 Approval of Resolution for Personal Property Tax Relief (PPTR) Percentage for 2018 Station – Joan Gosier, Treasurer, came forward and presented Council with information regarding the annual percentage for the PPTR. Councilor Zevgolis moved to resolve to approve 46 percent as the percentage of personal property tax relief for 2018. Councilor Denton seconded the motion. Upon the roll call, the vote resulted:

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

Motion passes 6-0

Mayor Shornak submitted a Transactional Disclosure Statement stating that her daughter works for the City of Hopewell.

R-3 Personal Property Tax Relief for Disabled Veterans – March Altman provided Council with additional information on the proposed ordinance granting personal property tax relief for disabled veterans. Upon discussion regarding whether a public hearing was required, Councilor Pelham moved to lay this matter on the table pending a definitive response from Stefan Calos on the public hearing question. Councilor Zevgolis seconded the motion. Upon the roll call, the vote resulted:

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

Motion passes 6-0

R-4 Virginia Retirement System Emergency Medical Technician Resolution – March Altman presented this item to Council. Jennifer Sears, interim Director of Human Resources was available to answer questions. Councilor Luman-Bailey moved to approve the proposed Emergency Medical Technical resolution, which motion was seconded Councilor Denton. Upon the roll call, the vote resulted:

Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

**October 23, 2018
Regular Meeting**

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

Motion passes 6-0

R-5 Office of CSA and Repayment Agreement – March Altman presented Council with the 10-year repayment agreement approved by the State Executive Council for Children’s Services to settle findings of non-compliance with the Children’s Services Act as to use of state CSA funds. Councilor Luman-Bailey moved to approve the Repayment Agreement and to authorize the city manager to sign all documents to make reparation. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

Motion passes 6-0

R-3 Personal Property Tax Relief for Disabled Veterans – Discussion of this item resumed when Stefan Calos opined that no public hearing was needed to approve the proposed ordinance for personal property tax relief for disabled veterans. Councilor Zevgolis inquired as to an opinion from the Commonwealth Attorney about the need for a public hearing. Mr. Calos said that could happen with 2/3 Council approval, which was not forthcoming. Councilor Luman-Bailey moved to allow the Commissioner of Revenue to create the program and process the applicants to provide tax relief for the 2019 tax year. Her motion was seconded by Councilor Pelham. Additional discussion ensued. Mayor Shornak called for the vote. Upon the roll call, the vote resulted:

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

Motion passes 4-2

Councilor Luman-Bailey moved to approve the proposed ordinance on first reading as modified to incorporate the specific disabilities as set forth in 58.1-3506. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

