

MINUTES OF THE NOVEMBER 27, 2018 CITY COUNCIL MEETING

A meeting of the Hopewell City Council was held Tuesday, November 27, 2018, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

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

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

ROLL CALL

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

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

CLOSED MEETING

At 6:31 p.m., Councilor Pelham moved to go into closed meeting for (1) discussion and consideration of specific appointees of city council (boards and commissions); (2) 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 city council; (3) 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), and (8), respectively. The motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

Motion passed 7-0

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RECONVENE OPEN MEETING

Council convened into open meeting at 7:59 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 Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

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

Mayor Shornak	-	present
Vice Mayor Gore	-	present
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 Chaplain Ron 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 Luman-Bailey.

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:** All minutes not yet approved by Council (separate attachment)
- C-2** **Pending List:** Attached
- C-3** **Routine Approval of Work Sessions:**
- C-4** **Personnel Change Report & Financial Report:** Attached
- C-5** **Ordinances on Second & Final Reading:** Personal Property Tax Relief for Disable Veterans
- C-6** **Routine Grant Approval:**
- C-7** **Public Hearing Announcement:**
- C-8** **Information for Council Review:** Minutes: Appomattox Regional Library System-October 16, 2018; Architectural Review Board – September 24, 2018; Community Policy & Management Team – October 15, 2018 and October 16, 2018, Electoral Board – November 1, 2018
- C-9** **Resolutions/Proclamations/Presentations:** American Legion Centennial Day; National Adoption Month; NLC Annual Business Meeting

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C-10 Additional Announcements: Holiday Boat Parade; Light Up the Night; Virginia Recreation and Park Society Awards; Virginia Building Code Official Association award; Wattoto Children’s Choir from Uganda performing at the Beacon

David Harless, Risk Manager, received the proclamation for American Legion Centennial Day. Ray Spicer, Director of Social Services received the proclamation for National Adoption Month. Aaron Reidmiller, Director of Parks & Recreation announced the upcoming winter events, as well as the awards won by his department. Tevya Griffin, Director of Development announced the Virginia Building Code Official Association award won by her department. Ms. Griffin also announced the arrival of the Wattoto Children’s Choir to the Beacon. Councilor Denton moved to approve the Consent Agenda without item C-1, which motion was seconded by Mayor Shornak. Upon the roll call, the vote resulted:

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

Motion passed 7-0

Councilor Zevgolis moved to amend the agenda to move item C-5 (Personal Property Tax Relief for Veterans) from the Consent Agenda and add it to the Regular Agenda. His motion was seconded by Mayor Shornak. Upon the roll call, the vote resulted:

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

Motion passed 7-0

PUBLIC HEARINGS

PH-1 Request for Conditional Use Permit - request from Barber Construction Company, Inc. for a Conditional Use Permit (CUP) to build a single family detached dwelling on Sub-Parcel 035-0010 also identified as Lots 3-4, Block 5, Dupont Gardens, Section 2, within the Residential, Medium Density District (R-2). Ms. Griffin presented information to the public and Council regarding this item. Mr. Barber was present and fielded questions of Council. No one signed up to speak at the public hearing. The Mayor opened the public hearing for comments, but there were none. She then closed the hearing. Councilor Pelham moved to approve the request from Barber Construction Company for the conditional use permit with conditions as imposed by the Planning Commission, namely: the exterior material of the proposed single-family dwelling shall be two materials with varying facades; the proposed single-family dwelling shall have a brick foundation on all four (4) sides. A brick foundation consists of foundation block from the block work to the first floor elevation with brick veneer; tree and shrubs presently located on the

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property shall be preserved to the highest extent possible, except if located within the proposed building footprint; the single-family dwelling shall have a minimum of 1,300 square feet of finished living area; the proposed single-family dwelling shall have a brick porch. A brick porch includes the steps, treads, risers, floor and side veneer. A brick porch consists of a concrete porch. The porch should be enclosed from the ground level to the finished floor elevation with block and brick enclosure; the architecture of the home shall be compatible with the surrounding homes. The agent will work with City Staff to build a home that is some variation of the three examples provided by Staff; and the driveway must be located on the same side as the porch. He motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

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

Motion passed 7-0

PH-2 Request for Vacation - A request from Hubert Swimelar, and James and Ruby Stanley to vacate a portion of undeveloped Trenton Street located between 1411 Pine Avenue and 1307 Pine Avenue. Ms. Griffin presented information to the public and Council regarding this request. Mr. James Stanley spoke on behalf of Mr. Swimelar and fielded questions from Council. Mayor Shornak opened the public hearing at 9:09 p.m. As no one came forward and there being no one signed up to speak, the public hearing was closed. Councilor Pelham moved to vacate a portion of undeveloped Trenton Street located between 1411 Pine Avenue and 1307 Pine Avenue, which motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

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

Motion passed 7-0

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PH-3 Request for Addition to Permitted Uses Within M-2 - request from SRRS Inc. to consider adding training facility/school to the list of permitted uses within the Intensive Industrial District, (M-2). Ms. Griffin presented information to the public and Council regarding this item. Councilor Luman-Bailey moved to approve the amendment to the Zoning Ordinance to add training facility/school to the list of permitted uses within the Intensive Industrial District (M-2), which motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

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

Motion passed 7-0

PH-4 Request to Dispose of Public Property - A request to dispose of the public property and improvements at 402 East Poythress Street also identified as Lots 1, 2, 3 and 4, Block 24, West City Point Annex Subdivision, further identified as Sub-Parcel 079-0213. Mr. Altman provided information to Council regarding this item. Councilor Luman-Bailey moved to approve the sale of the property and improvements at 402 East Poythress Street, and to authorize the City Manager to enter into the development agreement and to sign all documents necessary to effect the sale. Her motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

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

Motion passed 7-0

COMMUNICATION FROM CITIZENS

Joseph Walton and Francisco Johnson signed up, but neither were present. A gentleman named John came forward and spoke about several items, including his work on the volunteer suicide line, and the budget.

REGULAR BUSINESS

Reports of City Manager:

R-1 Approval of disposition of public property – Charles Dane, Assistant City Manager spoke to Council regarding the proposed development of the Patrick Copeland site. There were discussion and questions regarding the proposed development agreement. Vice Mayor Gore moved to

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approve the disposition of the Copeland Property, as defined in the Development Agreement between the City of Hopewell and Francisco Landing Holdings LLC, and authorize the city manager to sign the development agreement, with the following modifications: in Phase 3, Building J, to be merged with Building H, as high on the hill as practicable, if Developer purchases that adjoining property and in paragraph 11(b) increase the amount of insurance from one million dollars to five million dollars, and with the Purchase Price to be earmarked for the repurchase of public features. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

Motion passed 7-0

R-2 Approval of Fire Department Grants - the Fire Department has received allocation letters and request budget increase under the grants line item. These amounts will be reimbursed back to the City once the money has been spent. Fire Department Grants - 1. Regional Unmanned Aircraft System Equipment \$34,000. 2. Crater Regional Technical Rescue Team Equipment \$55,000. 3. Crater Regional Hazardous Materials Team Equipment \$71,000 – Mr. Altman presented information about this item to Council. Fire Chief Donald Hunter was available to answer questions. Councilor Zevgolis moved to approve the increase our budget by the grant line item and approve that for the fire department budget, and let the \$160,000 be spent as requested. His motion was seconded by Mayor Shornak. Upon the roll call, the vote resulted:

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

Motion passed 7-0

Councilor Pelham moved to amend the agenda to move item R-4 (the item moved to the agenda by Councilor Zevgolis) before item R-3. Her notion was approved by Vice Mayor Gore. Upon the roll call, the vote resulted:

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

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Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

Motion passed 7-0

R-4 Personal Property Tax Relief for Disabled Veterans – This item had been presented to Council at the 10-23-18 meeting, and had been approved by Council. The ordinance was brought back for approval on the second reading. Councilor Zevgolis moved to approve this ordinance on this its second reading, which motion was approved by Councilor Pelham. Upon the roll call, the vote resulted:

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

Motion passed 7-0

R-3 2019 Draft Legislative Priorities - In anticipation of the 2019 General Assembly Session, Administration has prepared the City’s Annual Legislative Priorities for presentation to the City’s Legislative Delegation, including the draft resolution. There was discussion. Councilor Pelham moved to go into closed session to discuss this item, and to stay past 10:30 p.m. if necessary to finish. Her motion was seconded by Vice Mayor Gore. There was additional discussion.

Vice Mayor Gore called for the vote and to end debate. Upon the roll call, the vote resulted:

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

Motion passed 6-1

On the motion to go into closed session, the vote resulted:

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

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Motion passed 5-2

RECONVENE OPEN MEETING

Council convened into open meeting at 10:48 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 Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes

R-3 2019 Draft Legislative Priorities – Vice Mayor Gore moved to approve the draft legislative agenda without Charter changes 1, 2 and 3. Her motion was seconded by Councilor Zevgolis. There was discussion. Councilor Denton moved to also strike item 4 from the charter changes, in addition to items 1, 2 and 3. Mayor Shornak seconded that motion. There was additional discussion. Mayor Shornak called for an end to the debate, but withdrew it. Vice Mayor Gore moved to approve the draft legislative agenda without items 1, 2, 3 and 4, and to change selection to appointment and selected to appointed. Her motion was seconded by Councilor Luman-Bailey. There was additional discussion. Vice Mayor Gore called for the vote and to end debate. Upon the roll call, the vote resulted:

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

Motion passed 7-0 (per Council rules)

On the motion to approve the draft legislative agenda without Charter changes 1, 2, 3 and 4, upon the roll call, the vote resulted:

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

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Mayor Shornak - No

Motion passed 5-2

ADJOURN

At 11:40 p.m. motion was made by Councilor Zevgolis and seconded by Mayor Shornak to adjourn. All council responded “aye” to the question.

/s/ Jackie Shornak
Jackie Shornak, Mayor

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