

MINUTES OF THE MEETING AND WORK SESSION OF CITY COUNCIL
HELD SEPTEMBER 11, 2018

A Meeting and Work Session of Hopewell City Council, was held Tuesday, September 11, 2018, at 6:00 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jackie M. Shornak, Mayor, Ward 7
Jasmine E. Gore, Vice Mayor, Ward 4
Christina Luman-Bailey, Councilor, Ward 1
Arlene Holloway, Councilor, Councilor, Ward 2
Anthony Zevgolis, Councilor, Ward 3
Janice Denton, Councilor, Ward 5
Brenda S. Pelham, Councilor, Ward 6 (arrived at 6:29 p.m.)

John Altman, City Manager
Charles Dane, Assistant City Manager
Stefan Calos, Sands Anderson PC, City Attorney
Ronnieye Arrington, City Clerk
Frazelle Hampton, Assistant City Clerk

ABSENT:

ROLL CALL

Mayor Shornak opened the meeting at 6:00 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	-	absent (arrived at 6:29 p.m.)

6 present – 1 absent

CLOSED MEETING

Motion was made by Councilor Zevgolis and seconded by Councilor Denton, to go into closed meeting for (1) discussion and consideration of specific appointees of city council (City Attorney, Board of Equalization, Downtown Design Review Committee, Hopewell Redevelopment and Housing Authority, and Recreation Commission); (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 (Copeland Site and Luck's Building); (3) consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of city council (police and cemetery); and (4) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters requiring the provision of legal advice by such counsel (EDA), in accordance with Virginia Code § 2.2-3711 (A) (1), (6), (7), and (8), respectively. Upon the

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roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	---- (arrived at 6:29 p.m.)
Mayor Shornak	-	yes
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion passed 6-0

RECONVENE OPEN MEETING

Council convened into Open Session 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 Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Mayor Shornak	-	yes
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes

All agreed 7-0

Councilor Zevgolis moved to amend the order of the agenda to enable city council to vote on appointees prior to regular business, to move the HRHA work session to Unfinished Business and make it an action item, and to adopt the agenda as so amended. The motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

Councilor Denton moved to appoint Daniel Jones to the Downtown Design Review Committee. His motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

ROLL CALL

Mayor Shornak requested a roll call as follows:

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

All present

AMEND/ADOPT AGENDA

Motion was made by Councilor Denton and seconded by Councilor Pelham to amend the agenda to enable city council to vote on appointees prior to regular business, and to adopt the agenda as so amended. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

APPOINTMENTS

Motion was made by Councilor Pelham and seconded by Councilor Denton to appoint Wendy Gant and John Tunstall to the HRHA; James Osborne of West Rock and David Clifton of Virginia American Water to the Hopewell Water Renewal Commission; Councilors Luman-Bailey, Holloway, Pelham and Mayor Shornak to the Community Development Block Grant, and Lauren Hovis to the Community Planning and Management Team. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

WORK SESSION – moved to UNFINISHED BUSINESS

ROLL CALL

Mayor Shornak opened the regular meeting and requested a roll call as follows:

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

All present

REGULAR MEETING

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. She asked for a moment of silence in memory of the 9/11 victims and their families, as well as for anyone who has lost someone this past month. The prayer was led by Rev. Judy Bailey of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Zevgolis.

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:** April 24, 2018; May 1, 2018; May 8, 2018; May 22, 2018; June 5, 2018; June 21, 2018; July 10, 2018; July 31, 2018; August 8, 2018; August 14, 2018; August 28, 2018
- C-2** **Pending List:**
- C-3** **Routine Approval of Work Sessions:**
- C-4** **Personnel Change Report & Financial Report:**
- C-5** **Ordinances on Second & Final Reading:**
- C-6** **Routine Grant Approval:**

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C-7 **Public Hearing Announcement:**

C-8 **Information for Council Review:** Minutes: CPMT 7-16-18; DDRC 10-04-17, 11-1-17, 3-7-18, 4-4-18, 8-8-18,

C-9 **Resolutions/Proclamations/Presentations:** presentation by Southeast Diabetes Faith Initiative (SDFI); and presentation by District 19 Community Services Board

C-10 **Additional Announcements:**

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Motion was made by Councilor Denton and seconded by Councilor Pelham to exclude item C-1, and to add a hurricane update to the Consent Agenda. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

Ben Ruppert, of the Office of Emergency Management, updated council on information related to hurricane Florence. He said we expect to receive up to 15 inches of rain and wind gusts of 50-60 mph. Mr. Ruppert said that the hurricane was expected to arrive in Hopewell Friday morning. He noted that the EOC has been prepared but not activated, all generators were tested and fueled, all vehicles vehicle. He said plans have been made for sheltering people at the Community Center should there be a need. He advised that the EOC would be set up in the basement of the Fire Station. The number to contact the EOC is 804-415-8802. Mayor Shornak asked that the EOC number and the Dominion Virginia Power number be put on the website. Vice Mayor Gore noted that Comcast was setting up Wi-Fi hotspots, and that citizens could register for Nixle and Code Red to get updates.

Southeast Diabetes Faith Initiative (SDFI) gave a presentation. They discussed diabetes, pre-diabetes and the health complications of both. They encouraged residents to go to their site and enroll in their program.

Jennifer Tunstall, executive Director of District 19 also gave a presentation to Council. She was asked for specific information on Hopewell residents who take advantage of the District 19 program, which she said she would provide.

PUBLIC HEARINGS

PH-1 Rezoning Request - Western Street – Councilor Luman-Bailey moved to postpone this item until the next Council meeting. The motion was seconded by Councilor Denton. Upon the roll call, the vote resulted.

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

Motion passed – 7-0

PH-2 Conditional Use Permit - City Point Road – a public hearing was held on the request by Andy rogers for a Conditional Use Permit to build a duplex on Lot 1R, also identified as sub-parcel

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#014-0056 (Corner of Wagner Avenue and City Point Road), Block 5 in the Battleground Annex, located in the Medium Residential Zoning District (R-2) on the corner of City Point Road and Wagner Avenue. Tevya Griffin, Director of Development presented to Council. She advised that the Planning Commission had recommended denial of this request. Planning Commission Chairman Eliades fielded questions from Council. Mayor Shornak opened the public hearing.

Johnny Partin of Ward 3 came forward and spoke against the duplexes. He opined that duplexes were not well maintained in Hopewell and asked that Council deny this request.

Brandon Butterworth, also of Ward 3, came forward and said he was also against the duplex.

Sandra Tahpart of Ward 3 signed up but was not present when her name was called.

Kim Shearin, also of Ward 3, came forward and said that she was not notified of the proposed duplex. She noted that theirs was a historic community and she was concerned that the proposed duplex would mar the feel of the neighborhood.

Maggie Dodson, also of ward 3, noted that she had been a resident of the area for 47 years. She said the area was not well suited for duplexes. She same people come from out of state to view the historic neighborhood. She asked Council to oppose the request.

Clarence Dodson, of Ward 3, echoed his wife’s sentiments. He said that even if the proposed building was nice, rental properties tend to deteriorate over time.

Virginia Diradour of Ward 3 declined to speak.

Dorie and Harold Willis of Ward 1 signed up but did not speak either.

Flennard Jarrett, Jr. did not sign up but came forward and said he was also opposed to the project.

Mayor Shornak closed the public hearing. After further discussion, Councilor Luman-Bailey moved to deny the requested Conditional Use Permit requested for sub-parcel 014-0056. Her motion was seconded by Councilor Denton. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

PH-3 Conditional Use Permit - Mesa Drive – a public hearing was held on the request for Conditional Use Permit to build a duplex on Lot 2R, also identified as sub-parcel #014-0057 in the Battleground Annex, located in the Medium Residential Zoning District (R-2) at the corner of Mesa Drive and City Point Road. Tevya Griffin, Director of Development presented to Council. She

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advised that the Planning Commission had recommended denial of this request. Planning Commission Chairman Eliades fielded questions from Council. Mayor Shornak opened the public hearing.

Brandon Butterworth came forward and reaffirmed the concerns he noted for public hearing 2. Anthony Sylvester of Ward 3 came forward. He said he had been a resident of the area for 16 years, and had lived in Hopewell for 42 years. He said he was dubious about the owner not being able to make money unless he built a duplex. He said he was against the project because the owner was not a Hopewell resident and he considered it a bad investment for the City.

Sandra Lockhart signed up but declined to speak.

David Phillips of Ward 3 said the proposed property was next door to him. He said that he has lived on that property for 54 years and 2/3 of the property is already rental property and that the absent owners of those properties are not good neighbors. That's why he is opposed to the proposed project. Kim Shearing, Sandra Tahpart, and Flennard Jarrett, Jr. all signed up but said their comments from the public hearing 1 stood for this request, as well.

Mayor Shornak closed the public hearing. Council continued its discussion at the conclusion of which Councilor Luman Bailey moved to support the Planning Commission and deny this request based on Article XVIII, General Provisions, Section G, Sub-Section d., #4 and #5. Councilor Zevgolis seconded the motion. Upon the roll call, the vote resulted:

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

Motion passed – 7-0 (per rule 105)

COMMUNICATIONS FROM CITIZENS:

No one signed up to speak so Mayor Shornak opened the floor and asked if anyone present wanted to speak. No one spoke.

UNFINISHED BUSINESS

UB-1 Hopewell Redevelopment and Housing Authority Request to amend the Hopewell Zoning Map to rezone property located at Cedar, Cypress and Westover Streets in the Highland Park subdivision from Residential, High Density (R-3) and Highway Commercial (B-3) to Residential Apartment (R-4) – Tavaris McCoy and Steve Benham of HRHA came forward to speak with Council. After extensive discussion, Councilor Denton moved that the HRHA gather Council's questions and send this matter back to the Planning Commission for further evaluation

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before coming back before Council. Her motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

Councilor Pelham moved to postpone discussion on this item until the July 10, 2018 meeting. Her motion was seconded by Councilor Holloway. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	no
Mayor Shornak	-	yes
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion passed – 6-1

REGULAR BUSINESS

Reports of City Manager:

R-1 Appropriate Collected E-Ticketing Funds - Chapter 2, Article 1, Sec. 2-14 *Assessment for electronic summons system* of the Hopewell City code imposes a \$5 assessment of the costs in each criminal and traffic case in the district and circuit courts of the City of Hopewell in which the defendant is charged with violation of any statute or ordinance. Currently, \$38,000 have been collected. Pursuant to Ordinance 2017-0808-1, these funds are held by the Treasurer subject to disbursements by City Council. The Sheriff's Office requested appropriation of \$13,000 of the \$38,000 currently held by the Treasurer. Councilor Luman-Bailey moved to resolve to approve the appropriation of \$13,000 currently held by the Treasurer to the Sheriff's Office. Vice Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

R-2 Request for City Council to approve the following agreements between VDOT and the City - March Altman, City Manager, Austin Anderson, Construction Manager, and Johnnie Butler, City Engineer all provided information to, and fielded questions from city council.

- A. Authorize a budget transfer in the amount of \$759,663.00 and establish a Capital Projects Expense Account and Revenue Account to administer this reimbursement program. The program allows a maximum 80% federal reimbursement of eligible project costs and

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requires a minimum 20% local match contribution. Councilor Luman-Bailey moved to approve a budget transfer of \$759,663 from the general fund for the 20% local match contribution, and to authorize the city manager to sign all appropriate documents. Her motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

- B.** Approve entering into a signed standard project administration agreement for the paving surface treatment of Route 10 (E Randolph Road) eastbound and westbound lanes from Winston Churchill Drive to Hummel Ross Road. The subject project was identified to meet the requirements of the Primary Extension/State of Good Repair Paving Program. Councilor Pelham moved to approve entering into a signed standard project administration agreement for the paving surface treatment of Route 10 (E Randolph Road) eastbound and westbound lanes from Winston Churchill Drive to Hummel Ross Road, and to authorize the city manager to sign all necessary documents. Her motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

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

Motion passed – 7-0

- C.** Authorize the appropriation of Virginia Department of Transportation (VDOT) revenue sharing program reimbursements to the City's Capital Improvements Program (CIP) projects for various street, sidewalk and drainage improvements. Vice Mayor Gore moved to authorize the appropriation of the Virginia Department of Transportation revenue sharing program reimbursements to the City's Capital Improvements Program projects for various street, sidewalk and drainage improvements, and to authorize the city manager to sign all appropriate documents related thereto. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes

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Mayor Shornak	-	yes
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion passed – 7-0

R-3 Efficiency Technology Study - City Council approved an appropriation to compete an Efficiency & Technology Review Study in the FY19 Budget. The allocation mirrored the draft proposal from Performance Management Group (PMG). Mr. Altman provided Council information on the proposed study. After discussion, Vice Mayor Gore moved to agree by the majority to the scope of work to allow City Administration to provide procurement options for City Council review and approval after administration has received Council feedback. Her motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Mayor Shornak	-	no
Councilor Luman-Bailey	-	yes
Councilor Holloway	-	yes

Motion passed – 5-2

It being close to 10:30, at 10:27 p.m., Vice Mayor Gore made a motion to extend the meeting, which motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted.

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

Motion passed – 7-0 (per Rule 105)

Reports of City Attorney – Mr. Calos presented Council with his revisions to Rule 102, 103, 104, 105, 106, 204, and 209. He fielded questions from Council. After intense discussion, Councilor Pelham asked to end debate. Upon the roll call, the vote resulted:

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

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Motion passed – 7-0

Councilor Pelham moved to approve Rules 102, 103, 104, 106, and 204 with revisions, leaving out Rules 105 and 209, which motion was seconded by Councilor Denton. Upon further discussion and suggestions of Council, Mr. Calos said he would amend Rules 105 and 209 and bring them back to Council for approval. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Mayor Shornak	-	no
Councilor Luman-Bailey	-	no
Councilor Holloway	-	yes

Motion passes – 4-3

Reports of City Clerk – Nothing to report.

Reports of City Council

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

ADJOURN

At 11:14 p.m. motion was made by Councilor Denton and seconded by Councilor Pelham to adjourn. All council responded “aye” to the question.

/s/ Jackie Shornak
Jackie Shornak, Mayor

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