

MINUTES OF THE FEBRUARY 26, 2019 CITY COUNCIL MEETING

A meeting of the Hopewell City Council was held Tuesday, February 26, 2019, at 5:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jasmine E. Gore, Mayor, Ward 4
Patience Bennett, Vice Mayor, Ward 7
Deborah Randolph, Councilor, Ward 1
Arlene Holloway, Councilor, Ward 2
John B. Partin, Jr., Councilor, Ward 3
Janice B. Denton, Councilor, Ward 5

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
Michelle Hicks, Interim Assistant City Clerk

ROLL CALL

Mayor Gore opened the meeting at 5:34 p.m. Roll call was taken as follows:

Mayor Gore	-	present
Vice Mayor Bennett	-	present
Councilor Randolph	-	present
Councilor Partin	-	present
Councilor Holloway	-	present
Councilor Denton	-	present
Councilor Pelham	-	present

CLOSED MEETING

Councilor Pelham moved to go into closed meeting go into closed meeting for (1) discussion, consideration and interview of specific appointees of city council (boards, commissions, authorities); (2) discussion of specific appointees or employees of city council (city manager, city clerk, city attorney); (3) discussion of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of city council (Bank Street garages); and (4) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters (letterhead policy), requiring the provision of legal advice by such counsel in accordance with Virginia Code § 2.2-3711 (A) (1) [two items], 3, and (8), respectively. Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

**February 26, 2019
Regular Meeting**

RECONVENE OPEN MEETING

Council returned to the dais at 6:47 p.m. and announced that they would not be coming out of closed meeting.

AMEND/ADOPT AGENDA

Councilor Partin moved to adopt the agenda without change. Mayor Gore said she was going to suggest the same thing. Mayor Gore seconded his motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

WORK SESSION

March Altman, City Manager, introduced Tevya Griffin, the Director of Development who presented the work session. Mrs. Griffin explained to Council that, per its request, she was presenting a work session of the items that would be brought before Council in a public hearing at the March 26, 2019 meeting. The first item was a conditional use permit request brought by Barber Construction on behalf of Mr. Page. Ms. Griffin explained the nature of the request, and advised that both Staff and the Planning Commission had voted to deny the request. Eliot Eliades, Chairman of the Planning Commission came forward and explained to Council why the Planning Commission denied the request.

The second item discussed at the work session, as a Zoning Ordinance Amendment. The requested amendment would require that all non-conforming lots come before the Planning Commission and City Council.

CLOSED MEETING

Council went back into closed session briefly at 7:15 p.m. At 7:32 p.m., they returned to the dais and announced that they would still not be coming out of closed meeting.

REGULAR MEETING

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

Mayor Gore called the meeting to order, and thanked all for attending. The prayer was led by Rev. Pamela Cooper of the John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America, led by Councilor Denton.

**February 26, 2019
Regular Meeting**

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: Amended minutes for Jan., 2, 2019; Jan. 8, 2019 and Jan. 22, 2019
- C-2** Pending List:
- C-3** Routine Approval of Work Sessions:
- C-4** Personnel Change Report & Financial Report: Financial report
- C-5** Ordinances on Second & Final Reading:
- C-6** Routine Grant Approval:
- C-7** Public Hearing Announcement: March 26, 2019 - Conditional Use Request and Zoning Ordinance Amendments
- C-8** Information for Council Review: Minutes: ARLS Feb 2019 Abbreviated Board Report; CPMT Jan 22, 2019 minutes
- C-9** Resolutions/Proclamations/Presentations: Recreation Commission Annual Report by Aaron Reidmiller, Director of Recreation & Parks
- C-10** Additional Announcements: Recreation & Parks: public meeting for renovation of King's Court playground; possible Dog Park

Mayor Gore read to the audience the items that were on the Consent Agenda. Councilor Partin moved to approve the Consent Agenda. He then noted that even though the minutes of February 12, 2019 were not listed on the agenda, he wanted to fully disclose that the Clerk had requested they not be considered at this meeting. Mayor Gore said she was going to recommend the same thing. Mayor Gore renewed her request for the auditors to come meet with Council to go over the 2016 CAFR. Mr. Altman shared that the 2017 CAFR could be completed soon and be submitted to the APA. Patrick Plourde, a member of the Recreation Commission spoke about the great things being done by Parks & Recreation. Mr. Reidmiller then gave his annual report in the form of a presentation. Mr. Reidmiller also announced that there would be a public meeting on February 27, 2019 to discuss a potential dog park in Hopewell, and another public meeting March 6, 2019 to discuss renovations of the King's Court playground. Councilor Randolph seconded Councilor Partin's motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	--- (not on dais)
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 6-0 (per Mayor Gore, Councilor Pelham's absence excused)

PUBLIC HEARINGS

There were no public hearings.

**February 26, 2019
Regular Meeting**

COMMUNICATIONS FROM CITIZENS

Steve Romano, Ward 3 came forward and asked to discuss the Retreat, since it was on the agenda. Pursuant to Council Rules, Councilor Partin moved to waive the rules and allow Mr. Romano to discuss an item on the agenda. Councilor Denton seconded his motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

Mr. Romano then expressed his concern about the Retreat.

David Phillips, Ward 3, came forward to speak about his concern regarding Native Americans. He noted that Chief Steve Silverheels (grandson of Jay Silverheels who played Tonto on the Lone Ranger) would be here in Hopewell June 2, 2019 at 11:00 A.M. at Woodlawn Presbyterian Church. He said he would like Hopewell to have other activities or Native Americans. Mayor Gore said that both she and Councilor Denton had an interest in Native Americans and the proposed project, and requested that Mr. Phillips leave his information with the Assistant Clerk so he could be contacted for more information.

Reports of the City Attorney: Council rules – Stefan Calos of Sands Anderson PC, City Attorney presented Council with several revised rules. By consensus of Council, each Rule was voted on individually:

Rule 201 – This item brought back per Council request. Councilor Pelham moved to approve proposed Rule 201, which reads as follows:

Seating – Councilors are seated at the council chamber dais as follows. Mayor: center; vice mayor: immediate left of mayor; most recent past mayor, if any: 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. If the vice mayor is the most-recent past mayor, then the next-most-recent past mayor sits to the right of the mayor. The remaining seats are occupied, from the far left, by the city attorney, the city manager, the city clerk, and the assistant city clerk, respectively.

City Clerk	Councilor Ward 5	Councilor Ward 3	Most- Recent Past Mayor	Mayor	Vice Mayor	Councilor Ward 2	Councilor Ward 1	City Manager	City Attorney
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Vice Mayor Bennett seconded the motion. Mayor Gore requested the following statement be read into the record: I, myself, am not partaking of this conversation because one member of Council wanted to change their seat. I am talking about this because, in my opinion, the rule was not clear which is why I asked the City Attorney to provide interpretation. He did rule on it, however, just for the record, I am not partaking of this conversation just for someone’s special interest. Upon the roll call, the vote resulted:

Councilor Denton	-	no
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**February 26, 2019
Regular Meeting**

Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	no
Councilor Holloway	-	yes
Councilor Partin	-	no
Mayor Gore	-	yes

Motion passed 4-3

Rule 301 - Councilor Pelham moved to approve the revised Rule 301 as submitted, which motion Councilor Randolph seconded. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	no
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 6-1

Rule 302 - Councilor Denton moved to approve the revised Rule 302 as submitted, which motion Mayor Gore seconded. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

Rules 405 and 406 – Councilor Pelham requested to amend the language in the Rules to advise citizens that they have the ability to ask Council to waive the rules so that they can speak about an item on the agenda. She said she liked to hear from the citizens. Councilor Randolph noted that this item was not on the agenda and was concerned if it could be addressed at this meeting. Mr. Calos said he could look into it and provide options, but required a consensus of Council to do so. Councilor Partin said that it would be helpful to include language that references the waiver directly on the agenda because the majority of people do not know you can ask permission. Mayor Gore noted that this item could not be discussed without amending the agenda to add it. After additional discussion, Councilor Pelham withdrew her request and said she would consider putting it on the agenda for next time. Mr. Calos sought clarification that there would be no change to the agenda, but that he could come back with options regarding the revisions to the Rules, which Mayor Gore confirmed. Councilor Denton asked that the Mayor include this discussion in the minutes for future reference. Mayor Gore said no because she said she could not see a purpose for noting an item in the minutes where no action was taken. Councilor Partin moved to amend the agenda so that he could make a motion to include discussion for the minutes to talk about what we just discussed in terms of Communications from Citizens and asking for a waiver. Councilor Denton seconded his motion. Upon the roll call, the vote resulted:

**February 26, 2019
Regular Meeting**

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	no
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no

Motion passed 5-2

Councilor Partin then moved to include in the minutes of this meeting that we discussed changes-- potential changes to the Communications from Citizens, including options from the city attorney about coming back to us and including a potential waiver of the item within the Communications from Citizens that states citizens cannot talk about items on the agenda. Councilor Denton seconded his motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no

Motion passed 6-1

Reports of the City Clerk: Boards, Committees, Commissions Vacancies

Board, Commission, Committee	Current members	Vacancies
Ashford Civic Plaza	1	6
Board of Building Cod and Fire Prevention Code Appeals	2	3
Board of Equalization	1	3
Board of Zoning Appeal	4	1
Central Virginia Waste Management Authority	1	1
Community Policy and Management Team	9	1
Dock Commission	0	5
Economic Development Authority	4	3
Historic Preservation Committee	5	2 (citizens)*
Friends of the Appomattox River	1	1
Keep Hopewell Beautiful	4	6
Planning Commission/Wetlands Board	4	1
Recreation Commission	4	3
Social Services Advisory Board	2	5
Transportation Safety Board	4	1
Youth Services Commission	7	8
Virginia Gateway Region	1	1

Reports of City Council:

Committees

**February 26, 2019
Regular Meeting**

Councilor Randolph noted that, earlier in the meeting, Mayor Gore had spoken about burial plots and that since she (Councilor Randolph) and Councilor Denton were on the Historical Preservation Committee and asked if they could be included in that.

Establish and appoint members to the City Council Retreat Committee

Councilor Randolph moved to postpone the “establish and appoint members to the City Council Retreat Committee until the March 5, 2019 meeting. Mayor Gore seconded her motion. Upon the roll call, the vote resulted:

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

Individual Councilors

IR-1 Gore Letterhead- There is an unofficial policy pertaining to the use of City Council letterhead. Request, that City Council approve a policy and incorporate it in its Rules and Procedures. (return item). ***Council discussed this item, by consensus agreed that the business cards were released from this portion of the discussion and that the Clerk could go ahead, and order cards. They further agreed to continue discussion of the letterhead to the March 5, 2019 agenda.***

IR-2 Gore Mayor Memo to City Council – Address issues and workflow of City Council, City staff and Council appointees. Request that City Council provide direction on all items listed in the memo via consensus or vote. Request that all items be included in City Council’s Rules of Procedure as an addendum (return item). ***Councilor Randolph moved to postpone this item until the March 5, 2019 meeting. Councilor Denton seconded her motion. Upon the roll call the vote resulted:***

Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes

Motion passed 7-0

Council discussed a motion to postpone all items remaining on the agenda, including items not completed in the Closed Session. Mr. Calos advised that it was not necessary to do a motion because anything not discussed would automatically carry forward to the next agenda, including the closed session items.

February 26, 2019
Regular Meeting

ADJOURN

At 10:30 p.m., motion was made by Councilor Denton and seconded by Councilor Partin to adjourn. All council responded “aye” to the question. Except Councilor Pelham and Mayor Gore, both of whom responded “nay.”

/s/ Jasmine E. Gore
Jasmine E. Gore, Mayor

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