

MINUTES OF THE DECEMBER 12, 2017 CITY COUNCIL MEETING

A Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, December 12, 2017, 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

Charles Dane, Interim City Manager (arrived at 7:09 pm)
Stefan M. Calos of Sands Anderson PC, City Attorney
Ronnieye L. Arrington, City Clerk

ROLL CALL

Mayor Shornak opened the meeting at 6:32 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 6:33 p.m. Councilor Denton moved to go into closed meeting for (1) discussion and consideration of prospective candidates for employment (city manager); (2) discussion of appointment of specific appointees of city council (HRHA); (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 (CSA, public safety building); 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, in accordance with Virginia Code § 2.2-3711 (A) (1) [two items], (7), and (8), respectively. The motion was seconded by Councilor Luman-Bailey. Upon the roll call the vote resulted:

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

Motion passed 7-0

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Councilor Denton submitted a Transactional Disclosure Statement citing Tom Wagstaff.
Mayor Shornak submitted a Transactional Disclosure Statement citing that her daughter is a City employee and that the transaction was Budget.

AMEND/ADOPT AGENDA

Councilor Pelham made a motion to postpone the Unfinished Business Item – Hopewell Police Department Recruitment and Retention until the January work session. The motion was seconded by Vice Mayor Gore and discussion ensued. Upon the roll call, the vote resulted.

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

Motion passed 5-2

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

Mayor Shornak called the meeting to order at 8:31, and thanked all for attending. The prayer was led by Rev. Jeff Butler of Woodlawn Presbyterian Church, followed by the Pledge of Allegiance to the Flag of the United States of America, led by Councilor Zevgolis.

CONSENT AGENDA

Councilor Luman-Bailey moved to approve the Consent Agenda which appears below. The motion was seconded by Councilor Denton.

- C-1** **Minutes:** August 29, 2017; November 20, 2017; December 6, 2017
- C-2** **Pending List:**
- C-3** **Routine Approval of Work Sessions:** Work Session between the Planning Commission and City Council – to be scheduled in Council’s 2018 calendar
- C-4** **Personnel Change Report & Financial Report:** Attached
- C-5** **Ordinances on Second & Final Reading:**
- C-6** **Routine Grant Approval:** Recreation & Parks - \$20,000 Virginia Environmental Endowment for the creation of interpretive educational signage along the Hopewell Riverwalk
- C-7** **Public Hearing Announcement:** January, 2017 – Street vacation—easement to Noble Oil
- C-8** **Information for Council Review:** Minutes: EDA (October, 2017)
- C-9** **Resolutions/Proclamations/Presentations:** Retirement Certificates for Sheriff Luther Sodat and Treasurer Terri Batton; presentation to City by Sgt. Maj. Michael Warren of Fort Lee for supporting their 100th Year Anniversary Program
- C-10** **Additional Announcements:**
Upon the roll call, the vote resulted:

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

Motion passed 7-0

Motion to Reconsider

Councilor Luman-Bailey made a motion to reconsider removing the Unfinished Business item from the agenda. Charles Dane, interim city manager stated that it was fine to move that item to the January agenda. Councilor Luman-Bailey then withdrew her motion.

PUBLIC HEARINGS

There were no public hearings.

COMMUNICATIONS FROM CITIZENS:

There were no communications from citizens.

REGULAR BUSINESS

Reports of City Manager:

R-1 Report to Council – Charles Dane, interim city manager, gave his report to City Council of current events including the fact that Hopewell High School won the state championship. He noted that the celebration thrown by the City to celebrate the team had over 200 attendees. He also said there would be a rally the next evening for the team. Mr. Dane introduced Michael Terry, the new finance director. He said Mr. Terry would come back to council in January and present his plan. **This required no action of council.**

R-2 Establishment of Council Calendar for 2018 – Council reviewed its calendar and made revisions, including the addition of work sessions and the reduction of meetings in November from two to one. Councilor Pelham made a motion to approve the 2018 council calendar with adjustments made by Council, and to add the ratification of the calendar to the January 9, 2018 meeting. That motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

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

Motion passed 7-0

R-3 Appomattox Cemetery Drainage Repairs – Mr. Dane presented to council information regarding the drainage issue at the Appomattox Cemetery and proposed repairs, including planting foliage on slopes, adding filtration to slow the stream, etc. Discussion ensued. Motion was made by Councilor Zevgolis, and seconded by Councilor Denton to approve the transfer of \$60,000 from the Cemetery Trust Fund to the Cemetery operating fund to be used for the installation of drainage improvements at Appomattox Cemetery - Item R-3 – Appomattox Cemetery Drainage Repairs. 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
Vice Mayor Gore	-	Yes

Motion passed 7-0

R-4 Appropriation of Aide to Locality (ATL) Funding Grant - The ATL grant budget line item currently sits at \$0.00. ATL has awarded the Fire Department \$75,525, but the budget funds need to be appropriated so that the budget line item can be properly adjusted. Vice Mayor Gore made a motion to appropriate \$75,525 to the ATL fire grant line item in the Fire Department budget, which was seconded by Councilor Luman-Bailey. 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
Vice Mayor Gore	-	Yes

Motion passed 7-0

R-5 Consider Capital Area Partnership Uplifting People's (CAPUP) appeal of the Downtown Design Review Committee decision regarding fence height - Director of Planning

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presented to Council information regarding the requested appeal of the DDRC's decision regarding fence height for the CAPUP project. The issue was that CAPUP wanted a 6' fence in an area where only 4' had been approved. There was significant discussion.

Councilor Denton moved to approve the 5 foot fence height instead of four feet. This motion was seconded by Mayor Shornak, but upon discussion, there was no vote.

Councilor Luman-Bailey made a substitute motion to postpone a decision on this item until Council could get more information from the DDRC. The motion was seconded by Councilor Zevgolts. Griffin explained that this matter was time sensitive and could not wait. Councilor Zevgolts withdrew his second, and there was no vote.

Councilor Luman-Bailey then made a substitute motion to approve a 4.5' fence. The motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

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

Motion failed 4-3

Councilor Pelham made a substitute motion to approve the 6-foot fence as CAPUAP requested. This 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	-	No
Councilor Holloway	-	Yes
Councilor Zevgolts	-	Yes
Vice Mayor Gore	-	No

Motion passed – 5-2

R-6 Landfill Financial Assurance for the DEQ – Mr. Watson, Director of Public Works and Mr. Dane presented to Council information regarding the fact that due to the tardiness of the 2016 CAFR, the DEQ is requiring that the City purchase a standby letter of credit. At a cost to the City of \$8,000, SunTrust will issue a line of credit on a certificate of deposit. Initially they were requiring a transfer of \$586,155 from the Solid Waste Fund to a fund that could be accessed by the DEQ.

Vice Mayor Gore made a motion to cover costs for the CD up to \$8,000 for funds to be placed in a CD or trust. Upon further discussion, Mr. Watson expressed concerns that the bank could require additional funds. Vice Mayor Gore amended her motion to approve payment of up to \$8,000 to fund

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the CD and/or trust and to return all funds not expended to the General Fund. Councilor Luman-Bailey seconded the motion. 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
Vice Mayor Gore	-	Yes

Motion passed – 7-0

R-7 Request for 2% Increase for Registrar’s Office – Dane advised Council that the Code of Virginia mandates the compensation of the Registrar and staff. The Virginia Department of Elections issued a letter providing the salary for the registrar’s office for FY2018, but it was inadvertently overlooked in the budget process. Vice Mayor Gore asked if the funds could come out of the \$75,000 set aside for constitutional offices, and Mr. Dane said that it could. Councilor Pelham moved to approve the 2% increase to the registrar’s office compensation as recommended by the Virginia Department of Elections and as mandated by the Code of Virginia, and for the money to come from the funds set aside for Constitutional Offices. Vice Mayor Gore seconded the motion. 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
Vice Mayor Gore	-	Yes

Motion passed– 7-0

R-8 Creation of Opioid Task Force - Mr. Dane advised Council concerning the growing opioid epidemic. He provided a recommendation for the creation of the task force, and the membership of the task force.

Councilor Zevgolis made a motion to create an opioid task force to address the growing epidemic, and that the task force be comprised of council members, the City Manager, the Chief of Police, the Fire Chief, the Commonwealth’s Attorney, the Sheriff, the Social Services Director, the Director of Riverside Criminal Justice Agency, the Office on Youth Coordinator, a Health Department representative, and two service providers residing in Hopewell, Virginia, who work on opioid related issues. The motion was seconded by Councilor Denton.

The Vice Mayor amended the motion to add the Mayor and the Vice Mayor as council representatives. Stefan Calos of Sands Anderson, City Attorney, explained that there was no need to amend the motion, but rather insert the Mayor and Vice Mayor into the Motion.

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Vice Mayor Gore moved that the task force be comprised of Mayor Shornak, Vice Mayor Gore, the City Manager, the Chief of Police, the Fire Chief, the Commonwealth's Attorney, the Sheriff, the Social Services Director, the Director of Riverside Criminal Justice Agency, the Office on Youth Coordinator, a Health Department representative, and two service providers residing in Hopewell, Virginia, who work on opioid related issues. The motion was seconded by Councilor Pelham. 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
Vice Mayor Gore	-	Yes

Motion passed – 7-0

At 10:25, Mayor Shornak asked if there was a motion to continue past 10:30 p.m. Councilor Pelham made the motion, which 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
Vice Mayor Gore	-	Yes

Motion passed – 7-0

Council went back into closed session.

RECONVENE OPEN MEETING

Council re-convened into Open Session at 11:45 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	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes

Reports of City Attorney – Nothing to report.

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Reports of City Clerk – Nothing to report.

Reports of City Council.

Individual Councilors

Vice Mayor Gore reported that the first meeting of the Youth Services Commission had been held and had gone well. She thanked Shanelle Ebanks for her help, and for providing the YSC members with t-shirts. She also thanked the Clerk for handling the swearing in of each of the members. Vice Mayor Gore gave a special thank you to Councilors Holloway, Denton and Pelham for attending that first meeting. Vice Mayor Gore also noted that she had been appointed to the Chesapeake Bay Advisory Committee and offered her assistance and a request for cooperation, coordination and collaboration from staff on common related goals.

Councilor Luman-Bailey thanked the Parks and Recreation department and Hopewell Downtown Partnership for their hard work on the tree lighting ceremony.

Mayor Shornak thanked all employees for making the holiday festivities awesome. She especially thanked Mr. Dane for his hard work. Mayor Shornak asked that all remember the Harris family in their prayers for the loss of Rev. Curtis Harris. The Mayor also acknowledged the newly opened Captain D's.

Councilor Denton extended Merry Christmas and Happy Holiday greetings to all. She said it was a pleasure serving Council and the citizens.

Councilor Zevgolis reminded Council that they had to ratify the calendar in January per the rules.

Councilor Pelham reminded everyone that school was out starting December 19th so everyone be on the lookout for them. She also congratulated Coach Irby and said she was looking forward to the basketball State Championship in March.

Citizen Councilor Requests:

ADJOURN

At 12:00 a.m. motion was made by Councilor Pelham and seconded by Councilor Zevgolis to adjourn. All council responded "aye" to the question of their approval of the motion.

Jackie Shornak, Mayor

Ronniece L. Arrington, City Clerk