

MINUTES OF THE NOVEMBER 21, 2017 CITY COUNCIL MEETING

A Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, November 21, 2017, at 5:30 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 (arrived at 7:30 pm)

Charles Dane, Interim City Manager
Stefan M. Calos of Sands Anderson PC, City Attorney
Ronnieye L. Arrington, City Clerk

ROLL CALL

Mayor Shornak opened the meeting at 5:31 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 7:30 pm)

AMEND/ADOPT AGENDA

Vice Mayor Gore made a motion to adopt the agenda, which 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	-	absent

Motion passed 6-0

WORK SESSION

David Stembel III, AIA and Lory Markhan of the Urban Land Institute gave a presentation on the results of the ULI Virginia Technical Assistance (TAP) Panel study for the Revitalization of the City of Hopewell Waterfront. They presented Council with a report as to their findings, and suggestions

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for changes the City should make regarding waterfront property, downtown, and how the two areas could and should be linked together. After the presentation, Mayor Shornak asked if ULI would be returning. They said no, but they would be available by phone or email to answer questions, and of course, would be happy to come back and do a new study.

REGULAR BUSINESS

Reports of City Manager:

R-1 Report to City Council – Mr. Dane responded to Mr. Donahue’s concern regarding his issues related to the cost of a building permit. Mr. Dane said that he met with Mr. Donahue and explained that although the contractor charged Mr. Donahue \$400, Hopewell’s Planning Department only charged him \$50. Mr. Dane also addressed the concerns with the railroad crossings and stated that Mr. Butler is working with CSX to fix those.

R-2 Transfer \$32, 000 from Development Code capital account to allow the purchase of three vehicles for Building Official, Building Inspector and Planning Division - Motion was made by Councilor Holloway and seconded by Councilor Pelham to approve the transfer of up to \$32,000 of Development’s capital account to be used to purchase up to three vehicles. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	----- (not present)
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passed 6-0

R-3 2018 Draft Legislative Priorities – Herbert Bragg, Director of Intergovernmental and Public Affairs and Legislative Liaison presented the proposed 2018 General Assembly Legislative Priorities for the City of Hopewell. The priorities include opposing eliminating or reducing M&T tax, supporting full funding for K-12 education, supporting funding for state aid to local police department, supporting full funding of all state mandates, supporting historic rehabilitation tax credits, and supporting a proposed charter change to allow the City Clerk to appoint and remove a Deputy City Clerk. There was discussion on the proposed Charter Change. Rather than make a change to the charter, it was agreed that the Deputy Clerk would report to the Clerk directly. Vice Mayor Gore moved to approve the 2018 Draft Legislative Priorities, with the removal of the item related to the Deputy Clerk. The motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	----- (not present)

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

Motion passed 6-0

R-4 Request for City Council to approve the following agreements between VDOT and the City – Johnnie Butler and Austin Anderson presented information to Council related to the below items:

- A. VDOT Commonwealth Transportation Board (CTB) to consider inclusion and approval of five new projects submitted by staff for the FY19 and FY20 **VDOT Revenue Sharing Program** for street pavement resurfacing, driveway aprons, drainage improvements, pavement reconstruction, curb and gutter, and pavement reconstruction.
- B. VDOT Commonwealth Transportation Board (CTB) to consider inclusion and approval of one new project submitted for the FY19 and FY20 VDOT Transportation Alternatives Set Aside Program for expansion of non-motorized travel choices (bike lanes) and by improving the cultural, historical and environmental aspects of the transportation infrastructure.
- C. VDOT Commonwealth Transportation Board (CTB) to consider inclusion and approvals of projects submitted by staff for FY18 and FY19 **Urban Maintenance Inventory and Lane Mileage Reimbursement Payments** based on the VDOT Residency and VDOT District Office and Central Office recommendations (e.g., two new street sections in Cobblestone subdivision, one new street in Anchor Point subdivision, road widening on N. 6th Avenue, etc.).

Councilor Zevgolis moved to approve projects R-4 A through C, and to approve the interim manager signing all appropriate documents related thereto. The motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

Councilor Denton	-	Yes
Councilor Pelham	-	----- (not present)
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

Motion passed 6-0

At 7:38pm, Councilor Pelham moved to amend the agenda to move items R-5 through R-9 to after the public hearings. Vice Mayor Gore seconded the motion. 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

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 Captain Gregory Taylor of the Hopewell Police Department, followed by the Pledge of Allegiance to the Flag of the United States of America, led by Mayor Shornak.

CONSENT AGENDA

Councilor Pelham moved to approve the Consent Agenda which appears below. The motion was seconded by Vice Mayor Gore.

Consent Agenda

C-1	<u>Minutes:</u> August 28, October 10, October 23, October 24, October 25, November 2, 2017
C-2	<u>Pending List:</u>
C-3	<u>Routine Approval of Work Sessions:</u>
C-4	<u>Personnel Change Report & Financial Report:</u> Personnel Change Report attached
C-5	<u>Ordinances on Second & Final Reading:</u> None
C-6	<u>Routine Grant Approval:</u> Hazardous Materials Commodity Flow Study Grant - \$20,800 from the Virginia Department of Emergency Management to the Hopewell Fire Department; Firefighting Foam Operations Grant - \$31,000 from the Virginia Department of Emergency Management to the Hopewell Fire Department; Regional FLIR Thermal Image Camera Grant - \$36,000 from the Virginia Department of Emergency Management to the Hopewell Fire Department
C-7	<u>Public Hearing Announcement:</u> December 12, 2017 - Rezoning of property from residential low-density (R-1) to limited commercial (B-2) for property located in the Broadway Subdivision; request for street vacation; resolution revising animal license fees
C-8	<u>Information for Council Review: Minutes:</u> CPMT- (September 18, August 21, July 17, June 26, May 15, April 17, 2017); School Board - (October 19, September 14, September 18, 2017); Petersburg Area Regional Tourism – (March 18, May 19, September 15, 2017); Recreation Commission - (February 17, May 10, 2017, Budget Report) HRHA – (September 11, 2017)
C-9	<u>Resolutions/Proclamations/Presentations:</u>
C-10	<u>Additional Announcements:</u> Upcoming Events by Aaron Reidmiller, Director, Parks and Recreation

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

COMMUNICATIONS FROM CITIZENS – Several people came forward to speak about the Office on Youth, including: Katina Moss, Terrence Doctor, Everett Gilliam, and Jessica Taylor.

PUBLIC HEARINGS

PH-1 Marjorie Gray request to vacate a portion of an alley adjacent to 1507 Miles Avenue and 2957 Courthouse Road – A public hearing was held to receive comments regarding the proposed request to vacate a portion of an alley. Ms. Griffin presented this public hearing item to Council. Mr. Dane explained to Council that Administration did not want to approve the vacation unless an easement is given to the City. Councilor Pelham moved that the Planning Commission review the request and speak to Ms. Newman and Mr. Butler to address the additional questions, and come back with a fine tuned recommendation, which motion was seconded by Councilor Zevgolis. After discussion, including with Brenda Ellison, the partial owner of the house, and the person seeking the vacation, it was clarified that the owner wanted to replace the fence she had for some years, and which afforded her safety due to a recent conflict. Councilor Pelham withdrew her motion and Councilor Zevgolis withdrew his second. Councilor Luman-Bailey moved that the applicant work with the interim city manager, Mr. Butler and Mrs. Griffin to come up with a solution that is agreeable to all. Councilor Zevgolis asked if that was a proper motion. Stefan Calos stated that there was no need to vote on Councilor Luman-Bailey’s suggestion since it was not an action by Council.

PH-2 Request to amend the Hopewell Zoning Ordinance, Article XI-A, Corridor Development District (B-4) to allow self-service storage facilities, by Conditional Use Permit – A public hearing was held on Development’s request to amend the Hopewell Zoning Ordinance, Article XI-A. Ms. Griffin came forward and presented this public hearing item to Council. Councilor Zevgolis moved to approve the request to amend Article XI-A, Corridor Development District (B-4) of the Hopewell Zoning Ordinance to allow self-storage facilities, by Conditional Use Permit, 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

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Motion passed – 7-0

PH-3 Request to amend a Conditional Use Permit to decrease the required size of a single family home from 1,200 square feet to 1,000 square feet – A public hearing was held on Mr. Joswick’s request to amend a CUP to decrease the required size of a single family home. Ms. Griffin presented this item to Council. The owner of the property, Mr. Joswick, was also present and spoke to Council. After discussion, Councilor Luman-Bailey moved to approve the request to amend the CUP to decrease the required size of the single family home from 1,200 square feet to 1,000 square feet. The motion was seconded by Councilor Zevgolis. Upon the roll call, the vote resulted:

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

Motion passed – 6-0

PH-4 Spot Blight – A public hearing was held to entertain citizen’s comments on the Spot Blight program. Ms. Griffin introduced Todd Hawkes, the new Building Official. She then presented Council with an update on houses in Hopewell that qualified for the Spot Blight program. She noted that the houses were in various stages—some qualified to be torn down, while others qualified for rehabilitation. Councilor Zevgolis moved to approve the City moving forward with the proposed demolition, rehabilitation or acquisition of property through the Spot Blight ordinance. The motion was seconded by Vice Mayor Gore. 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

Vice Mayor Gore then called for a motion to reconsider, citing that the motion was not clear and did not properly direct staff. Her motion to reconsider 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

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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 Approval of Hopewell Water Renewal Fund (Fund 32) Capital Projects Budget Amended

– Jeannie Grandstaff, Director of Hopewell Water Renewal presented to Council. There was discussion. Motion was made by Councilor Luman-Bailey and seconded by Vice Mayor Gore to approve the amendment of FY 2018 Fund 032 capital projects budget to increase the total funding and appropriations by \$1,470,000 from Fund 040. Upon the roll call, the vote resulted:

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

Motion passed 6-1

R-9 Approval of issuance of \$14,473.06 refund to AdvanSix Resins & Chemicals, LLC

Treasurer Terri Batton came before Council seeking permission to issue a refund of a tax overpayment to AdvanSix Resins & Chemicals, LLC. Motion was made by Councilor Zevgolis and seconded by Councilor Luman-Bailey to approve the \$14,473.06 refund to AdvanSix Resins & Chemicals, LLC.

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

As it was approaching 10:30, Mayor Shornak asked if there was a motion to continue past 10:30 p.m. Councilor Pelham made the motion, which 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

CLOSED MEETING

At 10:20 p.m. motion was made by Councilor Denton, and seconded by Councilor Zevgolis, to go into Closed Meeting for (1) discussion and consideration of prospective candidates for employment (city manager, city attorney); (2) discussion of appointment of specific appointees of city council (HRHA, Youth Services Commission, Recreation Commission); (3) discussion of performance of specific appointees of city council (Economic Development Authority) and (4) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters (including city council meetings, bankruptcy and lien payments, finance director agreement) requiring the provision of legal advice by such counsel, in accordance with Virginia Code § 2.2-3711 (A) (1) [three items], and (8), respectively. 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

RECONVENE OPEN MEETING

Council convened into Open Session at 10:00 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 Denton	-	Yes
Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes
Councilor Holloway	-	Yes
Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes

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Reports of City Attorney – Nothing to report.

Reports of City Clerk – Nothing to report.

Reports of City Council – Council appointed Faithea Flowers Foster to the Recreation Commission for the remainder of Rogers Henry’s term.

Individual Councilors – Mayor Shornak submitted a Transactional Disclosure Statement

Citizen Councilor Requests:

ADJOURN

At 12:08 a.m. motion was made by Councilor Luman-Bailey and seconded by Vice Mayor Gore to adjourn. All council responded “aye” to the question. None opposed. **Motion passed by unanimous vote.**

Jackie Shornak, Mayor

Ronnieye L. Arrington, City Clerk