

AMENDED MINUTES OF THE DECEMBER 19, 2018 CITY COUNCIL MEETING

A meeting of the Hopewell City Council was continued from the Tuesday, December 11, 2018 to Wednesday, December 19, 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 (arrived 6:35 p.m.)
Anthony J. Zevgolis, Councilor (arrived 6:35 p.m.)
Janice B. Denton, Councilor
Brenda S. Pelham, Councilor (arrived 6:34 p.m.)

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

ABSENT: Arlene Holloway, Councilor

ROLL CALL

Mayor Shornak opened the meeting at 6:35 p.m. Roll call was taken as follows:

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

CLOSED MEETING

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, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of city council (Riverview Inn and Suites); (3) 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 (Cube Smart facility); (4) consultation with legal counsel and briefings by staff members or consultants pertaining to actual and probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body (employment matter); (5) 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 (independent contractor agreement, Charter amendments), in accordance with Virginia Code § 2.2-3711 (A), (1), (3), (6), (7), and (8) respectively. The motion was seconded by Mayor Shornak. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes

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Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 6-0

RECONVENE OPEN MEETING

Council convened into open meeting at 8:12 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

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

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

AMEND/ADOPT AGENDA

Councilor Denton moved to amend the agenda to add discussion regarding the proposed Charter amendment previously discussed. Her motion was seconded by Mayor Shornak. After discussion, Vice Mayor Gore made a substitute motion to approve the agenda as written. Her motion was seconded by Councilor Pelham. There was additional discussion. Mayor Shornak called for the vote seeking to end debate. Upon the roll call, the vote resulted:

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

Motion failed 4-2

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Discussion continued. Council voted on Vice Mayor Gore’s substitute motion. 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

Motion passed 4-2

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 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 Mayor Shornak.

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
- C-2 Pending List:** Provided 11-27-18
- 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:**
- C-8 Information for Council Review:** Minutes: Architectural Review Board-October 22, 2018; Appomattox Regional Library-December 4, 2018; HRHA September 10, 2018; Downtown Design Review Committee November 8, 2018
- C-9 Resolutions/Proclamations/Presentations:** NLC, VML and Neighborhood Revitalization presentation by Councilor Luman-Bailey [**not done**]; Cities of Opportunity Grant presentation by Vice Mayor Gore [**not done**]; City Website presentation by Dr. Concetta Manker [**not done**]; DMV Select Award presentation by Commissioner Debra Reason; presentation to outgoing Councilors
- C-10 Additional Announcements:** City Council Reorganizational Meeting- January 2, 2019

Councilor Pelham moved to approve the Consent Agenda, which motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Denton	-	Yes

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Councilor Pelham	-	Yes
Mayor Shornak	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 6-0

Upon additional discussion, Mayor Shornak and Councilor Denton determined that they had voted in error, and requested permission to change their votes, which permission was granted. Upon the roll call, the final vote resulted:

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

Motion passed 4-2

PUBLIC HEARINGS

PH-1 Riverview Inn and Suites – At 9:45 p.m. Mayor Shornak opened the public hearing. There was no one signed up but Eliot Eliades, resident of 900 Mansion Drive came forward and spoke in support of the proposed sale. Joan Gosier of Ward 2 spoke regarding appraised value of property. Mr. Patel, owner of the Riverview Inn and Suites, fielded questions. Mayor Shornak closed the public hearing at 9:46 p.m. Councilor Denton moved to proceed with the purchase per recommendation of Staff and to purchase the property at 711 West Randolph Road, further identified at parcel #066-0875 for the price of \$1.1 million dollars. Her motion was seconded by Councilor Mayor Shornak. There was discussion. Mayor Shornak called for the vote and to end debate. Upon the roll call, the vote resulted:

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

Motion failed 3-3

There was additional discussion, then Council voted on Councilor Denton’s motion. Upon the roll call, the vote resulted:

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

Motion failed 3-3

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MOTION TO EXTEND

Councilor Luman-Bailey moved to extend the meeting beyond the 3-hour deadline (10:30 p.m.) The motion was seconded by Vice Mayor Gore. 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

Motion passed 6-0

PH-2 Amendment to Sec. 4 of Chapter IV of the City’s Charter – Public hearing to solicit citizen comments on the adoption of the Legislative Priorities and proposed Charter amendment to Sec. 4 of Chapter IV of the Charter. Mayor Shornak opened the public hearing at 10:34 p.m. No one was signed up to speak and no one came forward to speak. Mayor Shornak closed the public hearing at 10:34 p.m. Councilor Pelham moved to adopt the resolution as related to the Legislative Priorities and the proposed Charter amendment. Her motion was seconded by Vice Mayor Gore. Discussion ensued. Mayor Shornak called for the vote and 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

Motion passed 6-0

Council then voted on Councilor Pelham’s motion. 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

Motion passed 4-2

Communications from Citizens

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **three minutes**. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall be addressed to Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in*

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Council Chambers, may be barred by the mayor from further audience before Council, and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)

Eliot Eliades spoke to Council regarding time management.

UNFINISHED BUSINESS

UB-1 Hopewell Redevelopment & Housing Authority (HRHA) - Councilor Denton moved to grant HRHA's request to rezone property identified as parcels 042-0095, 042-0195, and 042-0252, from R-3 Residential Medium Density District and B-3, Corridor Development District to R-4, Residential. Her motion was seconded by Mayor Shornak. Upon the roll call, the vote resulted:

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

Motion failed 3-3

MOTION TO ADJOURN

Councilor Denton moved to adjourn. Her motion was seconded by Mayor Shornak. Upon discussion, Vice Mayor Gore made a substitute motion for Council to hear items R-1, R-4, R-5 and the presentation to Council. 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

Motion passed 4-2

Mayor Shornak left at midnight. At 12:06 a.m. Councilor Denton asked to be excused and also left the meeting.

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REGULAR BUSINESS

Reports of City Manager:

R-1 VCU Performance Review Contract – Vice Mayor Gore moved to approve an appropriation to complete and Efficiency and Technology Review Study in the FY19 budget. Her motion was seconded by Councilor Zevgolis. Councilor Pelham amended the motion to add that VCU would report to the Mayor as well as to Council. Councilor Zevgolis seconded the amendment. Upon the roll call, the vote resulted:

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

Motion passed 3-1

Councilor Luman-Bailey moved to amend the agenda to add items R-2 and R-3 to be heard. Stefan Calos opined that it would take 2/3 of Council to approve an amendment to the agenda, but that Council could waive that rule. Councilor Pelham moved to waive the rule requiring 2/3 vote of council to amend the agenda. Her motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Pelham	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 4-0

R-4 Virginia First Cities 2019 Legislative Program – Councilor Luman-Bailey moved to approve the finalized Virginia First Cities 2019 Legislative Program, which motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Pelham	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 4-0

R-5 Hopewell Water Renewal Capital Budget – Councilor Zevgolis moved to approve the City of Hopewell Water Renewal Department using \$1,100,000 from Outside Treatment Revenue to fund the Return Activated Sludge Motor Control Center project. His motion was seconded by Councilor Luman-Bailey. Upon the roll call, the vote resulted:

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

Motion passed 4-0

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AMEND AGENDA

Councilor Pelham moved to add items R-2 and R-3 to be heard on the agenda. Her motion was seconded by Vice Mayor Gore. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Pelham	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 4-0

R-2 Amend portions of Chapter 6 (Animals and Fowl) of the City Code – Councilor Luman-Bailey moved to update Chapter 6 of the City Code and make it compliant with City Code. Vice Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

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

Motion passed 3-1

R-3 Appropriation of DMV Select Funds – Councilor Pelham moved to approve the request from the Treasurer and Commissioner of Revenue seeking appropriation of 80% (40% each) of DMV select funding (\$6,767.25 each for 2017 and \$6,843.46 each for 2018). Councilor Zevgolis seconded the motion. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	Yes
Vice Mayor Gore	-	Yes
Councilor Pelham	-	Yes
Councilor Luman-Bailey	-	Yes

Motion passed 4-0

ADJOURN

At 12:25 a.m. motion was made by Councilor Pelham and seconded by Councilor Luman-Bailey to adjourn. All council responded “aye” to the question.

/s/ Jackie Shornak
Jackie Shornak, Mayor

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