

MINUTES OF THE MEETING AND WORK SESSION OF CITY COUNCIL
HELD JULY 10, 2018

A Meeting and Work Session of Hopewell City Council, was held Tuesday, July 10 2018, at 6:30 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

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

ROLL CALL

Mayor Shornak opened the meeting at 6:33 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

Motion was made by Councilor Denton, and seconded Vice Mayor Gore, to go into Closed Meeting for (1) discussion, consideration, and interview of specific appointees of city council (city attorney, BZA); (2) 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 (water renewal, public works, police, zoning); and (3) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters (EDA, general registrar) requiring the provision of legal advice by such counsel, in accordance with Virginia Code § 2.2-3711 (A) (1), (7), 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

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RECONVENE OPEN MEETING

Council did not come out of Closed Meeting.

ROLL CALL

Mayor Shornak requested a roll call as follows:

| | | |
|------------------------|---|----------------------|
| Councilor Denton | - | present |
| Councilor Pelham | - | absent (not on dais) |
| Mayor Shornak | - | present |
| Councilor Luman-Bailey | - | present |
| Councilor Holloway | - | present |
| Councilor Zevgolis | - | present |
| Vice Mayor Gore | - | present |

AMEND/ADOPT AGENDA

Motion was made by Councilor Denton and seconded by Councilor Luman-Bailey to amend the agenda to remove Item R-3 (*Request for emergency appropriation of \$120,000 for repair of Library Street*), and to adopt the agenda as amended. 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 7:24 p.m. Council returned to the dais, but announced that they would not be coming out of closed session.

WORK SESSION - HRHA

At 7:25 p.m., the Hopewell Redevelopment and Housing Authority came before Council to further discuss their request to amend the Hopewell Zoning Map to rezone the 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). Mr. Tarvaris McCoy of HRHA presented information relating to this request. There was discussion regarding options for relocation of residents of Davisville, as well as the number of vouchers held by HRHA (100), and questions regarding EPA approval of the site in question. At the end of the Work Session, Council requested that the HRHA come back before them with additional information at a later date.

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ROLL CALL

Mayor Shornak opened the regular meeting at 8:09 p.m., and requested a roll call as follows:

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

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 Belinda Todd of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Denton.

CONSENT AGENDA

Councilor Denton moved to approve the Consent Agenda. The motion was seconded by Vice Mayor Gore.

| | | |
|------------------------|---|-----|
| 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

Thurman Collier of the City of Refuge gave a presentation to Council outlining their program. He noted that the COR had an article in the Richmond Times Dispatch. Mr. Collier recognized the efforts and assistance of Rick Newman, the Commonwealth Attorney, John Keohane, the Chief of Police, and Councilor Brenda Pelham. He stated that COR was working on attaining their 501(c)(3) designation. Jennifer Baker, the Director of Operations for COR also spoke, as did the two graduates of the program

Denise Lahman and Jim Ellis from the Performance Management Group (PMG) of Virginia Commonwealth University L. Douglas Wilder School of Government and Public Affairs presented on a proposed Efficiency and Technology Review: Helping Improve City Hall Operations and Services to the Public. Councilors Zevgolis, Gore and Pelham spoke in support of the Review. Mayor Shornak asked that the City Manager be included as he deals with City employees.

Vice Mayor Jasmine Gore submitted a Transactional Disclosure Statement stating that she is a VCU graduate, and that PMG conducted team building with the Department of Veteran Affairs, with whom she works. Mayor Shornak submitted a Transactional Disclosure statement stating that her daughter works for the City of Hopewell.

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Consent Agenda

| | |
|-------------|--|
| C-1 | <u>Minutes:</u> |
| C-2 | <u>Pending List:</u> |
| C-3 | <u>Routine Approval of Work Sessions:</u> |
| C-4 | <u>Personnel Change Report & Financial Report: Both attached</u> |
| C-5 | <u>Ordinances on Second & Final Reading:</u> |
| C-6 | <u>Routine Grant Approval:</u> |
| C-7 | <u>Public Hearing Announcement:</u> August 14, 2018 – Alley vacation off of Bluefield Street; Street vacation portion of Western Street |
| C-8 | <u>Information for Council Review:</u> Minutes: BZA – August 15, 2017, October 19, 2017; December 11, 2017; |
| C-9 | <u>Resolutions/Proclamations/Presentations:</u> City of Refuge presentation; Technology and Efficiency Review presentation |
| C-10 | <u>Additional Announcements:</u> |

PUBLIC HEARINGS

PH-1 A public hearing was held to receive and consider citizen comments regarding a Conditional Use Permit to build a single family home at 2308 Lee Street. Tevya Griffin, Director of Department of Development gave a presentation to Council and the public regarding the request. After discussion, motion was made by Councilor Denton and seconded by Councilor Zevgolis to approve the requested conditional use permit with the conditions set forth by the Planning Commission. Upon the roll call, the vote resulted:

| | | |
|------------------------|---|------------------------------|
| Councilor Denton | - | yes |
| Councilor Pelham | - | pass (yes per Council rules) |
| Mayor Shornak | - | yes |
| Councilor Luman-Bailey | - | yes |
| Councilor Holloway | - | yes |
| Councilor Zevgolis | - | no |
| Vice Mayor Gore | - | yes |

Motion passed 6-1

PH-2 A public hearing was held to receive and consider citizen comments regarding a request from Kathy Diradour for an amendment to the Hopewell Zoning Map to rezone a property located at 905 W Broadway from Limited Commercial (B-2) to Residential, Low Density (R-1). Ms. Griffin presented this request and the background information. After discussion, Councilor Luman-Bailey moved to approve the rezoning, which motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

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

Motion failed 6-1

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Councilor Pelham moved to amend the agenda to move items R-1 and R-2 to before PH-3, which motion was seconded by Vice Mayor Gore. No vote was taken pending discussion. Upon discussion, Councilor Denton made a substitute motion to move Communications from Citizens, and items R-2, R-1 to be heard prior to PH-3, in the order: Communications from Citizens, R-2 then R-1. The motion was seconded by Mayor Shornak. 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

COMMUNICATIONS FROM CITIZENS:

Evelyn Bailey, a Ward 5 resident spoke to council regarding the City sewer system. She noted that the system seems to have a lot of problems with flooding, in her area particularly. She gave Council pictures of the flooding, after which Mayor Shornak asked Johnnie Butler, the City Engineer if he could look at the property, which he said he would do. Ms. Bailey provided her address (506 Miles Avenue). Vice Mayor Gore called a point of order regarding Council speaking with citizens during the Communications from Citizens portion of the agenda. Mr. Calos read from the rules that communication could only go through the Mayor. The Vice Mayor asked if she could ask the City Manager a question related to Ms. Bailey's issue and the Mayor agreed that she could do so. Vice Mayor Gore then asked Mr. Altman about flooding in other areas, including Kippax, and asked that Council receive an update about stormwater and sewer flooding issues in other neighborhoods.

Peter Eliades signed up to speak, but was not present. David Walker also signed up to speak but was also not present.

REGULAR BUSINESS

Reports of City Manager:

R-2 Systems Management Allocation Resource Transportation (SMART) Scale Funding - VDOT – Johnnie Butler, the City Engineer, presented. Mr. Butler said he really appreciated Council re-aligning the agenda to accommodate this item early as it was very important. He then explained the various projects that the SMART Scale Funding could assist the City with, and the need for Council's timely approval. Councilor Pelham made a motion that was seconded by Vice Mayor Gore to resolve to approve the VDOT SMART Scale Program and to authorize the City Manager to sign all necessary documents. Upon the roll call, the vote resulted.

| | | |
|------------------------|---|-----|
| Councilor Denton | - | yes |
| Councilor Pelham | - | yes |
| Mayor Shornak | - | yes |
| Councilor Luman-Bailey | - | yes |
| Councilor Holloway | - | yes |

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| | | |
|--------------------|---|-----|
| Councilor Zevgolis | - | yes |
| Vice Mayor Gore | - | yes |

Motion passed 7-0

R-1 National League of Cities Service Line Warranty Program Presentation by Ashley Shiwarski, Senior Manager of Utility Service Partners, Inc. - Ms. Shiwarski presented information to Council related to the NLC Service Line Warranty Program. There was discussion, including a question as to the term of the program. Vice Mayor Gore moved to resolve to approve Hopewell's including in the NLC utility service line warranty program, and to authorize the City Manager to sign all necessary documents. 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

Councilor Pelham submitted a Transactional Disclosure Statement stating that she is a member of the NLC. Vice Mayor Gore submitted a Transactional Disclosure Statement stating that she is a member of the board of NLC.

It being close to 10:30 p.m., Councilor Pelham made a motion to end the meeting at 10:30 p.m. Upon request by Councilor Luman-Bailey, Councilor Pelham amended her motion to end the meeting at 10:30 p.m. or as long thereafter as may be necessary to hear the fire marshal. Mr. Altman noted that the public hearing for HRHA had already been advertised and should be heard. Mr. Calos opined that Councilor Pelham had actually made a motion to adjourn, and that the motion needed to be altered to reflect her actual intent. Councilor Pelham's motion failed for lack of a second.

Councilor Zevgolis made a motion to extend the meeting past 10:30 p.m. for the limited purpose of opening PH-3, hearing R-4, and to move item PH-3 to the August 14, 2018 agenda. Vice Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

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

Motion passed 6-1

PH-3 A public hearing was held to receive and consider citizen comments regarding a request from 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). Marcia Lowe asked what effect the HRHA zoning request would have on single family homes on Cypress. Both

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Ms. Griffin and Mr. Altman advised Ms. Lowe that none of the adjacent properties would be affected by the rezoning.

R-4 Request to Amend Section 15-20, Fire Prevention and Protection, of the City Code – Fire Marshall Heather Marks came before Council seeking to amend the Fire Code to include information inadvertently left out of the previous ordinance. Councilor Denton made a motion to approve the proposed revisions to City Code Sec. 15-20. 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

At 10:45 p.m. Council 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 |

Councilor Denton made the motion to adjourn, which was seconded by Councilor Luman-Bailey. The vote was unanimous to adjourn.

/s/ Jackie M. Shornak
Jackie M. Shornak, Mayor

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