

**January 24, 2017
Regular Meeting**

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL .HELD JANUARY 24, 2017

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, January 24, 2017, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jackie M. 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

Mark A. Haley, City Manager
Stefan M. Calos, City Attorney
Ross A. Kearney III, City Clerk

ROLL CALL

Mayor Shornak opened the meeting at 6:30 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 @ 6:40 p.m.)

*(Councilor Brenda S. Pelham arrived at 6:40 PM)

MOTION TO AMEND AGENDA

A motion was made by Councilor Zevgolis, and seconded by Councilor Denton to amend the agenda to the following: Consent Agenda C-1 – Minutes, Councilor Denton will not vote on the approval of the 2016 minutes, C-7 – Public Hearing Announcements be removed, C-9 – Presentations – Hopewell/Prince George Chamber of Commerce presentation is moved to February 28, 2017, and was unanimously passed 6-0 on an Aye vote.

Vote Result: 6-0 Agenda Amended and Adopted

CLOSED MEETING

At 6:35 p.m. a motion was made by Vice Mayor Gore, and seconded by Councilor Luman-Bailey, to resolve to convene into closed meeting for (I) discussion of performance or appointment of specific appointees of City Council (City Manager, City Clerk, Economic Development Authority, Board of Zoning Appeals, Hopewell Redevelopment & Housing Authority, Recreation Commission - Student Appointee, John Tyler Community College Board); (II) discussion concerning a prospective business where no

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previous announcement has been made of the business' interest in locating its facilities in the community; (III) consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation (Beacon v. JRF), where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of City Council; and (IV) consultation related thereto and other specific legal matters requiring the provision of legal advice by counsel retained by City Council, in accordance with Virginia Code § 2.2-3711 (A) (1), (5), and (7) (two items), respectively. Upon the roll call, the vote resulted:

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

Vote Result: 6-0 Yes

REGULAR MEETING

Mayor Shornak opened the regular meeting at 7:30 p.m. Roll call was take 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

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

Prayer by Pastor Joyce Harville of First Christian Church of Hopewell, followed by the Pledge of Allegiance to the Flag of the United States of America.

AMEND AGENDA

A motion was made by Councilor Zevgolis to add under Regular Business, R-3 – Set Joint meeting with the Hopewell School Board; R-4 – Virginia Municipal League City Council Vote on Filling two Board Vacancies and from the Consent Agenda remove C-5 – Ordinances on Second and Final Reading and move it to Regular Business R-5, and seconded by Councilor Pelham. 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

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Councilor Holloway - yes

Vote Result: 7-0 Yes – Agenda Amended and Adopted

CONSENT AGENDA

A motion was made by Councilor Pelham, and seconded by Councilor Luman-Bailey to adopt the amended consent agenda: Minutes: November 22, 2016 through January 10, 2017; Pending List: None
Routine Approval of Work Sessions: Neighborhood Assistance and Planning Work Session regarding Certified Local Government; Personnel Change Report & Financial Report: Financial Report; Routine Grant Approval: None; Public Hearing Announcement: February 14, 2017 – Disposition of real property Information for Council Review: None; Resolutions/Proclamations/Presentations: None. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Amended Consent Agenda Adopted

PUBLIC HEARINGS

PH-1 - Request by HF Quail, LLC on behalf of Papi Naidu L.L.C. to amend Zoning Ordinance map to permit Planned Unit Development and to permit a Planned Unit Development on Lots 8, 9, 19, and 20 in Crossing North Subdivision, Section 3, Block C.

This was the night advertised for a public hearing to consider to amend Zoning Ordinance map to permit Planned Unit Development and to permit a Planned Unit Development on Lots 8, 9, 19, and 20 in Crossing North Subdivision, Section 3, Block C..

Tevya Griffin, Director of Planning addressed Council. The Planning Commission recommended that the Zoning Ordinance map to permit Planned Unit Development and to permit a Planned Unit Development on Lots 8, 9, 19, and 20 in Crossing North Subdivision, Section 3, Block C be denied.

The public hearing was opened at 7:40 p.m. and the following speakers signed up to speak:

Johnny Partin: Was not in favor of this project and requested Council to deny.

Debbie Randolph: Was not in favor of this project and requested Council to deny.

John Royster of Ft. Lee: Ft. Lee was not in favor of this project and requested Council to deny.

Jim Lupori: Was not in favor of this project and requested Council to deny.

Eric Jones: Was not in favor of this project and requested Council to deny.

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Mayor Shornak closed the public hearing at 8:14 p.m. and entertained motions to permit a planned unit development on Lots 8,9,19 and 20 in Crossing in North Subdivision. And there being no motions the said request died.

A motion was made by Councilor Denton, and seconded by Councilor Holloway to permit a planned unit development on Lots 8 and 9 in the Crossing North Subdivision, Section 3, Block C. Upon the roll call, the vote resulted:

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

Vote Result: 7-0 No/Denied

A motion was made by Councilor Gore, and seconded by Councilor Denton to permit a planned unit development on Lots 19 and 20 in the Crossing North Subdivision, Section 3, Block C. Upon the roll call, the vote resulted

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

Vote Result: 7-0 No/Denied

REGULAR BUSINESS

R-1. Regular Business – FY 2014-15 CAFR Update by Lance Wolff, Interim Finance Director

Mr. Lance Wolff, Interim Finance Director addressed Council and informed them that all items relating to the 2015 CAFR will be addressed this week with the Auditing Firm, the cash on hand is in very good shape, payroll is also in good shape, revenues due to the City are in good shape, the long term debt is in good shape, the accounts payable are in good shape and the Inter Funds and Transfers are in good shape. The Fund Balance has numerous transactions that have no accountability or documentation therefore, he is working with the Clerk and other City Departments to rectify. The Pension Accounts are on hold for now and he and the City Manager hope to have the 2015 CAFR ready to present to Council on February 28, 2017.

Councilor Pelham asked if the supporting documents falls on the City Directors? Mr. Wolff said no.

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Councilor Zevgolis asked what you are doing to find any missing records. Mr. Wolff said he is locating them through the City Clerk and the City Departments.

Vice Mayor Gore asked on who made the reports on the MUNIS Financial System? Mr. Wolff said the previous Finance Director. Vice Mayor Gore asked if the cash on hand for 2016 is completed and Mr. Wolff said yes and said that City Staff is undergoing more MUNIS Training.

Councilor Luman-Bailey asked if he or anyone else in the City Administration felt that a Forensic Audit was needed. Mr. Wolff said no.

Mayor Shornak asked if the reconciliation is completed for each month, Mr. Wolff said no. The Mayor and the City Manager then requested that all members of staff and the City Council to please not disturb the Finance Department until they have completed the 2015 CAFR. Also, the Mayor and Council stated that there would be no Budget Meetings until the CAFR is complete.

R-2. – Regular Business - City Council Retreat Dates

City Manager Mark Haley presented to Council that he had setup the dates for the Council Retreat and that it would be held at the Beacon. The dates of the retreat are March 17th and 18th and Ms. Tyler Sinclair would be here on March 8th to interview each Councilor before the retreat. Council agreed to the date and to the location

R-3. – Regular Business – Joint Meeting with the School Board

The Mayor instructed Council to provide the City Manager and City Clerk with available dates of when they could meet with the School Board and for the City Manager and City Clerk to provide the said dates to the School Board so they could schedule a joint meeting that accommodated everyone's schedule.

R-4. – Regular Business - Virginia Municipal League City Council Vote on Filling two Board Vacancies

Motion was made by Councilor Pelham, and seconded by Councilor Zevgolis, to approve and vote for Pat Woodbury, Councilmember, Newport News as VML President and Anita James Price, Vice Mayor, Roanoke as Vice President. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Approved

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R-5. – Regular Business – Ordinance on Second and Final Reading – Adopt Rezoning Parcel 023-0230 from R-2 to B-3:

A motion was made by Councilor Zevgolis, and seconded by Councilor Pelham to adopt rezoning parcel 023-0230 from R-2to B-3. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Ordinance Adopted

CLOSED MEETING

Council returned Closed Meeting for (I) discussion of performance or appointment of specific appointees of City Council (City Manager, City Clerk, Economic Development Authority, Board of Zoning Appeals, Hopewell Redevelopment & Housing Authority, Recreation Commission - Student Appointee, John Tyler Community College Board); (II) discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its facilities in the community; (III) consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation (Beacon v. JRF), where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of City Council; and (IV) consultation related thereto and other specific legal matters requiring the provision of legal advice by counsel retained by City Council, in accordance with Virginia Code § 2.2-3711 (A) (1), (5), and (7) (two items), respectively

OPEN SESSION

RECONVENE OPEN MEETING

CERTIFICATION 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?

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

Vote Result: 7-0 YES

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REPORTS OF THE CITY CLERK – BOARDS AND COMMISSIONS

A motion was made by Councilor Pelham, and seconded by Councilor Zevgolis, to accept the resignation of Emily DeCarlo from the John Tyler Community College Board and Edward P. Henry from the Hopewell Redevelopment and Housing Authority. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Resignations Accepted

A motion was made by Councilor Denton, and seconded by Councilor Zevgolis, to appoint Stephen L. Pettler to the Economic Development Authority. 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
Councilor Holloway	-	yes

A motion was made by Councilor Pelham, and seconded by Councilor Luman-Bailey, to appoint Gregory M. Cuffey, Jr., to the Recreation Committee as the Junior Hopewell High School representative and to appoint Ann Y. Williams to the John Tyler Community College Board. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Mr. Cuffey, Jr. and Ms. Williams Appointed

MOTION TO EXTEND MEETING PASSED 10:30 PM

A motion was made by Councilor Pelham, and seconded by Vice Mayor Gore, to extend the meeting past 10:30 PM. 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
Councilor Holloway	-	yes

Vote Result: 7-0 Yes Meeting Extended

MAYOR BOARDS & COMMISSIONS APPOINTMENTS

A motion was made by Councilor Pelham, and seconded by Councilor Luman-Bailey to appoint the following to the Mayors Boards and Commissions for a term of two years:

Community Development Block Grant – Councilor Pelham, Councilor Luman-Bailey, Councilor Holloway and Mayor Shornak.

Chamber of Commerce Liaison – Councilor Denton

Crater Planning District Commission – Councilor Luman-Bailey, Councilor Zevgolis and City Manager Mark Haley.

Finance Committee – Councilor Holloway, Vice Mayor Gore and Finance Director Lance Wolff.

Investment Policy Committee – Councilor Pelham, Treasurer Terri Batton, Mark Haley, Lance Wolff and Commissioner of Revenue Debra Reason.

MPO – Councilor Pelham and Johnnie Butler

Legislative Committee: Mayor Shornak, Councilor Zevgolis, Mark Haley

Riverside Community Corrections Board – Mark Haley, Chief Keohane, Mary K. Martin, Esq. and Nat Troth.

Virginia First Cities Coalition – Councilor Zevgolis and Mark Haley

Ethics Committee – Councilor Denton and Councilor Zevgolis.

City/School Board Liaisons – Mayor Shornak and 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
Councilor Holloway	-	yes

Vote Result: 7-0 All Member appointed to a two year term.

ADJOURN

At 11:42 p.m., motion was made by Councilor Zevgolis, and seconded by Councilor Pelham. Upon the roll call, the vote resulted:

Councilor Zevgolis	-	yes
Vice Mayor Gore	-	--- (left meeting at 11:05 PM)
Councilor Denton	-	yes

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

Vote Result: 6-0 Meeting Adjourned

Jackie M. Shornak, Mayor

Ross A. Kearney III, City Clerk