

**January 12, 2021
Regular Meeting
Hopewell City Council**

CLOSED SESSION

Vice Mayor Partin moved to go into closed session pursuant to Va. Code §2.2-3711(A)(1) to discuss and consider personnel matters, including the interview and appointment of prospective candidates for employment (City Clerk) and appointment (boards and commissions); and (A)(4) for the protection of privacy of individuals in personal matters not related to public business.

The motion was seconded by Councilor Pelham. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 5 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed: 6-0

The City Council went into closed session at about 5:34 p.m.; the City Council reconvened in open session at about 6:37 p.m.

Vice Mayor Partin moved to come out of closed meeting. The motion was seconded by Councilor Pelham. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

There was then a certification regarding closed session. No response from Gore on the certification.

By consensus, Mayor Bennett called a recess until 7:30 p.m.

REGULAR MEET

The City Council reconvened the regular business meeting at 7:30 p.m. and Mayor Bennett called it to order.

Roll Call was taken a second time, in the following order:

Mayor Bennett	-	Present
Vice Mayor Partin	-	Present
Councilor Randolph	-	Present
Councilor Holloway	-	Absent/Excused
Councilor Gore	-	Present
Councilor Denton	-	Present
Councilor Pelham	-	Present

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INVOCATION/PRAYER

Assistant City Manager Charles Dane offered the prayer.

PLEDGE OF ALLEGIANCE

Vice Mayor Partin led the members of Council and staff in the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilor Denton moved to approve the agenda. The motion was seconded by Councilor Pelham. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

CONSENT AGENDA

Vice Mayor Partin moved to adopt the consent agenda with changes to the minutes provided by the City Attorney. The motion was seconded by Councilor Pelham. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

PUBLIC HEARINGS

Two cases were on the agenda for public hearings. Both cases sought approve of an application for conditional use permit (CUP) to install fencing on residential property.

PH-1 501 Delton Avenue. Planning Director Tevya Griffin gave a summary presentation regarding the property owners' request to install a five-foot fence in a district that by right permits fencing up to four feet, for the purpose of securing their pet. She reported that the planning staff was in support and that the planning commission had recommended approval. Mayor Bennett opened up the public hearing. Ms. Griffin reported that she had received two written comments that were forwarded prior to the meeting to be read during the public hearing. The comments were sent by Mike Bujakowski, residing at 500 Park Avenue, and Gadinis Elpie, residing at 509 Woodland Road and read into the record by Ms. Griffin. Both comments were in support of the

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property owner's application for a CUP. Receiving no additional comments, Mayor Bennett closed the public hearing.

Councilor Denton moved to approve the request for CUP for 501 Denton Avenue. The motion was seconded by Vice Mayor Partin. There was not any discussion. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

PH-2 3310 Norton Street. Planning Director Tevya Griffin gave a summary presentation regarding the property owners' request to install a five-foot fence in a district that by right permits fencing up to four feet, for the purpose of securing their pets. She reported that the planning staff was in support and that the planning commission had recommended approval. Mayor Bennett opened up the public hearing. Director Griffin reported that she had not received any comments for the public hearing related to this application. Mayor Bennett closed the public hearing.

Councilor Denton moved to approve the request for a CUP for 3310 Norton Street. The motion was seconded by Vice Mayor Partin. No discussion ensued. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

UNFINISHED BUSINESS

UB-1 HRHA Rezoning Request in the Highland Park Subdivision. Planning Director Griffin summarized the zoning request, and indicated that since the City Council's joint work session with HRHA Board in December, 2020, HRHA had come back with a new voluntary proffer letter, dated December 14, 2020, which had 11 new voluntary proffers.

Mayor Bennett opened up the floor for councilors to ask questions. Vice Mayor Partin began the discussion by going through the list of proffers and indicating those items with which he could agree or disagreed. Councilor Pelham was recognized and she reminded that the proffers had to go through a public hearing before they could be accepted. Councilor Denton was then recognized. She asked for clarification as to when the Council could make a determination relative to the rezoning application. The City Attorney informed that Council could act immediately it did not want or intend to accept the proffers that were made in the December 14, 2020 letter, but as the public hearing had been held in November 2020, the state code required a public hearing before accepting the new proffers.

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The City Manager was recognized and provided February dates for the matter to be continued to for public hearing, and to provide sufficient time for staff to meet with HRHA to further negotiate the voluntary proffers. Vice Mayor Partin moved to postpone the rezoning request until the first City Council meeting in February to allow time for staff to negotiate proffers with HRHA. The motion was seconded by Councilor Denton. Mayor Bennet passed control “gave up the chair” to ask a question relative to the scheduling; there was no additional discussion. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

REGULAR BUSINESS

R-1 Request to adjust the fee structure for Hopewell Community Center. Parks and Recreation Director Aaron Reidmiller made a presentation regarding the new fee structure.

Prior to end of the presentation, Councilor Randolph interrupted to move to extend the Council meeting to complete R-3. The motion was seconded by Councilor Denton. Mayor Bennet called for the vote by roll call; the vote resulted:

*Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None*

Motion to extend the meeting passed 6-0

The presentation for R-1 continued. Vice Mayor Partin moved to adopt the user fees as presented. The motion was seconded by Councilor Denton. During discussion, Councilor Pelham asked about changes to fee structure for outdoor facilities; no further discussion ensued. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

R-2 Ordinance 2021-01: Establishing the Board of Equalization. Real Estate Assessor Patrizia Waggoner made a presentation on the need for an ordinance that formalizes the appeal process for contested real estate assessments. Vice Mayor Partin moved to adopt Ordinance 2021-01 establishing the Board of Equalization for the City of Hopewell. The motion was seconded by Councilor Denton. There was not any discussion. Mayor Bennet called for the vote by roll call; the vote resulted:

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Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Motion passed 6-0

R-3 The funding of Colonial Corner Demolition and cost for removal of asbestos and debris. The City Manager gave a presentation for the need of the demolition expenses and the source of funding from the budget to pay for them. The presentation included estimates that had been obtained.

Councilor Denton moved to give the City approval to move forward with the planned burning with the estimates/quotes that were provided by the City Manager and move forward with the removal of the asbestos immediately. The motion was seconded by Councilor Randolph. Discussion ensued.

Councilor Pelham asked whether the estimate obtained a result of an RFP or whether the City had just gotten a contractor. The City Manager answered the quotes had been solicited by phone, were the lowest quotes given, and that an RFP had not been put out. Councilor Pelham then asked whether an RFP was required. There was some discussion as to whether bidding was required by the state code or the City's purchasing policy due to the amount of the \$60,000 quote.

Councilor Pelham questioned as to whether it would be legal for the City to give a contract to the person who bid \$60,000. She said that she would be voting against the estimate because she believes that to award the contract would appear that the City would not be complying with its own purchasing policy, which she speculated was patterned on state law guidelines. Councilor Pelham asked whether the Council would be voting on an unauthorized procurement if an RFP had not been done and that more than two years had passed since the quote was obtained—thereby taking the contract out of an emergency provisions for purchasing without competition.

During this portion of the discussion and pursuant to Rule 106, Mayor Bennett handed over the controls for the meeting so as to speak to the issue. The City Manager indicated that while he thought the \$100,000 state code limitation could apply, the City would put the debris removal contract out to bid if it was not in compliance but he wanted to move forward with the asbestos removal as the quote for it fell within the maximums of the City's purchasing policy.

Councilor Pelham agreed with the course of action then moved to amend Councilor Denton's motion to include the City taking action on the abatement of the property (start the asbestos cleanup and the burn) and during that process put the removal of debris work out for IFB. Councilor Denton indicated that she would accept the amendment provided that it would not interfere with or slow down the timing of the burn which needed to occur while the weather is cold. As the seconder to Councilor Denton's motion, Councilor Randolph agreed to Councilor Pelham's amended motion.

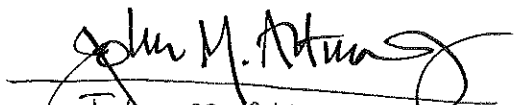
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Mayor Bennett had a point of information relative to whether there needed to be a vote on the amendment. Once it was determined that Councilor Denton accepted the amendment. Mayor Bennet called for the vote by roll call; the vote resulted:

Ayes: 6 Voting yes: Partin, Gore, Denton, Pelham, Bennett, Randolph
Noes: 0 Voting no: None

Pelham asked to have the abstract of her statements be added to the minutes. Mayor Bennett approved this request.

The meeting adjourned.


John M. Altman, Jr.
City Clerk Pro Tem


Patience Bennett, Mayor