

MINUTES OF THE MAY 14, 2024 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday May 14, 2024 at 6:00 p.m.

PRESENT: John B. Partin, Mayor
Jasmine Gore, Vice Mayor
Rita Joyner, Councilor
Michael Harris, Councilor (Virtual)
Janice Denton, Councilor
Brenda Pelham, Councilor (Virtual)
Dominic Holloway, Councilor

Councilor Denton makes a motion to allow Councilor Harris and Councilor Pelham in to closed session. Vice Mayor Gore seconds the motion.

ROLL CALL	Councilor Holloway-	(Absent)
	Councilor Joyner-	Yes
	Councilor Harris-	(Abstain)
	Mayor Partin-	Yes
	Vice Mayor Gore-	Yes
	Council Denton-	Yes
	Councilor Pelham-	(Abstain)

Motion Passes 4-0

CLOSED MEETING:

Councilor Denton makes a motion to go into closed meeting pursuant to Va. Code

Section § 2.2-371 1 (A)(I) to discuss and consider personnel matters, including board and commission appointments; the assignment and performance of specific appointee and employees of City Council, and Va. Code Section 2.2-3711 (A) (29) for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders and offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, and to the extent such discussion will be aided thereby, Vice Mayor Gore seconds the motion.

ROLL CALL

Councilor Holloway-	(Absent)
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 6-0

Reconvene Open Meeting

Councilor Denton makes a motion to reconvene open meeting. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	(Absent)
Councilor Joyner-	Yes
Councilor Harris-	(Absent)
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	(Absent)

Motion Passes 4-0

CERTIFICATION:

CERTIFICATION PURSUANT TO VIRGINIA CODE §2.2-3712 (D): Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed session?

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

Vice Mayor Gore makes a motion to allow Councilor Holloway to participate remotely. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	(Abstain)
Councilor Joyner-	Yes
Councilor Harris-	(Abstain)
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	(Abstain)

Motion Passes 4-0

Councilor Joyner makes a motion to appoint Mr. James Harlow to the Hopewell Water Renewal Commission. Councilor Denton seconds the motion.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

REGULAR MEETING

Mayor Partin calls the Regular Meeting to order

PRESENT: John B. Partin, Mayor
Jasmine Gore, Vice Mayor
Rita Joyner, Councilor
Michael Harris, Councilor (Virtual)
Janice Denton, Councilor
Brenda Pelham, Councilor (Virtual)
Dominic Holloway, Councilor (Virtual)

Prayer by Reverend Blow, followed by the Pledge of Allegiance led by Vice Mayor Gore.

Councilor Denton makes a motion to adopt the regular meeting agenda. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

Councilor Denton makes a motion to adopt the Consent Agenda and second by Mayor Partin.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

INFORMATION/ PRESENTATIONS

1. **Finance Report- Robert Bob Group.** Ms. Ness begins her presentation on recent progress. She states the reason why the external auditors progress has been slowed based on what's going on with the treasurer as well as the manual nature of it being the first year. Essentially, 2019 and 2020 have been done and submitted and they are working thru those. Ms. Ness states they had to redo 2019 to get 2020 clean and states they were on the hook for 2020, they did both, building from bank statements on up so we could get a clean opinion for 2020. Ms. Ness gives reasons to why they have started holding things based on two things, one, we are concerned until the research is done regarding the issues with the treasurer or redo some work based on what the external auditor says from the 2020 audit. We meet with the them every Thursday. This is to show where we are on the reconciliations. They have only got officially items through 2020. We have completed from the first original contract all real estate taxes through 2023, personal property taxes through 2023, accounts payable through 2023 and debt services for the Enterprise and schools through 2023. We are almost done with fixed assets through 2023. She adds a quick note to start adding 2024 to the next time I come and talk with you in the second week in June. We are also done with the bank reconciliations thru fiscal year 2021. Everything with the exception of fixed assets here is done through 2021, so 2021 is mostly ready to go over. We have completed a handful of 2022 bank reconciliations and we are scheduled for June to complete 2023. That's where everything is from our perspective ready to go over. Ms. Ness gives the update of the SOPs from draft to review. We have been really focused on the treasurer processes this week along with EMS, Commissioner of Revenue, real estate and asset forfeiture. They have been working on this week, have been drafted and we are now going thru the review process.

Ms. Ness states they are also contracted to work on the repository framework. We are working thru that structure right now; SOPs are done and we start working through development of training for those SOPs. She talks about how to know where everything is by the different stages of the SOP. As for the ERP consultant update, Ms. Ness stresses that participation from the City, is Necessary before we go live in July. There are five modules going Live in six weeks, including segregation of duties and security updates. She asks that council stay involved through mid-July and states the goal to get fully clean by 2024. You have given the manual reconciliations an opinion that is clean but you're going to have material weaknesses because you haven't cleaned the controlled environment which is why everything was done manually. Starting July 1 of 2024 through June

30 of 2025 would be your first opportunity to clear up the material weaknesses. In order for that to happen, all of the SOPs have to be live and all of the system changes have to be live for the greater part of the year, working and functioning correctly. Not only do they have to be in the system, but people have to be using them. Essentially, everything in the next six weeks, has to clean up and everyone needs to be marching to the same drumbeat or we will have problems for 2025.

Councilor Joyner asked questions of Ms. Ness stating she had some concerns about manually mailing real estate bills to residents for the current tax year. Ms. Ness explained the issue with the treasurer's office and the real estate bills. Vice Mayor Gore asked the treasurer, seeing her in the audience, if she would like to comment to the question regarding the bills and participation. Ms. Foskey, the city treasurer, came to the podium and answered the question, giving step by step explanation of mailing out tax bills manually. Councilor Joyner asks how many tax bills she mailed out and Ms. Foskey stated there were 5,029 of the individuals and 2,000 of the multiples, which Ms. Foskey explains that multiples are citizens having five or more parcels and we have always individually sent those out. Mayor Partin adds a request to Dr. Manker in preparation for this special meeting we need to probe the school system that they need to have some money in their budget for this implementation and he gives reason why. Ms. Ness continues with the update on industry reconciliations. The budget has been approved for the wastewater treatment plant facility. The last piece that we are working on right now is how we are going to build the industry partners for fiscal year 2025. Ms. Ness explains how this will happen. Ms. Ness states over the last couple of years, we have been several million dollars behind that hasn't been recouped because we've been using miscellaneous revenues so this is in an attempt to recoup those costs and offset those. Ms. Ness states there were 96 open issues and she thinks we've removed 4 of them and closed a bunch of them. She explains the process of closing things off of the larger open issues list. She informs that she has instituted weekly meetings with Dr. Manker and her team and the treasurer and her team to make sure that that progress is happening on those open issues. This week we have asked for all of those open issues that are not under our responsibility to be assigned out an update put in them so we know where they are. She states meetings will be continued under Dr. Manker and her team so they can take ownership of what needs to be done and closed. Here are some issues coming from three places: Things we identified in our initial narrative walkthroughs, things that were in the external Auditors report and things that came out of the Alvarez and Marcel report. Ms. Ness reads out the category of issues, there are now 31 that are open that have not been assigned and they hope to tackle on Friday. Ms. Ness reviews the items needing council attention.

Councilor Joyner states there was an additional report open city risks, stating it says the city is in a cash crisis with future head winds, she asks for Ms. Ness to speak to the reserves and the potential budget cuts. Ms. Ness states that is one of the reasons they changed the billing. She goes into further detail in reference to that question. She also states it will be in their upcoming status report.

PUBLIC HEARING

PH1- Conditional Use Permit for Maryland Ave- Chris Ward, Director of Development. Conditional Use permit for the construction of a single-family dwelling on a non-conforming lot. This is for two houses on two adjoining non-conforming lots. The parcels are #024-0310 and #024-0305 located on Maryland Avenue. The applicant for the first conditional use permit is Mr. David Edwards. These particular houses on these particular lots were approved back in 2022. The average size is 1,123 sq. ft so these proposed houses are larger. Staff recommends approval of this particular request with some conditions. That is to construct the proposed dwellings as presented on the plans. Mr. ward goes thru a list of conditions on the plans. The planning commission recommended 40 at their public hearing on April 4th for the same conditions.

Councilor Denton makes a motion to approve the conditional use permit as presented. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	Abstain
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 6-0

PH2- Conditional Use Permit for Crescent Ave- Chris Ward, Director of Development. Conditional Use permit for the construction of a single-family dwelling on a non-conforming lot. This parcel is located on Crescent Avenue, parcel #028-0020. The applicant is James R Jones. This property is located in Ward 3 zoned R1 low density. Mr. Ward states this is on that was brought before you approximately a year ago and was denied. But it was a completely different applicant and a completely different house. The non conformity with this particular lot is that its smaller than the required 12,000 sq. ft and less than the required 80 ft. wide. Mr. Ward gives the size and details of the lot and that this house is 1,659 ft. Staff recommends approval of this CUP with conditions. Mr. Ward details the list of conditions. Planning Commission recommended approval with a vote of 4 to 0 at the public hearing held on April 4th. They continued with staffs recommended conditions and added a specification. Another condition was added by the Planning Commission. No public comment was received on this application. There was one comment received at the Planning Commission public Hearing and that was a comment of support.

Councilor Joyner makes a motion to approve the conditional use permit for Crescent Avenue as presented. Councilor Denton seconds the motion.

ROLL CALL

Councilor Holloway-	Abstain
Councilor Joyner-	Yes
Councilor Harris-	Abstain
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 5-0

PH3- Conditional Use Permit for Boston St- Chris Ward, Director of Development. Mr. Ward presents the last Conditional Use permit for the evening. Again, single-family dwelling on a non-conforming lot, located on Boston Street parcel #033-0020. The applicant for this lot is MewCo LLC. The property is located in Ward 6 and zoned R2. The non-conformity with this lot particular lot is that it's less than the required width of 75 ft. He gives the details of the property and the dimensions of 1,240 sq. ft. Staff recommends approval of the CUP with the following conditions. Mr. Ward lists the conditions as presented. Planning Commission at their public hearing held on April 4th recommends approval with a vote of 4 to 0, with the same conditions that staff recommended. One citizen did send in a written comment opposing the construction, but no reason was given. Also, at the Planning Commission one citizen commented that she would like to see more windows on the sides of the house. Recommendations is to approve with the conditions as presented by staff and Planning Commission.

Councilor Denton makes a motion to approve the conditional use permit for Boston Street as presented. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

PH4- Proposed Budget(1st reading)- Dr. Manker, City Manager. Mr. Branson presents a brief presentation on where we are in the budget and the budget ordinance. He started with the budget process and the budget Ordinance from where the work began for the City of Hopewell. The budget work started back in December. Departments then provided their budget and did their budget entry in

January. Starting in March, we had council work sessions. We then talked about expenses and capital improvement program on the next week of March 21, 2024. Then, department requests and presentations happened the following week on March 28th. We then started having public hearings and the first was tax resolutions on April 16th. Various taxes were raised including the real estate tax, lodging tax, and a cigarette tax. Tonight, we are back with the first reading of the budget ordinance and we'll be back in two weeks for the second reading of the budget ordinance. Mr. Branson discusses what happens when we adopt a budget, we're setting appropriation limits; sometimes at the fund level sometimes at the department level sometimes at the program level. These are all the things that are detailed within your ordinance. Sometimes revenues come in higher sometimes they come in lower and then we deal with whatever those results are positive or negative. He explains what the appropriations limits means based on what we expect revenues to be and what we have talked about in the past. If there is a small budget amount, the budget ordinance does allow for the city manager to do some things on her own initiative. If there is unincumbered balances within a department or appropriation or fund, she can transfer some of those, within that budget. The city manager is allowed to transfer between budgets, up to \$25,000, as long as it doesn't exceed the appropriation. Other than that, you would have to come back to city council. Mr. Branson states this allows for small things that might happen during the year, a way to address them administratively. Mr. Russ continues his presentation. He states that's part of what you are approving when you do this ordinance. He names other things she may make fund and expense adjustments for. The ordinance does set these terms and conditions for how we change the budget as we move forward. Mr. Branson explains the process for all outstanding appropriations and what will carry over to fiscal year 2025. We will carry over things that need to be carried over but not carrying things over for the sake of carrying things over. That's the budget ordinance and the highlights of when you adopt the budget ordinance, what you are adopting. Mr. Branson gives a brief overview on where money is spent, since we are talking about appropriations. There is \$140.1 million of expenditures for the city. This is monies coming in spent on the city including the portion given to the schools. It does not include state and federal monies for the schools. He runs through the department percentages from his presentation. Mayor Partin mentions we are close to end of meeting and suggest someone make a motion to extend.

Councilor Denton makes a motion to extend the meeting until they finish the agenda. Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	No
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	No
Councilor Pelham-	Yes

Motion Passes 5-2

We have added on \$130,000 to the schools based on what was discussed about trying to fund the longtime youth position. He explains the reason for adding the amount for the schools. He goes through the expenses by type to a total of 140.1 million. We are unable to increase the cigarette tax more than .40 cents because of a state law that passed after they got those to go that high. He further goes through his presentation going over project costs and the preserved dollars. In total he goes over general fund which is 2.1 million to the capital, storm water fees requesting higher fees that will return to council after their study. He goes over regional water treatment briefly by going over the slide provided to council. He then briefly goes over additional capital projects that were requested but not funded. He states he would consider them as options if money is found to be available at the end of the fiscal year.

Councilor Pelham asks about the capital expenditures from past resolutions, the capital projects approved were based on the fact they obligated matching money from the state of 1.6. She asks why are they recommending 2.1 more million. The answer was given that this is all the same projects and it actually went down. He goes into further detail the answer for Councilor Pelham.

R1- Resolution for 250 Committee- Charles Bennett, Economic Development Director.

Dr. Manker gives the presentation in Mr. Bennett's absence. She states he is asking council to adopt the resolution to form a committee for the VA resolution 250 commission.

Vice Mayor Gore makes a motion to approve the resolution to form a committee in support of the Virginia American Revolution 250 as amended to remove historical Hopewell foundation and to appoint Charles Bennett and Christopher Ward as staff representatives, and to designate Mr. Bennett as the lead to represent on behalf of the city with Mr. Ward being the alternate. Councilor Joyner seconds the motion.

Vice Mayor Gore states if approved to have clerk's office amend TBR to add this as a list option for people to apply, and post on the newsletter and Facebook page for people to know they can apply for this committee.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	No
Councilor Pelham-	Yes

Motion Passes 6-1

R2- Approval of Solid Waste Rate- Michael Campbell, Public Works Director

Mr. Campbell states he is there to speak on the agenda item monthly fee increase for solid waste collection as of July 1, 2024. Central Virginia Waste Management with the city of Hopewell begins service with vendor Waste Management to provide solid waste collection service. The recommendation is for city council approve an increase in the monthly service rate by 7.72 per customer and authorize the city manager to sign an amended agreement removing Petersburg from the service agreement for municipal solid waste collection and disposal services. The collection rates for city customers for solid waste collection shall be \$30.91 a month for residential services a month and \$34.32 a month for commercial service. This fee shall be affective July 1, 2024. The contracts are included in the approved budget for FY25. Mr. Campbell states we need the new rate in order not to dip into the general fund. Basically, to fund this program at no additional debit to the general fund and the city.

Councilor Joyner makes a motion to approve the monthly fee increase for the solid waste collection as presented. Councilor Denton seconds the motion.

ROLL CALL

Councilor Holloway-	No
Councilor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	No
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 5-2

R-3- Requesting 2 Council liaisons for Hopewell Economic Development Strategic Plan- Charles Bennett, Economic Development Director

Dr. Manker speaks on behalf of Mr. Bennet in his absence. She states Mr. Bennett is asking that city council appoint two members to the economic development strategic plan. He needs this in order to develop the plan that council has requested he deliver by June 14th.

Vice Mayor Gore states she remembers she volunteered and councilor Joyner states she also volunteered, Vice Mayor Gore ensured no one else volunteered to do this.

Vice Mayor Gore makes a motion to appoint herself as well as Councilor Joyner to serve as the council representatives on the Economic Development Strategic Plan Committee, Councilor Joyner seconds the motion.

ROLL CALL

Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes

Mayor Partin-	Yes
Vice Mayor Gore-	Yes
Council Denton-	Yes
Councilor Pelham-	Yes

Motion Passes 7-0

REPORTS OF THE CITY MANAGER

Presentation regarding the impact of collective bargaining – Dr. Manker states she is not asking for any action; this is her requirement to report back within 120 days which was April 14th. She is reporting back that she was provided to council a memo in addition to this presentation stating Ms. Hudson and herself has had regular meetings with the previous attorney with a drafted ordinance. She states she also provided the resolution and read through what she was asked to do within that resolution. She goes over the presentation briefly with council and offered the opportunity for questions at the end of her presentation. She goes over the definitions about what collective bargaining is and identifying the employees in this ordinance who will not have the opportunity to collective bargaining. She then goes over what it takes to be eligible and goes over who cannot be a part of the collective bargaining. She states it's also recommended the managers and supervisors maintain a certain level of distance in salary between those who they manage. Dr. Manker discusses the geographic of the city and the population from 2022 to current population. She then goes through the numbers based on ages within the city. Dr. Manker then goes over briefly the staff and the income that would be required if adding collective bargaining to the City of Hopewell. She went over the additional staff that would need to be hired to maintain the collective bargaining. She goes over the cost individually for each individual that would need to be hired. The cost of admin, she states there is a 50/50 share once you reach mediation, if you cannot agree, it moves over to arbitration which could cost \$6500 to \$8000 dollars which is a 50/50 share between the city and the bargaining unit. She goes into further detail of the money that would need to be considered when hiring each person who would be included in the collective bargaining option. Dr. Manker gave recommendations that the city consider to adopt meet and confer process, which is like collective bargaining but it is internal. It takes out the middle man, council creates an ordinance where they

meet the staff, talk about the work place conditions, and commit on a yearly basis to help meet some of those challenges, complete the salary study, and revisits collective bargaining in 2027 contingent to doing the meet and confer until that time. She states it is not advisable to do collective bargaining while the city is in the financial fiscal stress it is currently in. Collective bargaining would require possible tax increase on citizens for yearly compounding admin cost, which is salary and other monetary cost, and then she states they have not achieved economic reserve of 6.9 percent of total annual budget, so collective bargaining is considered increasingly risky when you do not have a healthy savings account. She invited Mr. Sanderson to the podium to speak on how this could impact the credit rating. Mr. Sanderson approaches the podium and briefly goes over the memo he provided to council. He mentions this would not look like a credit positive for the city right now. He gives his explanation to this statement to council.

Councilor Harris asks about the impact of this, he asks can they explain how the introduction of collective bargaining will impact. Mr. Sanderson answers the question in brief detail. Councilor Pelham asks about the hours of the employees that would need to be hired. Dr. Manker stated they have 2000 hours annually to complete. She states she is not willing to raise taxes for anything else so she is not willing to approve collective bargaining at this time. Vice Mayor Gore asks about 926 million dollars for operating in another locality, Hopewell is 67 million. She states there is no comparison. She mentions she has raised these concerns before, and based on her research the localities who have adopted this, she asks is there any that are comparable in size and operating budget to Hopewell. Mr. Sanderson states not that he has seen. Vice Mayor Gore asks Dr. Manker about confidential employees, Dr. Manker states those are the employees who work with other employees that have access to personnel records. Vice Mayor Gore states she would question would that impact the appointee office. She states there is only one attorney which is the city attorney and by charter she is for the council and for the city manager only, they allow the attorney to support other departments. Councilor Joyner states they are clearly not in a position at this time to consider, stating a lot has changes in a few months. The 16.9 annual budget, that is a really important number and they are nowhere near that goal currently. Councilor Denton states she agrees with Councilor Joyner that a lot has changed and she feels to help get into this they need a salary in compensation report.

CCR1- Amend purpose of the Keep Hopewell Beautiful Commission to include tracking environment violations, approved advocacy and legislative recommendation- Vice Mayor Gore

Vice Mayor Gore states she is seeking to adjust the charge, to look at environmental factors, she would like for the group to look at environmental hazards like and DQ complaints and violations in the city and to help make recommendations if they are closing out the items, and look into ways to help. To look into parties in the cities and citations and how is it impacting residents. Director Ward stated he would prefer the department handle the ask and to report back and whatever system they prefer, and questions would they get the yield of information seeking from being with the board and commission. She stated she would share this information with council to see how they would like to proceed. Council as well as Vice Mayor Gore have back in forth discussion in regard to this topic. Vice Mayor Gore asks Dr. Manker between the two departments who do they recommend to tackle this. Councilor Denton states this is important but she wants to ask could they wait until the Aug meeting after they met with the KHB Committee to see if they are in tune with this. Vice Mayor Gore stated it was suggested it does not go to the committee so development reached out to her. Vice Mayor Gore is everyone ok to check with city manager to check with development or emergency management to see who would like to work on this? No one has objected.

Vice Mayor Gore motions to adjourn,

Yes- 7

No- 0

Respectfully Submitted,



Brittani Williams, City Clerk



Johnny Partin, Mayor