

**MINUTES OF THE OCTOBER 11, 2022 REGULAR CITY COUNCIL MEETING**

The City of Hopewell City Council held a Regular Meeting on Tuesday, October 11, 2022 at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

- PRESENT:** Patience Bennett, Mayor (Ward 7)  
John B. Partin, Jr., Vice Mayor (Ward 3)  
Deborah Randolph, Councilor (Ward 1)  
Brenda Pelham, Councilor (Ward 6)  
Jasmine E. Gore, Councilor (Ward 4) – (via Zoom)  
Janice B Denton, Councilor (Ward 5)
- STAFF:** Danielle Ferguson Smith, City Attorney  
Dr. Concetta Manker, City Manager  
Lois Gabriel, Interim City Clerk

Mayor Bennett called the meeting to order at 6:30 p.m.

- Roll Call:**
- |                    |   |         |
|--------------------|---|---------|
| Mayor Bennett      | - | Present |
| Vice Mayor Partin  | - | Present |
| Councilor Randolph | - | Present |
| Councilor Denton   | - | Present |
| Councilor Gore     | - | Present |
| Councilor Pelham   | - | Present |

Mayor Bennett asked Councilor Gore to state her location and the reason she is joining virtually; her response was a job event in Charlottesville. Councilor Pelham moved to allow Councilor Gore to participate in the meeting electronically. The motion was seconded by Vice Mayor Partin.

- Roll Call:**
- |                    |   |     |
|--------------------|---|-----|
| Vice Mayor Partin  | - | Yes |
| Councilor Denton   | - | Yes |
| Mayor Bennett      | - | Yes |
| Councilor Pelham   | - | Yes |
| Councilor Randolph | - | Yes |

**Motion Passes: 5-0**

**CLOSED SESSION**

At 6:33 p.m. Vice Mayor Partin motioned to go into close session and seconded by Councilor Pelham, pursuant to Va. Code Section §2.2-3711(A)(1) to select an executive firm for the city managers' search, review nuisance proposed injunctive relief, review of the proposed loitering ordinances, review of employee performance of selected city programs/departments, and the appointments to various boards and commissions.

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Denton	-	Yes
	Councilor Gore	-	Yes
	Councilor Holloway	-	Yes
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 7-0**

**RECONVENE OPEN MEETING**

At 7:25 p.m. Vice Mayor Partin motioned to have council come out of closed session. His motion was seconded by Councilor Pelham.

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Gore	-	Yes
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 5-0**

**CERTIFICATION**

Certification pursuant to Va. 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 meeting?

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Randolph	-	Yes
	Councilor Gore	-	Yes
	Councilor Pelham	-	Yes

**Motion Passes: 5-0**

Vice Mayor Partin moved to appoint Councilor Pelham to the CPMT Board. His motion was seconded by Mayor Bennett and upon roll call, the voted resulted:

<b>Roll Call:</b>	Councilor Randolph	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Gore	-	Yes
	Councilor Pelham	-	Yes
	Mayor Bennett	-	Yes

**Motion Passes: 5-0**

Councilor Gore asked Mayor Bennett if she could be excused from the meeting not that the closed session is over. Mayor Bennett agreed.

**WORK SESSION**

**WS-1:** Boston St. CUP for SF on non-conforming lot- Chris Ward presented 1 of 2 conditional use permit cases that will come before City Council at a Public Hearing at the November 15, 2022 meeting. This property is located in Ward 6, R-2, residential, medium density district and is a corner lot located at the intersection of Boston Street and Miles Ave. This property is 7,015 square feet. The R2 district requires a minimum lot width at 75 feet and a minimum lot size of 7500 square feet for a single family dwelling. The applicant is requesting to build a 1,297 +/- square foot two story single family detached home on the non-conforming lot identified as Sub-Parcel#047-0310 that will meet all setback and be slightly larger than the average of the surrounding houses. The Planning Commission voted 3-0 to recommend approval of the CUP application submitted by Win Win Contracting, LLC to construct a two-story, 1297sf detached dwelling with the conditions proposed by staff to include the installation of brick veneer to cover all four sides of foundation. Installation of cement board, wood composite, or vinyl siding on all four sides. Construction, at a minimum, of a covered front stoop or larger covered front porch, installation of window shutters on sides facing public road(s), at a minimum and installation of foundation plantings according to the standards set forth in Article XVIII, Section B of the Hopewell Zoning Ordinance and to include a 12' overhangs on all roof edges and compliance with all storm water regulations. In regards to public comments, Mr. Russell Keim, 1105 Miles Ave, commented that he does not oppose the construction of a house on this property but wants to make sure his driveway is not blocked and that the property in question has clear title.

Councilor Pelham asked how will they insure that the neighbor Mr. Keim's driveway will not be blocked. Chris Ward explained that the lot plan outlines the property lines and therefore Mr. Keim's driveway will not be blocked. Councilor Pelham also asked if the overhang provision was already a permanent requirement for new construction. Mr. Ward explained that hasn't been approved as of yet but could be in the joint meeting scheduled later this month.

Vice Mayor Partin thanked Mr. Ward for having the overhang provision to help with storm water. He also asked if the applicant was in agreement to maintaining a 20% tree canopy as well as install curb and gutter on the Boston St. side of the property. Mr. Ward explained that he would have to asked the applicants regarding the 20% tree canopy but would need to consult with the city attorney to verify if they could set conditions on applicants to make changes on city owned property.

There was a brief pause in the meeting to allow Vice Mayor Partin an opportunity to make a motion to allow Councilor Denton to join the meeting Virtually.

Mayor Bennett asked Councilor Denton to state her location and the reason she is joining virtually; her response was medical and that she was at her home. The motion was seconded by Councilor Pelham.

<b>Roll Call:</b>	Vice Mayor Partin	-	Yes
	Councilor Randolph	-	Yes
	Mayor Bennett	-	Yes
	Councilor Pelham	-	Yes

**Motion Passes:4-0**

**WS-2:** Cedar Ln. CUP for SF on non-conforming lot- Chris Ward presented 2 of 2 conditional use permit cases that will come before City Council at a Public Hearing at the November 15, 2022 meeting. This property is located in Ward 1, R-1, residential, low density district and is a corner lot located at the intersection of E. Broadway and Cedar Lane. This property is 82 feet along Cedar Lane and 115 feet long along E. Broadway for a total size of 9,430 square feet. The R1 district requires a minimum lot width at 80 feet and a minimum lot size of 12,000 square feet for a single family dwelling. The applicant is requesting to build a one story, 1298sf Suburban Patio Home with siding and front facing garage single family detached home on the non-conforming lot identified as Sub-Parcel#079-0005 that will meet all setback and have a buildable area that is 52ft x 85ft (4,420sf) after applying the required setbacks. The proposed structure will be vastly out of character with the rest of the neighborhood in terms of size, massing, material, and design. Therefore, in considering all factors per Article XXI, Section D, Item d (4), Staff does not support the approval of this application and recommends tabling the decision to allow for a response from the applicant. The Planning Commission voted 3-0 to recommend to City Council the denial of the CUP application from Mr. Russell Johnson to construct a one-story 1298sf single family home as presented based on the incompatibility with the surrounding homes (average of 1,900sf, brick, 1.5 story Cape Cods) and fails to meet the standard set forth in the Article mention above.

Councilor Pelham asked how old were the other 2 homes that have siding and if asked if he was able to speak with the applicant? Mr. Ward explained that the houses were built in 1942 and the applicant has been non-responsive.

Vice Mayor Partin asked if he could reach out to the applicant again before the public hearing to see if they would maintain a 20% tree canopy. Also, to keep up with the standards of the neighborhood, make the recommendations of a minimum of 2,000 sf brick home with 3 bed room, 2 ½ baths, 8-12' overhang and a concrete or asphalt drive way.

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

**ROLL CALL:** Mayor Bennett called the meeting to order, and thanked all for attending.

Mayor Bennett	-	Present
Vice-Mayor Partin	-	Present
Councilor Randolph	-	Present
Councilor Denton	-	Present
Councilor Pelham	-	Present

Prayer by Rev. Danny Tucker followed by the Pledge of Allegiance to the Flag of the United States of America.

**AMEND/ADOPT AGENDA**

At 7:47 p.m. Motion by Councilor Pelham and seconded by Mayor Bennett to adopt/amend the agenda

<b>ROLL CALL:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Pelham	-	Yes
	Councilor Denton	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 5-0**

**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:**

**C-2 Pending List:**

**C-3 Information for Council Review: City of Hopewell 2019 Strategic Plan**

**C-4 Personnel Change Report & Financial Report: September 2022**

**C-5 Ordinances on Second & Final Reading:**

**C-6 Routine Grant Approval:**

**C-7 Public Hearing Announcement:**

**C-8 Information for Council Review:**

**C-9 Resolutions/Proclamations/Presentations:**

**Suggested Motion: To amend/adopt consent agenda**

Motion by Vice Mayor Partin and seconded by Councilor Pelham to adopt/amend the consent agenda

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Pelham	-	Yes
	Councilor Denton	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 5-0**

**INFORMATION/PRESENTATIONS**

**Richard Bland College Presentation** – Terelle L. Robinson, Associate Director of Gov’t Relations  
 Mr. Robinson gave a brief biography of himself and explained the importance of continuing education. He explained Richard Bland College core values, vision of GPS; guided pathway of success which is a partnership with a learning mentor throughout their college experience. Richard Bland College also offers high school dual credit which allow students to graduate high school with an Associate degree Mr. Robinson shared information regarding the Innovation partnership with local business and industries such as the drone up project with Walmart to build their training facilities on the college campus. Lastly, he

shared a partnership with Virginia State University to target adult learners who want to complete their degrees with the opportunity to do so virtually.

**Hopewell Downtown Partnership Presentation** – Heather Lyne, Director of Hopewell Downtown Partnership gave a brief biography of herself and explained the mission of HDP was to develop and implement a program for a healthy, vibrant, and prosperous central downtown district. This would create more jobs, tax value/acre, impact greater communal wealth and public services and a more bankable Hopewell. Ms. Lyne explained how downtown Hopewell goal is to become a safe and enjoyable place where revived retail markets provide diversity in shopping and entertainment as well as a range of quality housing options to suit those who desire to live, work and play in downtown Hopewell. She also explained that this would attract businesses and investors to the area for future developments.

**Monthly Financial Report** – Michael Terry delivers financial report for Month ending 9/30. The financial report included with minutes.

Councilor Randolph thanks Mr. Terry and asked if he could ask the Treasurer to provide her 2019 reconciliation records and Councilor Pelham asked if the Treasurer indicated anything and Mr. Terry responded that he would speak with her tomorrow and ask for an update and rely the information to the City Manager.

Councilor Pelham asked if the accountant position had been filled and Dr. Manker replied that the job had not been filled and that there's an open job posting on line.

Councilor Pelham asked if the public schools up to date with their reconciliations and if the information would match what's on Munis. Mr. Terry replied that yes they were up to date and already submitted to the auditors. However, in regards to where cash is involved, there may be an issue with Munis because of the different systems. This would be resolved by the auditing/auditor process.

Vice Mayor Partin made a motion to extend the meeting thru R3. The motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Denton	-	No
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 4-1**

### PUBLIC HEARING

**PH-1** – 204 Crescent Ave. CUP for SF on non-conforming lot – Mr. Ward presented the information that stated Kimberlie Talley submitted a conditional use permit application to construct a one-story, 1,290 sf single-family detached home on a non-conforming lot (Parcel #028-0020) in the Crescent Hills subdivision that would meet all the initial setbacks. This home would be one of the smallest in the area where the minimum lot size is 80 X 1200 sf and this new construction would be 75 X 8850 sf. He also noted that there is a sloping ravine that would have to have an armor guard placed. An expanded survey

was done and concluded that the trend of homes changes in size and styles as you drive through the neighborhood and because of the ravine and smaller size it would be appropriate for the neighborhood. After a 2-1 vote, the planning commissioner recommended to approve the application.

Councilor Randolph and Councilor Pelham wanted to know if the applicant received notification of the recommendations and what her response was. Mr. Ward, explained that the applicant was waiting for the results of the expanded survey and is here tonight to respond. Ms. Talley approached the podium and explained that she feels 1500 sf is fair and stated that she has friends and family in the neighborhood and although the square footage may be a little more the houses are very choppy and not functional, whereas she is proposing an open floor plan. She also passed out a report from the city of Hopewell in 2018 that showed that the market of homeowners were mostly women in their mid-60's who preferred single family homes that were affordable and didn't require a lot of maintenance. There was discussion by Council. Mayor Bennett explained the guidelines portion of the public hearing and opened the floor.

The Public Hearing portion was open to the public.

Anthony Sylvester – Ward 3 – lives in the neighborhood and voiced his concerns that the new home doesn't agree with the architectural standards of the subdivision. He also voiced his concerns of changing the standards to suit a lot that may not be built on.

Since there were no one else to speak, Mayor Bennett closed the public hearing.

Vice Mayor Partin motioned to approve the 204 Crescent Ave. CUP with the following conditions:

1. Add at least (1) additional window to each bedroom and (1) window to each bathroom.
2. Finish the front gable ends in red brick to bring the front façade into harmony with surrounding properties.
3. Install a concrete or asphalt driveway in accordance with City Engineers standards for driveway construction.
4. Secure the steep slopes at the rear of the property in accordance with the requirements set forth by the City's storm water program manager.
5. Construct a 1.5 or 2 story house with a minimum square footage of 1800sf of living space.
6. Add an additional half bath or full bath to the presented plan.
7. Maintain a 20% tree canopy.
8. Install 8" - 12" of overhang around the entire house.
9. Install roof drain gutters that drain to the street.
10. Construct a full brick veneer foundation.

Motion died for lack of a second so Vice Mayor Partin motioned to deny the 204 Crescent Ave. CUP and it was seconded by Mayor Bennett. Upon the roll call, the vote resulted:

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Denton	-	No
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 4-1**

**PH-2** Courthouse Rd. CUP for SF on non-conforming lot – Mr. Ward presented the information that Purdy Homes LLC submitted a conditional use permit application to construct 2 two-story, 1,360sf single-family detached home on a non-contiguous, non-conforming lot (Sub-Parcel #075-0145) in the Washington Heights subdivision that would meet all the initial setbacks. The minimum lot size for R3 is 50 feet X 5,000sf and this new construction would be 50f X 3,750 exterior and 52f X 3,120sf interior. Mr. Ward conducted a large survey of over 55 homes where most of them were single family homes with an average of 1,092 sf. in the neighborhood. After a 3-0 vote, the planning commissioner recommended to approve the application. There was discussion by Council.

The Public Hearing portion was open to the public and then closed since no one was there to speak on the subject.

Councilor Denton asked if the homes were going to be built for sale, for rental. Mr. Ward explained that the homes would be for sale.

Vice Mayor Partin motioned to approve the Courthouse Rd. CUP and it was seconded by Councilor Pelham with the following conditions:

1. Assign a new parcel number to Lots 7-8
2. Include a brick veneer to cover all four sides of the foundation
3. Include cement boards, wood composites, or vinyl siding to all 4 sides
4. Include 8" - 12" roof overhang around the entire house
5. Include gutters and a covered front stoop
6. Maintain 20% tree canopy
7. Install a concrete or asphalt driveway

Upon the roll call, the vote resulted:

<b>Roll Call:</b>	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Denton	-	No
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 4-1**

**COMMUNICATIONS FROM CITIZENS**

Evelyn Gross (Ward 5) expressed that she is asking for help with her utility bills. Ms. Gross stated she's been coming since April and hasn't heard anything as of yet. She expressed that the sewer bill is very high and was told that in May, funds would be available to help because people are struggling and she's asking for council to serve the people and help.

Rita Joyner (Ward 1) wanted to rely the message to take action to complete the past due city audits. She explained that it affects the city credit score and recommends the city seek help from the state auditors and thanked council for their service.

Ed Houser (Ward 5) expressed his concern with the crime in Hopewell. He stated that people aren't safe. He asked what needs to be done and asked if we needed the state police to come in to help.



**REGULAR BUSINESS**

**R-1:** VA Dept. of Social Services (Promise Utility Program) – The state is offering a Low Income House Water Assistance Program (LIHWAP), which is a federally funded program that help households pay for drinking water and wastewater for their homes. The program will help eligible customers experiencing financial burden pay their past due home water bill. Dr. Manker is asking Council if they would give the Interim City Manager the authority to enter the program, complete the intake form and allow the Department of Social Services to contact our customers. There was discussion by Council.

The motion was made by Vice Mayor Parton and seconded by Mayor Bennett. Upon the roll call, the vote resulted:

Roll Call:	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	Yes
	Councilor Denton	-	Yes
	Councilor Pelham	-	Yes
	Councilor Randolph	-	Yes

**Motion Passes: 5-0**

**R-2: Resolution Amending the FY23 Budget – American Rescue Plan Act Funds** – Staff recommends City Council to appropriate a total of \$120,000.00 to Capital Fund (Fund 071) for the payment to the Commonwealth Catholic Charities to fund the cold weather shelter from the months of November 2022 to March 2023.

Councilor Pelham made a motion to consider a RFP to allow others people to bid for the money instead of just Catholic Charities. The motion died for lack of second.

The motion was made by Councilor Denton and seconded by Vice Mayor Partin to appropriate the funds. During the vote, Councilor Pelham raised a question to the city attorney asking if Council had to get a bid since it's 120,000.00 or if the agency on the state contract? City Attorney stated she would have to research the state contracts to see which charities are available.

After a lengthy council discussion council Pelham motioned to table the discussion until the City Attorney researched the existing contracts which was seconded by Mayor Bennett. Council voted whether Councilor Pelham substitute motion was valid. Upon the roll call, the vote resulted:

Roll Call:	Mayor Bennett	-	Yes
	Vice Mayor Partin	-	No
	Councilor Denton	-	No
	Councilor Pelham	-	Yes
	Councilor Randolph	-	No

**Motion Failed: 3-2**

Vice Mayor Partin asked the city attorney how long would it take to research. She replied that she could have the information by tomorrow but discussion would have to be on the next meeting. She explained the RFP process and expressed the time frame. There was more discussion and then the motion was made by Vice Mayor Partin to amend the motion that upon approval of the city attorney research, council would appropriate 120,000.00 for the Commonwealth Catholic Charities. Upon the roll call, the vote resulted:

Roll Call: Mayor Bennett - No  
Vice Mayor Partin - Yes  
Councilor Denton - Yes  
Councilor Pelham - No  
Councilor Randolph - Yes

Motion Passes: 3-2

**R-3:** Mr. Newman asking for salary increases for 3 assistant attorneys and body cameras. Mr. Newman said he delayed his request because he didn't need it at that time but now he risk losing his staff. There were council discussion and a motion was made by Vice Mayor Partin to table the discussion until further clarification and seconded by Mayor Bennett Upon the roll call, the vote resulted:

**Roll Call:** Mayor Bennett - Yes  
Vice Mayor Partin - Yes  
Councilor Denton - Yes  
Councilor Pelham - Yes  
Councilor Randolph - Yes

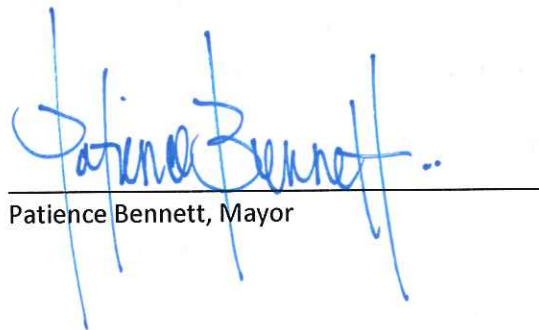
**Motion Passes: 5-0**

**Reports of City Manager:**  
**Reports of City Clerk:**  
**Reports of City Attorney:**

**ADJOURN**

By rule of Council, this meeting ended at p.m.

  
Lois A. Gabriel, Interim City Clerk

  
Patience Bennett, Mayor