

MINUTES OF THE OCTOBER 10, 2023 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday
October 10, 2023 at 6:00 p.m.

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

Councilor Joyner makes a motion to allow Vice Mayor Gore and Councilor Harris to participate in meeting by zoom, Councilor Denton seconds the motion.

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

Motion Passes 5-0

CLOSED MEETING:

Councilor Pelham and second by Councilor Holloway makes a motion to go into closed session 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 to the extent such discussion will be aided thereby.

ROLL CALL

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

Motion Passes 5-0

Reconvene Open Meeting

No motion made to reconvene open session, roll call taken:

ROLL CALL

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

Motion Passes 5-0

CERTIFICATION:

Immediately thereafter, council responded to the question 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 meeting?

ROLL CALL

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

Motion Passes 5-0

WORK SESSION

WS-1- City Right of Way Policy Compliance Update: Chris Ward.

Mr. Ward begins by providing recommended proposed updates to the cities Right of Way policy. The current policy dates to 2003 and it's not compliant with state code. He states other issues we have with our vacation policy is the cost associated with vacating rights of way is confusing to our citizens. The process is unnecessarily lengthy and costly. The application for right of way vacation is not like the other applications in the department. Mr. Ward states he has submitted a red line version of the policy in the packet. He went on to summarize the proposed changes, primarily clarifying some wording in the policy. Secondly, Mr. Ward is proposing to remove the part which has a refundable deposit per petitioner and make it a flat one-hundred dollar application fee. Mr. Ward goes on to discuss recommendations for compliance and reasons why the planning commission is absent in the review process for Right of Way. Mr. Ward states in the current policy, there is a collections problem where the city is paying for ad costs instead of the petitioner incurring the ad fee. He states the revised policy will be able to better enforce the public hearing ad payment if it is reduced down to one, acknowledging this is for public hearings at City of Hopewell. The existing application is not thorough, it is old and doesn't cover all of the necessary aspects of a right of way

vacation request. A new application request has been developed that is in-line with what the other applications look like. Mr. Ward details the new application also has disclaimers the petitioner would need to recognize so that they fully understand the process. Mr. Ward explains the right of way vacation process is really a two part process, having the council agree to the vacation right of way but petitioners would be required to submit what is known as an administrative re-subdivision, which legally takes a vacation right of way and attaches it to the petitioners' property. He tells that often the petitioners did not understand that process because of the additional cost associated with this administrative re-subdivision process.

REGULAR MEETING

Mayor Partin calls the Regular Meeting to order.

ROLL CALL

Councilor Denton-	Present
Councilor Pelham-	Present
Councilor Holloway-	Present
Councilor Joyner-	Present
Councilor Harris-	Present (virtual)
Mayor Partin-	Present
Vice Mayor Gore-	Present (virtual)

Prayer by Reverend Danny Tucker, followed by the Pledge of Allegiance led by Councilor Denton.

Councilor Holloway makes a motion to adopt the Regular Meeting Agenda and

second by Councilor Denton.

ROLL CALL

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

Motion Passes 7-0

Councilor Holloway makes a motion to adopt the Consent Agenda and second by Councilor Joyner

ROLL CALL

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

Motion Passes 7-0

INFORMATION/ PRESENTATIONS

1. Police Report by Chief Taylor-

Chief Taylor reports the details of the month of September beginning with the crime summary of violent crime reduction total of 36 percent decrease.

Property crimes are down for Arson, Burglary and larceny except for Motor Vehicle Theft which is up by 50 percent. This is a nationwide issue with higher thefts of Kia and Hyundai vehicles. He discusses social media hacks containing instructions for car thieves. Chief Taylor states he has reached out to Facebook and citizens on Facebook notifying them and make them aware of this problem. The police department is doing as much as they can to try to solve them. Chief Taylor gives the Property Crime total is -10 percent and major crime total is -16 percent this reporting period. The grand total of Opioid Overdoses is 84 suspected opioid overdoses tied with year 2021. The report on Shots fired is at 50 where there was 49 in 2021. There is a slight increase in shots fired in the city. Chief Taylor outlines upcoming events for the month of October 2023. The technology success from 2/26/2023-09/29/2023 Chief Taylor details the stolen vehicle recoveries to Hit & Run investigations. City of Hopewell police have and will be attending several job fairs on September 13, 2023 at Hampton Sidney University in Farmville VA and October 25, 2023 at VMI. Facebook Boost allows us to pay a fee for recruitment notification to be sent out to a larger area. An applicant interview Panel held on September 28, 2023 and several are in background. Recruitment flyers have been updated and as well as the increase in starting pay and the sigh on bonus. Lastly, Chief Taylor notes that the police department participated in a job fair held today, October 10, 2023 at the Community Center. Councilor Pelham asks if there were any people interested in the police department at today's job fair. Chief Taylor states officer assigned to the job fair will give his report on the details. Dr. Manker adds there were 9 applicants about 10:30 am.

COMMUNICATIONS FROM CITIZENS

1. Dorothy Flowers- explains in detail about a severe black mold problem in the apartments where she lives. Most of the residents have been sent to hotels and not currently living on the property. Ms. Flowers claims she has been sent back to live in her apartment but there is still a black mold problem. There have been humidifiers placed in apartments and no one is explaining how tenants are to pay their electric bill. She states no one will answer the phone in the office if you call. She notes the Hopewell food pantry is running out of food and needs a donation. Ms. Flowers states she is having health issues now. She asks that council can help with this situation. Mayor Partin asks Dr.

Manker to reach out to Mr. Starlene and ask if he can provide council with a remediation plan.

2. Sha'rah Fuller- Gives some details of violence in her family. She comments on the situation of the previous speaker. Ms. Fuller gives some examples of negative situations and incidences going on around Hopewell. She states the police officers are tired, sleep deprived working overtime shifts. Ms. Fuller goes further to state that as a mother of young children, who are scared that she is scared as well being outside their home. She states the people are frustrated and need resolve. She asks what does city council need from the citizens to get things done properly.

PUBLIC HEARING

PH-1-Collective Bargaining-Caleb Kershner, Will Thetford, Vance Stallings (second reading). Mr. Caleb, part of the legal team for the Hopewell Chapter of the SSPBA presents at the City Council. He begins with the history of collective bargaining 40.1 57.2 was amended in 2020 to allow collective bargaining by municipal employees. Since that time, many jurisdictions have now implemented collective bargaining by adopting collective bargaining ordinances or resolutions and some have also completed the process to establish their first collective bargaining agreements. Collective bargaining allows employees to have a voice and provides a process by which public employees and the City can proactively and effectively address problems, like vacancies and turnover. It allows the City and employees to be more effective in their service to the Citizens. The Hopewell Chapter of the Southern State Police Benevolent Association (SSPBA), in cooperation with the City of Hopewell Police, are proposing the adoption of a Collective Bargaining Agreement between the City of Hopewell and members of the police department represented by the Hopewell Chapter of the PBA. Hopewell Chapter of the SSPBA requests that the City Council consider and adopt an ordinance permitting police officers and other public employees to collectively bargain as in its proposed ordinance. The police officers support the ordinance and look forward to participating in the process if the City Council authorizes it.

Councilor Joyner makes a motion to extend the meeting until CR-1 is finished.

Motion is seconded by Councilor Denton.

ROLL CALL:

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

Motion Passes 7-0

Mayor Partin opens the floor for public hearing citizens to ask any questions.
City Clerk reads public hearing section code.

1. Shirley Hummel wants city council to support collective bargaining for the benefit of our police.
2. Sharah Fuller asks that city council supports collective bargaining. She states the police are asking for something to be able to make better decisions; to alleviate some of the pressure and the stress that is on their shoulders every day and allow them to be able to do the best they can do make the best job and decision.
3. Robert Sargent- Strongly urges city council to go with bargaining. The police do a job the majority of us wouldn't consider doing. They put themselves in harm's way. They're just wanting to get a voice and I'm all for it. So, please vote yes towards collective bargaining.
4. Jackie Shornek- explains an incident she had while going on a walk as she spoke to local residents. She states the police are catching the grief for the crimes that are committed every day. She states the police are underpaid and undervalued. She comments salaries have been given to other department but you can't give them what they are asking for, collective bargaining? Ms. Shornek goes on to state that the people want change and that change comes

from you (council). The people have no control over how you vote. She tells that today the people deserve collective bargaining and that it's her way the peoples way of saying we want it now.

5. Susan Daye- Goes on to explain EMS procedures to involve the actions of the police department. She states that if we are down officers, it affects EMS officers in the city because it's a situation where they may have to go into a building that can't be cleared because there aren't enough officers that can do that. She states she one hundred percent 'back the badge' and encourage you to please vote for collective bargaining and give them a voice at the table.
6. Charles Bennett- Explains he is a city employee and that this issue when meeting with business owners is a real issue as far as dealing with crime and he supports whatever tools the council can wisely use for this. Mr. Bennett notes that as an employee of the city of Hopewell and who is not on the list of the people who would be benefitting from collective bargaining, he feels that as employees, we have been communicated in an effective way from council or management, as this issue is before us today. He states the police are extremely important and supports them one hundred percent. But we have a lot of employees in the city that he believes will be impacted by decisions that are made and he would like to have more communication to us as employees, that are not a part of collective bargaining, on the impacts of that. It would be great to hear what happens in other localities maybe in other states. He states there are deficits in other departments and other areas so this would be a request I have as a citizen and as an employee of the city of Hopewell.
7. Robert Howard- Explains his former position with the Government. He states that collective bargaining is in the best interest of the United States. So, it should be good for Hopewell. Mr. Howard states they had the right to collective bargain, arbitration and the right to bargain on conditions of employment. He believes all police officers in Hopewell need a union and they need it badly. He states the need for a professional police force in this state.
8. Shamika Lewis- states she supports collective bargaining. Ms. Lewis

mentions she is sorry to see so many officers leave the city. She shares some of the concerns of the officers and supports collective bargaining as a citizen.

9. Constance Monroe- Officer Monroe explains her journey to become an officer and some of the situations that have occurred while being an officer. She asks council that they should be asking why would an officer want to leave what they have accrued to go elsewhere. She asks council to please help us want to stay here. She explains some of her duties and responsibilities and her work hours over the next few months. She states she doesn't want to go anywhere else and neither does her co-workers.
10. Ed Houser- States that he has spent some time talking to the officers doing functions in the community. Mr. Houser states that many of the officers are dedicated to this community and there's not much they wouldn't give to this community. He states if it's worth a couple of dollars to you to lose those kind of people in this community, you all need to get up from those seats.

Councilor Joyner moves to make a motion to have a work session on consideration of Collective Bargaining at the next regular meeting in two weeks. Motion was seconded by Mayor Partin. Vice Mayor Gore asked for a friendly amendment to be reviewed in a month to allow time for them to get stuff together. Councilor Joyner accepts the friendly amendment stating if there can be a vote by the November 14th meeting if there will be a work session within two weeks of tonight's meeting. Vice Mayor Gore had a point of order asking if the friendly amendment was accepted, she received an answer that yes the friendly amendment was accepted. Councilor Denton speaks in reference to her opinion of collective bargaining and believes they need to do their due diligence before making a decision. She states she does not believe this can be decided on two weeks. Councilors have debate back and forth regarding the motion prior to roll call. Councilor Holloway states officers have the ability to speak to council with any issues they have whenever they need to. Mayor Partin states he is in support and was ready to vote in favor for it tonight, but due to caring for the police and ensuring they have all tools they need he wants to ensure this comes forward successfully. Councilor Harris states it is the law of our land to have collective bargaining, and he would not deprive his citizens of their rights, but he does not want anyone misled of how it works. Motion on the floor is to have a work session in two weeks, and final vote for

collective bargaining on the November 14th meeting.

ROLL CAL:

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

Motion Passes 6-1

REGULAR BUSINESS

R1- Amendment to the Connection Sewer Fees Ordinance-City Attorney, Danielle Smith. Consideration for the amendment to the City's sewer use connection fee ordinance that is already in existence. Changes are where a property owner divides a parcel of land into two or more lots. There is an available sewer line when the secondary lot does not have a pre-existing sewer line. The connection fee would remain the same at \$2,026 paid in advance. Where there is a pre-existing sewer line connection in that same example, the proposed change fee would drop to \$200, because there is already a connection to the sewer line. Attorney smith is asking City Councils action on the proposed ordinance change.

Councilor Joyner makes a motion to approve amendments to the sewer Fee ordinance as presented and seconded by Mayor Partin.

ROLL CAL:

Councilor Denton-	Yes
Councilor Pelham-	Yes
Councilor Holloway-	Yes
Councilor Joyner-	Yes
Councilor Harris-	Yes

Mayor Partin-	Yes
Vice Mayor Gore-	Yes

Motion Passes 7-0

R-2 - Amendments to the transient occupancy Tax ordinance – Danielle Smith discusses the proposed ordinances amendment to discuss the additions to definitions inside the ordinance regard to person, retail sell, room change, and accommodations provider in section 34-146 of city ordinance. Another addition are the added job responsibilities for the commission of revenue Ms. Reason who is now required to report all information to Virginia dept. of Tax and must maintain a list of hotel owners here in the city of Hopewell and have a copy of all rules and regulations that will be available in her office. She provides contact info for Ms. Reason. Mrs. Smith opens the floor for questions.

Councilor Joyner makes a motion to approve amendments to transient occupancy tax ordinance as presented and seconded by Councilor Denton.

ROLL CAL:

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

Motion Passes 7-0

R3 - Amended FOIA policy language and fees – Mrs. Smith asks for consideration to adopt a FOIA policy required by general assembly. Specifically, the general assembly has required that every city, county, or town to adopt the FOIA policy and post it to the city website to allow citizens to be aware of the fees associated with their requests. She explains what the current policy is. She gives council options on how they can set the policy, to either

continue current policy, set hour rate, or set flat rate per page. City council action is requested; she is also asking for a deadline for payment with regard to making request for the FOIA documentation. She offers a suggestion to say if it is not picked up within a 60 day pay period, the office may shred and get rid of the documents.

Councilor Holloway suggest there be an addendum to help with senior citizens or disabled, because the prices may not be affordable to those on fixed incomes. Councilor Denton asked do they need to give the city attorney what option they want tonight if it should be flat rate or choose a different option. City attorney answered yes to her question. Councilor Holloway asked for point of information stating he thought they voted on what they should do and he believes they agreed to do it by employee salary, he asked is there a consensus and it was stated there was a consensus but not a vote.

Councilor Denton makes a motion to charge \$35 dollars an hour and .10 cents per copy. Motion dies for lack of second.

Councilor Gore makes motion to adopt the policy and keep it the same and for staff to develop an exception policy for those who are disabled and senior citizens, motion is second by councilor Joyner. Councilor Holloway asked for point of order for what clarifies what is a senior citizen. Vice Mayor Gore stated to apply the same standard that is applied in the commission of revenue for tax exemption.

ROLL CAL:

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

Motion Passes 7-0

R4 – Mr. Thomas gives a presentation about the queen Ann pump station. He begins explaining his diagram that was presented to council. He stated there has been increased development and the current set up reduces the pump capacity that was originally installed. In the past there have been overflows that leads to the Appomattox river. He is looking to improve resiliency and construct a separate force main for the prison and the jail flow. He states this also helps protect the environment. He provided a memo that highlights that davenport suggested to use the sewer improvement fund and the sewer rate stabilization fund. He is requesting to appropriate 3 million to have contingency money from the two funds mentioned. He explains in detail the valves and the walls and the equipment that is aged and needs to be replaced. He opens the floor for any questions.

Councilor Holloways makes a motion to approve the resolution as presented, Mayor Partin seconds the motion.

ROLL CAL:

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

Motion Passes 7-0

COUNCILOR REQUEST

Vice Mayor begins her presentation by stating she did not provide documentation because for this discussion there are no documents to present. This presentation is up for discussion if council is in agreement to hold a retreat at the beginning of next year. She also recommends to do a two-day retreat, day one being a dinner and evening retreat, and day two will be a full day retreat.

She leaves it to council how the days fall. She then asked council will they want it to be in town or out of town, she stated the even has to be open to the public. She goes into detail what the retreat will include to include Robert's rule of order, and council rules to determine what everyone's roles are. She stated she would like to be a part of the planning committee and opens the floor to council to give ideas. Councilor Harris asked why is it taken this long for this to come up. Vice Mayor Gore says because it is not a standard to do so it had not happened often before. Vice Mayor Gore asked is there any objections to planning the retreat. There was an agreement to do it in January or February. Councilor Holloways asked to do end of January and everyone was in agreement. Councilor Joyner, Councilor Denton, Councilor Holloway, Vice Mayor Gore, City Manager, and City Clerk, and City Attorney will be part of the planning committee for getting the retreat planned. Vice Mayor Gore asked what is local to the council to determine where to plan to have the retreat. There was an agreement to keep it local and be mindful of night time driving, Richmond is not too far but try to avoid Richmond if possible. Vice Mayor Gore asked is everyone in agreement to a two-day retreat, dinner one first day and one full day of retreat. Councilor Pelham stated planning committee will come back with options of dinner and dates and locations. Vice Mayor Gore stated when they meet they will come back with topics they will want to discuss. Councilor Holloway asked if they would be going home each night, the answer is they will come back and forth for the retreat it will not be an overnight retreat. Councilor Pelham asked can she pull up an old to do list to incorporate it into the agenda.

Councilor Pelham would like to make a motion for closing comments by council, Mayor Partin seconds it.

ROLL CAL:

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

Motion Passes 6-1

Councilor Joyner thanks all citizens who came out to speak about collective bargaining and looks for a vote within the month.

Councilor Holloway thanks the officers who appeared and those who left for their service and to remind them their doors are open to speak to them about any issues.

Councilor Pelham thanks to all the citizens for coming up and hopefully in the future more people will come out and engage more for everything. She thanks the lamb of arts for what she is doing with the children.

Councilor Denton says she supports her police, public works, the fireman and feels she is very lucky to have dedicated employees.

Vice Mayor Gore thanks everyone for supporting her and have a ward meeting to get one scheduled with Dr. Manker soon. She offers other councilors to join in and do the same thing.

Mayo Partin stated he has no comments and have a great evening.

Councilor Holloway makes a motion to adjourn.

Vote: 7 Aye

0 Nay

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brittani Williams", written over a horizontal line.

Brittani Williams, City Clerk

A handwritten signature in black ink, appearing to read "Johnny Partin", written over a horizontal line.
Johnny Partin, Mayor