

December 13, 2022
Regular Council Meeting
Hopewell City Council

A regular meeting of the Hopewell City Council was convened on Tuesday, December 13, 2022 in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:

Councilors/Elected Officials

Mayor Patience Bennett (Ward 7)
Vice Mayor Johnny Partin (Ward 3)
Debbie Randolph, Councilor (Ward 1)
Jasmine Gore, Councilor (Ward 4)
Janice B. Denton, Councilor (Ward 5)
Brenda S. Pelham, Councilor (Ward 6)

Staff

Dr. Concetta Manker, Interim City Manager
Danielle Ferguson Smith, City Attorney
Lois Gabriel, Interim City Clerk

CALL TO ORDER

Mayor Bennett called the meeting to order at 7:00 p.m.

ROLL CALL

Roll call was taken by the in the order as follows:

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

Quorum established.

Councilor Gore requested it to be noted that Councilor Holloway was excused from the meeting

December 13, 2022
Regular Council Meeting
Hopewell City Council

CLOSED SESSION

Vice Mayor Partin moved to go into closed session pursuant to Va. Code Section §2.2-3711 to discuss and consider personnel matters and contract negotiations.

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

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes

Motion Passes: 5-1

Mayor Bennett reiterates that the closed session is pursuant to Va. Code Section §2.2-3711 to discuss and consider personnel matters and contract negotiations.

The City Council went into closed session.

RECONVENE OPEN MEETING

Motion was made by Vice Mayor Partin and seconded by Councilor Gore to come out of closed session. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Not Present
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 5-0

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? At the roll call, the responses resulted:

December 13, 2022
Regular Council Meeting
Hopewell City Council

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	No
Councilor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes

Motion Passes: 4-2

Councilor Pelham requested a Point of Information inquiring on whether the individuals who voted No on the certification needed to explain. The City Attorney responded indicating if there is a No vote then the person who made the No vote needed to explain their vote.

Councilor Randolph indicated that there was a subject, specifically C2 (Pending List – Consent Agenda) that was spoken about in closed session that was in the regular agenda. Councilor Pelham indicated that it was discussed as it related to personnel. Mayor Bennet attested to discussion of C2 as it relates to personnel matters. Councilor Randolph maintains her explanation and No vote.

Mayor Bennett would like the City Attorney to clear the record. Councilor Pelham wanted to know how much Councilors have to specify their reasoning behind their vote. The City Attorney advised that there need to be an explanation to the objection to certification and that once the body is made aware of the reasoning that it is enough. Pelham asked further inquired what else needs to be done.

Mayor Bennett asked for a Point of Information from the City Attorney asking if during closed session if there was an objection to anything that is discussed is it a requirement or responsibility of the councilor to state that in closed meeting and address that with the City Attorney, prior to continue.

City Attorney confirmed that she believes that it is accurate. Mayor Bennett indicated that this was not done so in the meeting. Councilor Randolph interjected that she inquired whether they “were supposed to be talking about this”. Mayor Bennett inquired from the City Attorney what the next steps were. The City Attorney advised that the body had already made its vote with regard to the information and believed since the vote passed and the body is made aware of the objection and reasoning behind the objection that was all.

Mayor Bennett inquired as to whether Councilor Denton provided her reasoning to which Councilor Denton replied that it was because they strayed off of one subject but they came back on track.

Councilor Gore made a query to the City Attorney indicating that one of the items that is being contested the City Attorney was present for in closed session and wanted to confirm that the legal advice of the City Attorney is that it was in fact a personnel matter covered under closed session. The City Attorney confirmed her position. Mayor Bennett open up the floor for further discussion, hearing none she proceeded.

December 13, 2022
Regular Council Meeting
Hopewell City Council

Vice Mayor Partin moved to resolve to authorize the City Manager after approval as to form by the City Attorney to execute an agreement to the lease to 701 West Randolph Road with a monthly rent of \$4,750 beginning on January 1, 2023, \$5,150 beginning January 1, 2028, and \$5,250 beginning January 1, 2033 ending not before December 31, 2037 and not later than December 31, 2038. The motion was seconded by Councilor Denton. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6-0

Mayor Bennett called the Regular Meeting to order at approximately 8:01pm and asked the City Clerk for a roll call.

Roll Call:

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

Quorum was established.

REGULAR MEETING

Prayer was led by Reverend Tucker followed by the Pledge of Allegiance to the Flag of the United States of America, led by Councilor Randolph.

Mayor Bennett addressed everyone present and shared that since it was her last meeting she wanted to thank all council members and leaders and acknowledged each members diverse qualities. She further pleaded with the community to continue to pray and trust their leaders and urged the community to speak out to

Mayor Bennett called for a motion to adopt or amend the regular meeting agenda. Councilor Denton would like to table the item C-2 until the end of January. Councilor Gore agreed with Councilor Denton and would like to remove item C-2 from the agenda. The motion was seconded by Mayor Bennett. At the roll call, the vote resulted:

**December 13, 2022
Regular Council Meeting
Hopewell City Council**

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6-0

CONSENT AGENDA

Mayor Bennett called for a motion to adopt or amend the Consent Agenda. Vice Mayor Partin moved to adopt the Consent Agenda, his motion was seconded by Councilor Pelham.

Councilor Denton would like to remove from the Consent Agenda item C-5 and C-9 as they are both going to be taken care during the Regular Meeting tonight and should not be a part of the Consent Agenda. The motion was seconded by Councilor Randolph. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6-0

INFORMATION/PRESENTATIONS

Hopewell/Prince George Chamber of Commerce- Dana Newcomer as the upcoming president of the Hopewell/Prince George Chamber of Commerce presented to the City of Hopewell on the updates on marketing and the virtual traffic to their site.

One Hopewell – Jennifer Murphy presented on the One Hopewell initiative and how council can assist with this initiative. One Hopewell was created to identify health disparities in low income households and how stakeholders can assist in curbing these disparate populations. Ms. Murphy presented on the 2018 Hopewell Comprehensive Plan, which determined that Hopewell is ranked one of the least healthy counties in Virginia. One Hopewell has a data analysis tool called Building Blocks that will determine which neighborhoods are among the most disparate in the City of Hopewell and One Hopewell would ultimately provide sustainable solutions for those communities. One Hopewell is seeking the support of City Council to continue its efforts to

December 13, 2022
Regular Council Meeting
Hopewell City Council

expand to its next phase of implementation plan, earn its nonprofit status to solicit funds to maintain staff. One Hopewell presented on the different grants that are being applied for and the allocation for each of these grants.

Councilor Randolph inquired on the length of time that it would take to attain goals of One Hopewell. Ms. Murphy indicated that the goal of building policy for infrastructure would take 6 months to a year; they are seeking funding for the goal of operationalizing the One Hopewell community service center; launching building blocks has already been launched as a data collection and analysis tool and can be used to map out desperate communities; develop neighborhood councils is in the talks with Community Hearts and Soul (1-2 years).

Councilor Denton would like to know if One Hopewell would like to be a City sponsored initiative and funded by the City. Ms. Murphy clarified that she is seeking nonprofit status and would like support from the City on some funding but not all of it. Councilor Denton would like to know what it would eventually cost the City of Hopewell. Ms. Murphy indicated that in the long run it would be a savings for the City as it improves the quality of life for its citizens. Councilor Denton is concerned that there are already programs in place (i.e. healthy families and social servicers) that provide similar services and does not want an overlap in initiatives. Ms. Murphy clarifies that the goal is to not work in silos and connect with each other so as not provide duplicative services.

Councilor Gore clarified that the purpose of One Hopewell is to bring what is not present in the City of Hopewell and to bridge the gap for much needed services (i.e. mental health services and crisis services). Councilor Gore would like to move forward with option 2 and fund the \$130,000 to help with the initiative of One Hopewell. Motion was seconded by Mayor Bennett.

Vice Mayor Partin would like to wait until January to make a determination for funding for this program as he was not prepared for an ask of funding during an informative session. Councilor Randolph inquired to further information on what the \$130,000 was allotted for and sought clarification from development director Chris Ward on whether there was any assistance that could be provided to Ms. Murphy from his department. Mr. Ward explained that there was no additional funding to assist with Ms. Murphy and her initiative outside of the office supplies. Councilor Gore explained that the funding request is to cover Ms. Murphy's salary, mileage to connecting groups, and much needed office furniture and supplies. Councilor Randolph feels that this need to be tabled for the next council meeting where the breakdown of the ask can be done so in writing to determine availability of funding.

Councilor Denton reiterated Vice Mayor Partin's sentiment of this being an informative presentation and was not prepared to spend the City's money without knowing more information and what other programs are already in place that could assist in its initiatives.

Councilor Pelham proclaimed a substitute motion to postpone until the second meeting in January to vote in funding and include the breakdown of the cost. Her motion was seconded by Councilor Gore.

December 13, 2022
Regular Council Meeting
Hopewell City Council

Mayor Bennett inquired from Ms. Murphy and Councilor Gore if there was any funding that is needed from to continue operation until the second meeting in January. Councilor Gore did not have the exact dollar amount that would be needed and inquired from the City Attorney, Mrs. Ferguson-Smith on whether or not the motion can say that Ms. Murphy can continue her biweekly payment without specifying the dollar amount. Upon confirmation from the City Attorney that it can, Mayor Bennett asked where the money for Ms. Murphy would come from. The interim City Manager, Concetta Manker stated that she felt it should come from ARPA funds, as it is a one-time request.

Vice Mayor Partin moved to have a special meeting before the end of the year with an actual dollar figure on what the salary for Ms. Murphy would be to continue operations until the end of January where determination for future funding would take place. Motion was seconded by Councilor Pelham. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	No
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 5-1

A motion was made by Councilor Denton to extend the meeting for an additional hour. The motion was seconded by Vice Mayor Partin. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	No
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 5-1

PUBLIC HEARING

PH-1 602 Mansion Dr modification of development standards application – Chris Ward presented that the contractor built a carport in the front yard without a permit. Zoning ordinance determines that the location of a freestanding carport can only be placed in the back yard. Consideration for a modification was not met, as this was a condition that was created by the applicant. The planning commission agreed with this stance.

December 13, 2022
Regular Council Meeting
Hopewell City Council

Mr. Dale, the property owner of 602 Mansion Dr. addressed Council and took responsibility for not having checked back on the contractor for having a permit. Mr. Dale discussed a property around the corner from him on Princess Anne that has a carport in the front of the lot and pleaded with Council for a medical exemption. Mr. Ward demonstrated to Council that the property in question on Princess Anne is corner lot and that based on the way the zoning ordinance reads the “narrowest side is considered the front of a parcel” and that in fact the carport is in the rear of the property.

Mayor Bennett inquired as to whether there was a way that individuals know what side of their property is considered the front and the back for when they are building a car port. Mr. Ward indicated that City Ordinance requires that building a freestanding carport requires a permit and at the time of application of the permit, staff is able to advise the resident if that is incorrect placement of the structure.

Public Hearing was opened to the floor by Mayor Bennett.

Mr. Dominic Holloway, Ward 7, acknowledged the need to abide by City Code but urged Council to take into consideration Mr. Dale’s personal circumstances when making a decision on this matter.

Mr. Pearson, resident at 615 Mansion Drive, voiced his opposition to Mr. Dale’s carport and offered several signatures from other residents saying that they are not happy with the structure as is and that it is an “eye sore”.

Public Hearing was closed by Mayor Bennett after confirming that there were no other comments.

Councilor Denton made a motion to follow the recommendations of Mr. Ward and the planning commission and deny the modification of development standards for 602 Mansion Drive. The motion was seconded by Vice Mayor Partin.

Mayor Bennett would like Mr. Ward and the planning commission to meet on ways where individual medical needs could be placed into consideration when determining structural permits. Mayor Bennett further wants to review the two applications in her ward that were denied in its entirety to ensure that there are no inconsistencies and would like a mapping perspective for the property at Princess Anne.

Councilor Gore would like to make a substitute motion to have this decision tabled for the Special Meeting in December to include information on the two properties in Mayor Bennett’s ward and the mapping perspective for the property on Princess Anne. The motion was seconded by Councilor Pelham. At the roll call, the vote resulted:

December 13, 2022
Regular Council Meeting
Hopewell City Council

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	No
Councilor Randolph	-	No
Councilor Gore	-	Yes
Councilor Denton	-	No
Councilor Pelham	-	Yes

Motion Fails: 3-3

Council reverted to the original motion made by Councilor Denton to follow the recommendations of Mr. Ward and the planning commission and deny the modification of development standards for 602 Mansion Drive. The motion was seconded by Vice Mayor Partin. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Abstain (Personal Conflict)
Councilor Denton	-	Yes
Councilor Pelham	-	No

Motion Passes: 4-1

REGULAR BUSINESS

R-1 – Virginia Minimum Wage Act increase – Ms. Martinez presented on the Virginia Minimum Wage Act to increase wages to \$12.00. Councilor Denton would like to make a motion to increase the minimum wage to \$12.00 per hour effective January 1, 2023. The motion was seconded by Councilor Gore.

Councilor Randolph inquired as to whether the salary savings covers every bit of salary increase and nobody else needs this increase outside of Recreation and Parks. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6-0

December 13, 2022
Regular Council Meeting
Hopewell City Council

R-2 – E. Broadway retainer wall -Interim Director, Ms. Monique Robinson presented on the retainer wall on 601 E. Broadway. Received a call from a citizen that the retainer wall collapsed. We need \$40,000 to cover the cost of the retainer wall, which is City owned and needs to be repaired for safety purposes.

Councilor Randolph made the motion to give \$40,000 to repair the retainer wall at 601 E. Broadway from salary savings out of Public Works Department. Motion was seconded by Vice Mayor Partin.

Councilor Pelham inquired on how we determined that this retainer wall was City property. Ms. Robinson indicated that Mr. David Thompson, the GIS coordinator did the research and determined that it was our property. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	Yes
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 6-0

R-3 – Repair Courthouse HVAC System – Interim Director, Monique Robinson presented that the Courts building HVAC module was outdated and needs to be replaced. Since the system is a Honeywell and it is a sole source, the cost for replacement would be \$250,000. This replacement would be coming from ARPA funds.

Vice Mayor Partin moved to have the HVAC in the Courts building replaced for \$250,000 to be funded from the ARPA funds. The motion was seconded by Councilor Randolph.

Councilor Pelham noted her apprehension for continued use of ARPA funds.

As it relates to Vice Mayor Partin’s motion to have the HVAC in the Courts building replaced which was seconded by Councilor Randolph. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	No
Councilor Denton	-	Yes
Councilor Pelham	-	No

December 13, 2022
Regular Council Meeting
Hopewell City Council

Motion Passes: 4-2

R-4- Proposed Loitering Ordinance – City Attorney, Danielle Ferguson Smith presented on the proposed loitering ordinance and indicated that Section A defines the prohibited areas, Section B defined the prohibited behaviors, and Section C determined that classification of the misbehavior into a Class 3 Misdemeanor.

Councilor Denton made a motion to pass the proposed loitering ordinance as presented by the City Attorney. The motion was seconded by Vice Mayor Partin.

Councilor Pelham inquired on how the citizens of Hopewell would be education on the new ordinance. The City Manager proposed drafting a marketing plan to get the information out. Councilor Pelham further requested training for people that have to approach those that are loitering to include officers.

Councilor Gore indicated that she did not see how mixed use would be treated under the proposed ordinance since the downtown area is designed for mixed use. The City Attorney indicated that the ordinance does not designate behavior associated with living on the premises as prohibited behavior but rather talks about impeding free passage. Councilor Gore is requesting more research on mixed use to be addressed.

Vice Mayor Partin made a motion to extend the until Council is finished with R-5 and Citizens Communication. There was no second to his motion. The motion fails. Councilor Gore indicated that R-5 talked about the reorganization meeting which by guideline must take place on the First Tuesday in January and if that date falls on a holiday it is to be held on the next day; there was no need to place this on the agenda when there is a protocol already in place.

As it relates to Councilor Denton’s motion to pass the proposed ordinance, which was seconded by Vice Mayor Partin. At the roll call, the vote resulted:

Roll Call:

Mayor Bennett	-	Yes
Vice Mayor Partin	-	Yes
Councilor Randolph	-	Yes
Councilor Gore	-	No
Councilor Denton	-	Yes
Councilor Pelham	-	Yes

Motion Passes: 5-1

**December 13, 2022
Regular Council Meeting
Hopewell City Council**

The meeting adjourned at about 10:30 p.m.



Alyson Reyna, Clerk Pro Tem



Johnny Partin, Mayor