

MINUTES OF THE NOVEMBER 19, 2024 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday, November 19, 2024, at 6:30 p.m.

PRESENT:

John B. Partin Jr., Mayor
Jasmine Gore, Vice Mayor (Arrived at 6:25 p.m.)
Rita Joyner, Councilor
Michael Harris, Councilor (Arrived at 6:03 p.m.)
Janice Denton, Councilor
Brenda Pelham, Councilor
Dominic Holloway, Councilor

CLOSED MEETING:

Councilor Holloway makes a motion to go into a closed meeting pursuant to Va. Code Section § 2.2-371 1 (A)(30) 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)(1) 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. Councilor Joyner seconds the motion.

ROLL CALL

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

Motion Passes 7-0

Reconvene Open Meeting

Councilor Denton makes a motion to reconvene an open meeting. Mayor Partin seconds the motion.

ROLL CALL

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

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 a closed meeting?

ROLL CALL

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

Motion Passes 4-0

REGULAR MEETING

Mayor Partin calls the Regular Meeting to order

PRESENT: John B. Partin Jr., Mayor
Jasmine Gore, Vice Mayor- Absent
Rita Joyner, Councilor
Michael Harris, Councilor
Janice Denton, Councilor
Brenda Pelham, Councilor
Dominic Holloway, Councilor

Prayer by Pastor Collier, followed by the Pledge of Allegiance led by Vice Mayor Gore

Councilor Denton makes a motion to adopt the agenda. Councilor Holloway seconds the motion.

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

Motion Passes 7-0

Councilor Holloway makes a motion to adopt the Consent Agenda. Councilor Pelham seconds the motion.

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

Motion Passes 6-1

COMMUNICATIONS FROM CITIZENS

Edward Cotman- Mr. Cotman addresses the council and states his address. Mr. Cotman explained he was at the last meeting concerning a home being built in his neighborhood. He shares his neighborhood is quiet and very well-kept. Mr. Cotman stated he does not think the city has spent money in that area and crime prevention in 10 years. He explained he does not think it was a good idea to put an unauthorized lot next to a lot that has been vacant for 3 years because it could not be sold because of the connection to the previous owner. He shared there are approximately 4 feet between that lot and the wall of the new home being built. Mr. Cotman explained the neighborhood dynamics and how they do not want change. He ended his speech by stating they would like to keep the neighborhood the way it is at the moment.

Randy Jordan- Randy Jordan, a resident of 2606 Suffolk Street, spoke in support of his neighbor, Mr. Cotman, expressing concerns about a proposed development in their quiet neighborhood. He emphasized that the lot had been vacant for many years and that building a house there would disrupt the peaceful atmosphere. Randy also mentioned that the previous owner had told him that, according to city code, a livable house couldn't be built on that lot due to the size and property line restrictions. He reiterated his desire to preserve the tranquility of the neighborhood.

Carlos Hopkins (on behalf of the Hopewell Manufacturers Assn Glen Allen, VA)- Mr. Hopkins introduced himself and stated he would like to discuss an item that is on the agenda listed under R1 under the regular agenda for Stormwater. He asked if it would be a more appropriate time to discuss the item.

Vice Mayor Gore makes a motion to wave the rules to allow Mr. Hopkins to speak on R1 Stormwater fee study. Councilor Denton seconds the motion.

ROLL CALL

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

Motion Passes 6-1

Councilor Pelham asked Mayor Partin to explain to the audience why the rules were waived to allow Mr. Hopkins to speak during R1. Mayor Partin explained one of the rules with the regular meetings is you can't speak on topics that are on the agenda under communications from citizens unless city council waves the rules.

Carlos Hopkins, an attorney representing several manufacturers in Hopewell, including Advansix, West Rock, and Ashland, thanked the council for the opportunity to speak. He expressed appreciation for the city's support of the manufacturers, particularly in managing the water treatment facilities. While acknowledging the city's fiscal challenges, Hopkins voiced concerns about the proposed increase in stormwater rates. The proposal would raise rates from \$4 to \$8 per unit and reduce the current credit from 90% to 20%, resulting in a significant cost increase for manufacturers. He urged the council to consider alternative solutions to meet stormwater obligations and address the city's revenue needs without imposing such a significant financial burden on local businesses.

PUBLIC HEARING

PH-1 – Conditional Use Permit for Single-family dwelling on a non-conforming lot on Suffolk St. – Chris Ward, Director of Planning and Development

Chris Ward presented the first public hearing regarding a conditional use permit request to construct a single-family dwelling on a non-conforming lot located at the end of Suffolk Street. The property, owned by Ibrahim and Tanya Guat, is in Ward 5 and zoned R2. The lot is 70 feet wide and 7,281 square feet, both of which are below the minimum requirements for R2 zoning. The proposed dwelling is a two-story, 1,665-square-foot home, which is larger than the average neighborhood home (1,187 square feet). The staff has determined that the proposal meets the criteria for approval and is consistent with the comprehensive plan.

The staff recommended approval of the permit with several conditions, including minimum 12-inch eaves, a 20% tree canopy, an asphalt or concrete driveway, a brick or stone foundation, and compliance with the house plans presented at the Planning Commission meeting on October 5th. The Planning Commission had also suggested adding more windows, which the applicants agreed to. The Commission voted 5-0 in favor of the project. Chris Ward offered to answer any questions, and the applicants were also available for questions.

Mayor Partin asked council if they had any questions before the public hearing is opened up to the public hearing. There were no questions so the public hearing was opened and then closed due to no one signing up to speak about the item.

Councilor Pelham made a motion to approve the conditional use permit as presented and approved by the Planning Committee to add the windows. Councilor Denton seconds the motion.

ROLL CALL

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

Motion Passes 6-0

PH-2 – Ordinance Charter Change – Dr. Manker, City manager

Dr. Manker addressed the council regarding an ordinance and resolution to amend the Hopewell City Charter. The amendment, approved by the council on September 10th, involves reassigning certain duties of the city treasurer to the city manager. Under the proposed changes, the finance director will oversee the city's finances, manage the general accounting system, ensure fiscal responsibility, and audit financial transactions. The finance director will also be responsible for managing the city's cash, investments, and bank accounts, as well as handling revenue and fund activity, including the reconciliation of various accounts. Additionally, the finance director will maintain custody of all financial documentation and manage emergency medical service billing. The city manager will have the authority to designate specific departments and employees to assist the finance director. The treasurer will continue to handle the collection and disbursement of state taxes and other dues and will be allowed to employ staff as authorized by the State Compensation Board. The ordinance is presented for official approval as a charter change.

Councilor Pelham raised a question regarding the oversight of the finance director under the proposed ordinance. She pointed out that the city charter gave the council supervisory authority over the finance director and asked whether this should be explicitly mentioned in the amendment. Dr. Manker clarified that the council's supervisory role is already established in the charter, and the amendment is intended to supplement, not replace, the existing provisions. Pelham suggested that if it is not already clear in the ordinance, the language could be revised to reflect the council's supervisory responsibility more explicitly.

Mayor Partin asked council if they had any questions before the public hearing is opened up to the public hearing.

W. Randolph Ward, from Ward 1, expressed her support for the proposed legislative change, urging the council to vote in favor of it. She emphasized that this change should have been made years ago, citing ongoing issues with various aspects of the treasurer's office, particularly the lack of daily reconciliation. Ward

expressed hope that the vote would be positive and lead to the necessary changes being implemented.

Darlene Thompson, from Ward 6, expressed frustration and disappointment with the city's financial management and the actions of the city council. She criticized the council for allowing financial mismanagement, particularly regarding the \$2.3 million charged by the Robert Bobb Group and the subsequent budget overrun of \$7.2 million. Thompson accused the council of raising taxes on citizens after receiving substantial funds, questioning the transparency and honesty of the council's actions. She drew a comparison to fraudulent behavior, stating that the council was complicit in the overassessment of taxes and had done nothing to address the issue. She also questioned the allocation of city funds, criticizing the city manager's high salary and perks while the city was reportedly struggling financially. Thompson suggested that the council was responsible for the ongoing issues and that the treasurer was being used as a scapegoat. She further claimed that the council had failed in its duty to oversee the city's finances and accused them of corruption, particularly over the years of unresolved financial discrepancies.

Mayor Partin closed the public hearing and opened the floor to Councilor Pelham.

Councilor Pelham addressed comments made by Darlene Thompson, clarifying her involvement in the city's financial issues. She explained that in 2015, along with Councilor Gore, she advocated for a forensic audit, but the majority of the council did not support it at the time. It wasn't until 2015 that the council began to recognize the need for action, which led to the involvement of the Robert Bobb Group. Pelham acknowledged the city's financial challenges but emphasized that the tax rate had already been set before June of the year in question, and she had voted against it, although it could not be changed retroactively. She also expressed hope that future councils would adjust the tax rate if necessary. Pelham concluded by stating that she consistently voted based on the information available and the input from her constituents, standing by her record over the past 20 years.

Councilor Joyner makes a motion to approve and adopt the proposed ordinance and resolution that reassigns certain duties and functions of Hopewell City's

treasurer to departments under the purview of the city manager. Councilor Pelham seconds the motion.

ROLL CALL

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

Motion Passes 6-0

Councilor Denton makes a motion to implement the reassignment of the treasurer's duties and responsibilities, citing chapter four, section seven of the city's charter, to take effect immediately and the reassignment of the accountant and deputy treasurer from the treasurer's department to the finance department. Councilor Joyner seconds the motion.

ROLL CALL

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

Motion Passes 6-0

REGULAR BUSINESS

R-1 – Storm Water Fee Study (1st reading)- Michael Campbell, Public Works Director

Michael Campbell presented a proposal regarding changes to the city's stormwater utility fee. He explained that the fee, which has been \$4 per month since its creation in 2015, funds the city's stormwater management program. However, the current budget of \$95,000 annually is insufficient to cover maintenance and compliance needs. A study conducted by CDM Smith found that the city's fees are inconsistent with industry standards. Campbell proposed several options for increasing the utility fee to ensure the program's compliance and maintenance, including a staff recommendation to raise the fee to \$8 per month, reduce the industrial credit to 20%, and conduct a fee assessment every four years. Although the proposed increases won't fully fund the program, they will help secure grant funding for capital improvement projects. He highlighted that the \$8 increase would cover expenditures for the next fiscal year, with smaller gaps in the following years. Campbell urged the council to consider the proposed changes for better stormwater management funding.

Councilor Pelham expressed her opposition to the proposed stormwater utility fee increase, emphasizing that the upcoming year, with the new Finance Director, Ms. Stacy, would be the first time the City Council would have an accurate, non-inflated budget. She argued that this would allow for a more informed decision about future fees. Pelham suggested that it would not be fair to increase fees on citizens without fully understanding the financial situation. She pointed out that the projected numbers for the stormwater budget were not concrete, and she felt it was too early to make such decisions. She advocated for waiting until the city's budget was thoroughly reviewed under the new leadership to make a more intelligent decision regarding finances.

Michael Campbell expressed his belief that the stormwater utility fund, being an enterprise fund dedicated solely to stormwater expenses, should aim to cover its own costs. He suggested that there should be more flexibility in managing this fund to ensure it adequately meets its financial needs.

Councilor Joyner expressed concerns about the stormwater utility projections, particularly the consistency of the numbers presented for the next five years. She questioned the accuracy of these figures and requested to see the calculations behind them. She was particularly interested in understanding the breakdown of project costs and the specific projects included in the forecast. Additionally, she pointed out that the program management figures appeared to be fixed, which she felt didn't align with the actual budget history, as past program management costs had varied.

Councilor Joyner asked Mr. Campbell to provide an Excel sheet to show how the numbers were formulated.

Michael Campbell explained that the program management cost, which is related to phosphorous credits and MS4 compliance, is difficult to predict accurately for the next few years. However, he clarified that the number presented is based on current known requirements, which is why it has remained consistent in the projections.

Councilor Denton asked if the reduction in the industry credit from 90% to 20% had been discussed with industry representatives. Michael Campbell responded that there had been no discussion, as there was no scenario where the industry would support this change. However, he acknowledged a recent meeting with a company representative where the matter was reviewed. He clarified that the stormwater fee adjustments, including the rate increase from \$4 to \$8, were part of a long-discussed plan and were included in the approved budget. The decision was based on findings from a third-party study to ensure the rate increase was supported by data.

Mayor Partin expressed support for reducing the industrial credit but voiced concerns about asking citizens to cover 100% of stormwater fees while giving industries a 90% discount. He also emphasized the importance of transparency by requesting a list of upcoming capital projects and their anticipated costs. He suggested moving the stormwater fee from monthly billing to property tax to improve collection rates and reduce future rate increases.

In response, Michael Campbell explained that projects such as paving would begin in the spring to maximize efficiency and reduce costs. He acknowledged that some projects are not yet fully funded, which is why they haven't started, but assured that all paving was planned for the upcoming season. Mayor Partin, however, expressed frustration over the lack of visible progress on capital projects and questioned the justification for the proposed tax increase without seeing results from previous investments.

Vice Mayor Gore raised a point of clarification regarding the agenda. She expressed concerns about the wording of the consent agenda, specifically item C7, which mentions the stormwater fee study and the second reading of the fee, and item R1, which refers to the first reading of the stormwater fee. She pointed out that the agenda's phrasing could be misleading, implying that the second reading of the stormwater fee had already been approved when it had not.

She emphasized the need for clarity and for the record to reflect that the item would come back for discussion in the December meeting. Mayor Partin agreed and suggested that future agendas should clearly distinguish between items that are simply setting a date and those that are up for approval.

Councilor Joyner requested that Mr. Campbell provide a list of upcoming paving projects at a future meeting. She specifically asked for a detailed plan of the projects scheduled for spring. Mr. Campbell agreed to send the list to Dr. Manker by the end of the week. Councilor Joyner expressed appreciation for this action.

R-2 - Aquatic Facility Update- Tabitha Martinez, Recreation and Parks Director

Tabitha Martinez addressed the Council to follow up on a September meeting regarding the Aquatic Facility at the Hopewell Community Center and the long-standing third-party rental agreement with Nova South. She provided an overview of the facility's usage by Nova South, which operates with approximately 88 swimmers and uses most of the community center's six lanes for practices, limiting public access during their sessions.

She discussed the financial aspects, noting the city pays a third party to help operate the pool, and outlined the revenue and costs associated with the facility's use. The city's profits from Nova South were highlighted, showing an increase in the current season.

Martinez also outlined the operational challenges due to staffing shortages, with only two full-time lifeguards and adjustments made to accommodate Nova South's practices outside normal hours. She proposed a policy that treats the arrangement as a facility rental, ensuring that outside agencies do not hinder public access or programming. She emphasized that improving accessibility and inclusion for the community remains a strategic goal. Finally, Martinez planned to submit an internal policy for approval to manage outside facility rentals and ensure equitable access for all residents.

Councilor Pelham asked Tabitha Martinez to clarify the swim fees for Nova South, which range from \$95 to \$215 per swimmer per month. She questioned why the city, rather than Nova South, should pay for an additional lifeguard, especially when the swim team is paying for the facility rental. Martinez explained that the city has historically treated the relationship as a partnership, recognizing the

opportunity it provides for youth and the community. However, she acknowledged the need for adjustments, as it has been a longstanding arrangement for over 15 years.

Councilor Pelham emphasized that taxpayers should not cover costs for services benefiting non-residents. She suggested that the city should not be responsible for paying lifeguard fees and should negotiate the contract annually, considering the city's needs. Martinez agreed that the contract should be renegotiated annually and clarified that while Nova South has offered to cover the cost of the Saturday lifeguard, the city still pays for it. Pelham recommended that the city treat this as a facility rental and ensure better terms for the city's taxpayers.

Vice Mayor Gore expressed concerns about the ongoing partnership between the city and Nova South, believing the city might be subsidizing their business. She questioned the use of city resources, like paying for lifeguards, when the city faces financial struggles elsewhere, such as the need to replace a marquee. She emphasized that taxpayer funds should prioritize the citizens of Hopewell and not be used for outside organizations' activities. Gore pointed out that staff have been resistant to change in long-standing agreements, but she suggested the city must make decisions to avoid being taken advantage of.

Tabitha Martinez acknowledged these concerns and reiterated that she inherited the current agreement but is working to improve it. Gore called for a more equitable MOU (Memorandum of Understanding) that ensures the city's interests are protected and that the relationship doesn't take advantage of city resources. Martinez explained that the MOU for the current season is still under negotiation, and Gore asked for an updated MOU to be presented at the next meeting, addressing these issues for both the current and upcoming seasons.

Dr. Manker, a participant in the discussion, warned against making changes mid-season, as the swim team's parents had already made payments and commitments. Gore adjusted her suggestion to allow for negotiations to take place for the next swim season, not mid-season, focusing on protecting the city's interests moving forward. The motion was amended and agreed upon by the council to negotiate the next contract with the swim team.

Councilor Joyner expressed a desire to see the financials, including an operational summary, to assess whether the current arrangements with Nova are profitable, especially given the rental of lanes and other associated costs. She also raised

concerns about the need for significant capital investment in the pool, citing last year's extended downtime. Additionally, she inquired about the role of Swim RVA in these arrangements.

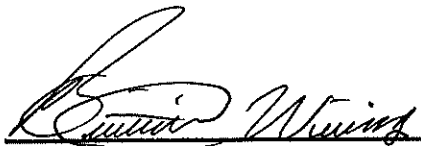
Tabitha Martinez clarified that Swim RVA is a valuable partner, helping with the second-grade learn-to-swim program and providing lifeguards when needed at no cost to the city. She explained that Swim RVA works with Hopewell's elementary schools without charging them but charges for outside agencies, such as those from Prince George and Chesterfield, unless they provide their own lifeguard.

Martinez then discussed the financial situation with Nova, noting that while the arrangement is not a complete net loss, it is close, with a loss of about \$35,685 after factoring in the costs of lifeguards. She acknowledged that raising rates significantly would make the program unaffordable for families, which complicates adjustments. Additionally, there are concerns that during prime times, when Nova is using the pool, it limits access for families, leading to overcrowding in lanes, which hampers the city's ability to run its own revenue-generating programs like learn-to-swim sessions.

The meeting adjourned due to time passed.

ADJOURNMENT

Respectfully Submitted,



Brittani Williams, City Clerk



Johnny Partin, Mayor