

MINUTES OF THE AUGUST 8, 2023 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday
August 8, 2023 at 6:00 p.m.

PRESENT: John B. Partin, Mayor
 Jasmine Gore, Vice Mayor (Late 6:10pm)
 Rita Joyner, Councilor
 Michael Harris, Councilor
 Janice Denton, Councilor
 Brenda Pelham, Councilor
 Dominic Holloway, Councilor

CLOSED MEETING:

Councilor Joyner and second by Vice Mayor Gore 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, and VA Code 2.2 -3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Councilor Joyner moves to make a motion to come out of closed meeting and second by Councilor Pelham.

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

CERTIFICATION:

Immediately thereafter, council responded to the question pursuant to Virginia § 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-	Yes
Mayor Partin-	Yes
Vice Mayor Gore-	Yes

Motion Passes 7-0

Councilor Holloway moves to make a motion to appoint Thomas Wagstaff, Tony Anton, Susan Benton to the board of Economic Development Authority; and Beverly Balint, Vickie Riley, and Misty Phippen to the Healthy Families Advisory board, second by Councilor Pelham

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

WORK SESSION

WS-1- Collective Bargaining-Will Thetford and Caleb Kershner

The presentation began with an introduction of Caleb Kershner, by the President of the Hopewell Chapter Southern States Police Benevolent Association (SSPBA)- Michael Reed David. Caleb Kershner spoke about the history of Collective Bargaining in Virginia and the cities and counties that have adopted its ordinances. He notes the basics of Collective Bargaining as it begins with a bargaining agent. The proposed bargaining unit is the police department. Issues that are subject to bargaining are Terms and conditions of employment, wages, salaries and all forms of monetary compensations, benefits, personnel policies and practices, working conditions, hours and scheduling of work and subject to management rights. Caleb Kershner details how the Collective Bargaining would work under the proposed ordinance. There are protections for the City of Hopewell such as set boundaries in the ordinance. The City of Hopewell does not give up its 'Management Rights' by entering collective bargaining and City Council still has ultimate say on matters of appropriations. Collective Bargaining is designed to have both parties voluntarily agree to address important matters to all parties. It usually takes one to two fiscal years before a bargaining agreement would be implemented. Strikes are prohibited for many City employees by State law, prohibited for SSPBA members and prohibited by the bargaining ordinance, as it is a part of the proposed

ordinance. Next steps would be to consider and approve the Ordinance to allow Collective Bargaining. The City of Hopewell will appoint a labor relations administrator to continue in the collective bargaining process. It is normally a 3-year contract. In order to ensure there is time for the ultimate collective bargaining agreement to be worked into the next fiscal years' budgeting process, most collective bargaining ordinances have a time frame when bargaining is initiated and completed in order to be included in the current fiscal year. Caleb Kershner gives an example which outlines a timeline of an ordinance passing this year.

REGULAR MEETING

Mayor Partin calls the Regular Meeting to order

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

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

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

ROLL CAL:

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

Motion Passes 6-0

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

ROLL CAL:

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

Motion Passes 6-0

INFORMATION/ PRESENTATIONS

1. **Finance Report**-Michael Terry, Finance Director

Mr. Terry presents the financial report for the month ending July 31, 2023. He begins his updates by first addressing a couple of house-keeping questions from council members. The auditor asked the City and schools to put together the PBC items in order to prepare and complete the audit. The auditor requested approx. 157 items to be completed for FY2020. As of July 31, 2023 eighty-five percent of those items has been completed. A final draft of the FY2019 audit will be available on August 16, 2023. The final report will be presented at the September 12, 2023 Regular City Council meeting. The auditor completed reporting the opinion and findings with an audit date of July 31, 2023. As far as internal controls for FY2019-FY2022, there were no material weaknesses, no significant deficiencies. There was a 'clean audit' for each of these years for the Head-start Program. There were no audit findings for FY2019-FY2022.

2. **Presentation from City's financial Planner**-James Sanderson

James Davenport of Davenport and Co. is the financial advisor for the City of Hopewell and reports on Tax-supported bonds for the City of Hopewell. Mr. Sanderson gives the update on the Tax supported debt service slide information shown by fiscal year. The City of Hopewell has held a very good credit rating from 1989 but failed to continue around 2017. Interest rates has fluctuated from .50 percent to almost 4.0 percent from January 2020 to August 2023. Mr. Sanderson highlights potential savings at points in time with the general fund, City Sewer Fund and Regional Wastewater bonds. Mr. Sanderson has reviewed and listed such as national credit ratings, ability to access debt markets, state and federal grant programs, financial assurance and uncertainty by stakeholders. There is more information shown in the appendix such as analysis and more information on the existing data for City Council's review.

COMMUNICATIONS FROM CITIZENS

1. Marcheal Crocker, Hopewell Virginia- Ms. Parker picks her grandson up from the school bus top. Ms. Parker says in her stay at her daughters' home

she picks her grandson from the school bus stop and a car ran thru the bus stop signal, nearly hitting her and her grandson. Ms. Parker alerts there is constant speeding on the main street where she lives. She states there are no speed signs posted on her street. Ms. Parker is requesting a speed bump on her road to slow down the speeding vehicles.

2. Sha'rah Fuller, Hopewell Virginia- States the citizens need more than is currently being done to address problems in Hopewell. The speeding thru residential roads, the amount of crime throughout the City and safety of the Hopewell citizens are problems in the different Wards and she believes there doesn't seem to be any funding to get things done.
3. Ripley Ballou, Hopewell Virginia- Mr. Blu is asking the Robert Bobb Group to be required to present a 3-month agenda of their specific objectives, a timeline to achieve it and the status of what has been achieved. Whether the objectives have been met, delayed or failed and what is the mitigation plan. He states the citizens deserve to know how the money is being spent, what progress is being made and where the bottlenecks are occurring. Mr. Blue would like the updates at the council meetings possibly during the open session.
4. Larry Searce, Hopewell Virginia- He states the City of Hopewell has created pay compression. Larry Searce says all the sworn officers are affected by the pay compression. With the pay plan and step increases, the increases were made but the steps were not adjusted all the way from bottom to the top. He comments the officers from the first three years of service were making the same amount of money and then asks if this is fair that officers are getting the same amount of pay for three years. He states since we are down 17 officers according to the numbers that were mentioned tonight, where is the overtime budget being funded from? He comments the City doesn't have the money to pay the police a fair amount but have money to pay on the overtime budget. He asks that you all will consider looking at what you all are dealing with.
5. Mark Burroughs, Hopewell Virginia- informs that last week we listened to the Robert Bobb Group outline a plan to audit the City of Hopewell finances. He tells that Vice Mayor Gore made mention that she would like

for city council in its entirety, to be briefed throughout the process not just the finance committee. He states he would like to voice support for this since we as the Hopewell residents would like to know where our funds have been spent and where they are going to be spent, what funds have been mismanaged and what happened to those funds. Mr. Burroughs comments we as a population deserve to know if our elected and appointed officials, their employees and subordinates have been honest and ethical with our funds. We deserve to know who should not be in charge of our funding as well. He states it requires transparency. He encourages the city council to bring a motion forward to require all of Robert Bobbs' findings be presented in a Regular city council meeting for the public to hear.

PUBLIC HEARING

PH1- Presentation of proposed FY23-FY24 CDBG (Community Block Grant) Sub recipients and funding Allocation- Chris Ward. The CDBG Committee reviewed and voted on the sub recipients and funding levels at a publicly advertised meeting held on May 17, 2023. Staff and CDBG Committee members have identified FY2024 Sub recipients and established Funding levels for the new program year. The estimated FY2024 CDBG budget is \$236,121. The City Administration recommends approval of the proposed FY2024 sub recipient funding levels and authorizes the City Manager to submit the 4th Year Annual Action Plan to HUD. The City Administration recommends action at the August 8, 2023 public hearing. HUD requires action before August 16, 2023 or the City will not be funded for the program year.

1. Yolanda Stokes, Hopewell VA- Would like a more thorough breakdown of who is benefitting from the grants that are being allocated to the groups that are there. Says she is aware that CDBG is to benefit low to moderate income and doesn't know if any input into the CDBG funding has come from the housing authority or any of its members. She states there is no citizen representative and states that person would give input into the CDBG funding because it benefits low to moderate income people. She references the Wards 1, 2, 6 and 7. Again, Yolanda Stokes states that she is curious to the breakdown to the funding and where the spending is going in the 5-year plan.

Councilor Denton moves to make a motion to approve the FY2024 sub recipient loans and authorize the city manager to submit the 4th year annual action plan to HUD in the amount of \$236,121, seconded by Councilor Pelham.

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 Pelham moves to make a motion to extend the meeting to finish RC-1, second by Mayor Partin

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

PH2- Conditional Use Permit APP, address 3400 Oaklawn Blvd, Hopewell, VA- Chris Ward. City Staff recommends approval of the CUP application with a condition that the Single-Family Dwelling use ceases when the current lease ends and the current resident vacates the property. Planning Commission recommends approval of the CUP application with the condition that the Single-Family Dwelling use ceases after 12 months. The property located at 3400 Oaklawn Boulevard requires CUP approval for use as a Single-Family Dwelling per Article XI-A of the Hopewell Zoning Ordinance. The City Administration recommends taking action on this application and action be taken at the August 8, 2023 public hearing.

1. Ed Howser, Hopewell VA- He states he is shocked the council is entertaining the idea of taking a turn-key business on a business corridor and zoning it residential. He points out when 295 was put in, Hopewell has tried its best to make 36 a business corridor and houses that were residential that have been torn down are sitting on vacant lots zoned business. We have a turn-key business with a dwelling on it and the city wants to zone it residential. Mr. Howser states we all know who resides in that residence and has been residing there for months now which is a city councilor. He states this is ridiculous and the councilor should have found another place to live. Mr. Howser suggests we need more businesses in Hopewell to help offset the taxes on the citizens. He comments we don't have enough lucrative businesses here so you want to take a business location and zone it to residential. He comments this makes absolutely no sense to him.
2. Sonya Harper, Hopewell VA- Questions why it's a problem now to turn one place that was once residential, changed to commercial and then turn it back to commercial. Sonya Harper states that it seems like it's prejudicial in a lot of areas. She would like to know why it's a conflict now when it hasn't been before. Ms. Harper asks if the property owner has applied for the property to be residential, why is it a problem for the person renting this location? She states business-wise it seems race

implemented.

3. Mark Burroughs, Hopewell VA- comments he doesn't care about the property use. He states he believes in freedom and that's not freedom, telling people how to use their property. Mr. Burroughs points out he observed the lady (Sonya Harper) was told that there's no questions and answer back and forth in a public hearing. Mr. Burroughs continues on that Councilor Holloway engaged in a 'back and forth' with Chris Ward and Mayor Partin didn't stop him and Councilor Holloway did so as a private citizen not as a counselor.

Councilor Joyner moves to make a motion that council accepts staff recommendation which is the approval of this application but with the following conditions: the single-family dwelling use will cease as a permitted use once the existing residential lease ends and the current residential tenants vacate the property, second by Councilor Harris.

ROLL CALL:

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

Motion Passes 4-2

PH3- Conditional Use Permit APP, address 102 S 5th Avenue, Hopewell, VA

-Chris Ward. Parcel #0111735, Ward 2, Limited Commercial downtown residential, mixed use. The CUP is for an expansion. The property owner wants to enclose a small rear porch to use a laundry room. The enclosure took place prior to a CUP application. Per the non-forming section, you can expand the property no more than 15 percent of the existing structure. The addition totals 12 square feet, making it 1.4 percent of the gross floor area. The property located at 102 S 5th Avenue is non-conforming use and CUP Approval is required to expand a non-conforming use under Article XVII of the Hopewell Zoning Ordinance. The City Administration recommends taking action on the CUP application and action be taken at the August 8, 2023 public hearing. Staff and the Planning Commission recommends Approval of the CUP with no conditions.

1. Susan Day, Hopewell VA- states when you receive your taxes every year, it tells you on there your property zone, so she believes Mr. Dearskey new with paying the taxes every year knew what his property is zoned. Mayor Partin points out this is a different public hearing.
2. Mark Burroughs Hopewell VA- Asks council are we having a city council vote on whether not someone can build a laundry room on the residence they reside in just because it zoned in a manner in consistent with your commercial plan for Hopewell? He notes the commercial plan outside is doing phenomenal. And there are other pressing issues like understaffed police officers than someone putting a laundry room in their home.
3. Sarah Fuller, Hopewell VA- She states there are other pressing issues that we should be addressing instead of someone washing clothes in her home. She comments the homeowner has to pay her taxes and they are being told what to do in their home. Mrs. Fuller asks that we let the homeowner do what she wants to do in their home.
4. Debbie Randolph, Hopewell VA- Starts off by thanking The City Council for holding these meetings and allowing citizens to speak. She informed these are normal city meetings occurring in all counties and cities in Virginia across the United States. She goes further to explain we have to

have guidelines, codes and code enforcement and have to tell people what they can and cannot do. There has to be a process and further comments that she appreciates city council for the work that is being done.

Councilor Joyner moves to make a motion that we approve the application for a conditional use permit (CUP) for this property, second by Councilor Pelham.

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

REGULAR BUSINESS

R1- Sub Division of 700 S. 15th Avenue-Chris Ward. The City of Hopewell received a request from Delta Citation LLC to subdivide one non-contiguous parcel (#045-0200) into three parcels. The property is located in the B-3, Highway Commercial Zoning District. The size of the area is 2.211 acres and is located in Ward 6. In this district, a property must contain at least 5,000 square feet and 50 feet of frontage along the public right of way to be subdivided. The existing parcel has been developed and currently contains

two primary structures. Elm Street currently divides this parcel making it non-contiguous. Each new parcel meets the requirements to subdivide. Staff recommends approval of the subdivision request submitted by Delta Citation LLC. Planning Commission Resolution: In accordance with Article VI., Preparation, Approval and Recordation of Subdivision Plats, Section 6-9, of the Hopewell Subdivision Ordinance, the Planning Commission recommends to Approve the request submitted by Delta Citation to subdivide 700 S. 15th Avenue, also currently identified as Parcel #045-0200 into three Sub-Parcels to be known as Lot 4R(#045-0201), L11R (045-0202), Lot10R (#045-0203).

Councilor Pelham moves to make a motion to subdivide this parcel this parcel to support Delta Citation LLC. The parcel #045-0200 to be divided three (3) ways; parcel #045-0201, parcel #045-0202 and parcel #045-0203, second by Councilor Joyner.

ROLL CALL:

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

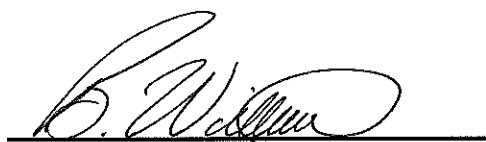
Motion Passes 6 -0

RC-1-Discussion of Remaining ARPA Funds- Dr. Manker. On June 8, 2023, Council Pelham asked that we verify some nonprofit status of some businesses that we have considered making a donation. In that meeting, we also reserved \$950,000 for the PMO and Remediation Services. The remaining of the funds were declared as revenue lost. As a result we

currently have \$390,000 remaining. A decision of where to allocate \$390,000 needs to be decided by December 24, 2023. A reference sheet has been provided to council for possible fund allocations. The last two items, a burn building and the purchase of 15 Reverend CW Harris Drive School House, were added for consideration by council. Dr. Manker will provide a spend plan for the extra revenue at the next Regular meeting in September 2023.

Councilor Holloway moves to adjourn the meeting.

Meeting Adjourned.

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

Brittani Williams, City Clerk

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