



CITY OF HOPEWELL

Hopewell, Virginia 23860

AGENDA

(804) 541-2408

www.hopewellva.gov

info@hopewellva.gov

cityclerk@hopewellva.gov

CITY COUNCIL

Patience Bennett, Mayor, Ward #7
John B. Partin, Jr., Vice Mayor, Ward #3
Debbie Randolph, Councilor, Ward #1
Arlene Holloway, Councilor, Ward #2
Jasmine E. Gore, Councilor, Ward #4
Janice Denton, Councilor, Ward #5
Brenda S. Pelham, Councilor, Ward #6

John M. Altman, Jr., City Manager
Sandra. Robinson, City Attorney
Vacant, City Clerk

February 2, 2021

ELECTRONIC MEETING

Closed Meeting: 6:30 PM
Special Meeting: 7:00 PM

OPEN MEETING

6:30 p.m. Call to order, roll call, and welcome to visitors

CLOSED MEETING

SUGGESTED MOTION: Move to go into closed meeting pursuant to Va. Code Sections 2.2- 3711 (A)(1) to discuss and consider personnel matters, including the interview, and appointment of prospective candidate(s) for employment (City Clerk).

Roll Call

RECONVENE OPEN MEETING

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 closed meeting?

Roll Call

SPECIAL MEETING

7:00 p.m.

SM-1. Discuss and potentially amend City Council Rules and Procedures

MOTION: _____

Roll Call

Adjourn



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

WORK SESSION – Hopewell City Council Rules of Procedure

ISSUE: Whether to Amend

RECOMMENDATION: None

TIMING:

BACKGROUND:

ENCLOSED DOCUMENTS:

- PowerPoint of Proposed Amendments suggested by three councilors

STAFF:

Sandra Robinson, City Attorney

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Vice-Mayor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

Hopewell City Council Rules of Procedure

FEBRUARY 9, 2021 WORK SESSION

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 203. Discussion Limitation. Councilors do not ask questions during presentations of regular or special business items. After a presentation concludes, or if no presentation is made, a councilor may on any item speak up to ten minutes total, which includes questions, discussion, and debate. If the item is an action item, a motion is made and seconded before questions, discussion, or debate ensues. If the councilor speaks for less than ten minutes initially, the councilor may speak a second time if every other councilor has had an opportunity to speak, until every councilor has spoken or had the opportunity to speak for up to ten minutes total or three times. The limitations in this rule do not apply to public hearings or work sessions, or when points of order are properly made and addressed. After a public hearing is closed or a work session item becomes an action item, the limitation in this rule apply.

Proposed Amendment

To limit the total of minutes for a councilor to speak to three minutes, apportioned between no greater than two times.

How the Proposed Amendment(s) might read

Rule 203. Discussion Limitation. Councilors ~~do~~ shall not ask questions during presentations of regular or special business items. After a presentation concludes, or if no presentation is made, a councilor may ~~on any item speak~~ for no more than two times and for no longer than ~~up to ten~~ three minutes total on any item, which ~~includes~~ This limit shall also apply to and includes questions, discussion, and debate. ~~If the item is~~ of an action item, after a motion is made and seconded ~~before questions, discussion, or debate ensues.~~ No councilor shall be entitled to speak for a second time under this rule until ~~If the councilor speaks for less than ten minutes initially, the councilor may speak a second time if every other councilor has had an opportunity to speak, until every councilor has spoken or had the opportunity to speak for up to ten minutes total or three times.~~ The limitations in of this rule ~~do~~ shall not apply to public hearings, ~~or~~ work sessions, or ~~when~~ to points of order are properly made and addressed. After a public hearing is closed or a work session item becomes an action item, the limitation in this rule apply. For the purpose of this rule, a substitute or amended motion shall constitute a new action item for which these limitations shall apply.

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 303 (pertinent part). Agenda. The regular business of Council shall be as follows unless altered by a vote of the Council: All matters to be placed on the agenda shall be submitted no later than the Monday one week prior to a regularly scheduled meeting, and all backup and supporting materials shall be submitted no later than one week prior to the regularly scheduled meeting by 10:00 a.m. Any supporting documentation missing the deadline will force the item to the next agenda...The final draft shall be prepared and submitted to the City Manager and City Attorney for review no later than 10:00 a.m. on Wednesday one week prior to the regularly scheduled meeting...[t]he final agenda and packet will be given to the paralegal no later than 3:00 p.m. on the Thursday prior to the regular scheduled meeting...

Proposed Amendment

Two councilors proposed

Change the time/processes for submitting items for review and inclusion on the agenda, include more reviewers, eliminate Individual Requests (IRs), and change voting for amendments to any agenda from supermajority to majority vote.

Limit each councilor to no more than two CCR at one time.

How the Proposed Amendment(s) might read

All matters to be placed on the agenda shall be submitted to the City Clerk no later than the Monday one week prior to a regularly scheduled meeting, together with and all backup and supporting materials ~~shall be submitted no later than one week prior to the regularly scheduled meeting~~ by 10:00 a.m. The City Clerk shall reschedule an item to the next meeting's agenda should Any supporting documentation be missing from a submission the deadline will force the ~~item to the next agenda...~~ The City Clerk final draft shall be prepared and submitted a final draft to the City Manager, ~~and~~ City Attorney, Mayor and Vice Mayor for review no later than 10:00 a.m. on Wednesday one week prior to the regularly scheduled meeting...[t]he final agenda and packet ~~shall~~ will be approved given to the ~~paralegal~~ City Clerk by no later than 3:00 p.m. on the Thursday prior to the regular scheduled meeting... Amendments to Agenda Before Closed Session (by ~~2/3~~ majority vote of Council)...Amendments to Agenda After Closed Session (by ~~2/3~~ majority vote of Council)...

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 306 . Time limits. Meetings will have a three-hour time limit from beginning to end. Meeting beginning at 7:30 p.m. will adjourn at 10:30 pm. Stand-alone Work Sessions or Special Meetings beginning at 6:30 p.m. will adjourn at 9:30 p.m. Any item not addressed within the three (3) hours would be continued to the next meeting, unless Council waives the rules to extend the meeting.

See associated/impacted Rule 301

Proposed Amendment

“The reg[ular] meeting which would include the closed session or work session will start at 6:30. The main part of the meeting would then start at 7:30.” All meetings would end at 10 p.m.

(Another councilor proposed that the rule be addressed without providing specific changes.)

How the Proposed Amendment(s) might read

Rule 306 . Time limits. ~~Meetings will have a three hour time limit from beginning to end.~~ Regular meetings shall beginning at ~~7:30~~ 6:30 p.m. and shall not extend beyond 10:00 p.m. unless Council, by 2/3 vote, suspends this rule to extend the meeting. ~~Stand alone Work Sessions or Special Meetings beginning at 6:30 p.m. will adjourn at 9:30 p.m.~~ Any item not addressed ~~within the three (3) hours would~~ in a meeting that is adjourned by the expiration of time under this rule shall be continued to the next meeting, ~~unless Council waives the rules to extend the meeting.~~ Items not addressed in an extended meeting shall not be automatically continued to the next meeting.

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 301 . Regular Meetings. Regular meetings are held in the council chambers, third floor of the Municipal Building, beginning at 7:30 p.m., at least once each month (Charter IV.6), on such days and other times or places established at council’s annual meeting (Va. Code §15.2-1416).

See associated/impacted Rules 306

Proposed Amendment

“The reg[ular] meeting which would include the closed session or work session will start at 6:30. The main part of the meeting would then start at 7:30.” All meetings would end at 10 p.m.

How the Proposed Amendment(s) might read

Rule 301 . Regular Meetings. Regular meetings are held in the council chambers, third floor of the Municipal Building, beginning at ~~7:30~~ 6:30 p.m., at least once each month (Charter IV.6), on such days and other times or places established at council’s annual meeting (Va. Code §15.2-1416).

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 406. Decorum. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion.

Proposed Amendment

Expressly include councilors (as well as the presiding officer) among those who can be reprimanded and removed.

How the Proposed Amendment(s) might read

Rule 406. Decorum. Any person (including any councilor) who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and ,if such action is by the councilor who is acting as the presiding officer, may be removed from the meeting upon a majority vote of councilors present, excluding ~~any~~ the councilor who is the subject of the motion.

2021 Proposed Amendments

Hopewell City Council Rules of Procedures

CURRENT RULE(S)

Rule 407. Suspension of Rules (Waive the Rules). The rules of Council may be suspended (waived) at any time by the vote of 2/3 of all Council members present.

Proposed Amendment

To change the supermajority to majority vote.

How the Proposed Amendment(s) might read

Rule 407. Suspension of Rules (Waive the Rules). The rules of Council may be suspended (waived) at any time by the majority vote ~~of 2/3~~ of all Council members present.

RULES OF CITY COUNCIL
THE CHAIR – POWERS AND DUTIES
(As amended through January 31, 2021)

- 101. Robert’s Rules of Order; Parliamentarian; Presiding Officer** – Where these rules are silent, Robert’s Rules of Order prevails (Charter IV.4). The city attorney is parliamentarian, whose ruling, when requested by or through the presiding officer, is final and binding, subject only to appeal to and a two-thirds vote of all council members. The presiding officer is the council president (mayor) or, in the mayor's absence, the vice-president (vice mayor) (Charter IV.5). If the mayor and vice mayor are absent, the temporary chair (see Rule 103) is the presiding officer.
- 102. Roll Call; Quorum** – The presiding officer takes the chair at the appointed meeting hour, and immediately calls council to order. The city clerk then calls the roll, and enters in the meeting minutes the names of the councilors as present or absent. In the absence of a quorum, the city clerk attempts to procure the attendance of absent councilors. A quorum exists when a majority of all councilors is present (Charter IV.4).
- 103. Temporary Chair** – In the absence of the mayor and vice mayor, the city clerk calls council to order, and calls the roll. If a quorum exists, council elects by majority vote of those present one of its members to be temporary chair until the mayor or vice mayor appears.
- 104. Appeals** – See Rule 101.
- 105. Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert's Rules), a

councilor (a) who is present but fails to vote without having been excused under this rule, or (b) who, in violation of Rule 209, excused himself or herself from the meeting to avoid voting, may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

106. Presiding Officer's Designee – The presiding officer may designate another councilor to preside for a single issue. If the mayor is the presiding officer, the vice mayor is designated. If the vice mayor is unavailable, the presiding officer may designate any other councilor.

MEMBERS – DUTIES AND PRIVILEGES

201. Seating – Councilors are seated at the council chamber dais as follows. Mayor: center; vice mayor: immediate left of mayor; most-recent past mayor, if any: immediate right of mayor; remainder of members: in increasing numerical order by ward, starting at the far left of the mayor and the immediate right of the city manager. If the vice mayor is the most-recent past mayor, then the next-most-recent past mayor sits to the right of the mayor. The remaining seats are occupied, from the far left, by the city attorney, the city manager, the city clerk, and the assistant city clerk, respectively.

Sample Seating Chart

[podium]

- 202. Addressing Council** – Councilors and others are addressed or referred to as Mr., Mrs., Miss, Ms., Madam, and/or by title. For example, "Madam Mayor," "Vice Mayor Jones," "Councilor Smith," "Mr. Williams," or "the City Manager.
- 203. Discussion Limitation** – Councilors do not ask questions during presentations of regular or special business items. After a presentation concludes, or if no presentation is made, a councilor may on any item speak up to ten minutes total, which includes questions, discussion, and debate. If the item is an action item, a motion is made and seconded before questions, discussion, or debate ensues. If the councilor speaks for less than ten minutes initially, the councilor may speak a second time if every other councilor has had an opportunity to speak, and a third time if every other councilor has had equal opportunities to speak, until every councilor has spoken or had an opportunity to speak for up to ten minutes total or three times. The limitations in this rule do not apply to public hearings or work sessions, or when points of order are properly made and addressed. After a public hearing is closed, or a work session item becomes an action item, the limitations in this rule apply.
- 204. Voting Order** – Roll call for voting is by ward number. At the first meeting in January, the roll call starts with the Ward 1 councilor, and proceeds numerically, through the Ward 7 councilor. At each meeting thereafter, the roll call is rotated by beginning with the Ward 2 councilor at the second meeting, and so on until each councilor has voted first. Once all councilors have voted first, the process repeats.
- 205. Motions** – All motions, except those to adopt ordinances making appropriations, authorizing the contracting of indebtedness, or relating to the issuance of bonds or other evidences of debt, are confined to one subject (Charter IV.8).
- 206. RESERVED**
- 207. Dissent or Protest** – During debate, a councilor has the right to express dissent from or protest against the adoption of any ordinance or resolution.

208. **Attendance** – Councilors notify the city clerk of absence from a scheduled meeting, at least 12 hours in advance if possible. The city clerk promptly notifies all councilors of the absence, if a quorum might not be present.
209. **Excuse During Meeting** – Any councilor may excuse himself or herself during a meeting, except to avoid voting.

REGULAR AND SPECIAL MEETINGS; AGENDA

301. **Regular Meetings** – Regular meetings are held in the council chamber, third floor of the Municipal Building, beginning at 7:30 p.m., at least once each month (Charter IV.6), on such days and at other times or places established at council's annual meeting (Va. Code § 15.2-1416).
302. **Special Meetings** – Special meetings are called by the city manager, the mayor, or any other councilor (Charter IV.6), upon notice that is reasonable under the circumstance (Va. Code § 2.2-3708.2) but no less than 12 hours. The city clerk immediately notifies, in addition to the public, the city manager, the city attorney, and each councilor by electronic mail or other writing if previously requested by the councilor, of the meeting time and place, and the specific items of business. No other items are considered unless all councilors are present and unanimously consent. Notice is waived if all councilors attend the meeting or sign a waiver (Va. Code § 15.2-1418).
303. **Agenda** – **The regular business of Council shall be as follows unless altered by a vote of the Council:** *(See Minute Book 25, Page 411, dated March 28, 2000.)* All matters to be placed on the agenda shall be submitted no later than the Monday one week prior to a regularly scheduled meeting, and all backup and supporting materials shall be submitted no later than one week prior to the regularly scheduled meeting by 10:00 a.m. Any supporting documentation missing the deadline will force the item to the next agenda. All Citizen Councilor Requests and supporting documentation shall be submitted no later than 5:00 p.m. on Monday one week prior to the regular scheduled meeting. Agenda meeting can be held on Tuesday 1t 10:00 a.m. one week prior to the regularly scheduled meeting. The final draft shall be prepared and submitted to the City Manager and the City Attorney for review no later than 10:00 a.m. on Wednesday prior to

the regular scheduled meeting. Their review shall be completed no later than 5:00 p.m. on the same Wednesday. The final agenda and agenda packet will be given to the paralegal no later than 3:00 p.m. on the Thursday prior to the regular scheduled meeting. All material to be presented to Council at the Tuesday meeting that is not part of the actual agenda packet (outside agency requests for funding, financial data supplied by our bond attorney, etc.) must be available to council with the publication of the agenda. Council will not vote on any material presented during the course of the meeting, this item will move to the next regular scheduled meeting. The agenda shall be posted and circulated on the Thursday immediately preceding the regularly scheduled meeting no later than 5 p.m. The order of the agenda may be amended by the majority vote of Council at any time.

Call to order, roll call and welcome to visitors

Amendments to Agenda Before Closed Session (by 2/3 vote of Council)

Closed Meeting — (See Minute Book 24, Pages 474 & 475, 7/14/98.) (See Minute Book 25, Page 411, dated 3/28/00.)

Prayer and Pledge of Allegiance to the Flag of the United States of America

Amendments to Agenda After Closed Session (by 2/3 vote of Council)

Consent Agenda (See Minute Book 25, Page 411, dated 3/28/00.)

City Council Meeting Minutes

Pending List

Information for Council Review

Personnel Change Report

Financial Report (regularly scheduled monthly meeting) (See Minute Book 25, Page 411, dated 3/28/00.)

Set Public Hearing(s) Set date(s) for routine Public Hearing(s) and list subject
(See Minute Book 28, Page ___, 3/23/04)

Set Routine Work Sessions

Ordinances on second reading (See Minute Book 25, Page 411, dated 3/28/00.)

Proclamations/Resolutions/Presentations (See Minute Book 25, Page 411, dated 3/28/00.)

Public Hearings

Communications from Citizens (See Minute Book 26, Page 211, dated March 27, 2001;
See Minute Book 31, Page ___ dated January 22, 2008)

Unfinished Business

Regular Business:

Reports of Boards and Commissions (includes Constitutional Offices)

Reports of the City Manager

Reports of the City Attorney

Reports of the City Clerk

Reports of Council:

Committees

Individual Requests

Any Other Councilor

Citizen/Councilor Requests

Presentations from Boards & Commissions (See Minute Book 28, page ____, dated February 3, 2004)

Council Communications

Adjournment

- 304. Removing Items from Agenda** -- Once a Councilor places an item on the agenda it can only be removed by that Councilor prior to the adoption of the agenda. Once the agenda is adopted an item can only be removed by a two-thirds (2/3) vote of all members of Council.
- 305. Non-agenda Items** – Only matters appearing on the agenda and transmitted to each Councilor twelve hours or more before a meeting may be considered a matter of regular business. Other matters including resolutions, ordinances, motions, etc., may be introduced under Reports of Council set forth under regular business by any member of Council (including City Administration) but shall be deferred until the next meeting. A two-thirds (2/3) vote of all members may suspend this rule.
- 306. Time Limit** - Meetings will have a three-hour time limit from beginning to end. Meetings beginning at 7:30 PM will adjourn at 10:30 PM. Stand-alone Work Sessions or Special Meetings beginning at 6:30 PM will adjourn at 9:30 PM. Any item not addressed within the three (3) hours would be continued to the next meeting, unless Council waives the rules to extend the meeting.

MISCELLANEOUS

401. **Motion stated by Chair** – When a motion is made and seconded, it may be stated by the Chair before debate, but shall be stated by the Clerk before the vote. Any member may demand that it be reduced to writing.
402. **Motions – Procedure** – When a question is before Council, no motion shall be entertained except:
- A. To fix the time at which to adjourn
 - B. To adjourn or recess
 - C. To lay on the table
 - D. The previous question
 - E. To postpone to a certain time
 - F. To refer
 - G. To amend
 - H. To postpone indefinitely
- Such motion shall have precedent in the foregoing order. A roll call may be ordered at any time to ascertain the number of members present. In any case of precedent, motion to table or move the question is out of order until all Councilors have had an opportunity to speak at least once.
403. **Minutes; Recordings** – Meetings are electronically recorded. In accordance with Robert's Rules of Order, minutes contain a record of what was done at the meeting. A councilor may, however, direct through the mayor that the draft minutes of the meeting include a brief summary of the councilor's remarks regarding an agenda item. Such direction must be given at the same meeting in which the remarks were made and prior to the next agenda item.
404. **Clerk of Council** – The Clerk shall be the custodian of all the papers, correspondence, and records of the Council and shall keep official minutes of proceedings which shall record the motions and votes of Council and only such further detail of matters as may be approved by majority vote or requested publicly “for the record” which may be in writing and shall be attributed to the individual Council member making the request. In the absence of the Clerk, and/or the Backup City Clerk, the Mayor shall appoint a Clerk pro tem to keep the minutes and

file same in the office of the City Clerk. Detailed debate shall not be recorded in minutes unless requested by Council at public session and with majority of Council's support. Minutes shall be mainly a record of what was done at the meeting, not what was said by the members (R.R.O.O. Page 389). Any question as to the contents of the minutes may be decided only by a majority of Council at the time the minutes are approved.

- 405. Communications from Citizens and Others** – The communications from citizens portion of the regular-meeting agenda is limited to three minutes per speaker and 30 minutes total. Speakers may contact the clerk in advance of, or sign up in person at, the meeting. They are called in the order they signed up, before others in the audience speak. Each person addressing council approaches the podium, and gives name and, if a Hopewell resident, ward number. No one may address council more than once per meeting, unless granted permission by the presiding officer. Speakers address council as a body, not individual councilors. Questions are asked of councilors and staff through the presiding officer. The presiding officer, subject to free-speech considerations as determined by the city attorney, has the authority to deem a matter inappropriate. Upon motion of any councilor, a majority of councilors present may allow the speaker to continue.
- 406. Decorum** – Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion.
- 407. Suspension of Rules (Waive the Rules)** – The rules of Council may be suspended (waived) at any time by the vote of 2/3 of all Council members present.
- 408. Safety** – The Mayor shall be responsible for the safety of all participants in a Council meeting and may adjourn a meeting at any time such safety may be in question. In the event of overcrowding, the meeting shall be adjourned (recessed) to a location more suitable or the item resulting in crowding be rescheduled. There shall be no smoking, eating, or drinking allowed during Council sessions; however, members of council and support staff shall be allowed, at the discretion of the Mayor, to have drinks during Council sessions.

409. The “Virginia Freedom of Information Act” – Section 2.2-3700, et seq., of the Code of Virginia, 1950, as amended, is hereby incorporated by reference. Whenever a closed meeting is contemplated, the City Attorney shall be advised of the proposed purpose. The City Attorney shall advise the presiding officer on the legality of a closed meeting. (See Minute Book 25, Page 411, dated March 28, 2000.)

410. Standing Committees

A. Standing Committees

1. Standing committees shall be created only by resolution, which shall include the purpose and composition and shall be approved at a regular Council meeting.
2. Members shall be appointed by the Mayor, with the concurrence of members of Council. The Mayor may designate a chairman of the committee. The committee may elect a vice-chairman to serve in the absence of the chairperson.
3. Standing committees shall make periodic reports and recommendations to Council for their information and consideration. (See Minute Book 24, Pages 474 & 475, 7/14/98.)

B. Special Committees

1. Special committees are appointed by the Mayor, with the concurrence of Council for specific purposes.
2. Special committees shall terminate upon completion of the assigned task and report to Council.
3. Any special committee not terminated, shall be terminated on the date of the reorganization meeting at which a Mayor and Vice-Mayor are elected. (See Minute Book 24, Pages 474 & 475, July 14, 1998.)

411. Work Session Policy – As required, the City Council of the City of Hopewell may call a special “Council Work Session” beginning at 6:30 PM on the fourth Tuesday of each month. City Council requires that supporting documentation related to the subject material shall be provided to the City Clerk for Council review and perusal pursuant to Section 303, above, and made a part of the agenda packet. Work Sessions shall not be scheduled for the months of July, August, November and December, unless necessary.

Such work sessions are designed to give the Council adequate time to fully discuss and consider business affecting the City and are not considered to be a special meeting or public

hearing. Items which would traditionally be considered at a work session are annual budget, service level changes, etc.

To preserve the purpose of the work session the following rules regarding the conduct of the sessions are proposed:

- Work sessions are open to the public, however public comment is appropriate only at the regular meeting where official action is to be taken and at established public hearings.
For Example: Council may hold several work sessions on the annual budget at which the session is not open for public comment or debate. However, in order to give the public adequate opportunity to address the budget, Council will consider approval at two (2) separate Council meetings.
- The City Manager will represent the City's administrative staff at the work session. With Council approval and at the City Manager's recommendation, staff and outside agencies may make presentations to the Council. Again, presentations do not include public comment.
- Unless specifically advertised as a *special meeting* of the City Council, no formal action will be taken by the City Council at a Work Session.
- The subject matter discussed by City Council will be limited to items presented on the agenda. City Council requires that supporting documentation related to the subject material shall be provided to the City Clerk for Council review and perusal, and made a part of the agenda packet.
- Presentation times will not be scheduled.

412. Flowers and Donations

A. Illness

Flowers or gift basket not to exceed \$75.00 to Council members in the hospital.

B. Death

1. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a Council Member, not to exceed \$75.00.
2. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a former member of Council (ten years), not to exceed \$75.00.
3. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a spouse, child, mother, father, brother, or sister of Council Member, not to exceed \$75.00.

NOTE: The above shall also apply to the City Manager, City Attorney, and City Clerk. The funds for the above will be expended from City Council Budget – Miscellaneous Expenses.

413. Disclosure – Members of City Council shall file with the City Clerk on January 15, of each year the Statement of Economic Interest. Members may request assistance from the City Attorney or City Clerk in its preparation.

414. Council Chamber/Conference Room, Use of – (Approved June 27, 1995)

The following rules shall govern the use of the City of Hopewell Council Chamber and adjoining Conference Room (“Council Chamber”):

- A. The following uses are priority uses of Council Chamber. No other use shall be scheduled which conflicts with a priority use, and any use which is already scheduled shall be cancelled if Council Chamber is needed at the same time for a priority use.
 1. Meeting of City Council, meetings of any committee of Council, or any public hearings or proceedings being conducted on behalf of Council.
 2. Meetings or hearings conducted by any board, commissions, committee, department, bureau, agency, or office of City government.

- B. Permitted uses of Council Chamber shall be meetings or hearings of other governmental bodies or entities; or use by any other organizations that are not deemed prohibited users of Council Chamber.
- C. The following uses are ***prohibited*** uses of Council Chamber:
1. Fund raising of any type, whether by payment, by donation, by contribution, by the charging of admissions, by the sale of goods, or otherwise.
 2. Use by any for-profit business or commercial enterprise or organization.
 3. Use for any criminal or illegal purpose.
 4. Use for any disorderly, improper, profane, obscene, indecent, lewd, pornographic, riotous, or immoral purpose; or use at which such conduct occurs, regardless of purpose.
 5. Regular periodic meetings of any organization or group. A regular periodic meeting is one that occurs within six (6) months of the previous use.
- D. Procedure for making reservations for permitted uses of Council Chamber:
1. Reservations for use of Council Chamber shall be made with the Clerk of the City Council.
 2. Applications for use of Council Chamber must be submitted to the Clerk's office within fifteen (15) business days of the proposed activity. The application for the proposed activity must include the name of the organization, the date, time, duration, location and nature of the proposed activity, and the number of participants.

3. Reservations for use of Council Chamber shall include a fifty dollar (\$50.00) key/security deposit. The deposit shall be refunded with the return of the key (minus any damages to the Chamber/Conference rooms.)
- E. All decisions about the use of Chambers shall be made by the Clerk of the City Council, subject to appeal to the City Council.
 - F. Cancellations by users must be reported as soon as possible to the Clerk's office during normal business hours. No-shows or failure to cancel in a timely manner may result in denial of future use of the facilities.
 - G. No eating, drinking (with the exception of water provided for the Council and the speaker's podium), smoking, or chewing of gum shall be permitted in the Council Chamber.
 - H. No defacing (tacks, nails, tape, etc.) of the furniture, walls, or equipment is permitted in the Council Chamber, Council Conference Room, lobby, or toilets. Any damage due to user's conduct shall be deducted from security deposit. Permitted user shall be liable for any damage greater than security deposit.
 - I. Council Chamber shall not be rearranged by anyone except with the permission of the City Clerk.
 - J. The City Clerk shall be the sole keeper of the keys to the Council Chambers.
 - K. Use of Council Chamber's equipment shall be with permission of the City Clerk.
 - L. User's responsibilities:
 1. Ensure that no unauthorized third party shall be granted permission to use the facility, or any portion thereof, without prior approval of the City Clerk.

2. Ensure that event participants shall not be restricted from participation for reasons of race, religion, color, creed, sex, age, national origin, or disability.
3. Ensure that the representative specified in the application for permitted use is present throughout the scheduled event.
4. Ensure that all rules and regulations for permitted use are followed.
5. Provide at least one adult chaperone for every group of fifteen (15) children.
6. Observe contracted time limits.
7. Leave the building and grounds in a clean, neat and orderly condition.

M. Denial of Application/Cancellation of Contracts

1. The City of Hopewell reserves the right to deny any application or cancel any permit when it deems such action to be in the best interest of the City.
2. Any violation of any rules or requirements set forth in this memorandum of permitted uses may be grounds for immediate expulsion and/or denial of future use of this facility. The applicant's signature on the application form constitutes an acknowledgement that the applicant will comply with all regulations as stated.
3. The City shall not be liable for any costs incurred and/or damages suffered by applicants as a result of denial of any application and/or cancellation of any contract for use of Council Chamber.

N. Interpretation of regulations shall be the responsibility of the City Attorney.

415. Travel Policy – (Revised October 25, 1994) – Same policy as in City’s Personnel Policy Manual with the exception that the City Manager’s approval for Council travel is not required.

Council/Council Committee scheduled group meals may be excluded from the per diem allowances of the Personnel Policy. (Revised 3/10/1995; Revised 7/1/07)

City of Hopewell
City Council Travel Policy

- A. It shall be the policy of the city council of the City of Hopewell to encourage members of the city council to participate in state and national associations and continuing education programs that benefit the city.
- B. The city council shall encourage members of the governing body to attend the annual meetings of the Virginia Municipal League and the National League of Cities.
- C. Travel expenses under \$100 do not require Council approval, provided sufficient funds have been budgeted for such expenses.
- D. Travel reimbursements shall be paid in compliance with city travel policies for employees.
- E. Registration, lodging and commercial transportation for city council shall be arranged by the clerk of council or the city manager’s office.
- F. Council travel beyond this policy shall be approved in advance by the governing body or by the mayor if council does not meet in time to meet registration deadlines.

(Passed May 13, 2008 [Minute Book 31, page ____])

416. Land Use Requests – (Passed September 12, 1989 [Minute Book 23, Page 114])

City Council will not act on any specific land use issue requested by a petitioner unless that petitioner or his representative is present to respond to Council's questions. Petitioner must prove that he/she has a vested interest in the property before consideration.

417. Protocol For Open Committee Meetings

- A. All meetings will be announced at least 72 hours prior to the meeting ("*whenever possible*").
- B. Meeting notices will be:
 - (1) sent to the Hopewell News, Progress Index and Richmond Times Dispatch;
 - (2) posted on the public bulletin board in the Municipal Building and other locations as used by the City for such notices.
 - (3) Listed on the City's web site;
 - (4) Sent by e-mail to anyone requesting FOIA (Freedom of Information Act) notice by e-mail;
 - (5) Sent by regular mail to anyone requesting notice by regular mail and providing the City with stamped, self-addressed envelopes for such notice;
 - (6) Sent to all Council members.
- C. All meetings will have minutes containing at least the time and date of the meeting, attendees, a listing of the items discussed, a listing of any action taken, and an attachment of any written materials shared at the meeting.
- D. Any Committee Meeting may, with proper motion, go into closed session to discuss specific materials under the same provisions governing closed sessions of the full Council.
- E. Any Committee Meeting may receive confidential materials under the same provisions

governing the receipt of confidential materials received by the full Council.

- F. The agenda package of Council meetings will contain all committee meeting agenda, attachments, and minutes as available for receipt and file.
- G. This protocol will apply to City Council as well as to all boards and commissions appointed by and answering to City Council. *(See minutes dated August 13, 2002, Min. Book 27, page 169)*
- H. All Action items for consideration shall be supported by all available documentation used to justify Council's consideration and action. This is to include all recommendations of any Board, Commission, Outside Agency, or Jurisdiction. *(See minutes of February 10, 2004)*

418. Meals, Food, and/or Beverages for Council Meetings and Work Sessions of Council:

The following guidelines are established as Rules and Procedures regarding food for City Council members and/or staff in the Council Chambers or Council Conference Room.

- A. The City Clerk shall confer with the Mayor, who shall decide whether or not food is to be provided during any Regular City Council meeting, Special City Council meeting, or Work Session of Council.
 - 1. With Mayor approval, food shall be made available at any Work Session scheduled at 5:30 PM, and/or immediately followed by a Closed Session at 6:30 PM, and immediately followed by a Regular City Council meeting at 7:30 PM.
 - 2. The City Clerk shall confer with the Mayor whether or not food is to be provided for any Special City Council meeting or Work Session scheduled as a *stand-alone* meeting, which is not followed or preceded by a Regular City Council meeting.
 - 3. Any all-day Work Session, Council Advance, or Special Meeting of Council shall include meals. With some minor modifications City Council's Rules and

Procedures shall be similar to the City's Travel Policy in the City's Policies and Procedures Manual.

4. Any Special City Council Meeting or Work Session that is anticipated to last for less than two (2) hours shall not require a meal.

B. With Mayor approval, food shall be made available for the seven members of City Council, City Manager, City Attorney, and City Clerk. Food shall also be made available for City staff who may be required to attend said Regular City Council meeting, Special City Council meeting, or Work Session.

1. Food shall be defined as a light meal such as a salad, sandwich, cheese and crackers, and/or vegetables and dip, which will be made available in the City Council Conference Room.

2. The City Clerk shall maintain a supply of bottled water and soft drinks in the refrigerator located in the City Council Conference Room. These may be used at the discretion of City Council.

C. The cost of such meals shall be kept within reasonable budgetary constraints. Cost of said meals shall be applied to City Council's Miscellaneous Budget.

419. Presentations by Boards and Commissions:

Each of the City's **boards, commissions, authorities,** and **committees of** Council that lack committee members and do not have a full membership **shall periodically provide a** brief **presentation to** City Council. Each presentation shall be limited to a total of ten (10) **minutes.** The purpose of the presentation is to apprise City Council **of the** **recently completed projects,** **current and future activities** of the association. (See City Council minutes dated 11/9/04, Book ____, Page ____) (See City Council minutes dated 1/12/08, Book 30, Page ____)

420. Salaries of Council Employees into Annual Budget Document

This section covers the City Manager, City Attorney and City Clerk, and shall be part of Council Rules and Procedures. The annual cost of living adjustments (COLAs) will be established at the same percentage as employees covered by the last adopted Pay and Compensation Study. COLAs will be effective at the beginning of each fiscal year (July 1). Merit increases will be established based on a yearly performance review. The review and pay adjustment dollar amounts will be completed in May. Figures for individual pay adjustments will be forwarded to the Finance Department no later than June 15 and become effective July 1. (See City Council minutes dated 11/8/05, Book 29, page ____)

421. Council Rules of Council Conduct

**City of Hopewell
Council Rules of Conduct
(Approved December 18, 2007)**

Council members agree to represent the public interest and work with others to improve the quality of life for Hopewell citizens and visitors. It is further acknowledged that residents and businesses of Hopewell are entitled to have fair, ethical, and accountable local government. Such a government requires that public officials:

- comply with both the letter and the spirit of the laws and policies affecting operations of the government;
- be independent, impartial, and fair in their judgment and actions;
- use their public office for the public good, not for personal gain;
- conduct public deliberations and processes openly, (unless legally confidential) in an atmosphere of respect and civility; and,
- act in a manner that supports the expectations of their constituents and enhances public confidence in the system of local government supporting this Code. Council confirms its commitment to serve public interest with fairness and integrity.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Council members shall work for the common good of the people of Hopewell and

not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

2. **Respect for Process**

Council member duties shall be performed in accordance with the processes and rules of order established by the City Council.

3. **Conduct of Public Meetings**

City Council members shall inform themselves of public issues, listen attentively to public discussions before the body, and focus on the business at hand.

4. **Policy Role of Members**

Council members shall respect and adhere to the Council-Manager structure of Hopewell City government as provided in State law and the City Charter.

5. **Positive Work Environment**

City Council members shall support the maintenance of a positive and constructive environment for residents, businesses, and city employees.

6. **Conduct of Members**

City Council members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the City Council, boards, commissions, committees, staff, or the public. City Council members agree to be respectful of other Council members, city staff, and the public, and shall not degrade them in oral or written communication.

7. **Comply with the Law**

City Council members shall comply with the laws of the nation, the Commonwealth of Virginia, and the City of Hopewell in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Hopewell City Charter; laws pertaining to conflicts of

interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and city ordinances and policies.

8. Coordination with City Staff

Appropriate city staff should be involved when City Council members meet with officials from other agencies and jurisdictions to ensure proper staff support as needed and to keep staff informed. City Council members shall coordinate requests for city staff participation in these and other activities with Council-appointed staff only. City Council shall not contact other appointed staff for matters other than citizen request for service.

9. Use of Public Resources

Public resources not available to the general public (e.g., city staff time, equipment, supplies or facilities) shall not be used by City Council members for private gain or personal purposes. City Council shall review and approve payments by members of Council without proper documentation prior to payment.

10. Decisions Based on Merit

City Council decisions shall be based upon the merits and substance of the matter at hand.

11. Communication

It is the responsibility of City Council members to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council members.

12. Advocacy

To the best of their ability, City Council members shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the

City Council or the City. The Mayor or council-appointed staff shall present the city position on various issues to communities, state, and federal representatives unless otherwise directed by the City Council. The city shall disseminate only those positions.

13. Confidential Information

City Council members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Council. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or private interests.

14. Gifts and Favors

City Council members shall not take advantage of services or opportunities for personal gain by virtue of their public offices, that are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action, or give the appearance of compromising their independence.

15. Representation of Private Interests

In keeping with their role as stewards of the public trust, City Council members shall not appear on behalf of the private interests of a third-party before the City Council or any board, commission, committee, or proceeding of the City.

16. Improper Influence

City Council members shall refrain from using their position to improperly influence the deliberations or decisions of city staff, boards, commissions, or committees.

17. Disclosure of Corruption

All city officials shall take an oath upon assuming office, pledging to uphold the laws of the city, the commonwealth and the Federal Government. As part of this

oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that may qualify as corruption, abuse, fraud, bribery, or other violation of the law.

18. Implementation

Ethics standards shall be included in the regular orientations for City Council candidates. Council members entering office shall sign a statement affirming that they have read and understood the City of Hopewell’s City Council Rules of Conduct.

19. Compliance and Enforcement

City Council members themselves have the primary responsibility to assure that the ethical standards are understood, met, and that the public can continue to have full confidence in the integrity of City government.

422. Proclamation, Certificate, and Letterhead Guidelines – Council as a body issues proclamations, certificates of recognition or condolence, and congratulatory letters, in conformance with the attached guidelines. Such proclamations, certificates, and letters are approved and signed by the mayor or, in the absence or disability of the mayor, the vice mayor (Charter IV.5). For personal communications or statements, an individual councilor may use letterhead incorporating the city logo and indicating they are "from the desk of" the councilor. No communication or statement issued by an individual councilor is or may be deemed an official act of the council, the city of Hopewell, or its agencies.

I affirm that I have read and understand the City of Hopewell City Council Rules of Conduct.

Signature

Date