

AGENDA



CITY OF HOPEWELL
Hopewell, Virginia 23860

CITY COUNCIL

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

AGENDA

(804) 541-2408

www.hopewellva.gov
info@hopewellva.gov
cityclerk@hopewellva.gov

John M. Altman, Jr., City Manager
Sandra R. Robinson, City Attorney
Mollie P. Bess, City Clerk

October 26, 2021

REGULAR MEETING

Closed Meeting: 6:30 p.m.
Worksession: 7:00 p.m.
Regular Meeting – 7:30 p.m.

OPEN MEETING

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

- **SUGGESTED MOTION:** Move to go into closed meeting pursuant to Va. Code Section 2.2-3711 (A)(1) for discussion, consideration, or interviews (HRHA and School Board) of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

CLOSED MEETING

RECONVENE OPEN MEETING

Roll Call

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 closed meeting?

Roll Call

WORK SESSION

WS-1 – Vacation of a portion of Jones Street

WS-2 – Stormwater Resiliency Plan

REGULAR MEETING

Call to order, roll call, and welcome to visitors

Prayer by Rev. Danny Tucker, followed by the Pledge of Allegiance to the Flag of the United States of America led by Vice Mayor Partin.

SUGGESTED MOTION: To amend/adopt Regular Meeting agenda

Roll Call

CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.

C-1 Minutes:

C-2 Pending List:

C-3 Information for Council Review: EDA 4/5/21 2021 Meeting Minutes; EDA May 5/8/21 Meeting Minutes; EDA 6/7/22 Meeting Minutes; EDA 7/12/21 Meeting Minutes; EDA 8/18/21 Meeting Minutes; EDA 9/13/21 2021 Meeting Minutes EDA 9/20/21 Meeting Minutes; BZA 9/15/21 Meeting Minutes

C-4 Personnel Change Report:

C-5 Public Hearing Announcements: School Board Appointment 12/14/21

C-6 Routine Approval of Work Sessions:

C-7 Ordinances on Second & Final Reading:

C-8 Routine Grant Approval:

C-9 Resolutions, Proclamations: Budget Resolution for Public Safety Salary Increases

SUGGESTED MOTION: To amend/adopt consent agenda

Roll Call

INFORMATION/PRESENTATIONS

PUBLIC HEARING

PH-1 – Rezone 303 North 3rd Avenue – Sub-Parcel #011-0620

UNFINISHED BUSINESS

COMMUNICATIONS FROM CITIZENS

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **three minutes**. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall be addressed to the Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)*

Reports of Boards and Commissions:

REGULAR BUSINESS

Reports of City Manager:

Reports of City Attorney:

Reports of City Clerk: Update – Boards & Commissions <https://hopewellva.gov/city-council/> <https://hopewellva.gov/city-council/boards-commissions-and-authorities-vacancies/>

Reports of City Council: Vice Mayor Partin – Hopewell Water Renewal Commission

Committees

COUNCILORS REQUEST

CR-1 – Adjust Budget to hire an Internal Auditor to establish an Audit Department (Pelham)

MOTION:

Roll Call

CR-2 – Review/Revise Remote Participation Policy (Denton)

MOTION:

Roll Call

CR-3 – Finance Policy (Gore)

MOTION:

Roll Call

CR-4 – City Energy and Conservation Program (Partin)

MOTION:

Roll Call

Presentations from Boards and Commissions

Other Council Communications

Adjournment

CONSENT AGENDA

INFORMATION
FOR
COUNCIL REVIEW

EDA Meeting April 05, 2021 @ 5:30 pm

Present: Steve Pettler, Tom Wagstaff, Elliot Eliades, Joan Gosier, and Lynda Frink

Absent: Bob Moore, Shanna Havens

Staff Present: Charles Dane, City Manager

Others Present: None

Called to order: S Pettler called the meeting to order at 5:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the March 01, 2021 meeting were reviewed. A motion was made by T. Wagstaff and 2nd by E. Eliades to approve the March 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the Balance Sheet and P&L statements. After Discussion, a motion was made by E. Eliades and 2nd by L. Frink to approve the Treasurer's report. Motion carried.

Chairperson Report: S. Pettler gave his report.

Unfinished Business: C. Dane reported that the City Council has tabled the Francisco Landing project with the WE Bowman Construction Real Estate Tax Abatement to the next meeting on April 06, 2021.

Closed Session:

The EDA entered closed session to discuss matters related to business development not subject to open meeting requirements. The motion was made to go into closed session by T. Wagstaff and 2nd by E. Eliades. Motion carried.

Upon returning to open session with a motion made by T. Wagstaff and 2nd by E. Eliades, the Board stated only matters discussed in closed session were those not subject to open meeting requirements. Roll call vote: S. Pettler, Yes, T. Wagstaff, Yes; E. Eliades, Yes; J. Gosier, Yes, and L. Frink, Yes.

Actions from Closed Session: None

New Business: The following was discussed:

- C. Dane, City Manager gave an update on Grants.

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting: The next meeting will be held on Monday, May 3, 2021 at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by E. Eliades to adjourn, 2nd by T. Wagstaff; adjourned at 6:20pm.

Minutes taken by Lynda K. Frink

EDA Meeting May 03, 2021 @ 4:30 pm

Present: Steve Pettler, Tom Wagstaff, Elliot Eliades, Shanna Havens, Bob Moore, Joan Gosier, and Lynda Frink

Absent: none

Staff Present: none

Others Present: none

Called to order: T. Wagstaff, Vice Chairperson called the meeting to order at 4:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the April 05, 2021, meeting were reviewed. A motion was made by E. Eliades and 2nd by J. Gosier to approve the April 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the Balance Sheet and P&L statements. After Discussion, a motion was made by E. Eliades and 2nd by J. Gosier to approve the Treasurer's report. Motion carried.

Chairperson Report: S. Pettler, Chairperson gave a report concerning the Legacy Program. The grant is a matching grant up to \$10,000.00 and the date will be set out two months.

Unfinished Business: none

Closed Session:

The EDA entered closed session to discuss matters related to business development not subject to open meeting requirements. The motion was made to go into closed session by T. Wagstaff and 2nd by B. Moore. Motion carried.

Upon returning to open session with a motion made by E. Eliades and 2nd by T. Wagstaff, the Board stated only matters discussed in closed session were those not subject to open meeting requirements. Roll call vote: S. Pettler, Yes, T. Wagstaff, Yes; E. Eliades, Yes; B. Moore, Yes, J. Gosier, Yes, S. Havens, Yes, and L. Frink, Yes.

Actions from Closed Session: A motion was made by E. Eliades and 2nd by T. Wagstaff to direct Stefan M. Calos, Attorney to amend the current contract to delete any repurchase options. Motion carried.

New Business: The EDA meeting time was discussed. After discussion, a motion was made by T. Wagstaff and 2nd by B. Moore to change the time of the EDA meetings from 5:30pm to 4:30pm. Motion carried.

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting: The next meeting will be held on Monday, June 07, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by T. Wagstaff to adjourn, 2nd by J. Gosier; adjourned at 5:45pm.

Minutes taken by Lynda K. Frink, Secretary

EDA Meeting June 07, 2021 @ 4:30 pm

Present: Steve Pettler, Tom Wagstaff, Elliot Eliades, Shanna Havens, Bob Moore, Joan Gosier, and Lynda Frink

Absent: Bob Moore

Staff Present: Charles Dane, City Manager

Others Present: Stefan M. Calos, Attorney

Called to order: Steve Pettler, Chairperson called the meeting to order at 4:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the May 03, 2021, meeting were reviewed. A motion was made by T. Wagstaff and 2nd by E. Eliades to approve the May 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the Balance Sheet and P&L statements. After Discussion, a motion was made by E. Eliades and 2nd by J. Gosier to approve the Treasurer's report. Motion carried.

Chairperson Report: S. Pettler, Chairperson gave the following report:

- Steve Pettler turned in his written resignation as a member of the EDA as of 06/30/2021, with his position of Chairperson as of June 07, 2021.

Unfinished Business: A motion was made by E. Eliades and 2nd by T. Wagstaff to appoint Shanna Havens as Chairperson of the EDA starting June 08, 2021. Motion carried.

Closed Session:

The EDA entered closed session to discuss matters and legal issues related to Project Malibu; and to discuss matters related to business development not subject to open meeting requirements. The motion was made to go into closed session by E. Eliades and 2nd by T. Wagstaff. Motion carried.

Upon returning to open session with a motion made by E. Eliades and 2nd by J. Gosier, the Board stated only matters discussed in closed session were those not subject to open meeting requirements. Roll call vote: S. Pettler, Yes; S. Havens, Yes; T. Wagstaff, Yes; E. Eliades, Yes; J. Gosier, Yes; and L. Frink, Yes.

Actions from Closed Session: A motion was made by L. Frink and 2nd by E. Eliades to authorize legal counsel to take the action recommended by the attorney; and agree to be subordinate to the bank in relation to the property involved in Project Malibu. Motion carried.

New Business: E. Eliades shared concerning recording EDA meetings, discussion followed. The suggestion of recording EDA meetings will be brought to a future meeting.

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting: The next meeting will be held on Monday, July 12, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by S. Havens to adjourn, 2nd by E. Eliades; adjourned at 6:20pm.

Minutes taken by Lynda K. Frink, Secretary

EDA Meeting July 12, 2021 @ 4:30 pm

Present: Shanna Story, Tom Wagstaff, Elliot Eliades, Joan Gosier, Rita Joyner and Lynda Frink

Absent: Bob Moore

Staff Present: Faith McClintic

Others Present: none

Called to order: Shanna Story, Chairperson called the meeting to order at 4:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the June 07, 2021, meeting were reviewed. A motion was made by T. Wagstaff and 2nd by E. Eliades to approve the June 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the Balance Sheet and P&L statements. After Discussion, a motion was made by E. Eliades and 2nd by J. Gosier to approve the Treasurer's report. Motion carried.

Chairperson Report: S. Story gave a report on the following:

- Primus bank meeting

Unfinished Business:

- Bank signatures was discussed. After discussion, a motion was made by T. Wagstaff and 2nd by J. Gosier to remove Steve Pettler and add Shanna Story to all bank accounts. Motion carried.
- The EDA Audit was discussed.

Closed Session:

The EDA entered closed session to discuss matters related to business development not subject to open meeting requirements. The motion was made to go into closed session by T. Wagstaff and 2nd by E. Eliades. Motion carried.

Upon returning to open session the Board stated only matters discussed in closed session were those not subject to open meeting requirements. Roll call vote: S. Story, Yes, T. Wagstaff, Yes; E. Eliades, Yes; J. Gosier, Yes; R. Joyner, Yes, and L. Frink, Yes.

Actions from Closed Session: none

New Business: none

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting: The next meeting will be held on Monday, August 2, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by E. Eliades to adjourn, 2nd by J. Gosier; adjourned at 5:40pm.

Minutes taken by Lynda K. Frink, Secretary

EDA Meeting - August 18, 2021 @ 4:30 pm

Present: Shanna Story, Bob Moore, Joan Gosier, and Lynda Frink

Via Zoom: Tom Wagstaff, Elliot Eliades, Rita Joyner

Absent: none

Staff Present: Faith McClintic via Zoom

Others Present: Brandon Smith

Called to order: Shanna Story, Chairperson called the meeting to order at 4:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the July 12, 2021, meeting were reviewed. A motion was made by E. Eliades and 2nd by T. Wagstaff to approve the July 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the June 2021 Balance Sheet and P&L statements. He noted that \$20,000.00 will be coming from the City to the EDA. After Discussion, a motion was made by E. Eliades and 2nd by B. Moore to approve the Treasurer's report. Motion carried.

Chairperson Report: none

Unfinished Business: none

Closed Session:

A motion was made by E. Eliades and 2nd by L. Frink to go into closed meeting pursuant to Virginia Code § 2.2-3711, for (1) the discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Hopewell EDA, (2) the investment of public funds where competition and bargaining is involved, where, if made public initially, the financial interest of the EDA would be adversely affected, and (3) consultation with legal counsel retained by the EDA regarding specific legal matters requiring the provision of legal advice by such counsel, namely, matters related to real property located at and adjacent to 215 E. Randolph Road, Hopewell, Virginia. Motion carried.

A motion was made by J. Gosier and 2nd by B. Moore to return to open session Pursuant to Virginia Code § 2.2-3712, were the only matters heard, discussed, and considered by the Hopewell EDA in the closing meeting public business matters (i) lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (ii) identified in the motion by which the closed meeting was convened. Motion carried. Roll call vote: S. Story, Yes, T. Wagstaff, Yes; E. Eliades, Yes; J. Gosier, Yes; B. Moore, Yes, and L. Frink, Yes.

E. Eliades left the zoom meeting after the closed session.

Actions from Closed Session: A motion was made by B. Moore and 2nd by L. Frink to allow Tom Wagstaff to complete all forms necessary at Primis Bank. Motion carried.

New Business: none

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting: The next meeting will be held on Monday, September 13, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by T. Wagstaff to adjourn, 2nd by J. Gosier; adjourned at 5:35pm.

Minutes taken by Lynda K. Frink, Secretary

EDA Meeting – September 13, 2021 @ 4:30 pm

Present: Shanna Story, Tom Wagstaff, Bob Moore, Elliot Eliades, Joan Gosier, Rita Joyner and Lynda Frink

Absent: none

Staff Present: Faith McClintic via phone

Others Present: none

Called to order: Shanna Story, Chairperson called the meeting to order at 4:30 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Minutes: The minutes of the August 18, 2021, meeting were reviewed. A motion was made by T. Wagstaff and 2nd by R. Joyner to approve the August 2021 minutes. Motion carried.

Treasurer's Report: T. Wagstaff gave the Treasurer's Report and reviewed the July 2021 Balance Sheet and P&L statements. He gave an update concerning the EDA audit. After Discussion, a motion was made by J. Gosier and 2nd by B. Moore to approve the Treasurer's report. Motion carried.

Chairperson Report:

- S. Story reported on the Primus Bank's loan commitment.
- S. Story reported on the Legacy Grants. A subcommittee was formed to review the applications: Rita Joyner, Chairperson; Tom Wagstaff, Randy Sealy, and Faith McClintic will serve.

Unfinished Business: R. Joyner asked regarding the former EDA member who may have archive documents for our EDA audit. Discussion followed.

Closed Session: none

New Business: T. Wagstaff reported that he will be reviewing documents that will be needed for the EDA audit. F. McClintic will also review items that are in former Assistant City Manager's office.

Upcoming Events: Upcoming events and happenings were shared by the members.

Next meeting:

- A Special meeting will be held on Monday, September 20, 2021, at 4:30pm in City Council Chambers Conference Room.
- Next monthly meeting will be held on Monday, October 4, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by T. Wagstaff to adjourn, 2nd by E. Eliades; adjourned at 5:05pm.

Minutes taken by Lynda K. Frink, Secretary

EDA Special Meeting – September 20, 2021 @ 4:31 pm

Present: Shanna Story, Tom Wagstaff, Bob Moore, Elliot Eliades, Joan Gosier, Rita Joyner and Lynda Frink

Absent: none

Staff Present: Faith McClintic

Others Present: Stefan M. Calos, Attorney

Called to order: Shanna Story, Chairperson called the meeting to order at 4:31 pm in Council Chambers Conference Room.

Approval of Agenda: Agenda was approved and distributed.

Chairperson Report: S. Story gave a report on the WEB Comm matter.

Closed Session:

A motion was made by S. Story and 2nd by E. Eliades to go into closed meeting pursuant to Virginia Code § 2.2-3711, for (1) the discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Hopewell EDA, (2) the investment of public funds where competition and bargaining is involved, where, if made public initially, the financial interest of the EDA would be adversely affected, and (3) consultation with legal counsel retained by the EDA regarding specific legal matters requiring the provision of legal advice by such counsel, namely, matters related to real property located at and adjacent to 227 E. Poythress Street, and 246 E. Broadway, Hopewell, Virginia. Motion carried.

A motion was made by T. Wagstaff and 2nd by E. Eliades to return to open session Pursuant to Virginia Code § 2.2-3712, were the only matters heard, discussed, and considered by the Hopewell EDA in the closing meeting public business matters (i) lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (ii) identified in the motion by which the closed meeting was convened. Motion carried. Roll call vote: S. Story, Yes, T. Wagstaff, Yes; E. Eliades, Yes; J. Gosier, Yes; B. Moore, Yes, R. Joyner, Yes; and L. Frink, Yes.

Actions from Closed Session:

A motion was made by T. Wagstaff and 2nd by B. Moore to authorize the EDA Chair and Secretary, with the assistance of counsel as necessary, to execute any and all amendments or other documentation modifying the sale contract with WEB Comm to reflect delays attributed to the resolution of title issues, and to take such other actions necessary to close on the sale of 246 E. Broadway and adjacent property. Motion carried.

A motion was made by B. Moore and 2nd by T. Wagstaff to authorize the EDA Chair and Secretary, along with the assistance of counsel as necessary, to bid at foreclosure sale up to \$500,000.00 for purchase of 227 E. Poythress Street and adjacent property, to make the required deposit of \$25,000.00, pay 10% of the sales price including the 10% buyer's premium due within three business days of the sale, close within 30

days of the sale, and execute any and all documents and take any and all other necessary actions related to thereto, including any financing. Motion carried.

Next meeting:

The next meeting will be held on Monday, October 04, 2021, at 4:30pm in City Council Chambers Conference Room.

Adjourn: Motion by T. Wagstaff to adjourn, 2nd by R. Joyner; adjourned at 6:35pm.

Minutes taken by Lynda K. Frink, Secretary

**CITY OF HOPEWELL, VA
BOARD OF ZONING APPEALS
MEETING MINUTES
WEDNESDAY, SEPTEMBER 15, 2021**

A meeting of the Board of Zoning Appeals for the City of Hopewell was held on Wednesday, September 15, 2021 at 6:00 p.m. in City Council Chambers/City Council Board Room located at 300 North Main Street, Hopewell, Virginia.

Board of Zoning Appeals Members present:

Patricia Dostie, Chair
Ashley Epps, Vice-Chair
Jessie Spruill
Cassandra Vanderkeift

Staff Members present:

Tevya W. Griffin, Director of Development

Chairman Dostie called the meeting to order at 6:00 p.m. Mrs. Griffin conducted the roll call. There is a quorum present.

ADMINISTRATIVE MATTERS

Commissioner Vanderkeift made a motion to accept March 17, 2021 minutes. Vice-Chairman Epps seconded the motion. Motion passed 4-0.

PUBLIC HEARINGS

Opened at 6:02 p.m.

1. The City of Hopewell has received a request submitted by VA Cheers VA/Margaret A. Harris for a Special Exception to operate a club or lodge in the Highway Commercial (B-3) Zoning District at 2510 Oaklawn Boulevard, also identified as Sub-Parcel # 081-0645.

An overview of the application was provided by Mrs. Griffin. Under Article XI, Highway Commercial District, this district is intended to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities. It's generally serving a wide area and located particularly along certain existing major thoroughfares where a general

mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of materials or the nuisance factors of dust, odor, and noise associated with manufacturing. This includes such uses as retail stores, banks, business offices, drive-in restaurants and automobile sales and service facilities. Use regulates (Section A, #16) structures to be erected and land to be used for clubs and lodges with a Special Exception issued by the Board of Zoning Appeals.

As defined in Article I, #70 - Club, Private: Those associations and organizations of a fraternal or social character not operated or maintained for profit, but the terms shall not include night clubs or other institutions operated as a business. #150 - Lodge, Private: Those associations and organizations of a fraternal or social character not operated or maintained for profit, but the terms shall not include night clubs or other institutions operated as businesses.

The business, VA Cheers, is a restaurant that has operated since November 2020. A restaurant is an allowable use in the B-3 zoning district. There are two distinct spaces in the building. The proposed private club/lodge would operate in separate space from the restaurant and only be open to members of the club/lodge. According to City records the restaurant is open from 7 a.m. - 2 a.m. On the restaurant website, the hours of operation are identified as 9:00 a.m. – 12:00 p.m. Mrs. Griffin stated that she was uncertain of the hours for the private club and questioned if they would have the same hours of operation. Vice Chairman Epps asked about the internal flow of the building and if the restaurant and club were separate from each other. Mrs. Griffin informed the Board that renovation was completed in the building that separated spaces that could accommodate a restaurant and club. She believed there was an upstairs that would accommodate the club. Parking was adequate to accommodate the operation of the restaurant and club at the same time. The restaurant does not have liquor license. The beer and wine license is in place but under review.

The current owner purchased the building on August 13, 2019. There have been numerous Calls for Service, and Fire/EMS calls since the purchase. Mrs. Griffin provided the statics aloud.

Year of Service	Calls to Service (Police)	Fire Calls
8/2019	5	1
2020	21	6
2021	40	2

VA Cheers is considered inactive by the State Corporation Commission since July 2021 either because the annual registration fee is past due or dues/penalties are unpaid.

Operating a private club/lodge will allow the applicant to provide members with gaming machines governed by the Virginia Department of Agriculture and Consumer Services. This is

similar to services provided by the Moose Lodge, the Optimist Club, and the American Legion, etc.

The approval of a Special Exception is recommended for a private club/lodge so that the Board can determine if certain conditions should be required, like hours of operation. Since a restaurant currently operates at 2510 Oaklawn Boulevard, Staff recommends the Board determine when the club/lodge will operate and what activity will take place at the club/lodge. The Board should also consider effects on traffic and parking.

Article XIX allows the Board of Zoning Appeals (BZA) to impose conditions relating to the use, as it may deem necessary, to the public interest. The Board of Zoning Appeals may also require a guarantee or bond to ensure that the conditions imposed are being met, and will continue to be complied with in the future.

Staff recommends denial of the application for the Special Exception for a private club/lodge at 2510 Oak lawn Boulevard because of the strain on City services already caused by the restaurant.

Mrs. Griffin informed the Board of Zoning Appeals that the Board needed to hear the citizen's comments and that there were people in the audience who may want to speak. Mrs. Griffin also stated that the applicant Margaret A. Harris was not present at the meeting.

Russel Batten of 2606 Poplar Street addressed the Board of Zoning Appeals. He stated that the upper floor room used to be a club. It then became Jolly Rogers. There were many calls to service. His question to the BZA was in regards to the ABC license held by the business owner. He wanted to know if there was not an active ABC license why operate a club. Where patrons park. The dancing school is being negatively affected.

A concerned citizen was present. Ms. Denise Height owns a home at 2606 Poplar Street. The establishment had numerous arguments and fights. She is present to hear what the applicant is requesting. He also mentioned the configuration of the parking lots around the

Mrs. Griffin read letter of John Miller into minutes.

From: John Miller jcm3352@ms.com
Sent: Wednesday, September 15, 2021 12:55 PM
To: Dev Dept.
Subject: 2510 Oaklawn Blvd special exception request

Good afternoon,

My name is John Miller and I am a Deacon with West Hopewell Presbyterian Church, 2602 Wise St. Hopewell, V A .

I am responding to your letter dated September 7, 2021.

Our Elders and deacons have concerns about this request for the following reasons:

1. The location does not have adequate parking for no more than 20 vehicles on site.
2. Recent experience with other activities at this site where there has been unauthorized parking on our lot.
3. Trashing of our parking lot.
4. Vandalism of church vehicles following these events. (Agreed this may or may not have been related to an event)
5. Advised by Officer Jones of the Hopewell Police to post no trespassing and no parking signs on our property to help control the unauthorized parking.
6. The possibility that events would interfere with our members attending services and their safety.
7. The list could continue but this type of business is not needed in this neighborhood or in Hopewell. Thank you for your consideration of denying the request.

Sincerely,
John Miller, Deacon at West Hopewell Presbyterian Church

The public hearing closed at 6:35 p.m. Chairman Dostie asked if the applicant wanted to speak. The applicant was not present. Mrs. Griffin reminded the Board that this was a public hearing and did not require a vote tonight. They were told they had the option to table the matter until the applicant was present to answer questions. The Board decided to move forward.

A motion was made by Vice-Chairman Epps to deny this request submitted by Margaret A. Harris, for a Special Exception to operate a club or lodge in the Highway Commercial (B-3) Zoning District at 2510 Oaklawn Boulevard, due to insufficient parking, public concerns, amount of service calls and disruption to neighbors and increase in traffic. The motion was seconded by Commissioner Vanderkeift. The motion was approved 4-0.

UNFINISHED BUSINESS

Vice-Chairman Epps made a motion to accept February 20, 2019 minutes as amended. Commissioner Vanderkeift seconded the motion. Motion passed 3-0.

Vice-Chairman Epps made a motion to accept May 15, 2019 minutes. Commissioner Vanderkeift seconded the motion. Motion passed 3-0.

Vice-Chairman Epps made a motion to accept November 20, 2019 minutes. Commissioner Vanderkeift seconded the motion. Motion passed 4-0.

Commissioner Spruill made a motion to accept October 28, 2020 minutes. Vice-Chairman Epps

seconded the motion. Motion passed 4-0.

NEW BUSINESS

None

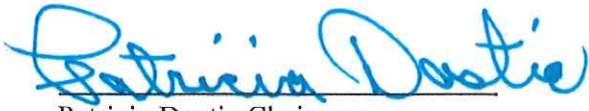
REPORTS

Nothing to report.

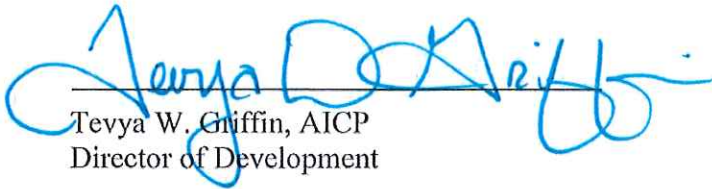
ADJOURN

Chairman Dostie made a motion to adjourn the meeting at 6:39 p.m. Vice-Chairman Epps seconded the motion.

Submitted by,



Patricia Dostie Chairman



Tevya W. Griffin, AICP
Director of Development

RESOLUTION

**A RESOLUTION
AMENDING THE FISCAL YEAR 2021-2022 OPERATING BUDGET
FOR PUBLIC SAFETY SALARY INCREASES**

WHEREAS, on June 8, 2021, the City Council of the City of Hopewell adopted the Budget Resolution adopting the City of Hopewell Fiscal Year 2022 budget in the amount of \$183,793,655; and

WHEREAS, Section 15.2-2507 of the Code of Virginia provides that any locality may amend its budget and must first hold a public hearing which is advertised once in a newspaper of general circulation if any such amendment exceeds one (1) percent of the total expenditures of the currently adopted budget; and

WHEREAS, the amendment of the budget in this resolution in the amount of \$619,328.47 (0.34%) does not exceed one (1) percent of the adopted budget and therefore a public hearing was not required; and

WHEREAS, the source of funding for the \$619,328.47 budget amendment is the Unassigned Fund Balance; and

WHEREAS, the funding included in this amendment is to increase the salaries in the Police and Fire Departments for sworn officers, firefighters and medics;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hopewell hereby approves and adopts the Fiscal Year 2022 budget amendment and appropriates all funds as set forth in the amendment below:

GENERAL FUND – FUND 011	Approved Budget	Changes	Amended Budget
Revenues			
Unassigned Fund Balance transfer to General Fund – 011	\$ 54,356,282	\$ 619,328.47	\$ 54,975,610.47
Total	\$ 54,356,282	\$ 619,328.47	\$ 54,975,610.47
Appropriations			
Police – Command FT Salary	\$ 391,755	\$ 7,310.03	\$ 399,065.03
Police – Patrol FT Salary	\$ 3,248,723.56	\$ 343,535.90	\$ 3,592,259.46
Fire – FT Salary	\$ 2,769,229.27	\$268,482.54	\$ 3,037,711.81
Total – General Fund (011)	\$ 54,356,282	\$ 619,328.47	\$ 54,975,610.47
Total Budget	\$ 183,793,655	\$ 619,328.47	\$ 184,412,983.47

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL ON OCTOBER 26, 2021.

Witness this signature and seal

Patience A. Bennett, Mayor
City of Hopewell

VOTING AYE:
VOTING NAY:
ABSTAINING:
ABSENT:

ATTEST:

Mollie P. Bess, City Clerk
City of Hopewell

COMMUNICATIONS

FROM

CITIZENS

WORK SESSION

WS-1



Joseph A. Walton
Vacation of a portion of Jones Street
Staff Report prepared for the City Council Work Session
October 26, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission and City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	October 7, 2021	Recommended Approval
City Council Work Session	October 26, 2021	No Action required

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	Surrounding properties are zoned R-2, Residential Medium Density
Size of Area:	2,500 square feet
Proposed Use:	Combine with existing parcel #034-0110
Location of Property:	1800 block of Liberty Avenue, adjacent to 1899 Liberty Avenue 431 linear feet from intersection of Liberty Avenue and Bassett Street
Election Ward:	Ward 6
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A

III. EXECUTIVE SUMMARY:

Joseph A. Walton has requested the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue, and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,500 square feet.

IV. STAFF ANALYSIS:

This undeveloped portion of Jones Street is located in Ward 6. The right of way is approximately 2,500 square feet. While this would not be allowed under current City Council policy right-of-way vacation's, only half of the right-of-way was vacated in 1995; leaving the half in question as a wooded area. The site is relatively flat and at present is not usable. The other portion of Jones Street vacated in 1995 is used as open space for the owners at 1899 Liberty Avenue.

V. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Planning and Zoning Staff have no objections to the vacation of this portion of right-of-way. When the right-of-way is combined with Sub-Parcel #034-0110, the applicant will have a combined square footage of 12,700. The property is zoned R-2, and even without the right-of-way meets the lot size requirement of 7,500 to build a single family detached home.

Engineering and Storm water staff have not yet commented on this right-of-way vacation but will provide comments prior to or at the Planning Commission meeting.

VI. STAFF RECOMMENDATION:

Planning and Zoning Staff recommend approval of the right-of-way request.

VII. PLANNING COMMISSION RESOLUTION:

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission recommends with a vote of 7-0 to approve the request submitted by Joseph A. Walton to request the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue, and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,700 square feet.

Aerial Map of portion of Jones Street



Sub-Parcel #034-0110



Proposed vacated area

HOPEWELL CITY COUNCIL
WORK SESSION

OCTOBER 26, 2021

VACATION OF A PORTION OF JONES STREET

VACATION OF A PORTION OF JONES STREET



Joseph A. Walton has requested the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue, and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,500 square feet.



Sub-Parcel # 034-0110



Portion of undeveloped
Jones Street

PROPERTY INFORMATION

- SIZE OF AREA TO BE VACCATED:
2,500 SQUARE FEET
- WARD 6
- LAND USE PLAN: URBAN
RESIDENTIAL
- ZONING: R-2, RESIDENTIAL
MEDIUM DENSITY DISTRICT
- COMBINED SQUARE FOOTAGE
OF PARCEL & RIGHT OF WAY:
12,700

CITIZEN INPUT

- INFORMATIONAL SIGN PLACED ON PROPERTY THAT INCLUDES CASE # PHONE NUMBER OF DEVELOPMENT OFFICE AND. INTERESTED PERSONS CAN CONTACT CITY DEPARTMENT FOR INFORMATION

- 28 ADJACENT PROPERTY OWNER LETTERS MAILED ON SEPTEMBER 20, 2021 FOR PLANNING COMMISSION MEETING ON OCTOBER 7, 2021

- ADJACENT PROPERTY OWNER OF 1899 LIBERTY AVENUE ATTENDED THE MEETING AND REQUESTED THE UNDEVELOPED PORTION OF JONES AVENUE BE ADDED TO THEIR PROPERTY INSTEAD OF THE APPLICANT.

- THERE WERE NO OTHER CITIZEN COMMENTS

PLANNING COMMISSION RESOLUTION

- THE PLANNING COMMISSION VOTED 7-0 TO RECOMMEND APPROVAL OF THE REQUEST TO VACATE A PORTION OF JONES STREET LOCATED BETWEEN 1899 LIBERTY AVENUE AND SUB-PARCEL #034-0110. THE APPROXIMATE SQUARE FEET BEING 2,500.

WS-2

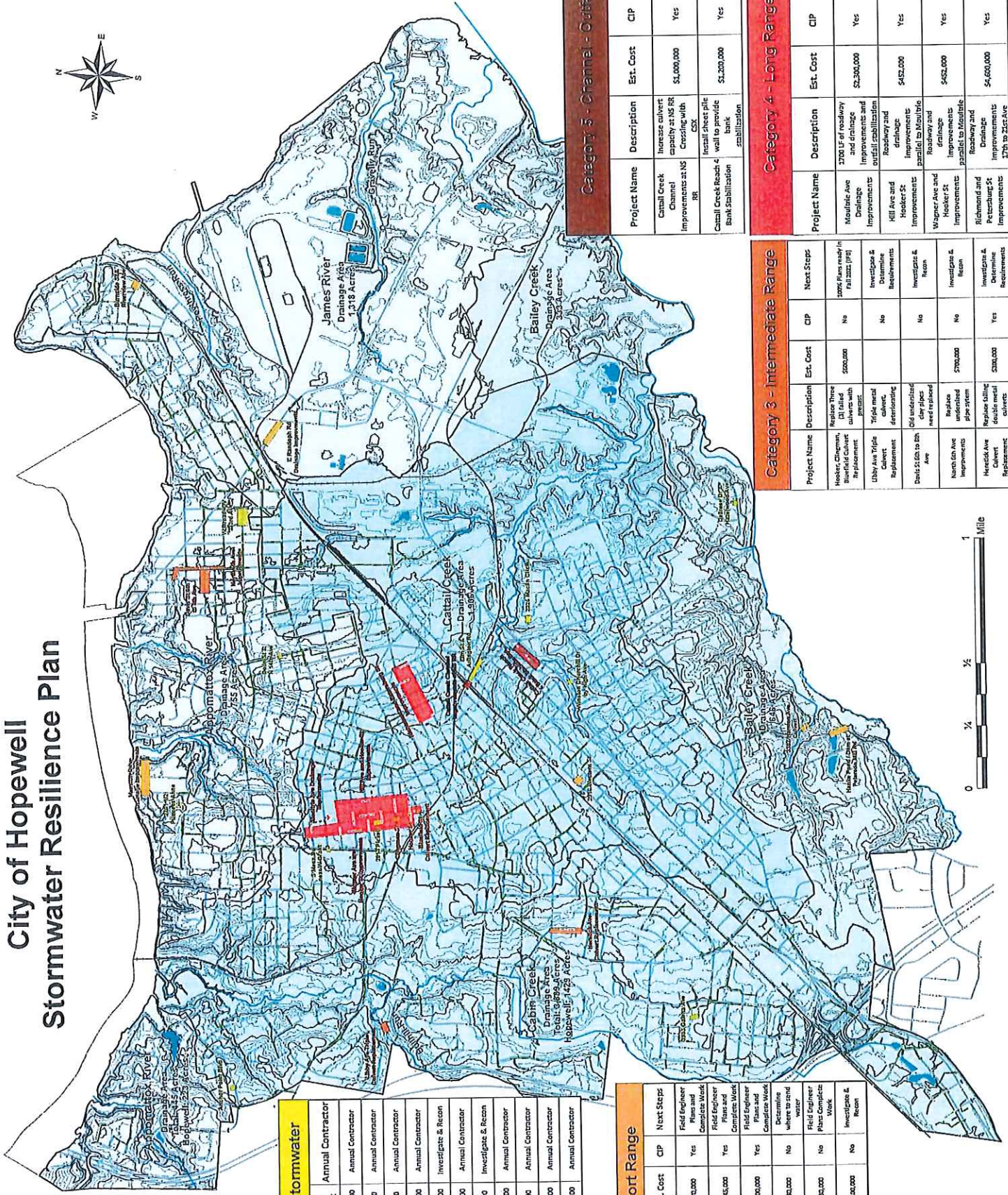
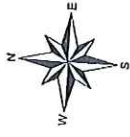
Level of Service	Revenue			Project Budget		
	Predicted (FY 15)	Actual (FY 20)	Projected (FY 20)	Predicted (FY 15)	Actual (FY 20)	Projected (FY 20)
LOS 5 \$8/ERU	\$2.7M		\$2.3M	\$1.6M		\$892K
LOS 4 \$6/ERU	\$2.1M		\$1.8M	\$1.1M		\$669K
LOS 3 \$5/ERU	\$1.8M		\$1.5M	\$925K		\$557K
LOS 2 \$4.5/ERU	\$1.4M		\$1.2M	\$725K		\$501K
LOS 1 \$4/ERU	\$1.0M	\$0.36M		\$325K	\$446K	

1. Projected Revenue and Project Budget based on actual data from FY 2020.
 2. Actual FY 2020 Revenue was 86% of Predicted Revenue, which was used to project revenue for higher fees
 3. Project Budget includes MS4 Projects and Maintenance (Category 1 & 2 from SWRP).
 4. The annual VPDES Industrial Permit 90% Utility Fee Credit is approximately \$318K - See Table 1.
 5. The third party billing service costs \$102K per year to administer the stormwater fees.
- If the stormwater fees are added to the real estate bill, any savings would go towards projects.

VPDES Industrial Utility Fee Credit
Table 1

Facility Name	Facility Address	Impervious Cover (sq.ft.)	Equivalent Residential Units (ERU) (2,100 sq.ft. each)	Annual Fee @ (\$4/ERU)*12	Utility Fee Credit	Invoiced Amount
ASHLAND INC	PO BOX 182586 COLUMBUS, OH 43218	5,114,665	2436	\$116,928	90%	\$11,693
EVONIK CORPORATION	P.O. BOX 868 THEODORE, AL 36590	874,710	417	\$20,016	90%	\$2,002
ADVANSIX INC HOPEWELL	905 Randolph Rd 0480015	8,829,996	4,205	\$201,840	90%	\$20,184
	912 Randolph Rd 0480011	673,824	321	\$15,408.00	90%	\$1,541
TOTAL				\$354,192		\$35,419

City of Hopewell Stormwater Resilience Plan



Category 1 - PW Stormwater

Project Name	Description	Est. Cost	Annual Contractor
Anchor Point Blvd	Need to rebuild inlet	\$30,000	Annual Contractor
2813 Pleasant St	15' Single wall HDPE falling joint	\$8,000	Annual Contractor
S Mesa Dr near W Grant	Separation of Pipe	\$5,000	Annual Contractor
2701 1/2 Princes Anne	Metal Pipe falling, need to replace	\$25,000	Annual Contractor
W Broadway & 3rd Ave	Pipe not draining, unsealed to 3 1/2"	\$15,000	Investigate & Recon
Dolin St & N 24th Ave	Pipe separating under road	\$10,000	Annual Contractor
2205 Maslin Circle	Separation of multiple pipe	\$6,000	Investigate & Recon
Elm St & Arlington Rd	Clean debris from channel	\$15,000	Annual Contractor
Dillmore Dr & Baswell Ave	Replace top slab of inlets	\$4,000	Annual Contractor
Winston Churchill Dr by 3905 Galena Ave	Reconnect of pipe that fell off of inlets	\$15,000	Annual Contractor
		\$25,000	Annual Contractor

Category 2 - Short Range

Project Name	Description	Est. Cost	CIP	Next Steps
Noble Road/Don at Peterson Mill Rd	Build Spillway Flume, New Inflow Culvert, Outfall Protection	\$70,000	Yes	Field Engineer Plans and Complete Work
Mansion Drive	Install Curb & Gutter	\$40,000	Yes	Field Engineer Complete Work
Improvements	Drive Way Aprons	\$300,000	Yes	Field Engineer Plans and Complete Work
Improvements	R = R Curb, Sidewalk Drainage collection	\$30,000	No	Determine where to send water
2015 Western St	System clogged beyond draining needs to be replaced	\$30,000	No	Field Engineer Plans Complete Work
3307 Hampton Ave Culvert	Constant Flooding	\$100,000	No	Investigate & Recon

Category 3 - Intermediate Range

Project Name	Description	Est. Cost	CIP	Next Steps
Wacker Creek	Replace Three (3) failed culverts with new placement	\$200,000	No	2026 Plans ready in Fall 2022 (P1)
Ubyly Ave Tripla Culvert Replacement	Triple metal culvert, deteriorating		No	Investigate & Determine Requirements
Doris St on to 2th Ave	Old undrained clay pipes need replaced		No	Investigate & Recon
Northon Ave Improvements	Replaces undersized pipe system	\$700,000	No	Investigate & Recon
Herndick Ave Culvert Replacement	Replace failing double metal culverts	\$300,000	Yes	Investigate & Determine Requirements

Category 4 - Long Range

Project Name	Description	Est. Cost	CIP	Next Steps
Cattail Creek Channel Improvements at NS RR	Increase culvert capacity at NS RR Crossing with CSX	\$1,000,000	Yes	Awaiting CIP Funding US House of Rep.
Cattail Creek Reach 4 Bank Stabilization	Install sheet pile wall to provide bank stabilization	\$1,200,000	Yes	Awaiting FEMA Pre-Disaster Mitigation



PUBLIC HEARING

PH-1



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:

Consider request from Andrew G. and Larry Spivey to rezone property.

ISSUE: The City has received a request from Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4).

RECOMMENDATION: Staff recommends City Council hold a public hearing to consider citizen comments on this matter.

TIMING: A public hearing has been advertised for October 27, 2021.

BACKGROUND: The property in question is zoned Limited Commercial, B-2. The property is legally identified as Lot 8, Block 12, B Village Subdivision. It is located 60 feet from the intersection of N 3rd Avenue and West Broadway. The structure is vacant and can only be used for commercial uses, except the B-2 Zoning District allows accessory apartments on the second and subsequent floors of mixed-used buildings. The structure has functioned as an office, an allowable use, in the B-2 Zoning District.

ENCLOSED DOCUMENTS:

- Staff Report
- Application

STAFF:

Tevya Williams Griffin

SUMMARY:

- | | | |
|--------------------------|--------------------------|------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4 |

- | | | |
|--------------------------|--------------------------|--------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7



Andrew G. & Larry D. Spivey
303 N. 3rd Avneue (Sub-Parcel # 011-0620)
Rezoning from B-2, Limited Commerical District to
RO-4, Residential High Density Offices

Staff Report prepared for the Hopewell City Council Work Session, September 14, 2021

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS & WORK SESSION:

Planning Commission Public Hearing	August 5, 2021	Tabled
Planning Commission Work Session	August 19, 2021	
Planning Commission Meeting	September 2, 2021	Recommended Denial
City Council Work Session	September 14, 2021	
City Council Public Hearing	October 26, 2021	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning: RO-4, Residential High Density Offices

Existing Zoning: B-2, Limited Business District

Owner: Andrew G & Larry D. Spivey

Election Ward: Ward 1

Land Use Plan Recommendation: Downtown Mixed Residential

Zoning of Surrounding Property: North: RO-4
South: B-2
East: B-1
West: B-2

III. EXECUTIVE SUMMARY:

A request from Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4).

IV. FUTURE LAND USE

The City of Hopewell's 2028 Comprehensive Land Use Plan designates the property and surrounding properties as Downtown Commercial Mixed-Use. This land use category calls for a focus on attached and multi-family residences. The Downtown Commercial Mixed-Use category provides flexible densities linked to the individual dwelling types.

Primary Land Uses:

Encourage mixed-use projects regulated by a form-based development code. Prioritizes commercial activities over residential uses in the downtown core area.

Typical Density Ranges:

Commercial Emphasis with Urban Development Area Designation
Pedestrian Oriented Mixed Retail; Financial Institutions, Professional Services and General Offices. Entertainment Establishments. Residential Mixed Use.

V. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this rezoning request are found in Article XXI, *Amendments*, and include the following:

Article XXI-A, Initiation:

"Whenever public necessity, convenience, general welfare or good zoning practice require, City Council may amend, supplement, or change this ordinance, including the schedule of district regulations and the official zoning map. Any such amendment may be initiated by resolution of City Council, by motion of the Planning Commission, or by petition of any property owner addressed to City Council."

Article XXI-B, Action by Planning Commission

"In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations, describing any change in conditions, if any, that it

believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the Comprehensive Plan of the City and would be in furtherance of the purpose of this ordinance."

VI. SUBJECT PROPERTY:

The subject property is located in the B Village Subdivision. The property is zoned B-2, Limited Commercial District. The purpose of the current zoning designation is to protect the existing commercial establishments presently located there and to enhance these areas in order to attract similar types of establishments. Because of the unusual shallowness and/or narrowness of the lots in these areas, only certain commercial uses which will not cause an increase in traffic volumes will be allowed. To this end, the following requirements have been devised.

The purpose of the proposed district, RO-4, is to provide for the appropriate integration of professional offices and high-density multifamily residential dwellings in suitable locations where public facilities and services are adequate to accommodate this type of development. Uses such as schools, churches, and certain public facilities that serve the residents of the district are permitted. The regulations are designed to provide a suitable environment for persons desiring the amenities of apartment living.

VII. STAFF/ZONING ANALYSIS:

The property in question is zoned Limited Commercial, B-2. The property is legally identified as Lot 8, Block 12, B Village Subdivision. It is located 60 feet from the intersection of N 3rd Avenue and West Broadway. There is a single family detached home on the property built in 1920. The structure is vacant and can only be used for commercial uses, except the B-2 Zoning District allows accessory apartments on the second and subsequent floors of mixed-used buildings.

The applicant reports there have been attempts to rent the building as a business with no success but there is demand for the building as a residence and therefore desires to rezone.

The zoning map dated August 1, 1989 depicts West Broadway from North 3rd Avenue to North 11th Avenue as B-2. This area was zoned B-2 to transition from the B-1 District shopping district. The B-2 designation is on the north and south side of the corridor. The designation is strategic and uniform in size.

Consider the following questions when making a decision about this request:

1. Is the current zoning compatible with the future land use designation?
2. What is the benefit of the property remaining B-2?
3. Will rezoning the property make it more or less compatible with the future land use designation, Downtown Residential Mixed-Use?

4. Will rezoning the property alter the character of surrounding properties?
5. How will the rezoning effect West Broadway?

VIII. PLANNING COMMISSION RECOMMENDATION:

At their meeting on October 2, 2021, the Planning Commission voted 5-0 to deny the request submitted by Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4). The Planning Commission made the decision to deny this request based on the following reasons:

1. To continue continuity of commercial zoning along West Broadway;
2. Current zoning is in keeping with Comprehensive Plan; and
3. There was no indication by the applicant that there was an attempt to jointly list this property with corner property (which is empty) as a joint business property.

IX. CITY COUNCIL RESOLUTION:

The Hopewell City Council votes to (*approve, approve with conditions, deny*), the request made by Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4).

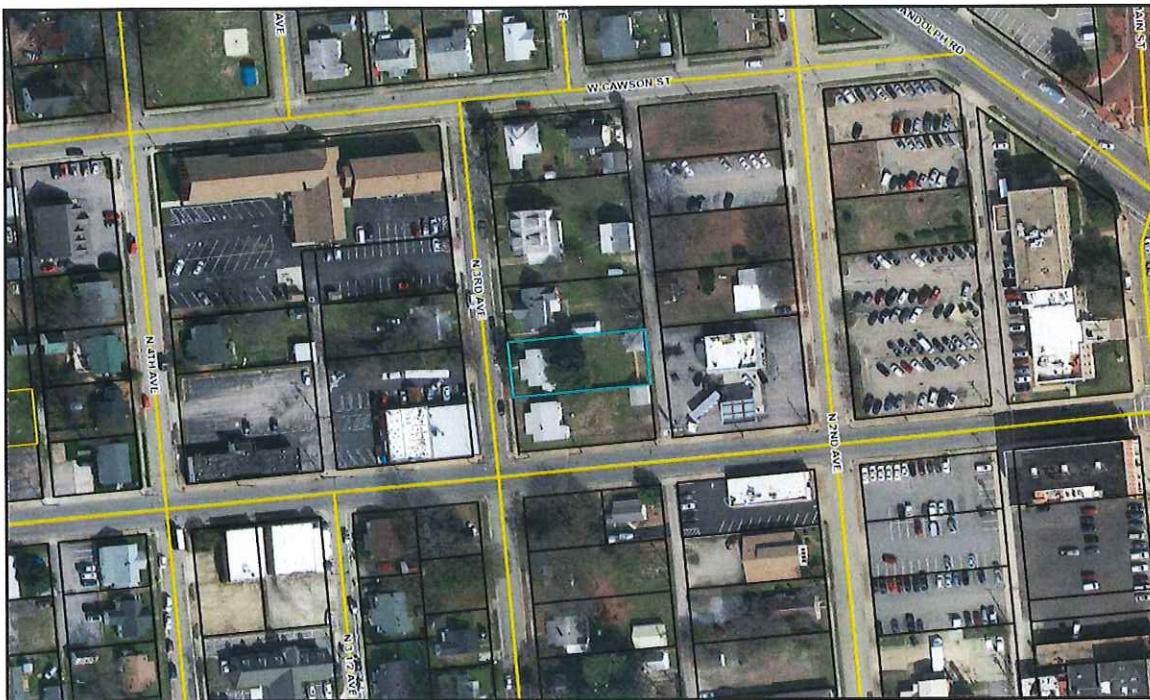
Attachments:

1. Rezoning Application
2. R0-4 Zoning District
3. B-2 Zoning District



303 N. 3rd Avenue- zoned B-2, used as office

Aerial Map highlighting 303 N. 3rd Avenue



City of Hopewell, VA
 Permits & Inspec. - 20210553|RZNG - 2021
 015766-0002 debit mc. 07/09/2021 03:24PM
 0 -
 REZONING - REVIEW
 Payment Amount: 300.00
 Transaction Amount: 300.00
 CHECKS 01903



The City
 of
 Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

APPLICATION FOR REZONING

APPLICATION FEE: \$300

APPLICANT: Andrew M. & Larry D. Spivey
 ADDRESS: 303 N. 3rd Ave.
Hopewell, VA 23860
 PHONE #: 804-370-1306 FAX #: drewspivey@msn.com

INTEREST IN PROPERTY: OWNER OR AGENT Elizabeth Abernathy
Parr & Abernathy Realty
 IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
 OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION. 804-731-7105

OWNER: Andrew & Larry D. Spivey
 ADDRESS: 303 N. 3rd Ave.
Hopewell, VA 23860
 PHONE #: 804-370-1306 FAX #: _____

PROPERTY ADDRESS / LOCATION: 303 N. 3rd Avenue, Hopewell, VA

LEGAL DESCRIPTION: Lot 8, Blk 12, B Village

PARCEL #: 011-0620 ACREAGE: .206

PRESENT ZONING DISTRICT: B2

REQUESTED ZONING DISTRICT: R04

PRESENT USE OF PROPERTY:
Had been office but property has been on the
market for a while and there are many people
interested in the house to live in.
 IT IS PROPOSED THAT THE FOLLOWING BUILDINGS WILL BE CONSTRUCTED:
none

NEED AND JUSTIFICATION FOR THE CHANGE IN CLASSIFICATION:
Property is not having any showing activity
as a business (office) going at all.

App 2021-0553

ANTICIPATED EFFECT OF THE PROPOSED CHANGE (IF ANY) ON PUBLIC SERVICES AND FACILITIES:

*One more single family residence,
no change*

APPROPRIATENESS OF THE PROPERTY FOR THE PROPOSED CHANGES, AS IT RELATES TO THE INTENT OF THE ZONING DISTRICT DESIRED:

It borders homes on most of the sides & front of the property with single family residences

WAY IN WHICH THE PROPOSED CHANGE WILL FURTHER THE PURPOSES OF THE ZONING ORDINANCE AND GENERAL WELFARE OF THE COMMUNITY:

There will be no change in the look of the property just another single family residence

COMMENTS FROM APPLICANT / OWNER:

See attached sheet

*** ATTACH A COPY OF A SURVEY BY A LICENSED SURVEYOR OF THE PROPERTY

A PROFFER STATEMENT IS ATTACHED Y N

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

[Signature]
APPLICANT SIGNATURE

Lucy J. Spivey

7/9/2021

DATE

OFFICIAL USE ONLY

DATE RECEIVED: *7/9/2021* DATE OF FINAL ACTION: _____

ACTION TAKEN:

_____ APPROVED _____ DENIED

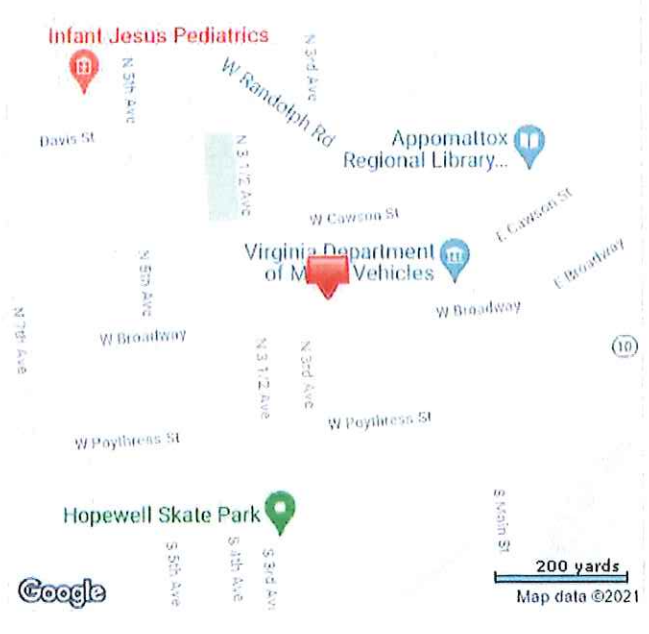
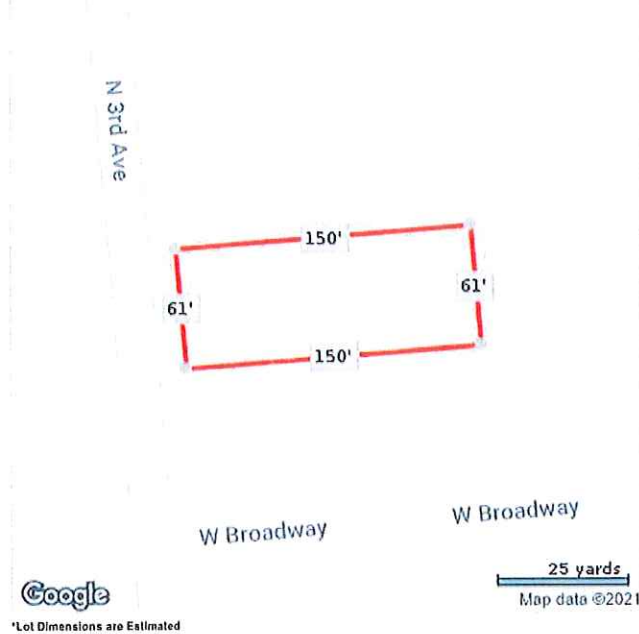
_____ APPROVED WITH THE FOLLOWING CONDITIONS/ PROFFERS:

Comment From Applicant/Owner

This property was a residence when we purchased it. It has remained intact as a residence and still looks like a residence. We feel the blanket zoning that was originally put into place for the B Village subdivision should be re-evaluated and relaxed. The property on the corner next to this home has not been ideal for a business location. The home appears and functions totally as a residence, whereas the zoning has created a hardship for my brother and I to be able to sell this home. If the property were zoned residential, something other than B2, it would have already sold.

Sale/Settlement Date	12/1994	05/01/1985
Sale Price	\$47,500	3,000
Buyer Name	Spivey Andrew G	Owner Record
Buyer Name 2	Spivey Larry D	
Seller Name	Owner Record	Owner Record
Document Number	265-789	189-878
Document Type	Deed (Reg)	Deed (Reg)

PROPERTY MAP





City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23060
804-541-2220
Welcome

015766-0002 debra m. 07/09/2021 03:24:00

PERMITS / INSPECTORS
REZONING - REVIEW
2021 Item: 202105831RZM6 300.00
Payment Id: 226969

Subtotal	300.00
Total	300.00
CHECK	300.00
Check Number 01903	
Change due	0.00

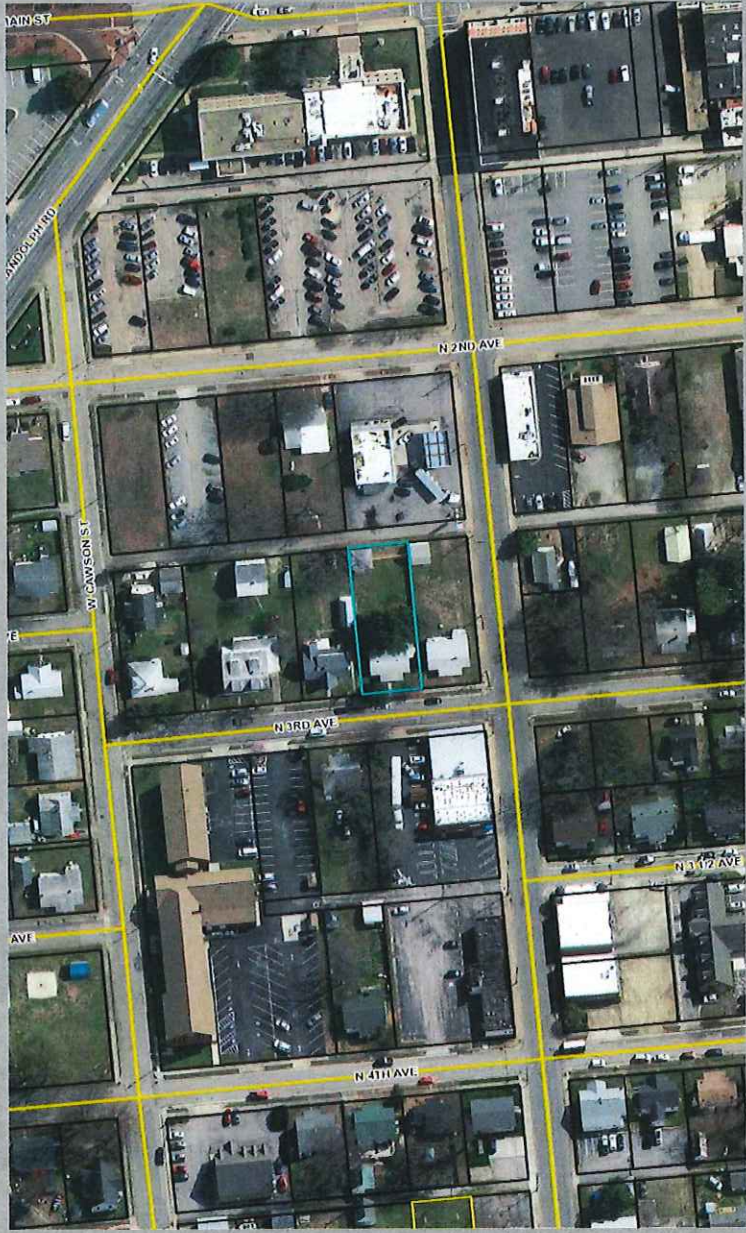


Thank you for your payment.
CUSTOMER COPY



**City Council Meeting: Public Hearing
303 N. 3rd Avenue request to rezone from B-2 to RO-4**

October 26, 2021

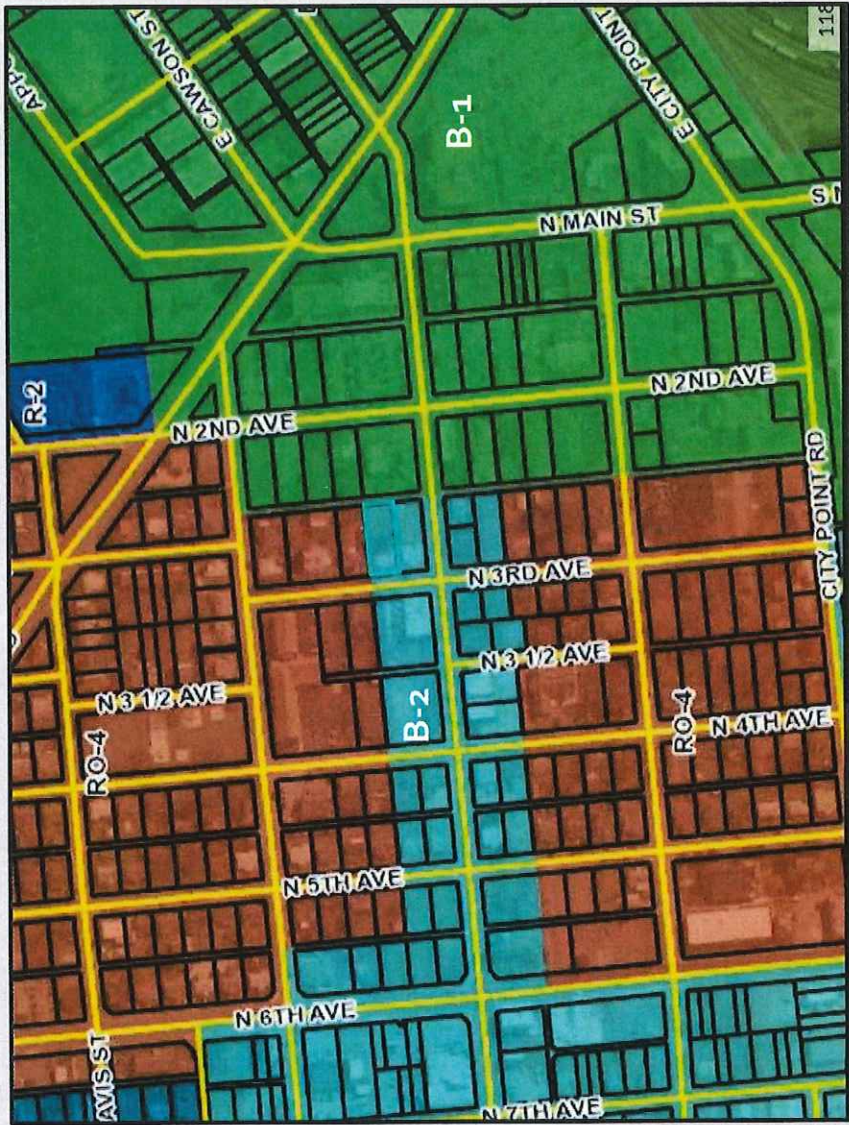


303 North 3rd Avenue

Area Information

- Ward 1 (B-Village Subdivision)
- Parcel # 071-0195
- Use: Commercial Office
- Year Built: 1920
- Original Square Footage: 1,076
- Surrounding Zoning: B-2 & RO-4
- Current Zoning: B-2, Limited Commercial
- Proposed Zoning: RO-4, Residential, High Density Offices

303
North 3rd
Avenue



Zoned B-2,
Limited
Commercial

Comprehensive Plan: Future Land Use Designation

Hopewell's 2028 Comprehensive Land Use Plan designates the property and surrounding properties as Downtown Commercial Mixed-Use. This land use category calls for a focus on attached and multi-family residences. The Downtown Commercial Mixed-Use category provides flexible densities linked to the individual dwelling types.

Primary Land Uses:

Encourage mixed-use projects regulated by a form-based development code. Prioritizes commercial activities over residential uses in the downtown core area.

Typical Density Ranges:

Commercial Emphasis with Urban Development Area Designation
Pedestrian Oriented Mixed Retail; Financial Institutions, Professional Services and General Offices. Entertainment Establishments. Residential Mixed Use.

Planning Commission Recommendation

- At their meeting on October 2, 2021, the Planning Commission voted 5-0 to deny the request submitted by Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4). The Planning Commission made the decision to deny this request based on the following reasons:
 1. To continue continuity of commercial zoning along West Broadway;
 2. Current zoning is in keeping with Comprehensive Plan; and
 3. There was no indication by the applicant that there was an attempt to jointly list this property with corner property (which is empty) as a joint business property.

City Council Resolution

- The City Council votes to *approve, deny, table* the request submitted by Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4).

COUNCILOR REQUESTS

CR-1



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: Adjust Budget to hire an Internal Auditor to establish an Audit Department.

ISSUE: The City of Hopewell has many loopholes in internal operations for lack of policies and/or procedures. As auditor can begin the process of auditing to apprise departments of their internal weaknesses before any annual review. An auditor will save the City tax dollars during annual audits.

RECOMMENDATION: Motion to establish an Internal Auditor's Office w/one full-time employee.

TIMING:

BACKGROUND: Adjust the annual budget to include the hiring of an Internal Auditor and finance Director. The Finance Department must be stabilized to have a full-time employee as the Finance Director.

FISCAL IMPACT: Budget will be affected by \$90,000 to \$140,000 per year

ENCLOSED DOCUMENTS:

- Sample Auditors Job Description

STAFF: City Councilor: Brenda Pelham, Ward 6

FOR IN MEETING USE ONLY**SUMMARY:**

- | Y | N | |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 |

- | Y | N | |
|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Vice Mayor John B. Partin, Ward #3
- Councilor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Mayor Patience Bennett, Ward #7



Director of Internal Audit

Class Code:
9222

CHESTERFIELD COUNTY
Established Date: Feb 3, 2014
Revision Date: Feb 3, 2014

SALARY RANGE

\$0.00 Hourly
\$0.00 Annually

FLSA:

Exempt

EEO:

EEO4-Officials & Administrators

CLASS CONCEPT:

GENERAL STATEMENT OF DUTIES:

Under administrative direction, performs work of considerable difficulty in planning, coordinating and directing the activities of the Department of Internal Audit, which includes performance, financial, compliance and special audits for evaluation and assessment of internal controls to mitigate risks and to safeguard public assets for Chesterfield County Government and Chesterfield County Public Schools; performs related work as required.

EXAMPLES OF WORK:

- Develops internal audit policies, procedures, and work standards by applying the appropriate audit methodologies
- Conducts comprehensive audit examinations to identify appropriate controls, key business risks, and compliance with state and federal rules and regulations
- Partners with departments to properly assess current practices and evaluate county and schools operations to improve effectiveness and efficiency of services
- Prepares complex analyses, studies and reports to ensure audit findings are properly documented and audit evidence is sufficient
- Provides advisory and consultation services to departments, County Administrator, School Superintendent, Board of Supervisors and School Board on audit findings with recommendations for corrective actions to reduce risk, strengthen controls and improve performance

- Provides training to management on internal controls, business risks, fraud and other related topics
- Promotes high levels of ethical awareness and coordinates the compliance and ethics program to include oversight of the county's fraud, waste and abuse complaints
- Monitors implementation of audit recommendations proposed by Internal Audit, as well as external auditors to ensure corrective actions have been implemented to mitigate risks
- Implements strategic initiatives and directives to support the mission, goals and objects of the organization while fostering a culture of continuous improvement

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

Comprehensive knowledge of the principles and practices of accounting, financial auditing and internal control; of laws, rules, regulations and procedures pertinent to public agency auditing and accounting and fraud investigation. Skill in organizing resources, establishing priorities and problem-solving; in operating a personal computer and related software and other standard office equipment. Ability to plan, organize, direct, coordinate, and evaluate internal auditing and special investigation activities; to design and implement an internal audit program to include the identification of potential and actual risk areas; to communicate effectively orally and in writing; to develop and maintain effective working relationships with internal and external customers; to plan, direct, manage and evaluate the work of department staff.

MINIMUM EDUCATION AND EXPERIENCE:

Bachelor's degree in accounting, business administration, finance or a related field (master's degree preferred); ten years of progressively responsible experience in accounting, financial and/or internal audit (preferably government experience), including five years in a supervisory/leadership capacity; or an equivalent combination of training and experience. Certification as a Public Accountant (CPA) or Internal Auditor (CIA) is required.

ADDITIONAL REQUIREMENTS:

This class specification is not intended to describe and does not necessarily list the essential job functions for a given position in a classification.

CR-2



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: Review/Revise Remote Participation Policy

ISSUE: Policy needs to be revisited since COVID restrictions have been lifted.

RECOMMENDATION: Review the current remote participation policy to consider revisions

TIMING:

BACKGROUND:

ENCLOSED DOCUMENTS:

- Current Remote Participation Policy

STAFF: City Councilor, Janice Denton, Ward 5

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

- | | | |
|--------------------------|--------------------------|------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 |

- | | | |
|--------------------------|--------------------------|----------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |

HOPEWELL CITY COUNCIL
Remote Participation Policy

A Subject to the approval by the Mayor, a member of the Council may participate in an open meeting from a remote location through electronic communications means, even though the remote location is not open to the public. Such participation shall be strictly conditioned upon a satisfactory showing of the following:

- (1) A quorum of the public body is physically assembled at the open meeting; and
- (2) prior to the open meeting, the member (a) has notified the Mayor in advance that the member is unable to attend the meeting due to an emergency or personal matter, (b) has described the nature of such emergency or personal matter with sufficient specificity; and (c) the member has not participated in more than two meetings from a remote location in any given calendar year; or
- (3) prior to the open meeting, the member has notified the Mayor that the member is unable to attend the meeting due to a medical condition or a temporary or permanent disability that prevents such attendance.

B In *all* cases in which attendance by remote location is approved, the Mayor shall cause the Clerk to record in the minutes of the meeting the identification of the remote location from which a member participates, and the specific nature of the emergency or personal matter causing member to request remote location, or, where applicable (and with less specificity), a reference that the member is unable to attend the meeting due to a medical condition or a temporary or permanent disability.

C The Mayor shall disapprove the member's request to participate from a remote location if such participation will violates the policy set forth herein. The Mayor shall state the reason(s) for his or her disapproval with specificity, in the presence of the Council and shall have the same recorded in the minutes of the meeting.

D The Council shall make arrangements for the voice of the remote member to be heard by those persons assembled at the open meeting location.

CR-3

PROCUREMENT POLICY AND PROCEDURES

SMALL PURCHASE POLICY AND PROCEDURES

PURPOSE

In recognition of the City of Hopewell's need to make purchases and enter into small contracts in order to ensure operational efficiency and to deliver timely and critical services, the Hopewell City Council hereby adopts the following this Small Purchase Policy and Procedures for the City ("the Small Purchase Policy"), pursuant to the authority vested in it by Va. Code Ann. §2.2-4303(G). It is the dual purpose of this policy to promote, support, and encourage investment in the local economy when purchasing or contracting for goods and non-professional services pursuant to this policy whenever such can be achieved and there is an objectively rational basis to do so.

This Small Purchase Policy shall operate to delegate the City's power to contract without formal competition and without first seeking the formal approval by of City Council under these specific terms and conditions. Any contract not expressly approved by City Council or otherwise falling within these expressed conditions shall be deemed void and unenforceable.

This Small Purchase Policy should be read in conjunction with the Virginia Public Procurement Act Va. Code Ann. §2.2-4300, *et seq.*, as amended, ("the Act") and shall apply to all public purchasing regardless of source. The provisions of the Act shall govern all other procurement by the City.

Pursuant to Va. Code Ann. §15.2-1100, *et seq.*, and Art. IV, §2 of the Hopewell City Charter, the City Council reserves to itself all authority to bind the City by contract, except as expressly provided herein.

DEFINITIONS

Contract means all types of agreements (e.g., purchase, purchase order, contract, change order), regardless of what they may be called for the procurement of goods, services (not including professional services), insurance, or construction, in aggregate (all phases) and without regard to whether such contract is single or term.

Emergency shall exist when a breakdown in essential service occurs or under any circumstances when supplies are needed for immediate use in work which may affect the safety, health or welfare of the public. Within 30 days of emergency, the City Manager or designee shall submit to City Council a written report detailing the nature of the emergency as well as full fiscal and budgetary impact of the emergency including, if necessary, the potential for a supplemental budget appropriation necessitated by the emergency.

VALIDITY OF CONTRACTS

No public contract exceeding the value of \$ _____ shall be valid and enforceable against the City unless it is signed and approved as to form by the city attorney or designee, as well as signed and approved as to substance (terms of the deal) by the city manager or designee. In consultation with the city manager or designee, the city attorney may develop standard terms and conditions, forms, or other checklists for use with or in administration of public contracts.

UNAUTHORIZED CONTRACTS

Contracts may not be artificially divided so as to constitute a small purchase.

GENERAL PROVISIONS

Employees are responsible for soliciting quotes for purchases as outlined below. Purchase orders submitted without the required quotes or a satisfactory explanation as to why quotes were not obtained (i.e., sole source, emergency, approved vendor) shall not be approved.

Up to \$ _____ One verbal quote is required.

\$ _____ Three verbal quotes must be obtained. The quote summary must be attached to the invoice. Physical records regarding the dates, contacts, and quotes received shall be retained in the department's file for auditing purposes.

\$ _____ Three written quotes are required. The actual written quotes shall be retained in the department's file for auditing purposes. Physical records regarding the dates, contacts, and quotes received shall be retained in the department's file for auditing purposes.

\$ _____ Three written quotes are required. Hard copies shall be attached to the purchase order. Attachments made by electronic means are acceptable.

\$ _____ Must be competitively bid in accordance with the Act. City Council approval is required for all purchases in this category, except as provided for an emergency.

Items purchased more than once during a fiscal year (e.g. office supplies) do not need quotes every time a purchase is made. However, unless such purchases are made from an approved vendor list, competitive quotes for repeated purchases shall be sought at least once each year to ensure the vendors are competitive. Inasmuch as possible or feasible, employees should obtain goods and services through cooperative procurement with other local governments or units or by utilizing the Commonwealth of Virginia e-Marketplace.

SOLE SOURCE PROCUREMENT

Contracts for parts, supplies, or equipment that are available only from a single source shall be referred to as sole source purchases. Sole source purchase shall not be used for any type of service contracts. Sole source procurement may arise from the following instances:

1. Equipment for which there is no comparable competitive product or is available only from one supplier;
2. A part for which there is not commercially available substitute, and which can be obtained only from the manufacturer;
3. An item where 'compatibility' is the overriding consideration, e.g., computer software or hardware.

Purchases satisfying one or more of these requirements shall not be subject to competitive bidding; however, purchases exceeding \$_____ shall still be presented to City Council for approval. For all purchases submitted to City Council as a sole source procurement shall be accompanied by a written request to waive bids which shall also set forth the reason(s) for the request.

EMERGENCY PURCHASES

Emergency shall be defined as set forth herein. Whenever, in the judgment of the City Manager, an emergency situation requires the make of any purchase in excess of _____ but less than \$_____ prior to the next regular meeting of the City Council, the City Manager may make such purchase without waiting for the formal approval of the specific purchase by City Council but shall make a report thereof to the City Council at the next regular meeting of the City Council. If the emergency purchase is over \$_____, approval of the City Council is required

and request therefor shall be accompanied by a written request to approve the emergency purchase which shall also set forth the reason(s) for the request.

CHANGE ORDERS

Subsequent to entering into a contract, change orders may become necessary. The City Manager shall have the authority to approve all change orders up to \$ _____. Any change order, singularly *or in the aggregate*, that exceeds \$ _____ must be approved by the City Council.

RECONCILIATION REQUIRED

Each department that utilizes this Small Purchase Policy during any given month shall be required to reconcile all purchases executed during that month. To comply with this requirement, each department must designate the person/position who will be tasked with responsibility of reconciling the transactions of the department, and be responsible for investigating, resolving, and reporting out to the Finance Department (copy to City Manager) discrepancies, should such occur. The person/position designated for reconciling the transaction shall *not* under any circumstances be the person/position who initiated or authorized the underlying purchase. This requirement shall not be waived.

For purchases over \$ _____, reconciliation shall require that the expense of the purchase match up and is verified by all documentation required by this policy. Reconciliation should be completed monthly. Reconciliation reports required for any month shall be due to the Finance Department (copy to City Manager) by no later than the 15th ____ day of the following month. Department reconciliation reports shall be retained by Finance Department in accordance with general accounting principles and with all applicable provisions of state and federal law. Under no circumstances shall a department reconciliation report be destroyed prior to the completion of

the comprehensive annual financial audit the fiscal year that covers the month for which the reconciliation report was generated.

CITY MANAGER

The City Council hereby designates the City Manager to execute all contracts on behalf of the City, unless Council, as a part of its contract approval process, expresses otherwise.

The City Manager shall be authorized to incur any obligation on behalf of the City that falls within the maximum amount authorized for small purchases under the Act event though such amount might be greater than the maximum amount permitted under this Small Purchase Policy.
The City Manager shall not, however, be authorized to designate the City's contracting power for any contract that exceed the maximum amount permitted under this Small Purchase Policy.

The City Manager's power to incur obligation on behalf of the City shall not extend to any contract that must be competitively bid or negotiated as required by the Act, and/or any contract that requires the expressed approval by the City Council.

LIMITATION ON DELEGATION OF AUTHORITY

Nothing contained in this Small Purchase Policy shall be construed to grant any person permission or authority to incur any obligation on behalf of the City which will result in exceeding (in whole or part) the amount of appropriations then available for that purpose.

NO CHANGES WITHOUT CITY COUNCIL'S APPROVAL

No change or modification to this policy shall be effective unless by approval of the City Council.

**RESOLUTION ESTABLISHING
GUIDELINES FOR BUDGET DOCUMENTS**

WHEREAS, pursuant Art. IV, § 2 of the Hopewell City Charter all of the powers of the City of Hopewell ("City") are vested in and to be exercised by the Hopewell City Council unless expressly conferred on another position of government; and

WHEREAS, in accordance with state law, the City of Hopewell must adopt a budget each year by no later than July 1; and

WHEREAS, notwithstanding the fact that pursuant to Art. V, §4 of the Hopewell City Charter, the City Manager has the responsibility of preparing and submitting the budget to the City Council for adoption, and administering it thereafter, the information contained in the budget is as determined by the City Council, except as otherwise required by general law. (Art XVII, §2); and

~~WHEREAS, one of the most recent audit performed and completed on the City's financial records found that, among other deficiencies, year-end expenditures exceeded the final appropriated budget for one City fund; and~~

~~WHEREAS, coupled with all of the other noted material weaknesses, the City's outside auditors recommended that the City more closely monitors expenditures to ensure that no money is paid out until the governing body has made an appropriation for it, in compliance with Va. Code §15.2-2506; and~~

WHEREAS, the City does not have comprehensive stand-alone policies and procedures relative to the preparation and administration of the budgets submitted to and approved by the City Council; and the City Council has determined that the existence of such policies and procedures would aid the City in prudently managing and expending the citizens' resources, and maintaining

~~avoiding the errors and omissions that led or contributed to the negative findings reported as part and parcel of recent audit reports relative to the City's sound financial processes to improve the City's financial condition and bond rating.~~

~~Now therefore Pursuant to its authority under Art. VII, §7 Virginia Constitution, Art. XVII, § 2 of the Hopewell City Charter, and Va. Code Ann. §§15.2-1106 and 15.2-2500 et seq. the City Council acts and therefore~~

BE IT RESOLVED on this _____ day of _____, 2019, _____ the Hopewell City Council hereby establishes the following policies and procedures for the budget(s) submitted to the City Council by the City Manager, and which shall take effect immediately upon approval by the City Council:

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1. ~~With due regard to Va. Code §22.1-93 requiring City Council's approval of Hopewell Public Schools budget by May 15,~~ the City Manager shall submit the annual budget to the City Council no less than ~~_____~~ 90 days prior to the end of the fiscal year.

2. To ensure the timely submission of the annual budget to the City Council, City departments shall be required to submit their annual budget estimates to the City Manager by no later than ~~December 1~~ _____. ~~Any non-City department or agency seeking an appropriation of funds in any budget year shall present information, in whatsoever form deemed advisable by the City Council, in justification and support of its request. Said requirement shall not be waived due to prior appropriation(s) received from the City by said non-City department or agency.~~

3. After a public hearing on the budget, prior to adoption thereof, the City Council may insert new items of expenditure or may increase, decrease, or strike out an item of expenditure recommended by the City Manager's budget, except that no item or expenditure related to debt

service or required by general law or the instructions/restrictions related to a grant award shall be reduced or stricken.

3.4. In no event shall City Council adopt a budget in which the total amount of expenditures exceeds the estimated receipts of the City, unless at the same time the City Council adopts measures for providing additional revenue in the ensuing fiscal year sufficient to make up this difference. Notwithstanding the foregoing, City Council shall not alter the estimates of receipts contained in budget except to correct omissions or mathematical errors unless such alteration has been made after a public hearing on such alteration, which shall be held not less than ___ days after notice of the hearing has been published in a newspaper having general circulation in the City of Hopewell.

4.5. ~~As the power to appropriate funds has been vested in the local governing body,~~ The City Council hereby reserves to itself all power to appropriate funds received by the City of Hopewell, regardless of its source. No budget submitted to the City Council shall contain any statement or reference that authorizes the City Manager or Finance Director or any other City Staff to appropriate funds (whatever the source). Any appropriation made contrary to and in violation of this provision shall be deemed void as a matter of law. Any appropriation knowingly made in violation of this provision may result in disciplinary action, up to and including termination from City employment.

5.6. No payment shall be made and nor any expense incurred except in accordance with an appropriation duly made by the City Council unless the City Manager shall first certify that there is sufficient unexpended and unencumbered balance in an appropriated category, and that the payment of such expenses is not expected to cause the appropriated department budget to be exceeded. Any expenditure or obligation authorized or incurred in violation of these provisions

shall be deemed void as a matter of law. Any payment or expense knowingly made or incurred, as the case may be, in violation of this provision may result in disciplinary action, up to and including termination from City employment.

6.7. An appropriation for a capital expenditure shall carry forward to the following fiscal year(s) until the City Council changes or eliminates the appropriation. The project or purpose for a capital appropriation shall be deemed abandoned if three years pass from the initial appropriation without any disbursement or encumbrance of the appropriation. Every unexpended or unencumbered appropriation, except an appropriation designated for a capital expenditure, shall lapse at the close of the fiscal year and shall be returned to the City's general operating fund.

7.8. Appropriations tied to or resulting from a grant award shall first be restricted based on the instructions or requirements of the grant/grantor. To ensure that the City's expenses are aligned with the priorities of the City, whether imposed by general law or as established by the City Council, no grant requiring any matching funds shall be applied for by any City staff without the expressed prior approval of the City Council.

9. A transfer shall mean the movement of all or a portion of an existing appropriation between one budget item (i.e., budget line) to another budget item within a single department or agency. The City Manager may shall have one-time transfer authority up to \$ 25,000 between appropriated budget items for any one department, provided that the budget item from which the transfer is being made is unencumbered and so long as the total budget appropriated for that department will not be exceeded. Nothing contained herein shall be construed to give the City Manager the expressed or implicit authority to transfer funds between City departments without the expressed approval of City Council, as such shall be construed as an appropriation to

the recipient department and must be effected in accordance with the applicable provision(s) of law.

8-10. If at any time during the fiscal year it appears probable to the City Manager that the revenue or fund balances available will be insufficient to finance the expenditures without for which appropriations have been authorized, the City Manager shall report to the City Council without delay, indicating the estimated amount of the deficit and recommending any remedial action relative to the actions that should be taken.

9-11. To the extent that any ~~All~~ prior grants of authority expressly delegated by the City Council to the City Manager or Finance Director is ~~in that are~~ conflict with these provisions, these provisions shall supersede and shall govern ~~are hereby withdrawn.~~

10-12. These policies may be amended, from time to time, until comprehensive policies and procedures are established.

11-13. These provisions shall be effective immediately upon approval/adoption by the Hopewell City Council.

CR-4



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:

City Energy and Conservation Program

ISSUE: To have the City Manager research and bring back recommendations on how to make city buildings more energy efficient and to development a program that reduces utility usage.

RECOMMENDATION: To authorize the city manager to research and present some recommendations to city council in 3 months.

TIMING: As soon as possible

BACKGROUND: For 10 years the Hopewell City Public Schools implement an energy and conservation program led by Tim Dunn that resulted in nearly \$6 million in savings with reducing their energy consumption and reducing their utility usage. In an ongoing effort to reduce city operating costs, this may prove to be a beneficial idea on saving money and improving our environmental footprint.

ENCLOSED DOCUMENTS:

- None

STAFF:

March Altman, City Manager

FOR IN MEETING USE ONLY**SUMMARY:**

- | | | |
|--------------------------|--------------------------|------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Jasmine Gore, Ward #4 |

- | | | |
|--------------------------|--------------------------|--------------------------------------|
| Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Patience Bennett, Ward #7 |

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor John B. Partin, Ward #3
- Mayor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Vice Mayor Patience Bennett, Ward #7

ADJOURNMENT