

# AGENDA



# CITY OF HOPEWELL

Hopewell, Virginia 23860

## AGENDA

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### CITY COUNCIL

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

John M. Altman, Jr., City Manager  
Sandra. Robinson, City Attorney  
Camisha M. Brown, Assistant City Clerk

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April 21, 2020

**COUNCIL CHAMBERS**  
**300 N MAIN ST. HOPEWELL VA**

**Special Meeting: 6:30 PM**

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### OPEN SPECIAL MEETING

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

### SPECIAL MEETING

**SUGGESTED MOTION: To amend/adopt special meeting agenda**

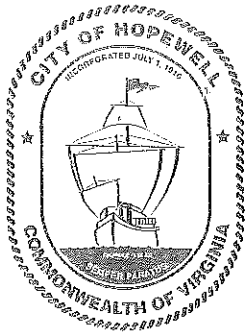
**SB-1 Proposed FY21 Budget Calendar to meet statutory requirements**

**SB-2 Council Rules**

### Adjournment

**SPECIAL  
MEETING**

**SB-1**



April 1, 2020

The Honorable City Council  
City of Hopewell, Virginia

Dear City Council Members:

Each individual Council member, as well as, a collective body I hope will agree COVID 19 has a substantial impact on an international, national, state and local level. With that in mind our administration and staff are mindful of the potential economic challenges now and those to be anticipated over the next fiscal year. Yet the mandate to maintain excellent services to the Citizens of Hopewell is ever before us.

Therefore, the attached proposed Fiscal Year 2020-2021 (FY 2021) Operating & Capital Budget has been prepared for Council's consideration. The FY 2021 budget addresses the operational and capital needs required for the operation of City services in the amount of \$174,040,349. The General Operating Fund is recommended for funding of \$52,619,876, an increase of \$316,847 or .61% over current FY 2019-2020. This increase is primarily due to costs of existing service contracts. It should be further noted that the proposed budget does not include any adjustment to current tax rates (Real Estate, Personal Property, Machinery & Tools and Meals Tax).

It is the hope of this Administration that in the Fall of this calendar year that we meet with Council to review areas that may require change in current budget practices to that of best practices and discuss those agreed upon ideas that will guide future budgets.

### Guidelines

Constitutional Officers and Department Directors were provided guidelines for their submission, with the understanding the City has a set timeline to complete the FY 2021 budget, inclusive through adoption ascribed by state law. Specifically, FY 2021 proposed budget submission were to be based on the baseline budget equal to the amount of the department adopted budget for FY 2020. Expected expenditures exceeding the baseline required an explanation and justification to be included in the department's submission. Other matters guiding the development of the proposed budget were that the City will continue the fiscally responsible practice of:

- adopting a structurally balance budget that does not require a draw from Unassigned Fund Balance (UAFB) in order to address core service needs. This is especially critical as the City seeks to complete the remaining one

**John M. Altman, Jr.**  
City Manager

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(FY 2018) of the three prior years (FY 2016, FY 2017 & FY 2018) CAFRs and the related audits, which upon such completion a more accurate position of UAFB will be known,

- no tax rate adjustment
- anticipating contingencies/litigation/risks/revenue decrease-stabilization and a financial plan to address the aforementioned, and
- ensuring the existing employee workforce are preserved & fiscally sustainable for their ongoing valued service they provide on behalf of the City to its citizens.

### **Highlights of the Proposed FY 2021 Budget**

The proposed budget includes the following:

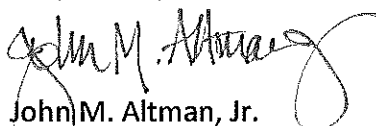
- Health Care cost increase absorbed by the City
- Mandated Services Funding (Social Services)
- No new positions
- No new projects
- No new debt
- School Funding \$12,242,921 (consistent with FY 2020 proposed funding level)

Also, prepared for your information and consideration are the following attachments:

- Proposed FY 2021 Budget Calendar
- Proposed Tax Rates
- City Manager's Revenue Committee
- Proposed Estimated Revenues & Appropriations by Fund

In summary, this proposed budget for FY 2021 provides adequate funding that will enable the City Departments to fulfill their mission in rendering of service to the citizens of Hopewell during this challenging time for our nation.

Respectfully,

  
John M. Altman, Jr.  
City Manager

## Proposed City Budget Calendar for FY 2021

- February 28, 2020:** Deadline for MUNIS Close Out of FY 2018
- March 10, 2020:** Deadline for MUNIS Entry of FY 2021 Budget Requests by Departments
- April 1, 2020:** City Manager's Proposed FY 2021 Budget to City Council
- April 3, 2020:** Advertise Public Hearing (5-12-2020) on Tax Rate in Newspapers
- April 7, 2020:** Work Session on Revenue Projections and Department Requests
- April 10, 2020:** Advertise Public Hearing (5-12-2020) on FY 2021 School Division Budget  
Advertise Public Hearing (5-12-2020) on City Budget in Newspapers
- April 14, 2020:** Notice of Public Hearing on Tax Rate (5-12-2020) on Consent Agenda
- April 15, 2020:** Joint City Council/School Board Budget Meeting
- April 21, 2020:** Discussion of City Manager's Budget Objectives  
Budget Work Session on City Manager's Proposed FY 2021 Budget
- April 28, 2020:** Notice of Public Hearing (5-12-2020) on FY 2021 School Division Budget on Consent Agenda  
Notice of Public Hearing (5-12-2020) on City FY 2021 Budget on Consent Agenda  
Budget Work Session on City Manager's Adjusted FY 2021 Budget
- May 5, 2020:** Work Session on FY 2021-2026 Capital Improvement Plan
- May 8, 2020:** Begin Preparation of Tax Bills
- May 12, 2020:** Public Hearing on FY 2021 School Division Budget  
Adoption of FY 2021 School Division Budget on First Reading  
Public Hearing and Approval on 1<sup>st</sup> Reading of the FY 2021 City Budget  
Adoption of the Tax Rate Resolution
- May 15, 2020:** Tax Bill Mailing Date
- May 19, 2020:** Work Session on FY 2021 Budget and Capital Improvement Plan (if needed)
- May 26, 2020:** Approval on Second Reading of the FY 2021 City Budget  
Approval on Second Reading of FY 2021 School Division Budget
- June 15, 2020:** Real Estate Tax Bill Payments Due

**City of Hopewell, VA**  
**FY 2020-2021**  
**Proposed Tax Rates**

- Real Estate Tax Rate -- **\$1.13** per \$100 of assessed value
- Personal Property Tax Rate -- **\$3.50** per \$100 of assessed value
- Machinery & Tools Tax Rate -- **\$3.05** per \$100 of assessed value
- Meals Tax Rate -- **6.0%**



**City of Hopewell, VA**  
**FY 2020-2021 Proposed Budget**  
**City Manager's Revenue Committee**

- City Manager
- Assistant City Manager
- Commissioner of Revenue
- Treasurer
- Real Estate Assessor
- Finance Director
- Budget Analyst

**PROPOSED BUDGET FISCAL YEAR 2020-21**

**General Fund-011:**

**Estimated Revenues:**

From Local Sources

General Property Taxes.....	34,331,597.63
Other Local Taxes.....	6,078,000.00
Licenses, Permits, Fees.....	862,300.00
Fines & Forfeitures.....	901,826.99
Use of Money/Property.....	62,500.00
In-Lieu of Taxes.....	923,500.00
Other Local Revenues.....	330,085.00

**Estimated Revenues:**

State Sources.....	7,518,567.00
Federal Sources.....	220,000.00
Transfers & Fund Balance	
Cost Recovery from Dept of Social Services .....	507,000.00
Cost Recovery from Solid Waste-030.....	502,000.00
Cost Recovery from Sewer Services-041.....	382,500.00
<b>Total Revenues.....</b>	<b>52,619,876.62</b>

**Appropriations:**

**Legislative:**

City Council.....	282,686.88
City Clerk.....	159,698.47
City Attorney.....	413,057.63

**Constitutional/Courts:**

Clerk of Circuit Court.....	476,886.03
Commonwealth Attorney.....	657,256.79
Commissioner of Revenue.....	538,905.25
City Treasurer.....	533,937.01
Electoral Board/Registrar.....	235,785.10
City Sheriff.....	1,585,729.47
Circuit Court.....	111,116.04
General District Court.....	149,301.15
Court Services.....	7,000.00
VJCCA Grant.....	158,107.37
Crater Detention Center.....	306,206.97
Riverside Regional Jail.....	2,441,220.00

**PROPOSED BUDGET FISCAL YEAR 2020-21**

**Administration:**

City Manager.....	1,177,698.34
Intergovernmental Affairs.....	116,605.50
Human Resources.....	449,607.79
Finance.....	1,566,452.27
Information Technology.....	1,354,147.06
Development.....	1,048,817.87
Police.....	8,024,075.38
Victim-Witness Grant.....	187,079.97
Fire.....	5,086,112.06
Public Works.....	5,178,893.14
Health/Outside Agencies.....	1,907,557.00
Non-Departmental.....	932,500.00
Operating Transfers.....	17,533,436.08
<b>Total Appropriations.....</b>	<b>52,619,876.62</b>

**Social Services Fund-012:**

**Estimated Revenues:**

From State Sources.....	2,276,429.62
From Federal Sources.....	3,066,620.40
Transfer from General Fund-011.....	890,859.71
<b>Total Revenues.....</b>	<b>6,233,909.73</b>

**Appropriations:**

Administration.....	1,213,784.03
Eligibility Services.....	5,020,125.70
<b>Total Appropriations.....</b>	<b>6,233,909.73</b>

**Children's Services Act Fund-015:**

**Estimated Revenues:**

From State Sources.....	2,500,912.50
Transfer from General Fund-011.....	608,227.00
<b>Total Revenues.....</b>	<b>3,109,139.50</b>

**Appropriations:**

Administration.....	157,382.58
Direct Services.....	2,951,756.92
<b>Total Appropriations.....</b>	<b>3,109,139.50</b>

**PROPOSED BUDGET FISCAL YEAR 2020-21**

**Recreation Fund-035:**

**Estimated Revenues:**

Fees & Charges.....	173,050.00
Transfer from General Fund-011.....	1,715,560.18
<b>Total Revenues.....</b>	<b>1,888,610.18</b>

Recreation Center Div.....	638,040.96
Community Div.....	155,351.52
Athletics Div.....	149,101.44
Seniors Div.....	141,544.78
Pool Div.....	236,166.73
Parks Div.....	568,404.75
<b>Total Appropriations.....</b>	<b>1,888,610.18</b>

**Harbor Fund-038:**

**Estimated Revenues:**

Rental.....	25,000.00
<b>Total Revenues.....</b>	<b>25,000.00</b>

**Appropriations:**

Insurance.....	3,250.00
Operating Expenses.....	21,750.00
<b>Total Appropriations.....</b>	<b>25,000.00</b>

**Anti-Litter Fund-053:**

**Estimated Revenues:**

From State Sources.....	6,063.00
<b>Total Revenues.....</b>	<b>6,063.00</b>

**Appropriations:**

Operating Expenses.....	6,063.00
<b>Total Appropriations.....</b>	<b>6,063.00</b>

**PROPOSED BUDGET FISCAL YEAR 2020-21**

**Economic Development Fund - 075:**

**Estimated Revenues:**

Transfer from General Fund-011..... 38,440.00  
**Total Revenues..... 38,440.00**

**Appropriations:**

Operating Expenses..... 38,440.00  
**Total Appropriations..... 38,440.00**

**Self Insurance Fund-076:**

**Estimated Revenues:**

Transfer from General Fund..... 500,000.00  
**Total Revenues..... 500,000.00**

**Appropriations:**

Property/Liability Insurance Premiums..... 500,000.00  
**Total Appropriations..... 500,000.00**

**Cemetery Fund-003:**

**Estimated Revenues:**

Interest Income..... 13,500.00  
Charges for Services ..... 39,000.00  
**Total Revenues..... 52,500.00**

**Appropriations:**

Repairs..... 21,500.00  
Grass Cutting..... 27,000.00  
Miscellaneous..... 4,000.00  
**Total Appropriations..... 52,500.00**

**Healthy Families Fund-090:**

**Estimated Revenues:**

Donation..... 157,500.00  
Transfer from General Fund-011..... 137,724.69  
**Total Revenues..... 295,224.69**

**Appropriations:**

Appropriations..... 295,224.69  
**Total Appropriations ..... 295,224.69**

**PROPOSED BUDGET FISCAL YEAR 2020-21**

**School Operating Fund-014:**

**Estimated Revenues:**

From State Sources.....	34,610,869.00
From Federal Sources.....	5,067,289.00
Other Revenue.....	1,906,323.00
Transfer from General Fund.....	12,242,921.00
<b>Total Revenues.....</b>	<b>53,827,402.00</b>

**Appropriations:**

Non-Categorical.....	53,827,402.00
<b>Total School Appropriations.....</b>	<b>53,827,402.00</b>

**School Textbook Fund-056:**

**Estimated Revenues:**

From State Sources.....	500,000.00
<b>Total Revenues.....</b>	<b>500,000.00</b>

**Appropriations:**

Text Book Purchases.....	500,000.00
<b>Total Appropriations.....</b>	<b>500,000.00</b>

**School Cafeteria Fund-057:**

**Estimated Revenues:**

From State Sources.....	57,087.00
From Federal Sources.....	2,400,000.00
Other Revenue.....	1,203,776.00
<b>Total Revenues.....</b>	<b>3,660,863.00</b>

**Appropriations:**

Operating Expenses.....	3,660,863.00
<b>Total Appropriations.....</b>	<b>3,660,863.00</b>

**School Bus/Building Replacement Fund-063:**

**Estimated Revenues:**

Other Revenue.....	47,180.00
<b>Total Revenues.....</b>	<b>47,180.00</b>

**Appropriations:**

Operating Expenses.....	47,180.00
<b>Total Appropriations.....</b>	<b>47,180.00</b>

**Solid Waste Fund-030:**

**Estimated Revenues:**

Fees & Charges.....	2,465,232.67
<b>Total Revenues.....</b>	<b>2,465,232.67</b>

**Appropriations:**

Curb-Side Pickup.....	2,285,244.31
Convenience Center.....	179,988.36

<b>Total Solid Waste Fund.....</b>	<b>2,465,232.67</b>
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**Sewer System Revenue Fund-040:**

**Estimated Revenues:**

Charges for Services.....	9,791,351.52
<b>Total Revenues.....</b>	<b>9,791,351.52</b>

**Appropriations:**

Transfer to Sewer System Operating Fund-041.....	8,154,980.52
Transfer to Sewer System Bond Fund-043.....	1,636,371.00
<b>Total Appropriations.....</b>	<b>9,791,351.52</b>

**Sewer System Operating Fund-041:**

**Estimated Revenues:**

Transfer f/ Sewer System Revenue Fund-040.....	8,154,980.52
Interest Income.....	280,000.00
<b>Total Revenues.....</b>	<b>8,434,980.52</b>

**Appropriations:**

Maintenance & Inspections.....	1,346,567.59
City Pump Stations.....	5,058,412.93
Capital.....	2,030,000.00
<b>Total Appropriations.....</b>	<b>8,434,980.52</b>

**Sewer System Bond Fund-043:**

**Estimated Revenues:**

Transfer f/ Sewer System Revenue Fund-040.....	1,636,371.00
<b>Total Revenues.....</b>	<b>1,636,371.00</b>

**Appropriations:**

Bond Principal.....	550,000.00
Bond Interest.....	1,086,371.00
<b>Total Appropriations.....</b>	<b>1,636,371.00</b>

**Storm Water Fund -048:**

**Estimated Revenues:**

Storm Water Fees.....	904,000.00
State Funds.....	916,964.00
<b>Total Revenues.....</b>	<b>1,820,964.00</b>

**Appropriations:**

Operating Expenses.....	1,820,964.00
<b>Total Appropriations.....</b>	<b>1,820,964.00</b>

**Storm Water Fund -049:**

**Estimated Revenues:**

Storm Water Fees.....	10,000.00
<b>Total Revenues.....</b>	<b>10,000.00</b>

**Appropriations:**

Operating Expenses.....	10,000.00
<b>Total Appropriations.....</b>	<b>10,000.00</b>

**Water Renewal Fund-032:**

**Estimated Revenues:**

Industrial User Charges.....	20,710,115.90
<b>Total Revenues.....</b>	<b>20,710,115.90</b>

**Appropriations:**

Operating Expenses.....	20,710,115.90
<b>Total Appropriations.....</b>	<b>20,710,115.90</b>



**Debt Service Fund-070:**

**Estimated Revenues:**

Fund-070 Revenue.....	1,283,805.00
Room Tax Revenue.....	800,000.00
Food Tax Revenue.....	2,000,000.00
Transfer from GF (011).....	1,083,320.00
<b>Total Revenues.....</b>	<b>5,167,125.00</b>

**Appropriations:**

Debt Service.....	5,167,125.00
<b>Total Appropriations.....</b>	<b>5,167,125.00</b>

**Capital Projects Fund-071:**

**Estimated Revenues:**

State Funds.....	1,000,000.00
Transfer from GF-295	200,000.00
<b>Total Revenues.....</b>	<b>1,200,000.00</b>

**Appropriations:**

Capital Projects.....	1,200,000.00
<b>Total Appropriations.....</b>	<b>1,200,000.00</b>

**Total Budget** **\$174,040,349.33**

**SB-2**

# RULES AND PROCEDURES OF THE HOPEWELL CITY COUNCIL



## I. PURPOSE AND BASIC PRINCIPLES UNDERLYING RULES OF PROCEDURE

### 1-1 Purpose of Rules of Procedure

- A To enable the City of Hopewell (“City”) government to transact business expeditiously and efficiently.
- B To protect the rights of each individual Hopewell City Council (“Council”) member.
- C To preserve a spirit of cooperation among Council members.
- D To determine the pleasure of the Council on any matter.

### 1-2 Basic Principles Underlying the Rules of Procedure

- A Only one subject may claim the attention of the Council at one time.
- B Each item presented for consideration is entitled to full and free discussion; no member shall speak for the second time on a topic until every member desiring to speak has spoken once.
- C Every member has rights equal to every other member.
- D The will of the majority must be carried out and the rights of the minority must be preserved.

- E The personality and desires of each member should be merged into the larger unit—the Hopewell City Council.
- F Discussion by members should be directed at the specific issue before the Council, not at other members.

### **1-3 Rules of Interpretation**

A These Rules of Procedure are rules of parliamentary procedure and are for the convenience of its members. Except for those rules that are specifically provided by the City Charter, they do not have the force of law.

B Where these Rules of Procedure are silent, Robert’s Rules of Order shall prevail and govern questions of order and procedure.

C Only members of the Council have standing to raise a point of order or to challenge a ruling of the President or other action of the Council on the basis of compliance or non-compliance with these Rules of Procedure or Robert’s Rules of Order. In no event shall questions over compliance with these rules be raised judicially.

D Non-compliance with these Rules of Procedure must be raised at the time of the non-compliance, and prior to continued debate or a vote. If a challenge is timely raised, the only relief available shall be the correction of the error in conformance with the Rules of Procedure. If a challenge is not timely raised, the right to challenge the non-compliance is waived. In no event shall a violation of these rules result in the voiding or overturning of any action of the Council.

E Failure to comply with these rules or Robert’s Rules of Order shall not invalidate any Council action otherwise valid at law.

## **II. COUNCIL MEETINGS**

### **2-1 City Council to Sit in Open Meeting**

A The Council shall sit in open meeting and all persons conducting themselves in an orderly manner may attend the meetings; provided, however, the Council may conduct a closed meeting as permitted under the Virginia Freedom of Information Act or other provisions of law.

B Subject to the approval by the President, 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 President 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 President that the member is unable to attend the meeting due to a medical condition or a temporary or permanent disability that prevents such attendance.

C In all cases in which attendance by remote location is approved, the President shall cause to be recorded 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.

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

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

## **2-2 Conduct in Meeting**

A The effectiveness and efficiency of governmental bodies in serving the public is enhanced by the proper conduct of all participants of meetings and work sessions of the Council.

B All such meetings and work sessions shall be conducted with observance by all participants of the fundamental rules of civility, including restraint in demeanor and respect for others and their views. This rule is not intended to restrict disagreement or opposition to any proposal, motion, or argument rather this rule is intended to restrict the manner in which such disagreement or opposition is expressed. Shouting, profanity, threats, personal attacks, abusive or slanderous statements, and other similar actions are prohibited. Should the actions of a member or attendee violate the foregoing guidelines for conduct, in the view the Presiding Officer or of a majority of Council, the Presiding Officer may address that participant's deviation from the guidelines. The Mayor/Presiding Officer

may reprimand any person who violates these guidelines or engage in disorderly conduct while addressing Council. A second occurrence of violation or disorderly conduct by the same person during the same meeting shall require his or her removal from the meeting. Attendance by that person at subsequent meeting shall be permitted only upon petition to Council which must be approved by majority vote. Any member making personal, impertinent, abusive or slanderous statements, or who shall incite disorderly conduct shall be reprimanded by the Mayor and may also removed from the meeting, but only upon a majority vote of the Council, which shall not (for the purposes of this rule) include the member whose continued presence is being considered.

C Council Members and Administration shall be addressed by title or Mr., Mrs., or Miss during meetings.

D The rules of conduct described herein are intended to apply to all City Council appointees to any agency, committee, commission, or similar entity.

### **2-3 Regular Meetings**

A Regular meetings shall be held on the second and fourth Tuesdays of each month in the Council Chamber, third floor of the Municipal Building, 300 N. Main Street, Hopewell, Virginia commencing at 5:30 p.m., if a closed meeting item(s) can and should be addressed. The regular business meeting shall begin at 6:30 p.m. and shall be devoted primarily to city business, including action items, discussion/presentations, and policy formation. Public hearings, when such have been scheduled or are required by law, shall be conducted on the second Tuesday of each month beginning at 7:30 p.m.

B When a regularly scheduled meeting falls on a legal holiday or Election Day, the meeting shall be held on the following business day.

C A regular meeting may be cancelled by the President (or the Vice-President if the President is unable to act), or upon a finding that weather or other conditions are too hazardous for the members or the public to attend. In the event the regular meeting is cancelled due to weather or hazardous conditions, the meeting may be held on the next business day on which the weather or hazardous condition has abated or as determined by the President or Vice-President without further advertisement or notice.

D Regular meetings may be adjourned without further public notice, from day to day, from time to time, or from place to place, until the business before the governing body is completed. However, regular meetings may not be adjourned beyond the fixed date for the next regularly scheduled meeting.

### **2-4 Special Meetings**

A The City Council may hold special meetings as deemed necessary, at such times and places at it may find convenient.

B A special meeting may be held on the call for the same by the president, the city manager, or any members of Council, but as a general practice should not be called for matters which can be timely addressed at the next regular meeting.

C Only matters determined by the caller and specified in the notice shall be considered at the special meeting except by unanimous consent of all members of Council. Notice of special or emergency meetings shall be reasonable under the circumstances and given contemporaneously with that notice provided to the members. Special meetings may be adjourned.

D Notice for special-called meetings shall be reasonable under the circumstances, as provided by §2.2-3707 of the Code of Virginia, as amended.

### **2-5 Work Sessions**

A Work Sessions constitute public meetings of the City Council and shall require legal notice as required by §2.2-3707 of the Code of Virginia, as amended.

B Work sessions may be called and convened as a “Council Work Session” but shall be treated as a special meeting unless such work session(s) was scheduled and approved in advance at the City Council’s reorganization meeting.

C Because work sessions are intended to provide Council sufficient time to fully discuss and consider matters affecting the City, except for the period of time scheduled for the meeting, members of the City Council shall not be limited in their discussion or consideration related to any matter noticed to be before the Council at a work session.

D For any work session scheduled, the City Manager will attend and present information as deemed necessary and appropriate for the subject matter or purposed noticed and procure the attendance of all necessary City staff and information to ensure the efficient use of a work session.

E Upon advance notice, staff and/or outside agencies may be requested by City Council to make a presentation to the Council during a Council Work Session.

F Council reserves the right to take formal votes at any meeting at which a quorum is present, including at a work session.

### **2-6 Closed Meetings**

A A closed meeting may only be convened in conformance with the Virginia Freedom of Information Act or other provision(s) of law that would make such meetings or discussions of items in those meetings confidential.

B No resolution, ordinance, rule, contract, regulation or motion agreed to in a closed meeting shall become effective until the Council reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion which shall have its substance reasonably identified in the open meeting.

C At the conclusion of a closed meeting, the Council shall reconvene in open meeting immediately thereafter and shall take a roll call vote certifying that to the best of each member's knowledge:

- (1) Only public business matters lawfully exempted from open meeting requirements were discussed; and
- (2) Only public business matters identified in the motion convening the closed meeting were heard, discussed or considered.

D Any member who believes that there was a departure from certification requirements of Rule 2-6(C)(1) or (2) shall state so prior to the vote, indicating the substance of that departure (in his or her judgment). The member's statement shall be recorded in the minutes.

E The failure of a certification to receive the affirmative vote of a majority of the members present during the closed meeting shall not affect the validity or confidentiality of the closed meeting with respect to matters considered therein in compliance with the Virginia Freedom of Information Act.

F The Council may invite non-members to attend a closed meeting if the presence of the non-members will reasonably aid the Council in its consideration of an issue.

G Any member may request a proposed closed meeting item be pulled from the agenda for a separate vote on entering closed meeting, at his or her discretion.

H Any matter discussed in closed meeting is privileged and shall not be disclosed by any member or invited guest, except as required by court order.

## **2-7 Public Hearings**

A The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows: (1) Staff presentation, (2) Applicant's Presentation, (3) Comments from members of the public, (4) Close Public Hearing, (5) Follow-up Questions to staff or applicant, if any, and (6) Council discussion and/or action.

B Members of the Council may direct questions to staff during the staff's presentation.

C After public comment, any member may ask the applicant to respond to specific questions raised by the public.



D Each speaker may have up to 3 minutes to make comments to the Council regarding the subject of the public hearing, whether speaking as an individual or as a representative of any group or organization. Speakers shall not be permitted to yield their time to another. In the event of a large number of speakers resulting in the continuation of the hearing, any person not heard at the initial public hearing will be the first to speak at the continued hearing.

E The Chair has the authority to add to or decrease the time allotted to each speaker based on the number of citizens who sign up to speak. The order of speakers will be determined by the sign in registry.

F On any matter referred to the Council by the Planning Commission, if the applicant or its authorized representative fails to appear before the Council at any City Council hearing or proceeding on the Applicant's matter, the Council may deem the absence as a request from the applicant to withdraw the application.

### **2-8 Time Limitation**

All meetings will have a three-hour time limit from beginning to end unless Council waives or suspends this rule to extend the meeting. Any item not addressed within the three (3) hours will be continued to the next scheduled meeting as Unfinished Business.

### **2-9 Discussion Limitation**

Each member may speak up to but no more than 10 minutes on any agenda item, if a motion has been made and seconded. This limitation shall be applied to all questions, discussion, and debate made by the member. No member shall speak more than one time on such item unless every other member has been given an opportunity to speak for the same number(s) of time. A member shall not have the right to yield any of his or her time to another member. The time limitations imposed by this rule shall not apply to work sessions or public hearings.

## **III CONDUCT OF BUSINESS**

### **3-1 Order of Business**

A Call to Order

B Roll Call. In the absence of a quorum at the time appointed for a meeting, the members present by a majority vote take a recess or recesses and direct the Clerk to procure the attendance of absent members. A quorum exists when a majority of Council is present. Should a quorum be not established within no later 30 minutes of the meeting time, the meeting shall be adjourned.

C Closed Session

D General Business/Administrative Session

- (1) Invocation shall be conducted in accordance with §15.2-1416.1 of the Code of Virginia (1950), as amended, prior to the governing body's actual call to order or convening of business.
- (2) Pledge of Allegiance
- (3) Adoption of Regular and Consent Agenda (any change after this point will require 2/3 vote)
- (4) Minutes Approval
- (5) Consent Agenda Items. The President, City Manager, or Clerk are encouraged to place routine business, non-controversial matters requiring Council action on the Consent Agenda. Each item for which action will be taken by consent shall be separately listed on the consent agenda. Any Council member may remove items from the Consent Agenda and place them on the regular agenda before consent agenda vote is taken.
- (6) Recognitions/Proclamations/Appointments
- (7) Communications from Citizens/Public Comment. The Council shall set aside thirty (30) minutes for Communications from Citizens to receive comments from any citizen on any topic not set for public hearing at that meeting. Each citizen shall be allocated three (3) minutes of time to address the Council. All remarks shall be addressed to Council as a body and not to any specific member. Speakers shall not be allowed to: (a) campaign for public office, (b) promote private business ventures, (c) engage in personal attacks, or (d) use profanity or vulgar language. No questions shall be asked (or answered) during the citizen comment period. With due consideration of First Amendment rights and the general limitations imposed herein, the Chair shall have the authority to determine that a matter addressed by a citizen is not an appropriate matter to be heard at the Council meeting. If the chair makes such a determination, any member of Council may make a motion to allow the citizen to speak on the matter. No second shall be required and a majority vote of Council will make the final determination on the issue. In the event that not every speaker has had an opportunity to speak within the thirty (30) minutes, the President shall poll the Council on the question of amending the agenda to add more speaking time after the scheduled business of the meeting.
- (8) Presentations/Information/Discussion Items Presentations (Presentations will be limited to 10 minutes.)
- (9) Unfinished Business
- (10) New Business/Action Items
- (11) Reports of Officers, Boards, Commissions, and Standing Committees

E Public Hearings 7:30 p.m.

**3-2 Motions**

A No motion shall be discussed prior to being duly seconded. Once the motion is seconded, the person making the motion shall have a reasonable time as determined by the Chair to give his/her reasons in support of the motion prior to the start of debate.

B All motions shall be duly seconded before being submitted to the Council for action.

C When a question is under discussion, no motion shall be received unless it is one to:

- (1) To fix the time to adjourn
- (2) Adjourn/recess
- (3) lay on the table,
- (4) [call] for the previous question,
- (5) Postpone to a certain time
- (6) Refer
- (7) Amend
- (8) Postpone indefinitely (kill). Such motion shall have precedent in the foregoing order.

D No member should speak for the second time on a motion until every member desiring to speak has spoken.

E A member shall confine his or her debate to the specific motion under debate.

F Upon the demand of any member, a question under consideration and covering two or more points shall be divided when the question admits such division.

G Upon a call for a question, the Chair shall determine whether there exists any objection to ending discussion. If none, the question shall be called. If any person objects, the Chair shall seek a second for the motion to call for the question. A two-thirds (2/3) majority shall be required to end debate.

H When a vote on a motion has been announced, it may be reconsidered:

- (1) During the meeting in which the vote was taken or during the next regularly scheduled meeting that immediately follows the vote; and
- (2) only upon the motion of a member who voted with the prevailing side. (In the event a motion fails due to a tie vote, a motion to reconsider may be made by any member.)

I Failure of a motion couched in the negative shall not authorize positive action.

J A tie vote defeats the question being voted upon, except as provided by §15.2-1420 of the Code of Virginia (1950), as amended.

K A motion to rescind or to amend a prior action adopting something with continuing effect by the Council may be made by any member at a subsequent meeting upon proper notice having been given. There is no time limit for the making of such a motion. Voting requirement is a majority of a quorum, if no advance notice is given to the motion to rescind or amend prior action, the voting requirement shall be a 2/3 vote.

L A motion to rescind or amend a prior action shall be deemed improper if:

- (1) the original action by the Council was subject to a motion for reconsideration
- (2) the action or inaction of a third party in reliance on the original Council's action is impossible to undo
- (3) in certain personnel actions that have been taken (as described in Robert's Rules of Order); and
- (4) in any land use decision.

M As applied to any action taken by the Council, the terms "adopt" , "accept" , "agree to" and "approve" are equivalent terms, and the usage of one over another shall not constitute a basis for challenging or invalidating Council action. Notwithstanding the foregoing, the term "adopt" is preferred for motions related to ordinances and resolutions.

### **3.3 Method of Voting**

A All questions shall be stated and put the members by the Presiding Officer.

B Every member present when a question is put shall vote either "yes" (or "aye") or "no" (or "nay"). No member shall participate in a vote on any ordinance, resolution or motion dealing which s/he is an attorney, officer, director, agent or has a financial interest other than as a minority stockholder or as a citizen. Except on matters involving the consideration of his official conduct or where his financial or personal interests are involved, no member shall be excused from voting. In accordance with §2.2-3112 Code of Virginia, as amended, a member shall disclose his or her personal interest(s) and the same shall be recorded in the minutes. Silence shall be recorded as an affirmative vote.

C Votes concerning the approval of any ordinance or resolution shall be by roll call by the Clerk, followed by immediate statement of result. Roll call for voting on motions shall be chronological by ward numbers.

## **IV MEMBERS – DUTIES AND PRIVILEGES**

**4.1 Suspend Rule.** These Rules of Procedure may be suspended or waived at any time by the vote of 2/3 of all members present.

**4.2 Abstract of Statement.** A member may request through the President the privilege of having an abstract of his or her statement on any subject under consideration by Council entered into the minutes.

**4.3 Removal of Agenda Item.** Once a member places an item on the agenda, that item can only be removed by the member who requested it prior to the adoption of the agenda. Once the agenda is adopted, any item can be removed by a 2/3 vote of all members present.

**4.4 Seating.** Members are seated at the council chamber dais as follows. President/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.

Assistant City Clerk	City Clerk		Immediate Former Mayor	Mayor	Vice Mayor			City Manager	City Attorney
The four wards not represented by the Mayor, Vice Mayor and Immediate Past Mayor (*if there is one) are seated in chronological order by Ward beginning to the far left of the Mayor with the first consecutively numbered ward.									

**4.5 President/Chair.** The President/Mayor shall preside over all meetings of the Council and shall assist with the preparation of meeting agenda unless otherwise provided by law or these Rules of Procedure. The Chair shall preserve decorum and decide all questions of order subject to appeal to Council. In the case of an appeal from a ruling of the Chair, the question shall be put: “Shall the decision of the Chair stand as the decision of the Council?” The Chair may call upon the Vice Mayor or any member, who has not and will not speak on an issue, to take the Chair for a single issue until such is resolved. In no instance shall this substitution extend beyond adjournment.

**4.6 Temporary Chairman.** In the absence of the Mayor and Vice Mayor, the Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, Council shall proceed to elect by a majority of those members present, a chairman to act until such time as the Mayor or Vice Mayor appears.

**4.7 Excused during meeting.** Any member desiring to be excused while Council is in session shall obtain such permission from the Chair.

**4.8 Standing committees.** Standing committees shall be created only by resolution, which shall include the purpose and composition of the membership (by number), and shall be approved at a regular Council meeting. Once established, 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. Standing committees shall make periodic reports and recommendations to Council for their information and consideration.

**4.9 Special committees.** Special committees are appointed by the Mayor for specific purposes, with the concurrence of members of Council. Special committees shall terminate, by operation of law, upon completion of the assigned task and report to Council. Any special committee not terminated, shall be terminated on the date of the reorganization meeting at which a Mayor and Vice-Mayor are elected.

## V MISCELLANEOUS

**5.1 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. 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.

**5.2 Parliamentarian.** The City Attorney shall be parliamentarian. When requested by the Chair, she shall advise the Chair on points of order and parliamentary inquiries.

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.

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

Signature

\_\_\_\_\_  
Date

**ADJOURN**