

AGENDA



CITY OF HOPEWELL

Hopewell, Virginia 23860

AGENDA

(804) 541-2408
www.hopewellva.gov
info@hopewellva.gov
cityclerk@hopewellva.gov

CITY COUNCIL

John B. Partin, Jr., Mayor, Ward #3
Rita Joyner, Vice Mayor, Ward #1
Michael B. Harris, Councilor, Ward #2
Ronnie Ellis, Councilor Ward #4
Susan Daye, Councilor, Ward #5
Yolanda W. Stokes, Councilor, Ward #6
Dominic R. Holloway, Sr., Councilor, Ward #7

Dr. Concetta Manker, City Manager
Anthony R. Bessette, City Attorney
Brittani Williams, City Clerk
Sade' Allen Deputy City Clerk

February 11, 2025

REGULAR MEETING

Closed Session- 5:00 PM
Work Session- 7:00 PM
Open Session: 7:30 PM

5:00 p.m.

Call to order, roll call, and welcome to visitors

CLOSED MEETING

SUGGESTED MOTION: Move to go into a closed meeting pursuant to Va. Code Section § 2.2-3711 (A)(1) to discuss and consider personnel matters, including board and commission appointments (Planning Commission, HRHA, Economic Development Authority, Va. Code Section § 2.2-3711(A)(6) and (8) to discuss or consider the investment of public funds and to consult with legal counsel regarding specific legal matters (EDA Update on Beacon Theatre); and § 2.2-3711(A)(8), and (29) to discuss the award of a public contract involving the expenditure of public funds (Potential contract for data integration)

Roll Call

RECONVENE OPEN MEETING

CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D): Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in the closed meeting?

WORK SESSION

WS-1 – Bank Street Fire Lane Review – Ben Gomes, Fire Marshall

WS -2 – Opioid abatement agreement – James Gaston III, Deputy City Manager, Susan Fierro, Prince George Commonwealth Attorney

REGULAR MEETING

7:30 p.m. Call to order, roll call, and welcome to visitors

Roll Call

Prayer by Pastor Wych, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Stokes.

SUGGESTED MOTION: To amend/adopt Regular Meeting Agenda Roll Call

CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine by the 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:** January 28, 2025, February 3, 2025
- C-2 **Pending List:**
- C-3 **Information for Council Review:** Police Report
- C-4 **Personnel Change Report & Financial Report:** HR Report
- C-5 **Public Hearing Announcements:**
- C-6 **Routine Approval of Work Sessions:**
- C-7 **Ordinances on Second & Final Reading:**
- C-8 **Routine Grant Approval:**

SUGGESTED MOTION: To amend/adopt consent agenda

COMMUNICATIONS FROM CITIZENS

CITY CLERK: *A Communication 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 the Council shall approach the microphone, give their 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 presiding officer. 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)*

PUBLIC HEARING

CITY CLERK: *All persons addressing the Council shall step to the microphone, give their name and, **If** they reside in Hopewell, their ward number, and limit comments to three minutes. No one may address the council more than once per meeting unless granted permission by the presiding officer. Speakers address the council as a body, not individual councilors. Questions are asked of councilors and staff through the*

presiding officer. Any person who makes personal, impertinent, abusive, or slanderous statements or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion. (See Rules 405 and 406)

PH-1 – Conditional Use Permit request to construct a single-family dwelling on a non-conforming lot, Parcel # 079-0005, Located on Cedar Lane – Chris Ward, Director of Planning and Development

PH-2 – Public Hearing to add “Municipal Facilities” as an allowable use in the C-1 Conservation District (Article XV-B) and to add “Municipal Facilities” to definitions (Article I) - Chris Ward, Director of Planning and Development

REGULAR BUSINESS

R-1 – Repeal of recent Conflict of Interest Policy – Stefan Calos, Sands Anderson PC

Reports of City Manager:

Reports of City Attorney:

Reports of City Clerk:

Councilors Pending Request:

CCR-1- Repeal of the Reassigning of certain duties and functions of the city treasurer to

departments under the purview of the city manager – Councilor Holloway

Presentations from Boards and Commission

Other Council Communications

BOARD/COMMISSION VACANCIES

Board of Building Code and Fire Prevention Code Appeals – 4 Vacancies

Keep Hopewell Beautiful – 5 Vacancies

Recreation and Parks – 3 Vacancies

Library Board – 1 Vacancy

Department of Social Services – 2 Vacancies

District 19 – 2 Vacancies (Currently has no active members; Requirement of 2)

Dock Commission – 2 Vacancies

Board of Zoning Appeals – 2 Vacancies

Bright Point Community College Local Board – 1 Vacancy

Economic Development Authority – 2 Vacancies

Architectural Review Board – 2 Vacancies

Hopewell Redevelopment and Housing Authority – 1 Vacancy

**CLOSED
MEETING**

RECONVENE OPEN MEETING

WORK SESSION

WS-1

BANK STREET FIRE LANE

CITY COUNCIL MEETING 2/11/2025



BANK STREET FIRE LANE



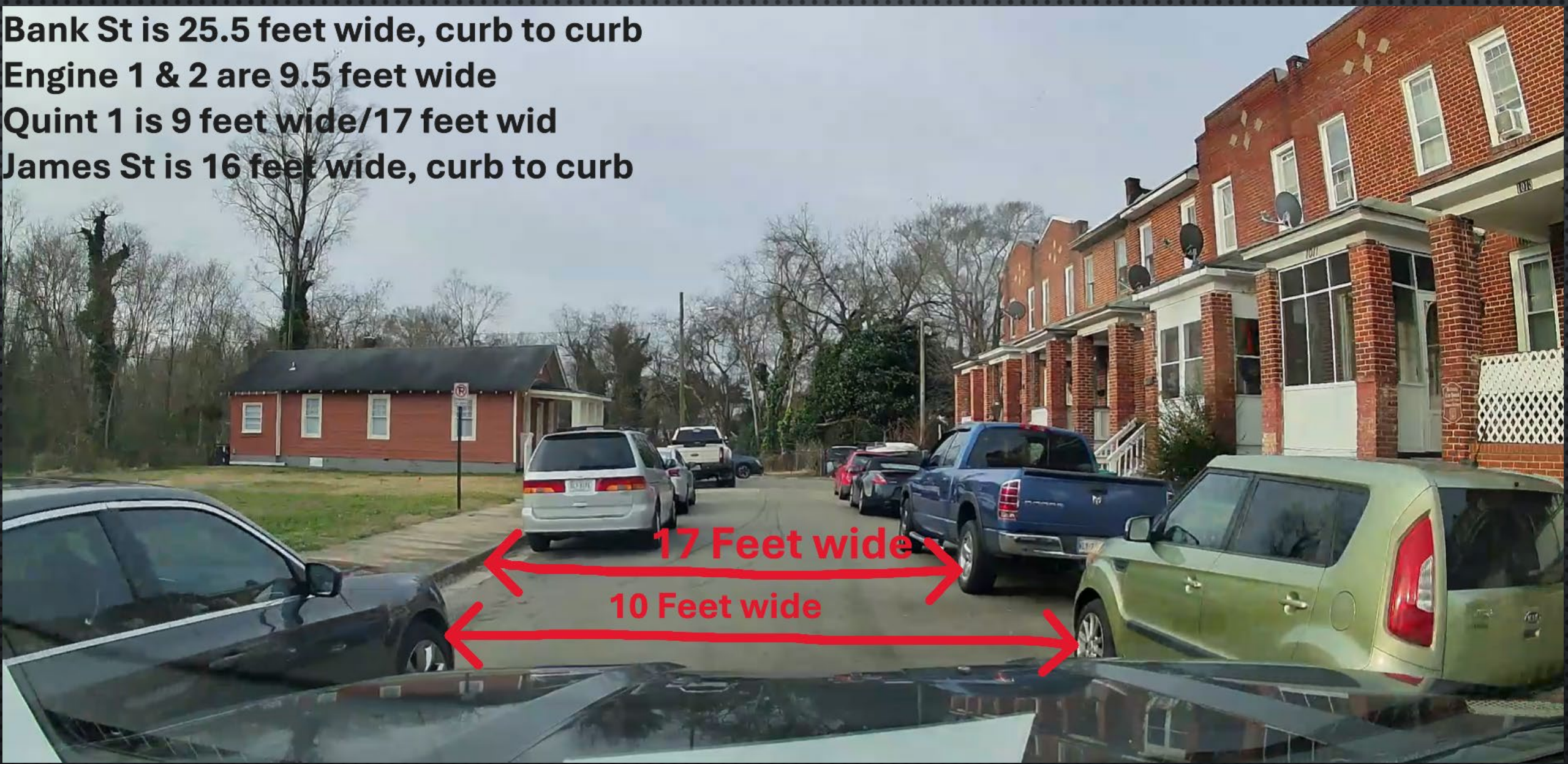
- **MARCH 7TH, 2024** – CALLER REPORTED FLAMES AND SMOKE FROM A TOWNHOME. HOPEWELL FIRE RESPONDED AND HAD SEVERAL ISSUES ACCESSING THE LOCATION.
 - PROBLEM TURNING FROM MAPLEWOOD AVE ONTO PRINCE HENRY AVE
 - ALREADY FIXED WITH NO PARKING SIGNS
 - ACCESS ISSUES ON BANK ST, UNABLE TO PARK A FIRE TRUCK IN FRONT OF THE FIRE LOCATION DUE TO PARKING ISSUES
 - DECEMBER 10TH, 2024 - CITY COUNCIL ASKED FOR A REVIEW OF THE PARKING ISSUES AND PRESENT THE FINDINGS TO CITY COUNCIL AT A LATER DATE

BANK STREET FIRE LANE



- 1000-Block of Bank St was built in 1917
- 13 Townhouse Units
- 1 Single Family Unit on the opposite side, 1 new Single Family Unit to be built in future

Bank St is 25.5 feet wide, curb to curb
Engine 1 & 2 are 9.5 feet wide
Quint 1 is 9 feet wide/17 feet wide
James St is 16 feet wide, curb to curb



BANK STREET FIRE LANE



➤ NFPA STANDARD ON STREET DESIGN FOR FIRE RESPONSE

- NFPA 1141 STANDARD FOR FIRE PROTECTION INFRASTRUCTURE FOR LAND DEVELOPMENT IN WILDLAND, RURAL, AND SUBURBAN AREAS

- 5.2.3

ROADWAYS SHALL HAVE A MINIMUM CLEAR WIDTH OF 12 FT (3.7 M) FOR EACH LANE OF TRAVEL, EXCLUDING SHOULDERS AND PARKING.

BANK STREET FIRE LANE



RECOMMENDATION:

- THE FIRE OFFICIAL(FIRE MARSHAL) RECOMMENDS PLACING A FIRE LANE ON ONE SIDE OF BANK ST
- JAMES ST WOULD BE MARKED ON BOTH SIDES AS A FIRE LANE
- ALL FIRE LANES WOULD BE MARKED AND HAVE SIGNAGE INDICATING AS SUCH WITH TOWING ENFORCED
- A GRACE PERIOD OF 30 DAYS WOULD BE GIVEN BEFORE ENFORCEMENT BY THE FIRE MARSHAL'S OFFICE/POLICE/CODE ENFORCEMENT

BANK STREET FIRE LANE



- VIRGINIA STATEWIDE FIRE PREVENTION CODE 503.7
 - *THE FIRE CODE OFFICIAL IS AUTHORIZED TO DESIGNATE PUBLIC AND PRIVATE FIRE LANES AS DEEMED NECESSARY FOR THE EFFICIENT AND EFFECTIVE OPERATION OF FIRE APPARATUS.*
- THE FIRE DEPARTMENT RECOMMENDS THAT COUNCIL REVIEW THE OPTIONS PROVIDED BY PUBLIC WORKS TO ADD ADDITIONAL PARKING TO THE AREA TO ACCOMMODATE THE RESIDENTS OF THE TOWNHOUSES, AND CHOOSE AN OPTION TO ACCOMMODATE THEIR NEEDS.



1007

1011

1013

608

1015

18 sewer

1018-2

1018-4

1020-6

1020-7

1020-8

1020-11

1022

1018

1020-5

1020-10

18 sewer

18 sewer

1011

1015

1017

1009

1019

1021

1025

1023

Prince Henry Ave

Bank St

Bank St

Bank St

Bank St

Bank St

Google Earth

1985

lat 37.314330° lon -77.274415° elev 61 ft eye alt 233 ft



QUESTIONS?



WS-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: OAA Cooperative Project.

ISSUE: The Counties of Prince George (fiscal agent), Surry, Dinwiddie, and Sussex, along with the City of Hopewell, are partnering with District 19 Community Services Board (CSB) to develop a regional Mobile Overdose Response Unit. This project dedicates Certified Peer Recovery Specialist (CPRS) staff to be housed at District 19 CSB. CPRS will work with local law enforcement, first responders, and local emergency departments to develop a referral-based agreement for immediate (48-72 hour) response to individuals who have experienced an opioid overdose. CPRS will partner with law enforcement officers within each locality to provide timely access to substance abuse treatment, peer recovery services, community resources, medication-assisted treatment, and harm reduction kits. In addition to overdose response, the CPRS will proactively engage in community outreach events throughout the region.

RECOMMENDATION: Staff recommends that the City of Hopewell enter into a Cooperative Partnership Agreement with District 19 Community Services and surrounding localities for the purpose of providing a Mobile Overdose Response Unit and approve the funding of \$41,317 of Opioid dollars from FY 26-FY30

TIMING: Deadline to apply 04/01/25

FISCAL IMPACT: Funding is recommended from Direct Distribution, Individual Distribution and Gold Standards Incentive provided through the Opioid Abatement Authority.

ENCLOSED DOCUMENTS: Hopewell Projected Distribution.

STAFF: Assistant City Manager James Gaston, P.G. Commonwealth Attorney Susan Fierro
Chief Gregory Taylor, District 19 Executive Director Terrelle Stewart

SUMMARY:

- | | | | | |
|--------------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|
| Y | N | | Y | N |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Rita Joyner, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Michael Harris, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor John B. Partin, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Ronnie Ellis, Ward # 4 | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

- Vice Mayor Rita Joyner, Ward #1
- Councilor Michael Harris, Ward #2
- Mayor John B. Partin, Ward #3
- Councilor Ronnie Ellis, Ward # 4

Y N

- Councilor Susan Daye, Ward #5
- Councilor Yolanda Stokes, Ward #6
- Councilor Dominic Holloway, Sr., Ward #7

Direct Distribution, OAA Individual Distribution, and OAA Gold Standard

Please note this tool tracks finalized settlements. As new settlements are achieved, this tool will be updated. The amounts listed reflect estimates, which may be subject to change prior to distribution.

As of October 2024

City or County:

Hopewell City

City/County Estimated Settlement Funds Lookup Tool Instructions

To see the estimated amounts disbursed or to be disbursed to a specific city or county for each year of the settlements:

1. Click on cell C10, which currently reads "Choose City/County."
2. Use the drop down menu to select a city or county and the amounts below will change to show the city or county's estimated payments.

Fiscal Year (FY)	No Application to OAA		Must Apply to OAA					
	Direct Distributions		OAA Individual Distribution			OAA Gold Standard Incentive		
	Projected	Used as OAA Match	Eligible to Receive	Awarded / Used as Match	Balance Available	Eligible to Receive	Awarded / Used as Match	Balance Available
2022	\$13,988	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2023	\$88,553	\$0	\$32,043	\$0	\$32,043	\$8,011	\$0	\$8,011
2024	\$109,209	\$0	\$37,092	\$0	\$69,135	\$9,273	\$0	\$17,284
2025	\$41,881	\$0	\$14,444	\$0	\$83,579	\$3,611	\$0	\$20,895
2026	\$45,004	\$0	\$15,847	\$0	\$15,847	\$3,962	\$0	\$3,962
2027	\$47,829	\$0	\$16,883	\$0	\$16,883	\$4,221	\$0	\$4,221
2028	\$36,439	\$0	\$12,707	\$0	\$12,707	\$3,177	\$0	\$3,177
2029	\$51,069	\$0	\$18,071	\$0	\$18,071	\$4,518	\$0	\$4,518
2030	\$51,302	\$0	\$18,180	\$0	\$18,180	\$4,545	\$0	\$4,545
2031	\$48,033	\$0	\$16,908	\$0	\$16,908	\$4,227	\$0	\$4,227
2032	\$44,575	\$0	\$15,640	\$0	\$15,640	\$3,910	\$0	\$3,910
2033	\$40,979	\$0	\$14,321	\$0	\$14,321	\$3,580	\$0	\$3,580
2034	\$31,273	\$0	\$11,181	\$0	\$11,181	\$2,795	\$0	\$2,795
2035	\$31,273	\$0	\$11,181	\$0	\$11,181	\$2,795	\$0	\$2,795
2036	\$31,273	\$0	\$11,181	\$0	\$11,181	\$2,795	\$0	\$2,795
2037	\$25,983	\$0	\$9,242	\$0	\$9,242	\$2,310	\$0	\$2,310
2038	\$25,983	\$0	\$9,242	\$0	\$9,242	\$2,310	\$0	\$2,310
2039	\$18,191	\$0	\$6,670	\$0	\$6,670	\$1,668	\$0	\$1,668
Total	\$782,840	\$0	\$270,832	\$0	\$270,832	\$67,708	\$0	\$67,708

Note: The Virginia Office of the Attorney General and the Virginia Opioid Abatement Authority are the data source. The amounts listed reflect estimates of local distributions based on finalized settlements and may vary due to adjustments occurring at the national level prior to distribution to the states.

Direct Distribution Details

Please note this tool tracks finalized settlements. As new settlements are achieved, this tool will be updated. The amounts listed reflect estimates, which may be subject to change prior to distribution.

As of October 2024

City/County Estimated Settlement Funds Look Up Tool Instructions

To see the estimated amounts disbursed or to be disbursed to a specific city or county for each year of the settlements:
 1. Click on cell C10, which currently reads "Choose City/County."
 2. Use the drop down menu to select a city or county and the amounts below will change to show the city or county's estimated payments.

City or County: **Halifax County**

MOU Allocation %: **0.353003530035300%**

No Application to OAA

Estimated Direct Distributions from Settlement Administrator

Fiscal Year (FY)	Distributors	Janssen	Mallinkrodt ¹	Teva	Allergan	Walmart ¹	CVS	Walgreens
2022	\$14,354.21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2023	\$24,898.85	\$62,276.72	\$3,694.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2024	\$28,424.86	\$0.00	\$4,346.40	\$4,984.10	\$5,514.89	\$48,570.53	\$6,951.55	\$13,273.64
2025	\$18,881.74	\$0.00	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$5,542.13	\$0.00
2026	\$18,881.74	\$0.00	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$11,075.48	\$5,277.79
2027	\$18,881.74	\$2,898.42	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$11,075.48	\$5,277.79
2028	\$7,193.94	\$2,898.42	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$11,075.48	\$5,277.79
2029	\$22,207.20	\$2,898.42	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$11,075.48	\$5,277.79
2030	\$22,207.20	\$3,690.20	\$0.00	\$5,428.09	\$5,518.51	\$0.00	\$10,522.14	\$5,277.79
2031	\$22,207.20	\$3,690.20	\$0.00	\$5,428.09	\$0.00	\$0.00	\$9,968.81	\$7,995.85
2032	\$18,667.39	\$3,690.20	\$0.00	\$5,428.09	\$0.00	\$0.00	\$9,960.03	\$7,995.85
2033	\$18,667.39	\$0.00	\$0.00	\$5,428.09	\$0.00	\$0.00	\$9,960.03	\$7,995.85
2034	\$18,667.39	\$0.00	\$0.00	\$5,428.09	\$0.00	\$0.00	\$0.00	\$7,995.85
2035	\$18,667.39	\$0.00	\$0.00	\$5,428.09	\$0.00	\$0.00	\$0.00	\$7,995.85
2036	\$18,667.39	\$0.00	\$0.00	\$5,428.09	\$0.00	\$0.00	\$0.00	\$7,995.85
2037	\$18,667.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,995.85
2038	\$18,667.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,995.85
2039	\$18,667.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,995.85
Total	\$347,477.84	\$82,042.59	\$8,040.84	\$70,121.22	\$38,625.96	\$48,570.53	\$97,206.61	\$103,629.42

Note: The Virginia Office of the Attorney General and the Virginia Opioid Abatement Authority are the data source. The amounts listed reflect estimates of local distributions based on finalized settlements and may vary due to adjustments occurring at the national level prior to distribution to the states.

¹ Represent final payments from Mallinkrodt, Walmart, and Endo.

**VIRGINIA OPIOID ABATEMENT AUTHORITY COOPERATIVE PARTNERSHIP
AGREEMENT FOR COOPERATIVE APPLICATION**

WHEREAS the mission of the Virginia Opioid Abatement Authority (“OAA”) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS the OAA operates a financial assistance program to support certain cooperative partnerships of cities and/or counties in Virginia that implement regional efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids; and

WHEREAS the cities and/or counties listed below have committed to work together to develop and jointly submit an application for regional cooperative partnership funding from the OAA; and

WHEREAS all of the localities listed below are located within the same region (Region 4) of the Department of Behavioral Health and Developmental Services; and

WHEREAS, contingent on an award of grant funding from the OAA, the localities listed below desire to partner with the District 19 Community Services Board to develop a regional Mobile Response Unit, which would dedicate Certified Peer Recovery Specialist (“CPRS”) staff to be housed at the District 19 Community Services Board; and

WHEREAS contingent on an award of grant funding from the OAA, the localities listed below and the District 19 Community Services Board desire that:

- (1) the CPRS staff to work with local law enforcement, first responders, and local emergency departments to develop a referral-based agreement for immediate (48-72 hour) response to individuals who have experienced an opioid overdose,
- (2) the CPRS to partner with law enforcement officers in each locality to provide timely access to substance abuse treatment, peer recovery services, community resources, medication-assisted treatment, and harm reduction kits, and
- (3) the CPRS staff to proactively engage in community outreach events throughout the region (and the endeavor to accomplish desires (1), (2), and (3) shall be henceforth referred to as the “Program”); and

WHEREAS the localities listed below and the District 19 Community Services Board agree they will execute a legally binding operational agreement formalizing the cooperating partnership if the application for financial assistance is approved; and

WHEREAS the localities listed below and the District 19 Community Services Board agree that each locality may limit harm reduction items that may be offered within its own locality or with funds from its own locality for reasons of public policy, which may differ from locality to locality; and

WHEREAS the localities listed below and the District 19 Community Services Board agree that Prince George County will serve as the fiscal agent for the cooperative partnership if it is awarded; and

WHEREAS the localities and the District 19 Community Services Board seek a total amount not to exceed \$400,000 in funding from the OAA for fiscal year 2026 and commensurate amounts for each of Fiscal Years 2027 through 2030; and

WHEREAS subject to future appropriations of funds by each locality, the following localities have agreed to request the fund types and amounts listed below as matching funds to the Project for Fiscal Year 2026 from their respective governing bodies; and

Name of City, County, or Organization	Amount of Direct Distribution	Amount of Individual Distribution	Amount of OAA "Gold Standard" Incentive	Amount of Other Funds	Total Match Pledged
County of Dinwiddie	\$0	\$18,832.60	\$4,708.00	\$0	\$23,540.60
County of Prince George	\$99,030.00	\$33,726.00	\$8,431.40	\$0	\$141,187.40
County of Surry	\$16,363.80	\$5,573.00	\$1,393.40	\$0	\$23,330.20
County of Sussex	\$0	\$7,783.00	\$1,473.80	\$0	\$9,256.80
City of Hopewell	\$0	\$33,053.40	\$8,263.60	\$0	\$41,317.00

WHEREAS subject to future appropriations of funds by each governing body, each of the aforementioned localities will annually request the matching funds listed above from their respective local governing bodies for the Program through the 2030 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED, the preceding paragraphs are binding and that the localities and other organizations listed below hereby authorize the County of Prince George to execute the cooperative partnership grant application to the OAA and, if awarded, to execute all documents in connection therewith.

BE IT FURTHER RESOLVED, that if one or more localities elect not to authorize participation in this cooperative partnership application by March 14, 2025, the Chief Administrative Officers (defined as the County Administrator or City Manager, as applicable) of the remaining localities may together agree to choose to direct the County of Prince George to proceed with the cooperative grant application to the OAA and to execute all documents in connection therewith without the locality(ies) that chose not to participate.

BE IT FURTHER RESOLVED, that if one or more localities elect to authorize participation in this cooperative partnership application at levels less than those set forth above in the individual distribution and gold standard columns by March 14, 2025, the Chief

Administrative Officers of the remaining localities may together agree to choose to direct the County of Prince George to move forward with an application with or without the locality(ies) that elected to participate at levels less than those set forth above in the individual and gold standard distribution columns.

BE IT FURTHER RESOLVED, that, for the purposes of clarity, if the County of Prince George, the County of Surry, or both are directed by their Board of Supervisors to proceed with no amount or a reduced amount in the direct distribution column as part of their approval of this Agreement prior to March 14, 2025, then their total contribution amount above shall be reduced by the amount in the direct distribution column without penalty.

BE IT FURTHER RESOLVED, that each governing body authorizes its Chief Administrative Officer to execute this Agreement with such changes, substantive or otherwise, as the Chief Administrative Officer may agree to, which approval shall be conclusively evidenced by their signature to this Agreement.

BE IT FURTHER RESOLVED, that each governing body authorizes its Chief Administrative Officer to take any action reasonably necessary to carry out the intent of this Agreement.

District 19 Community Services Board

City of Hopewell

Terrelle Stewart
Executive Director

Concetta Manker
City Manager

County of Dinwiddie

County of Prince George

W. Kevin Massengill
County Administrator

Jeffrey D. Stoke
County Administrator

County of Surry

County of Sussex

Melissa Rollins
County Administrator

Richard Douglass
County Administrator

REGULAR MEETING

CONSENT
AGENDA

C-1

MINUTES OF THE JANUARY 28, 2025 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday January 28, 2025 at 6:00 p.m.

PRESENT:

John B. Partin, Mayor
Rita Joyner, Vice Mayor
Michael Harris, Councilor
Ronnie Ellis, Councilor
Susan Daye, Councilor
Yolanda Stokes, Councilor
Dominic Holloway, Councilor

CLOSED MEETING (Part 1 of 2)

Councilor Holloway makes a motion to move to go into a closed meeting pursuant to Va. Code Section §2.2-3711 (A)(1) to discuss and consider personnel matters, including board and commission appointments; the assignment and performance of specific appointees and employees of City Council and discussion, consideration or interviews of prospective candidates for employment, and VA Code § 2.2-3711(A)(29) “Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and to the extent such discussion will be aided thereby. Councilor Daye seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes

Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

****Certification of closed session takes place after re-entrance at end of meeting****

WORK SESSION

Compensation Study Guide- Evergreen Solutions

Brian Wolf, a project manager with Evergreen Solutions, provided an update on the compensation and classification study conducted for the city. The study's primary goals were to evaluate internal and external equity, focusing on how departments value jobs and how the city's compensation compares to the external labor market. Wolf reported that the study is in its final phase, which involves drafting recommendations and a final report. During the data collection phase, employees shared positive feedback about the city's work environment, including benefits and leadership, but also expressed concerns about pay, particularly in comparison to the external market and within departments.

Wolf highlighted several key findings, including the city's pay structure, which consists of multiple pay plans across departments, though they are consistent regarding range spreads. The study found that, on average, the city's compensation is below market rates—about 5% below the entry level, 11% below the midpoint, and 17% below the top end. Wolf also recommended consolidating the pay plans into one unified structure for non-public safety employees and revising the pay grades based on internal and external equity. He emphasized the need for a more regular compensation analysis, suggesting a review every two to three years.

Regarding implementation, Wolf outlined three options, with the "hybrid parity" approach being the most recommended. This approach balances tenure and position but comes at an estimated cost of around \$2.1 million. He also discussed the financial implications and the city's ability to fine-tune the implementation

process. Wolf concluded by addressing questions from council members, noting the importance of discussing the financial feasibility of the recommendations with HR and finance departments.

REGULAR MEETING

PRESENT:

John B. Partin, Mayor
Rita Joyner, Vice Mayor
Michael Harris, Councilor
Ronnie Ellis, Councilor
Susan Daye, Councilor
Yolanda Stokes, Councilor
Dominic Holloway, Councilor

Prayer by Pastor Blow followed by the Pledge of Allegiance led by Councilor Holloway.

Vice Mayor Joyner makes a motion to amend the regular meeting agenda to include a special presentation before the Public Hearing. Councilor Stokes seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

Vice Mayor Joyner makes a motion to adopt the consent agenda. Councilor Daye seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

Mayor Partin recognized John Royster for his significant contributions to the city of Hopewell and Fort Lee. Royster, a Hopewell native, and Virginia Tech graduate served as the city engineer and in various other engineering roles for Hopewell before moving to Fort Lee, where he spent over 50 years as the Chief of Master Planning. His work was instrumental in Fort Lee's survival and growth, particularly during the BRAC actions of 1994 and 2005, where he oversaw extensive construction projects totaling over \$1.2 billion. Royster is credited with having personally hired and mentored numerous employees, many of whom advanced to leadership positions. In recognition of his dedicated service, the city presented him with a proclamation expressing admiration and appreciation for his professional and civic contributions. Royster, who is set to retire, was joined by his family and colleagues in this heartfelt celebration, which was a complete surprise to him. The event concluded with warm remarks from Mayor Partin and a request to postpone further agenda items to allow for continued acknowledgment of Royster's achievements.

COMMUNICATIONS FROM CITIZENS

1. **Sha'rah Fuller**, a resident of Ward 5 and the Neighborhood Watch Captain addressed the city council, introducing herself and her role in the community. She explained that the Neighborhood Watch meetings held monthly on the first Monday at Wesley United Methodist Church are not council meetings but gatherings for neighbors to connect and discuss ways

to support their community. Fuller encouraged everyone, even those outside Ward 5, to attend these meetings. She also mentioned the Hopewell Youth Football League, highlighting the success of the 6U team, which made it to the playoffs. Fuller invited the city to come out and support the children involved in the league, emphasizing the importance of community engagement and neighbors supporting one another. She concluded by expressing her commitment to keeping the community informed and engaged.

2. **Laura Pitts**, a resident of Ward 3, spoke at the city council meeting about her concerns regarding the operating hours of the community pool. Having been a Hopewell citizen for over 49 years, she expressed her appreciation for the pool and its role in her physical and mental well-being, especially through her regular morning swims. However, she noted that pool hours were reduced after the pandemic, and citizens cannot access the pool until 7 a.m., which conflicts with her work schedule. Pitts requested that the pool be reopened at 6 a.m. for residents, as she believes early morning access is essential for those with busy work schedules. She highlighted that while the swim team occupies five lanes, only one lane is available for the public, which she felt created an imbalance. Pitts acknowledged staffing issues but urged the council to consider her request once the pool is fully staffed. The council members responded sympathetically, with one councilor sharing his personal experience of the importance of early swims for mental clarity and another expressing concern over the current lane allocation.

PUBLIC HEARINGS

PH-1 – Epps Property Sale - Charles Bennett, the Director of Economic Development and Tourism, presented a public hearing for the proposed sale of city-owned property to William Lundberg. The property consists of lots 1 to 4 in the National View subdivision, identified by tax ID parcel 0640015. Lundberg, who has been maintaining the land as part of his property for some time, seeks to purchase the land, which is not accessible by public streets and is not buildable due to its terrain. The proposed sale price is \$20,000, based on the 2023 city assessment. The sale has been advertised, and Bennett shared relevant documents, including a real estate purchase agreement. After a brief public hearing, with no

comments or sign-ups from the audience, the council moved to approve the sale, pending legal review.

Councilor Holloway makes a motion to approve the sale of Parcel # 0640015, containing approximately 0.438 acres, to the adjacent property owner William Theodore Lunsford Jr. Mayor Partin seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

PH-2 – Conditional Use Permit to Construct a Single-Family Dwelling on a Non-Conforming Lot Parcel #013-1210 Atlantic St.- Chris Ward presented a public hearing regarding a Conditional Use Permit request from SRB Investors, LLC to construct a single-family dwelling on a nonconforming lot located at Atlantic Street in Ward 3. The property, which is zoned R-2, does not meet the minimum lot width requirement of 75 feet, as it is only 60 feet wide, but it does meet the minimum square footage requirement. The proposed home is a two-story, three-bedroom, two-and-a-half-bath, 2,040-square-foot Cape Cod-style house, which is larger than the average home in the neighborhood. The house will feature vinyl siding, consistent with the surrounding homes, and is designed to be in harmony with the neighborhood's architectural style. Ward confirmed the proposal complies with the city's comprehensive plan and that the property would include specific conditions like tree canopy coverage, roof eaves, and foundation specifications. The Planning Commission had recommended additional windows for the design, which the applicant agreed to.

Councilor Holloway makes a motion to approve the conditional use permit to construct a single-family dwelling on a non-conforming parcel #013-1210 Atlantic St. Councilor Ellis seconds the motion.

ROLL CALL	Councilor Daye-	Yes
	Councilor Stokes-	Yes
	Councilor Holloway-	Yes
	Vice Mayor Joyner-	Yes
	Councilor Harris-	Yes
	Mayor Partin-	Yes
	Councilor Ellis-	Yes

Motion Passes 7-0

Councilor Holloway makes a motion to amend the agenda to move the next item of business to R-5. Mayor Partin seconds the motion.

ROLL CALL	Councilor Daye-	Yes
	Councilor Stokes-	Yes
	Councilor Holloway-	Yes
	Vice Mayor Joyner-	Yes
	Councilor Harris-	Yes
	Mayor Partin-	Yes
	Councilor Ellis-	Yes

Motion Passes 7-0

R-5 – MOU of NOVA Aquatics – Lauren Waterworth, Program Manager

Lauren Waterworth, head coach of Nova South Swimming, and Shannon Royster, a fellow coach, addressed the City Council, emphasizing the longstanding partnership between the swim team and the Hopewell Community Center. Nova South Swimming, established in 1969, serves 85 athletes ranging from ages 4 to 18 and has practiced at the community center for nearly 40 years. The coaches highlighted their team’s commitment to providing lifeguards during practices to

keep the facility operational for both the swim team and the community. Over the past two years, they've helped maintain the pool's evening availability for local citizens.

Waterworth expressed a desire for further collaboration, especially in addressing community concerns about access to aquatic programming. She emphasized the importance of their program to Hopewell's residents, particularly those from socioeconomically disadvantaged backgrounds. She reflected on the positive impact the team has had on its athletes, many of whom have gone on to swim in college or return to the community as employees.

Shannon Royster, a principal at Carter G. Woodson Middle School, echoed Waterworth's sentiments, stressing the team's longstanding role in Hopewell and advocating for the continuation of their partnership with the city. He also called for reconsideration of the current Memorandum of Understanding (MOU) with the city, which has reduced lane and usage hours. Royster requested that the MOU be amended to allow for a more flexible arrangement, such as four lanes for the swim team and two for community use. Both coaches expressed their willingness to provide additional lifeguard staffing to support extended hours, particularly in the morning.

Council members discussed possible solutions, including expanding pool hours for citizens and adjusting the MOU to better balance the needs of both the swim team and the community. The council was tasked with working out a mutually beneficial arrangement, addressing both the swim team's operational needs and increasing public access to the pool.

The discussion continues about extending pool hours, particularly to accommodate early morning swim practices that previously started at 4:30 AM. One key challenge is staffing, as the current lifeguards are not local and face logistical issues, such as long commute times. There's a focus on recruiting more local lifeguards and considering creative solutions, like working with HR or offering stipends, to ensure enough staff. Additionally, there's a call for more detailed data on the pool's fixed costs, as the previous presentation did not address these numbers, which are critical for making informed decisions about extending pool hours and managing the associated costs. There's also discussion about the possibility of using city employees for lifeguard duties, but the staffing would still need to meet safety requirements, such as having two lifeguards on deck.

Councilor Ellis emphasizes the importance of coming to a common agreement on the issue, acknowledging that Ms. Martinez and her team have made efforts to address concerns. He suggests that the involved parties can work out the business and staffing challenges and encourages them to bring back a plan with costs. Ellis highlights the need for collaboration to ensure that children and citizens can use the pool, proposing flexible lane usage based on the number of swimmers present. He urges the group to find a solution and move forward.

Councilor Stokes agrees with Councilor Ellis' points and emphasizes the need for clarity on the number of citizens using the pool during certain times, particularly in relation to the swim team's usage. She requests that while the staff is tracking the pool usage, they should also document how many citizens are using the pool outside of the designated swim team lanes. Stokes acknowledges that it may take some time to gather these numbers and asks for patience. She expresses confidence that the city manager and the involved parties can reach an amicable agreement.

Councilor Holloway makes a motion to charge the City Manager and staff to work together on a contract that is mutually beneficial for both the city and the swim team. Mayor Partin seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

Councilor Stokes makes a motion to charge the city manager and staff to present a plan and then sometime in the next 60 days on how to extend the pool hours and provide weekend hours. Councilor Daye seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes

Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

Vice Mayor Joyner makes a motion to extend the meeting until we finish the regular business items and closed session. Councilor Daye seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

PH-3 – Zoning Ordinance Amendment to add Churches as an allowable use to R1-A District- Chris Ward, Director of Planning & Development

Chris Ward presented a zoning amendment request to allow churches as an allowable use in the R-1A residential district, specifically for the Restored Hope Church of the Nazarene. Currently, churches are not permitted in this district, though they are allowed in other residential and commercial districts in the city. Ward explained that the zoning change would apply across the entire R-1A district, and churches would become a by-right use, not requiring a conditional permit. The Planning Commission had already reviewed the request and recommended approval, with no opposition from the public. Ward clarified that any conversion of a residential building to a church would be subject to development standards, including off-street parking, inspections, and compliance with accessibility regulations. He emphasized that such conversions would be unlikely, as a house is unsuitable for a church without significant changes. The applicant plans to rebuild the church at its previous location, where it had operated for over 40 years before

burning down in 2019. A concern about potential tax exemptions for churches was addressed, confirming that churches would remain exempt from real estate taxes.

Councilor Daye makes a motion to approve the request to add churches to section A of article three, a residential low-density district as an allowable use. Vice Mayor Joyner seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Absent
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 6-0

PH-4 -School Board Appropriation- Janel English, Director of Finance/Internal Auditor

Janelle English, the Director of Finance for Hopewell City Public Schools, presented a request for approval of a supplemental appropriation to amend the school's budget by \$3,663,354. This increase is due to additional federal, state, and local grants, as well as corrections to the school's balances. The initial budget was approved by the City Council in May 2024, and a first supplemental appropriation was approved in September 2024. Since then, the school received new grants and needed to adjust carryover amounts for various programs, including Title 1, Title 2, and the Perkins Grant, among others. The increase in grants raised the operating fund by \$3,334,953. Additionally, corrections were made to the textbook fund and food services beginning balances, adding a total of \$356,401 to those areas. After these adjustments, the school's total budget would increase to \$78,777,548. English provided documentation of the school board's approval of these changes and highlighted the amounts needing approval. The request was opened for questions before proceeding with a public hearing.

Councilor Holloway makes a motion to approve the resolution to amend the Fiscal Year 2025 Hopewell Public School Supplemental Appropriation as presented. Vice Mayor Joyner seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 7-0

R-1 – Adoption of Economic Development Strategic Plan- Charles Bennett

Charles Bennett addressed council requesting the adoption of the Economic Development Strategic Plan, which he had previously presented in a work session and again on January 14th. He expressed excitement about seeking the adoption of the plan ahead of the city’s first Economic Development Summit scheduled for February 6th at the John Randolph Foundation. Invitations for the summit had been sent to the Council members, and it was also open to the public, with details shared via media outlets and FOIA. Bennett noted that there were still 26 spots available for attendees interested in the provided meals due to room capacity limits. He emphasized that the strategic plan, a 14-page document included in the packet, had been reviewed by most of the Council, and he was now seeking approval, with the option for any changes or revisions.

Councilor Harris makes a motion to approve the Economic Development Strategic Plan. Councilor Holloway seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes

Councilor Ellis-

Yes

Motion Passes 7-0

R-2 – Penalty and Interest Extension Resolution- Stacy Jordan, CFO

Stacy Jordan addressed council requesting approval of a resolution to extend the deadline for the payment of taxes on public service corporations, tangible personal property, and other items, excluding machinery and tools. He referenced relevant sections of the Hopewell City Charter and the Code of Virginia, which allow the City Council to set due dates for local taxes. Jordan explained that the current ordinance, established in 2006, requires these taxes to be paid by February 15th of the following year. He also noted that there were a couple of minor legal adjustments to the first paragraph of the resolution, which had been discussed with the City Attorney. Jordan asked that the Council approve the resolution with the opportunity to make the necessary legal revisions.

Councilor Harris makes a motion to approve the Penalty and Interest extension Resolution move with the legal changes. Councilor Stokes seconds the motion.

ROLL CALL

Councilor Daye-

Yes

Councilor Stokes-

Yes

Councilor Holloway-

Yes

Vice Mayor Joyner-

Yes

Councilor Harris-

Yes

Mayor Partin-

Yes

Councilor Ellis-

Yes

Motion Passes 7-0

R-3 – Resolution of Support for WODA Group on New Development- Charles Bennet, Economic Developments Director, Greg Mustric, Woda Group

Charles Bennett and Greg Mustric presented a request to the City Council for a resolution to designate a revitalization area for a mixed-use development on a four-acre parcel in Hopewell. The parcel is located near the Moose Lodge and Food Lion, and is currently zoned as a commercial corridor. The proposed development includes 51 residential units and 6,000 square feet of commercial space. The residential units will range from one to three bedrooms, and the project will be

restricted through the Housing Tax Credit program for households earning between 30% to 80% of the area median income. Mustric, representing WDA Cooper Companies, explained that the company has over 35 years of experience and has developed over 330 affordable housing projects. They also own and operate Friedman Point in Hopewell. The development, called Wells Point, will involve a \$20.3 million investment and is expected to generate an estimated \$54,000 annually in real estate taxes, with a projected increase over time. Additionally, the project aims to hire locally for construction and create commercial space for healthcare and daycare providers. The Council was also informed that the project is part of a competitive process for state tax credits, and obtaining the revitalization area designation will help them secure points for the application.

Councilor Stokes expressed concern about the safety of children in the proposed mixed-use development, specifically regarding its proximity to train tracks. She suggested that additional protections, such as a fence, should be considered to ensure safety, as children might climb over a standard fence. Greg Mustric assured her that the development would maintain the existing tree line near the tracks, and the on-site playground would be fenced in. He also mentioned that their other developments near train tracks had not experienced safety issues, but they would discuss further safety measures with their contractor and architect. Stokes also inquired about the special HUD financing mentioned in the presentation. Mustric clarified that the financing is federal, not HUD-specific, and they plan to apply for it in mid-March. They expect to hear back in July, and if successful, the development could take around 18-24 months to complete. Stokes, having experience in affordable housing, expressed her support for the project, emphasizing its potential to improve the community and generate tax revenue for the area.

Councilor Ellis inquired about the specifics of the loan for the proposed development, particularly regarding any special considerations tied to the loan. The speaker clarified that the financing involves tax credits, which are sold to an investor to provide equity for the development, and the credits can only be used for affordable housing. Additionally, there is a minimum 15-year compliance period with the state, which is typically extended to 45 years, ensuring the housing remains affordable. Ellis raised concerns about the development resembling Freeman Point, questioning its potential negative impact on the area. He expressed dissatisfaction with Freeman Point's condition, particularly in terms of public safety and appearance, despite recent management changes. The speaker responded

by sharing that recent visit had shown significant improvements, with maintenance staff on-site and freshly painted corridors. Ellis acknowledged these improvements but emphasized his concerns about the future development, stating that he didn't envision something like Freeman Point or a hotel for the area. He also raised concerns about the long-term demands a multi-story development could place on the city. The speaker reassured Ellis that the development would be distinct from Freeman Point, with a different design and commercial space on the first floor, which would require ongoing upkeep to meet community needs.

Mayor Partin discussed the results of a recent presentation by Davenport Investments and the Finance Department regarding the city's bond rating. The presentation highlighted areas where the city is performing well and areas for improvement, particularly the median income in Hopewell. The mayor emphasized that raising the median income is crucial for the city's long-term economic growth. He suggested that a mix of 80-90% market-rate apartments with the remainder as affordable housing could benefit the city's economy by improving the bond rating, lowering debt service costs, and avoiding the need for tax increases. The speaker responded that while they prefer a 100% affordable housing model, they would consult with their underwriter about the feasibility of a mixed-income approach. The mayor urged the speaker to explore this possibility and stressed the importance of a development plan that would provide broader economic benefits, even if it meant adding a small number of market-rate units to make the project more competitive.

Councilor Holloway expressed strong support for the proposed affordable housing development, emphasizing the need for such projects in Hopewell, particularly for residents already living in the city who are struggling to find affordable housing. He pointed out that many city residents are facing rental demands that exceed what is necessary to purchase a home, driving long-term residents out of the city. Holloway criticized the focus on wealthier perspectives, urging fellow council members to consider the needs of those with lower incomes. He expressed full support for the mixed-income approach, stressing that affordable housing is essential for the community's growth without displacing current residents. He also praised the work done at Freeman Point and the positive changes implemented there, such as increased safety measures. While he acknowledged zoning and financial constraints related to the number of units that can be built, Holloway remained supportive of efforts to find solutions to create a balanced and accessible housing development for Hopewell.

Vice Mayor Joyner makes a motion to charge The WODA Group and staff to present a revised plan with a split of affordable housing and market rate ratio and bring it back to council for consideration. Mayor Partin seconds the motion.

Councilor Holloway asked for clarification on the proposal being discussed, particularly regarding the request for the designation of a parcel as a revitalization area. The Economic Development Director, Charles Bennett explained that this designation would not directly affect whether the project moves forward but could provide a small advantage in terms of scoring additional points for the application. Mr. Bennett shared his support for the project, emphasizing the significance of this mixed-use development, which includes commercial space and a potential daycare center for families of Fort Gregg Adams. He highlighted the opportunity to replace deteriorating housing and provide better living conditions for 51 families, while also fostering further redevelopment in Hopewell. Mr. Bennett noted personal reasons for his support, such as his son qualifying for housing in the proposed development, and underscored the importance of revitalizing the area for economic growth.

The council discussed a motion to charge the Woda Group and staff with presenting a revised plan for a development, which would include a mix of affordable housing and market-rate units. However, there was concern about whether the motion could legally require an outside agency to provide something beyond their voluntary participation. Mr. Bennett clarified that if the Woda Group doesn't submit a revised plan, there would be nothing for the council to vote on. He emphasized that the project's financial feasibility was tied to the tax credits for 100% affordable housing, and adding market-rate units would complicate funding, as they lacked the necessary financial sources for such a component. The Woda Group further explained that, in their Virginia developments, they typically do not include market-rate units due to the structure of the tax credit system. Council members expressed concern about pushing for market-rate housing, considering the city's need for affordable options. The resolution being discussed was only to designate the site as a revitalization area, not to approve the project itself. Councilor Holloway noted that such discussions revealed important perspectives on the city's future economic growth.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	No

Councilor Holloway-	No
Vice Mayor Joyner-	Yes
Councilor Harris-	No
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 4-3

Councilor Holloway makes a motion to present the resolution to accept the resolution as presented. Councilor Stokes seconds the motion.

Councilor Harris sought further clarification on the motion. He asked if voting to designate the area as a revitalization zone would automatically lead to the development project going forward. The response clarified that the designation would only grant Woda Group five additional points in their application for funding, making it more competitive but not guaranteeing approval. It was emphasized that the project could still move forward without the designation, but the extra points could help secure the necessary tax credits. The conversation also highlighted that even with the additional points, other municipalities with stronger proposals might still win funding. While Councilor Harris expressed his support for revitalization and affordable housing, he noted that the current proposal was not favored by the council. He sought further clarity on how to proceed and voiced concern that the proposed plan might not align with the council's preferences.

Councilor Stokes raised several points during the discussion. She questioned how the first vote, which asks for more information and a revised proposal, would affect the second vote, which involves designating the area as a revitalization zone. She expressed concerns about whether the two votes conflicted or if the first vote would hold up the second. She suggested tabling the vote on revitalization until more clarity was provided on the revised proposal.

However, Councilor Stokes also emphasized the importance of moving forward with revitalization. She advocated for giving the developers a clear answer so they could continue their business and make informed decisions, noting their experience and investment in projects. She highlighted the importance of affordable housing for the community, especially in light of issues like homelessness and the success

of previous affordable housing projects, such as Freeman Point. Her focus remained on ensuring that the city secures the best opportunity for affordable housing for its citizens, particularly those with low to moderate incomes. She concluded by reiterating her commitment to working toward a solution that would benefit the community.

ROLL CALL

Councilor Daye-	No
Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	No
Councilor Harris-	Yes
Mayor Partin-	No
Councilor Ellis-	No

Motion Fails 4-3

R-4 - Proposed Schedule for Council Meetings- Dr. Concetta Manker, City Manager

Dr. Concetta Manker presented a new meeting schedule for the Council, outlining changes to the format and times of upcoming meetings. The second Tuesday of each month will include a 5:00 PM closed session, followed by a 6:00 PM Finance Committee meeting, and regular business starting at 7:00 PM. Presentations, public hearings, and work sessions will be moved to this day, though regular discussion will be limited to grant approvals. Concerns were raised by Councilors about the 5:00 PM start time, particularly regarding accessibility for working citizens. It was proposed that the Finance Committee be moved to 6:00 PM to accommodate citizens. After discussion, the Council agreed to begin the new schedule in March, rather than waiting until June. Adjustments will also be made to ensure citizens are not excluded from participation. The schedule aims to streamline operations while addressing time concerns for closed sessions and committee meetings.

The Council discussed the need to revise their rules to reflect the proposed meeting schedule changes. The Mayor suggested that the motion to approve the new schedule should also include a corresponding amendment to update the Council's rules to align with the new times and structure. While the dates for meetings remain the same, the change in meeting times, such as starting at 5:00 PM for

closed sessions and 6:00 PM for the Finance Committee, requires updating the rules. The motion, if passed, would also ensure that the rules reflect these new times and clarify the scheduling of meetings. The Council agreed that a friendly amendment would be added to ensure the rules are revised accordingly.

Vice Mayor Joyner makes a motion to approve the new work schedule as revised by the city manager and to reflect the changes in the council rules and procedures. Mayor Partin seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Absent
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 6-0

Councilor Daye makes a motion to reconvene open meeting. Vice Mayor Joyner seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Absent
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 6-0

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

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Absent
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 6-0

Vice Mayor Joyner makes a motion to appoint Robert Gains and Matthew Mellon to the Economic Development Authority. Councilor Harris seconds the motion.

ROLL CALL

Councilor Daye-	Yes
Councilor Stokes-	Yes
Councilor Holloway-	Absent
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes

Motion Passes 6-0

ADJOURNMENT

Respectfully Submitted,

Johnny Partin, Mayor

Brittani Williams, City Clerk

MINUTES OF THE FEBRUARY 3, 2025, CITY COUNCIL SPECIAL MEETING

A SPECIAL meeting of the Hopewell City Council was held on Wednesday, January 8, 2025, at 7:30 p.m.

PRESENT:

John B. Partin, Mayor
Rita Joyner, Vice Mayor
Ronnie Ellis, Councilor
Michael Harris, Councilor (Virtual)
Susan Daye, Councilor
Yolanda Stokes, Councilor
Dominic Holloway, Councilor

SUGGESTED MOTION: Move to go into closed meeting pursuant to Va. Code § 2.2-3711(A)(1) to discuss and consider board and commission appointments (Board of Zoning Appeals and Bright Point Community College) and the assignment and performance of specific appointees and employees of City Council, and, and to the extent such discussion will be aided thereby

Prior to the roll call, the city attorney suggested that the motion include a provision to consult with legal counsel for specific legal advice related to these matters. This will be done in accordance with Virginia Code Section 2.2-3711 (A)1 for personnel discussions and Section 2.2-3711 (A)8 for legal consultation. The mayor agreed, and the Roll call proceeded.

Councilor Holloway makes a motion to move into a closed meeting in accordance with Virginia Code Section 2.2-3711 (A)1 to discuss and consider appointments to various boards and commissions, specifically the Board of Zoning Appeals, Bright Point Community College, and Hopewell Redevelopment Housing Authority. It also includes discussions on the assignment and performance of specific city council appointees and employees, provided the discussion is aided by such conversations. Additionally, the motion calls for legal consultation under Virginia Code Section 2.2-3711 (A)8 to seek specific legal advice related to these matters. Vice Mayor Joyner seconds the motion.

ROLL CALL

Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Abstain
Mayor Partin-	Yes
Councilor Ellis-	Yes
Councilor Daye-	Yes

Motion Passes 6-0

Councilor Daye makes a motion to allow Councilor Harris to participate virtually. Vice Mayor Joyner seconds the motion.

ROLL CALL

Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Abstain
Mayor Partin-	Yes
Councilor Ellis-	Yes
Councilor Daye-	Yes

Motion Passes 6-0

Councilor Holloway makes a motion to come out of closed meeting. Councilor Ellis seconds the motion.

ROLL CALL

Councilor Stokes-	Yes
Councilor Holloway-	Yes
Vice Mayor Joyner-	Yes
Councilor Harris-	Yes
Mayor Partin-	Yes
Councilor Ellis-	Yes
Councilor Daye-	Yes

Motion Passes 7-0

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	Councilor Stokes-	Yes
	Councilor Holloway-	Yes
	Vice Mayor Joyner-	Yes
	Councilor Harris-	Yes
	Mayor Partin-	Yes
	Councilor Ellis-	Yes
	Councilor Daye-	Yes

Motion Passes 7-0

Councilor Holloway makes a motion to appoint Anthony Bessette as the new City Attorney. Vice Mayor Joyner seconds the motion.

Councilor Stokes began by wishing the community a happy Black History Month. She then expressed her concerns about filling the current position, stating that she could not support a non-competitive process, as only one applicant was presented for consideration. She mentioned that she would have preferred to see more competition for the position, and this was the reason for her vote.

ROLL CALL	Councilor Stokes-	No
	Councilor Holloway-	Yes
	Vice Mayor Joyner-	Yes
	Councilor Harris-	Yes
	Mayor Partin-	Yes
	Councilor Ellis-	Yes
	Councilor Daye-	Yes

Motion Passes 6-1

ADJOURNMENT:

Respectfully Submitted,

Johnny Partin, Mayor

Brittani Williams, City Clerk

C-3

Hopewell Police Department Crime Summary

Feb 11, 2025



HOPEWELL POLICE DEPARTMENT
 CRIME SUMMARY
 Reporting Date: Feb 3, 2025

Year-to-Date Comparison		Thru Feb 2nd				
	2024	2025	# Change	% Change	5 Year Average	% Change to Average
MURDER	0	0	0	#DIV/o!	2	-100%
FORCIBLE RAPE	1	0	-1	-100%	1	-100%
ROBBERY	0	2	2	#DIV/o!	2	-9%
AGGRAVATED ASSAULT	6	10	4	67%	8	19%
Violent Crime Total	7	12	5	71%	13	-6%
ARSON	1	0	-1	-100%	0	-100%
BURGLARY	2	2	0	0%	8	-75%
LARCENY	21	15	-6	-29%	46	-67%
MOTOR VEHICLE THEFT	5	7	2	40%	11	-34%
Property Crime Total	29	24	-5	-17%	65	-63%
Total Major Crime	36	36	0	0%	77	-53%

Murder, Rape, Assault by # of Victims, All others by # of Incidents

5 Year Average to 2/28

HOPEWELL POLICE DEPARTMENT
Reporting Date: Feb 3, 2025

Suspected Opioid Overdoses 2/28							
	2020	2021	2022	2023	2024	2025	Grand Total
Fatal	1	3	2	4	3	0	13
Non-fatal	6	13	8	16	10	3	56
Grand Total	7	16	10	20	13	3	69

Subject to change as
forensic results are returned

HOPEWELL POLICE DEPARTMENT
Reporting Date: Jan 6, 2024

Verified Shots Fired Jan 1, 2024-Feb 3 2024 Vs Jan 1 2025-Feb 3, 2025			
2024	2025	2024 Yearly Total	2025 Year to Date Total
5	3	64	3

Neighborhood Watch Meetings

City Point – 1st Wednesday of every month @ 1800 Hrs. @ PD Multipurpose Room.

Farmingdale – 1st Monday of every month @ 1830 Hrs. @ Wesley United Methodist Church.

Cobblestone – 3rd Wednesday every other month @ 1300 Hrs. @ Cobblestone Rec. Center.

Kippax Dr – 3rd Thursday of every month at Mr. Brown residence @ 3807 Gloucester Dr.

Autumn Woods – Will be starting up again in May 2024 and the location is to be determined.

Ward 3 – 2nd Monday of every month 6:00pm @ Power's Memorial Church.

Arlington Heights – Usually meet last Tuesday of the month @ 1305 Arlington Rd. Friendship Baptist Church.

Hiring-Recruitment Feb 2025

- 14 - Sworn Vacancies, 1 - Emergency Communications Vacancy, 1 Animal Control Custodian Vacancy
- 2-Applicants in the background process for Animal Control Custodian.
- Tri-Test Day for Police(Written-Panel Interview & Physical Agility Test) scheduled for Feb 8, 2025.
- 3-Applicants are in the background process for Police Officer.

Recruitment Banner

HOPEWELL POLICE DEPARTMENT

NOW HIRING

- **POLICE OFFICERS**
CERTIFIED AND NON-CERTIFIED
- **EMERGENCY COMMUNICATIONS OFFICERS**



**HIRING
BONUS
AVAILABLE**

APPLY TODAY



(804) 541-0055

WWW.HOPEWELLVA.GOV/224/JOIN-OUR-TEAM

Community Policing Officers by Ward

- Corry Young Ward -1- cyoung@hopewellva.gov
- Ryan Hayberg Ward-2 rhayberg@hopewellva.gov
- Michael Redavid Ward-3&-6 mredavid@hopewellva.gov
- Thomas Jones Ward-4 &7 tjones@hopewellva.gov
- Jonathon Bailey Ward-5 jbailey@hopewellva.gov

Downtown Community Engagement

- Directed Patrols were completed with no significant activity to report on the unsheltered population.
- Citizens contact/Business Owner contacts were made.
- Policing overtime at the Beacon Theater during scheduled concerts continues.
- Downtown traffic enforcement focusing on the City Point area is ongoing.

Community Engagement Activities

- The next Citizen Police Academy is scheduled to start on February 27, 2025
- On Feb 12, 2025 a car seat event will be held at Tri-City Hospital from 9:00am-3:00pm.
- Received a donation of teddy bears from the ladies of the Moose Lodge for distribution to citizens.
- On Feb 25, 2025 a class will be held at First Baptist Church for Pre-Kindergartens at 10:00am.

C-4

DATE: February 04, 2025
TO: The Honorable City Council
FROM: Yaosca Smith, Director of Human Resources
SUBJECT: Personnel Change Report – January 2025

APPOINTMENTS:

NAME	DEPARTMENT	POSITION	DATE
PETTRAN, CHARLES	COMMONWEALTH ATTORNEY	ASST COMM ATTY I	01/02/2025
SMIGIEL, THOMAS	SOCIAL SERVICES	BEN PROG SPC II	01/08/2025
POLLARD, NELSON	FINANCE	RE ASSESSOR	01/08/2025
DAY, TAMIKA	SOCIAL SERVICES	HUMAN SER AST II	01/08/2025
TIPTON, BRITTNEY	SOCIAL SERVICES	FAMSERVSPEC I	01/08/2025
SMITH, MARQUISE	SHERIFF	SHERIFF DEPUTY FT	01/15/2025
KEA, COLBY	FIRE	FIREFIGHTER II/EMT	01/22/2025

SUSPENSIONS: 0 (Other information excluded under Va. Code § 2.2-3705.1(1) as Personnel information concerning identifiable individuals)

REMOVALS:

NAME	DEPARTMENT	POSITION	DATE
LOVING, DARLENE	DEVELOPMENT/NEIGHBORHOOD SVS	PROP INSPEC	01/01/2025
CAMPBELL, MICHAEL	PUBLIC WORKS	DIR PUB WORKS	01/07/2025
HEDRICK, KRISTINE	RECREATION	REC MAINT SPEC	01/10/2025
MCDUGAL, GIOVANNI	HEALTHY FAMILIES	NURSE COORDINATOR/CONSULTANT	01/21/2025
BAKER, NATASHA	SOCIAL SERVICES	FAMSERVSPEC I	01/23/2025
GAMMON, TREVOR	FIRE	FIREFIGHTER II/EMT	01/25/2025

CC: Concetta Manker, City Manager
 James Gaston III, Deputy City Manager
 Jay Rezin, IT Director
 Ariethia Dearing, Customer Service Mgr.
 Kim Hunter, Payroll
 Stacey Jordan, Finance Director

COMMUNICATIONS FROM CITIZENS

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: Public Hearing on a Conditional Use Permit Request to construct a single-family dwelling on non-conforming lot, Parcel #079-0005, located on Cedar Lane.

ISSUE: City Zoning Ordinance allows for the construction of single-family dwellings on non-conforming lots with the approval of a CUP. Conditions of approval can be set.

RECOMMENDATION: The City Administration recommends approving the CUP request with conditions.

TIMING: City Council action is requested on February 11, 2025.

BACKGROUND: This CUP application was **not** presented at a work session on January 28, 2025 because the item was skipped in the interest of time.

ENCLOSED DOCUMENTS: CUP application, house plans, staff report, presentation

STAFF: Christopher Ward, Director of Development

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

- | Y | N | | Y | N | |
|--------------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Rita Joyner, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Susan Daye, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Michael Harris, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Yolanda Stokes, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor John B. Partin, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Dominic Holloway, Sr., Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Ronnie Ellis, Ward #4 | | | |

CONDITIONAL USE PERMIT REQUEST

Single-Family Dwelling on a Non-Conforming Lot

Parcel #079-0005 - Cedar Ln.

CITY COUNCIL PUBLIC HEARING

February 11, 2025

CUP REQUEST: SFD on Non-Conforming Parcel #079-0005

- APPLICANT: Riley Ingram, Jr.
- WARD: 1
- CURRENT ZONING: R-1 Res. Low Density
- REQUEST: Approve CUP request
- PUBLIC NOTICE: Ads in Progress-Index, letters to adjacent property owners, sign placed at property



CUP REQUEST: SFD on Non-Conforming Parcel #079-0005



CUP REQUEST: SFD on Non-Conforming Parcel #079-0005

Minimum lot size in R-1 is 80 feet wide and 12,000sf.

Cedar Lane – Parcel #079-0005 is 82 feet wide and 9,430sf.

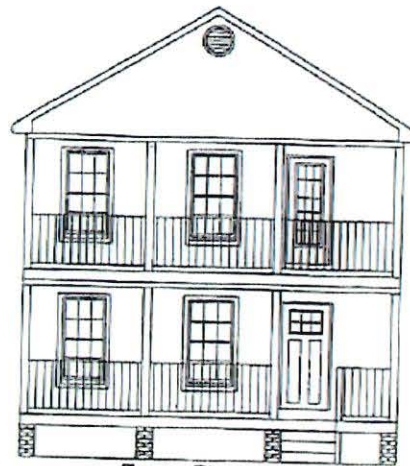
Non-Conformity – Total Lot Size less than 12,000sf.



CUP REQUEST: SFD on Non-Conforming Parcel #079-0005

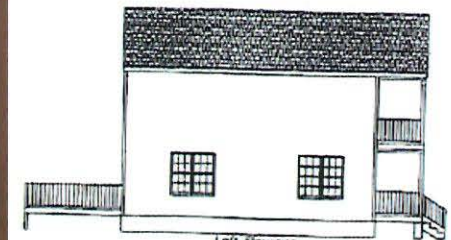
- 2-Story SF Dwelling
- 3 Bedroom; 2.5 Bath
- 1,536sf (previously 1,728sf)

First floor front façade to be brick



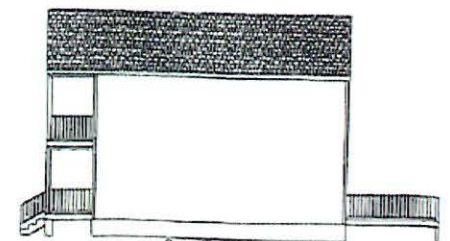
Front Elevation

Scale 1/4"=1'



Left Elevation

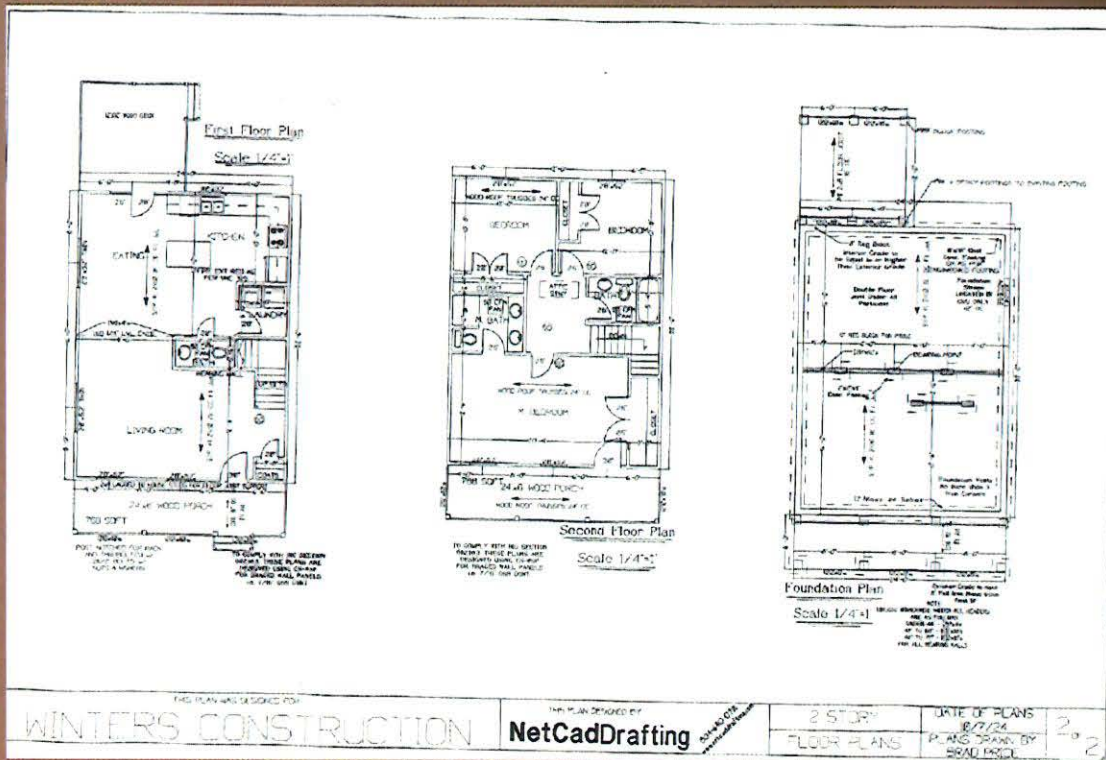
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Right Elevation

Scale 1/8"=1'

CUP REQUEST: SFD on Non-Conforming Parcel #079-0005



Staff Analysis

7 CUP Approval Criteria	✓
Comprehensive Plan	✓



- Proposed dwelling attempts to bridge disparities between houses on Cedar Lane and E. Broadway in terms of materials, scale, and style.
- Average size of dwellings in the surrounding area is 1,553 sf.
- Proposed dwelling is 1,536sf.

Staff Recommendation

Staff recommends approval with the following conditions:

- a. The proposed dwelling as presented is to be constructed with a brick facing on the first floor of the front façade.
- b. A driveway of concrete or asphalt will be installed in accordance with the City's driveway policy.
- c. The dwelling will have a roof overhang/eaves on all sides.
- d. The applicant will ensure a tree canopy of at least 20% lot coverage.

Planning Commission Recommendation

4-0

Jan. 9, 2025

Planning Commission recommends approval with the following conditions:

- a. The proposed dwelling as presented is to be constructed with a brick facing on the first floor of the front façade.
- b. A driveway of concrete or asphalt will be installed in accordance with the City's driveway policy.
- c. The dwelling will have a roof overhang/eaves on all sides **at a minimum of 12 inches**.
- d. The applicant will ensure a tree canopy of at least 20% lot coverage.

CUP REQUEST: SFD on Non-Conforming Parcel #079-0005

Questions?

Applicant: Riley Ingram, Jr.



The City
of
Hopewell, Virginia

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

Application #: 20240236

CONDITIONAL USE PERMIT APPLICATION

Permit #: _____

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: Riley E. Ingram, Jr.

ADDRESS: 12616 Brook Ln.
Chester, Va. 23831

PHONE #: 804-720-9494 FAX #: _____

EMAIL ADDRESS: rileyingramjr02@gmail.com

INTEREST IN PROPERTY: _____ OWNER OR AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Carlos Carrasquillo

ADDRESS: _____

PHONE #: 804-721-2419 FAX #: _____

PROPERTY ADDRESS / LOCATION:
Cedar Ln.

PARCEL #: 0790005 ACREAGE: 0.2165 ZONING: R1

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, A SITE PLAN MUST ACCOMPANY THIS APPLICATION ***

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

1. FLOOR PLANS OF THE PROPOSED BUILDINGS.

2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS.

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Vacant Lot

THE CONDITIONAL USE PERMIT WILL ALLOW:

For the construction of a 3 bedroom house

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

home will conform to neighborhood / with brick front

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

proposing to build a home that conforms to the neighborhood.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

Adding new housing to Hopewell's housing stock.

done away with a vacant lot, less trash and debris.

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

DATE

Riley E. Ingram, Jr.
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED 1-31-24 10:13

DATE OF ACTION _____

APPROVED _____ DENIED _____

APPROVED WITH THE FOLLOWING CONDITIONS:

CHECK: 2299

Transaction Amount: 300.00

Payment Amount: 300.00

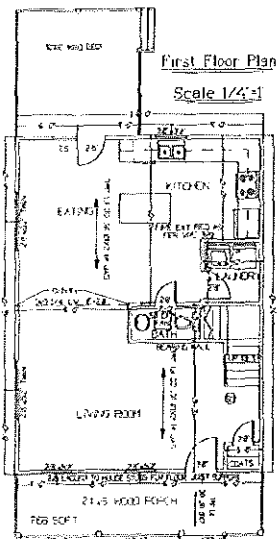
CONDITIONAL USE PERMIT - REVIEW

1105948 - INGRAM RILEY E

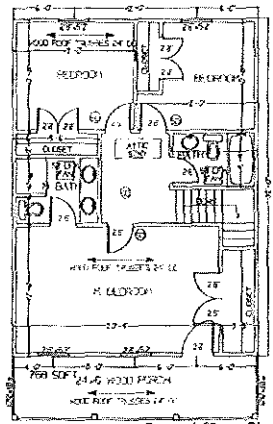
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Permits / Inspection - 20240236CUP - 2024

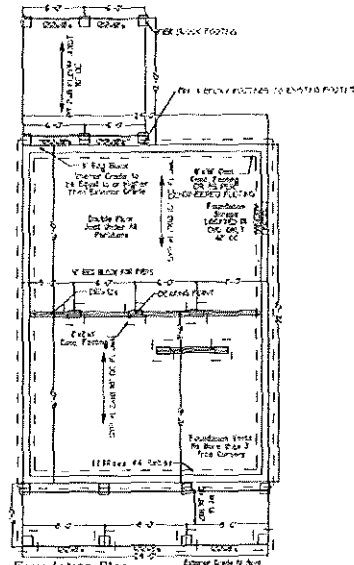
City of Hopewell, VA



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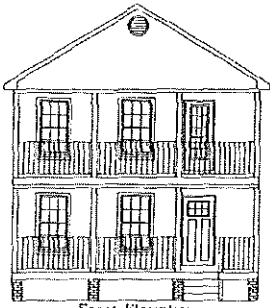


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<p>THIS PLAN IS DESIGNED FOR</p> <p>WINTERS CONSTRUCTION</p>	<p>THIS PLAN DESIGNED BY</p> <p>NetCadDrafting ON WOOD</p>	<p>2 STORY</p>	<p>DATE OF PLANS</p> <p>10/7/24</p>	<p>2 of 2</p>
		<p>FLOOR PLANS</p>	<p>PLANS DRAWN BY</p> <p>BRAD PRICE</p>	

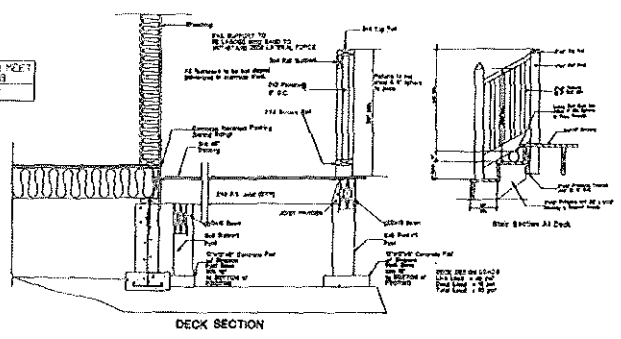


Front Elevation
Scale 1/4"=1'

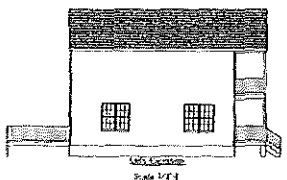
THIS PLAN IS DESIGNED TO MEET
RE. 2003 & 2004
MINIMUM WALL PRESSURE
RATED AS BELOW.



Side Elevation
Scale 1/4"=1'



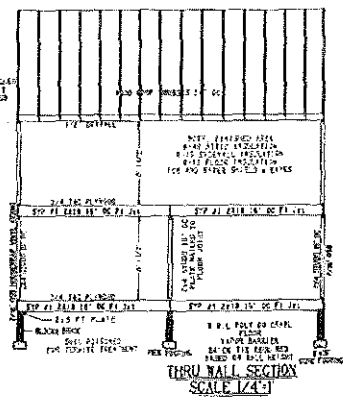
DECK SECTION



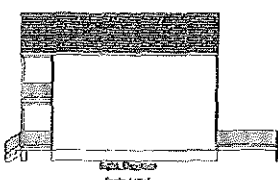
Side Elevation
Scale 1/4"=1'



Roof Framing Detail
Scale 1/8"=1'



THRU WALL SECTION
SCALE 1/4"=1'



Rear Elevation
Scale 1/4"=1'

THIS PLAN WAS DESIGNED FOR
WINTERS CONSTRUCTION
MADE FOR RILEY INGRAM JR.

THIS PLAN DESIGNED BY
NetCadDrafting

2 STORY
ELEVATIONS

DATE OF PLANS
12/7/24
PLANS DRAWN BY
BRAD PRICE

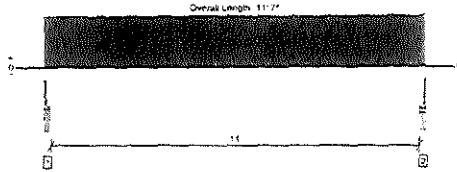
1 of 2

Handwritten signature

Virginia Practical Wall Bracing Worksheet
per 2018 Virginia Residential Code R602.12

Ultimate Wind Speed (mph)		115 (90)								
Roofing Size (ft)		Front/Rear 24		Left/Right 32		Assect Ratio		PASS		
Roofing S-S		Front		Rear		Left		Right		
Number of Floors Above		1		1		1		1		
Eave-to-Ridge Height (ft)		7		7		7		7		
Exterior BWP Material		Wood Structural Panels		Wood Structural Panels		Wood Structural Panels		Wood Structural Panels		
Tabular Requirement (ft)		9.60		9.60		7.50		7.50		
Adjustments	Exposure		B	1.00	B	1.00	B	1.00	B	1.00
	Wall Ht. (ft)		8.00	0.90	8.00	0.90	8.00	0.90	8.00	0.90
	Omit Interior Finish?		No	1.00	No	1.00	No	1.00	No	1.00
	Fasteners @ 4" o.c.?		No	1.00	No	1.00	No	1.00	No	1.00
Required BWP Length (ft)		8.64		8.64		6.75		6.75		
Required BWP Length from Corner/Edge Side										
Total Required BWP Length (ft)		8.64		8.64		6.75		6.75		
Actual BWPs	Corner/Edge Length (ft)		SWP	Location	Length	Location	Length	Location	Length	
	1		Exterior	2.50	Exterior	3.00	Exterior	5.00	Exterior	32.00
	2		Exterior	5.00	Exterior	4.50	Exterior	12.00		
	3		Exterior	3.00	Exterior	7.50	Exterior	5.00		
	4		Exterior	4.50						
	5									
	7									
Actual BWP Length (ft)		15.00		16.00		20.00		32.00		
Actual vs Required?		Pass		Pass		Pass		Pass		
BWPs 4/2/ Apart?		Yes		Yes		Yes		Yes		
BWP within 12' of Corners?		Yes		Yes		Yes		Yes		
Compliant Number of BWPs		Yes		Yes		Yes		Yes		
BWL Compliance		Pass		Pass		Pass		Pass		

Level, Floor, Flush Beam
4 piece(s) 2 3/4" x 9 1/4" 2.0E Microlam® LVL



Drawings to Conform: All locations are measured from the outside face of left support (or left cantilever end). All dimensions are horizontal (H/L).

Design Results	Actual @ Location	Allowance	Result	Code	Code's Combination (Partners)
Member Location (top)	5117.50"	1654 (1.25")	Passes (17%)	-	1.0 D = 1.0 L (All Spans)
Splice (top)	4232.00" (1.00')	1300	Passes (100%)	1.00	1.0 D = 1.0 L (All Spans)
Midspan (H-Fix)	16221.00" (1.12')	2246H	Passes (100%)	1.00	1.0 D = 1.0 L (All Spans)
Live Load Defl. (in)	0.268 @ 1/4" 1/2"	0.261	Passes (1.00%)	-	1.0 D = 1.0 L (All Spans)
Total Live Load Defl. (in)	0.376 @ 1/4" 1/2"	0.363	Passes (1.25%)	-	1.0 D = 1.0 L (All Spans)

Member Length: 11' = 132"
Member Type: Flush Beam
Building Code: Residential
Building Code: IRC 2018
Design Method: ASD

- Deflection Criteria: LL (0.90) and FL (0.25)
- Allowance values are subject to the following factors:
- Member should be sub-braced from both ends of the member or braced to prevent rotation.

Supports	Member Length			Loads in Elements (lbs)		
	Total	Available	Required	Dead	Flour Live	Structural
1 - End wall - Top	3.97'	2.21'	1.77'	1400	370	2300
2 - End wall - Top	3.97'	2.21'	1.77'	1400	370	2300

* Non-Wall: assumed for carry of loads between adjacent spans, ensuring the moments being obtained.

Labels	Bracing Intervals	Comments
Labels	11' 7" max	
Labels	11' 7" max	

Vertical Loads	Location (ft)	Tributary Width	Dead (D,lb)	Flour Live (L,lb)	Comments
1 - Self Weight (PLF)	3.14' to 11.54'	N/A	28.0	-	
2 - Uniform (PLF)	0 to 11.7' (span)	8'	19.0	40.0	Floor
3 - Uniform (PLF)	0 to 11.7' (span)	8'	15.6	40.0	Floor

Member Notes
Center Beam

Manufacturer Notes
Manufacturer warrants that the design of its products will be in accordance with the manufacturer's product design criteria and published design manuals. Manufacturer expressly disclaims any other warranty made by the software. Use of this software is not intended to constitute the need for a design professional as determined by the authority having jurisdiction. The designer of record, builder or owner is responsible to ensure that this publication is compatible with the local project, applicable Plan Rules, Building Codes and Seismic Rules, and is not intended to be used in any jurisdiction where it is not permitted. Products manufactured at manufacturer facilities and their parts continue to be available through independent, third-party manufacturers. Some items produced by ICC-ES under manufacturer's reports ESR-1153 and ESR-1157 are listed in accordance with applicable ASTM standards. For current code evaluation reports, manufacturer's product literature and installation details refer to www.forteweb.com/products/industry-connections. The product literature, design details, dimensions and support information have been provided by ForteWeb Software Company.

ForteWeb Software Operator	Job Name
Bill From: Richard D. Winters, Inc. (204) 368-2700 winters@rdw.com	



10/7/2024 6:06:12 PM UTC
ForteWEB v3.8, Engine: VB.4.1.24, Data: VB.1.6.3
File Name: Winters 24030



**REQUEST FOR CONDITIONAL USE PERMIT
TO CONSTRUCT A SINGLE-FAMILY DWELLING ON
NON-CONFORMING LOT, PARCEL # 079-0005 AT
THE CORNER OF CEDAR LN. & E. BROADWAY**



CITY COUNCIL

STAFF REPORT

Staff from the Hopewell Department of Development has drafted this report to assist City leadership with making informed decisions regarding land use cases in Hopewell.

I. EXECUTIVE SUMMARY

The applicant, Riley Ingram, Jr., requests a Conditional Use Permit to construct a single-family dwelling on the non-conforming Parcel #079-0005 located at the corner of Cedar Lane and E. Broadway in the A Village Neighborhood. The applicant has reduced the width of the proposed house by two feet, thereby requiring review of the Planning Commission. Staff recommends approval with conditions.

II. TENTATIVE SCHEDULE OF MEETINGS

BODY	DATE	TYPE	RESULT
Planning Commission	April 4, 2024	Public Hearing	Applicant absent/ No action taken
Planning Commission	May 2, 2024	Regular Meeting	Rec. Approval 4-0
Applicant withdrew house plans; resubmitted plans for smaller house			
Planning Commission	Jan. 9, 2025	Public Hearing	Rec. Approval 4-0
City Council	Jan. 28, 2025	Work Session	Skipped
City Council	Feb. 11, 2025	1st Reading / PH	Pending

III. IDENTIFICATION AND LOCATIONAL INFORMATION

Existing Zoning	R-1 – Residential Low Density
Requested Zoning	N/A
Acreage	0.218 acres / 9,487.5 sf

Legal Description	PARCEL OF LAND NE CORNER BDWY & CEDAR LN SUBDIVISION: W. CITY POINT ANNEX
Election Ward	1
Future Land Use	Urban Residential
Strategic Plan Goal	Housing
Approval Form	City Council Resolution
Can Conditions be set?	Yes
Map Location	Parcel #079-0005

IV. PUBLIC NOTIFICATION

PUBLIC HEARING	NOTIFICATION TYPE	DATE	DATE
Planning Commission	Progress-Index Ad	3/27/2024	4/3/2024
	Letter to Adj. Properties	3/28/2024	
Planning Commission	Progress-Index Ad	12/26/2024	1/2/2025
	Letter to Adj. Properties	12/31/2025	
City Council	Progress-Index Ad	1/28/2025	2/4/2025
	Letter to Adj. Properties	1/30/2025	

V. ROLE OF PLANNING COMMISSION AND CITY COUNCIL

Excerpted and paraphrased from *Handbook for Virginia Mayors & Council Members*

Within each zoning district some uses are permitted as a matter of right and others are only conditionally permitted. The theory behind the conditional use approach is that the particular use has a certain level of negative externality which, if properly managed, could allow the use to be established in the district. Absent proper management, conversely, the use is most likely unacceptable. The Conditional Use Permit process affords a case-by-case review. It is up to the local governing body to establish the conditions under which the Conditional Use Permit is to be approved; applicants/property owners are not required to agree to the conditions imposed for them to be valid and binding on the property. The question being considered is whether the proposed use in the proposed location can be conditioned in such a way as to prevent negative externalities from being imposed on adjacent and nearby properties. Possible negative externalities can comprise a long list that are often spelled out in the ordinance – smoke, dust, noise, trash, light, traffic, incompatible activity levels or hours of operation, likelihood of trespass on adjoining properties, stormwater/drainage runoff, inadequate public infrastructure, and many more.

Conditional Use Permits in Hopewell run with the land and not the owner.

VI. APPLICABLE CODE SECTIONS

1. [Article XVII, Non-Conforming Uses, Section F, Non-Conforming Lots of Record](#)
2. [Article XXI, Amendments, Section D, Conditional and Special Use Permits](#)

VII. SUBJECT PROPERTY

The subject property, Parcel #079-0005, is a corner lot at the intersection of Cedar Lane and E. Broadway. The property dimensions are 82 feet (Cedar Lane) by 115 feet (E. Broadway) for a total of 9,430 square feet. The R-1 Residential Low Density District sets the minimum lot width at 80 feet and the minimum lot size for a single-family dwelling at 12,000 square feet. The total square footage of this lot is less than the required minimum, making it non-conforming to the R-1 District.

VIII. APPLICANT POSITION

The applicant proposes to construct a 1,536 square foot, two-story, single-family dwelling on the property. The dwelling will contain 3 bedrooms and 2.5 baths with a first and second-floor front porch. The proposed dwelling will have a brick front on the first floor and vinyl siding on all other facades. The applicant argues that the proposed dwelling conforms to the neighborhood and is consistent with the Comprehensive Plan by adding new market rate housing to Hopewell's housing stock. In addition, the applicant notes that constructing a dwelling on this parcel will eliminate a vacant, overgrown lot on a prominent corner of the A Village neighborhood.

IX. STAFF ANALYSIS

When considering a conditional use permit, one must consider the seven conditions outlined in Article XXI of the Zoning Ordinance (see attachment). The Planning Commission may also recommend to impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be at variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

The required setbacks in the R-1 District are as follows:

- 25ft. – front yard.
- 10ft. – interior side yard; 20ft. – corner side yard.
- 25ft. – rear yard.

The parcel has a buildable area that is 52ft x 65ft (3,380sf) after applying the required setbacks.

The lot is 2,513sf smaller than the minimum lot size in the R-1 district; however, nearly all the surrounding properties are also smaller than 12,000sf. In fact, this parcel is the second largest parcel in the study area.

X. RELATIONSHIP TO THE COMPREHENSIVE PLAN

AGE OF HOUSING

Hopewell has seen lower levels of new development in recent decades when compared to other cities in the region and state, with a drastic slowdown beginning in the 1980s. For this reason, the city now has an aging stock of housing units, with nearly 80% of all units built in the 1970s or earlier (Hopewell Comprehensive Plan 2018, pg. 202).

THE FUTURE LAND USE PLAN

Stable areas are fully built-out and are not viewed as available strategic opportunity areas for future growth. This leaves infill development and redevelopment employing Traditional Neighborhood Design (TND) and Urban Development Area (UDA) principles as the land use form upon which City leaders must focus. It is important to distinguish between the two. Infill attempts to “seed” (or catalyze) a progressive movement to gradually upgrade the value and attractiveness of a given neighborhood or commercial area. Redevelopment focuses on larger properties or groups of properties that are substantially deteriorated or vacant, with potential economic value for the entire community.

Infill development and redevelopment projects can have substantial benefits for Hopewell. This will not occur without City guidance and planning initiatives. Communities that have pursued active infill and redevelopment programs have realized a strengthening of their real estate market by renewing housing stock and readapting sub-standard neighborhoods and sub-par commercial areas. *Hopewell Comprehensive Plan 2018, pg. 117).

XI. STAFF RECOMMENDATION

The parcel in question is located on the edge of the A Village neighborhood which is an area that is potentially eligible for listing in the National Register of Historic Places. A survey of the properties along Cedar Lane reveals a homogeneous block of brick Cape Cod-style homes (1.5 stories) that average 1,950sf. The houses along E. Broadway all have siding (vinyl, asbestos or Masonite), consist of 1 or 1.5 stories, and average 1,155sf. The applicant proposes a 2-story, 1,536sf dwelling with brick on the

front first-floor façade and vinyl siding on all other facades. The proposed dwelling attempts to bridge the disparities in scale, size and material between the houses on Cedar Lane and those on E. Broadway. Considering all these factors, Staff cites Article XXI, Section D, Item d(4), Approval Criteria, which states:

“As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.”

For these reasons, Staff supports the approval of this application with the following conditions:

- a. The proposed dwelling as presented is to be constructed with a brick facing on the first floor of the front façade.
- b. A driveway of concrete or asphalt will be installed in accordance with the City’s driveway policy.
- c. The dwelling will have a roof overhang/eaves on all sides.
- d. The applicant will ensure a tree canopy of at least 20% lot coverage.

XII. PUBLIC COMMENT

Diane Stuart of 300 Cedar Lane stated at the public hearing held on April 4, 2024 that any future resident of this property will have an issue with the parking along the street due to all the vehicles from City Point Garage parked on the street.

XIII. PLANNING COMMISSION RECOMMENDATION

The Hopewell Planning Commission recommended 4-0 on January 9, 2025 to approve with the conditions proposed by staff with the following changes:

- The roof overhang/eaves will be a **minimum of 12 inches** on all sides.

APPENDIX A - MAPS

CITY LOCATIONAL MAP – Yellow Circle indicates general area



PROPERTY LOCATION – Blue box indicates Parcel #079-0005



APPENDIX B – SURROUNDING AREA DATA

SURROUNDING PROPERTIES - PARCEL #079-0005

Cedar
Lane

	ADDRESS	STORIES	HOUSE SQ FT	WIDTH	DEPTH	LOT SQ FT	MATERIAL	YR BUILT	TYPE
1	311 CEDAR	2	3358	70	115	8,050	BRICK	1927	SF
2	313 CEDAR	1.5	1664	60	115	6,900	BRICK	1945	SF
3	315 CEDAR	1.5	1869	60	115	6,900	BRICK	1945	SF
4	317 CEDAR	1.5	1435	60	115	6,900	BRICK	1945	SF
5	319 CEDAR	1.5	2240	60	115	6,900	BRICK	1945	SF
6	321 CEDAR	1.5	2141	60	115	6,900	BRICK	1945	SF
7	323 CEDAR	1.5	1547	60	115	6,900	BRICK	1945	SF
8	325 CEDAR	1.5	1649	60	115	6,900	BRICK	1945	SF
9	327 CEDAR	1.5	1652	50	115	5,750	BRICK	1945	SF
10	300 CEDAR	1	1948	80	110	8,800	BRICK	1954	SF
	AVERAGE	1.50	1,950	69	114	7,823			
	#079-0005	2	1536	82	115	9,430	BRICK/VINYL		SF

SURROUNDING PROPERTIES - PARCEL #079-0005

E. Broadway

	ADDRESS	STORIES	HOUSE SQ FT	WIDTH	DEPTH	LOT SQ FT	MATERIAL	YR BUILT	TYPE
1	804 E. BROADWAY	1	888	50	115	5750	VINYL	1916	SF
2	805 E. BROADWAY	1.5	1538	60	108	6480	VINYL	1942	SF
3	806 E. BROADWAY	1	1204	49	115	5635	WOOD	1916	SF
4	807 E. BROADWAY	1.5	1170	60	108	6480	ASBESTOS	1942	SF
5	808 E. BROADWAY	1	1044	55	115	6325	VINYL	1916	SF
6	809 E. BROADWAY	1.5	1266	60	108	6480	VINYL	1942	SF
7	810 E. BROADWAY	1	972	62	120	7440	VINYL	1916	SF
	AVERAGE		1,155	57	113	6,370			

PH-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: Public Hearing to add ‘Municipal Facilities’ as an allowable use in the C-1 Conservation District (Article XV-B) and to add ‘Municipal Facilities’ to Definitions (Article I).

ISSUE: The C-1 District does not currently permit ‘Municipal Facilities’ as an allowable use.

RECOMMENDATION: The City Administration recommends approval of the request to add ‘Municipal Facilities’ to the C-1 District (Article XV-B) and the definition to Article I.

TIMING: City Council action is requested on February 11, 2025

BACKGROUND: This CUP application was first presented to City Council at a work session on December 10, 2025.

ENCLOSED DOCUMENTS: Zoning Amendment Application, Staff Report, Presentation

STAFF: Christopher Ward, Director of Development

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

- | | | | | | |
|--------------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|--|
| Y | N | | Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Rita Joyner, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Susan Daye, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Michael Harris, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Yolanda Stokes, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor John B. Partin, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Dominic Holloway, Sr., Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Ronnie Ellis, Ward #4 | | | |

VIRGINIA FIRE SERVICE GRANT PROGRAM AGREEMENT

Grant for Constructing or Repairing Burn Building or Fire Service Training Facilities

Statutory Authority: §38.2-401 of the *Code of Virginia*

This Grant Agreement, made as of the 18th day of December, by and among the VIRGINIA DEPARTMENT OF FIRE PROGRAMS (the "Department"), acting as authorized on behalf of the Virginia Fire Services Board (the "Board"), and City of Hopewell, (the "Grantee"), governs the distribution and use of Fire Services Grant Program moneys, as provided for in §38.2-401 (D) of the *Code of Virginia*.

WHEREAS, §38.2-401 (D) of the *Code of Virginia*, authorizes the Board to determine the distribution of grants to provide regional fire services training facilities; to finance the Virginia Fire Incident Reporting System; and to build or repair Burn Buildings; and

WHEREAS, the Grantee has submitted an application for a grant from the Fire Services Grant Fund Program to assist in funding the construction of or repair to a burn building, or funding the construction of or repair to a regional fire service training facility, Hopewell City Burn Building together with plans, specifications and project narrative for such project, more specifically described in Attachment A hereto (the "Project"); and

WHEREAS, the Board has approved the Project and has authorized the Department to act on its behalf in the distribution and administration of grants;

NOW, THEREFORE, pursuant to the authority granted to the Board and Department by §38.2-401 (D) of the *Code of Virginia*, and in consideration of the Grantee's adoption and ratification of the representations, terms and conditions as herein provided, and benefits to accrue to the Commonwealth and public from the accomplishment of this Project, the department offers a grant of \$480,000 to pay eligible Project cost subject to the terms and conditions listed below:

- 1 These funds shall be disbursed by the Department to the Grantee after the Agreement has been signed.
- 2 These funds shall be deposited in an interest-bearing account or normal risk and with a demand restriction, if any, not exceeding 30 calendar days until they are needed. The Grantee must be able to account for both the principle and the interest amounts. Any unused funds, including interest, shall be returned to the Department.
- 3 Unless an extension has been granted by the Department, the construction and/or repair tasks shall be completed, and all documentation pertaining to such activities shall be submitted to the Department on or before 12 months after the grant funds have been disbursed.
- 4 The Department may grant an extension of up to three months beyond the 12 month period to complete the construction and/or repairs, and to submit documentation. Any extension beyond three months must be submitted to the Virginia Fire Services Board for approval.

Department of Fire Programs

Administration

- 5 The Grantee agrees to carry out and complete all phases of the Project strictly in accordance with the plans, specifications and project narrative. The plans, specifications and project narrative may only be revised or modified with the Board or Department's prior written approval. The Grantee agrees to allow the Board representative access to the Project at all reasonable times to verify compliance with the approved plans, specifications and project narrative.

- 6 The Grantee agrees that no construction or repair work shall commence until the following types of insurance are in place for entities performing any such work, including subcontractors, and these types of insurance shall be maintained at all times while construction or repair work is being performed: (a) an All Risk Builders Risk Property insurance policy based on the completed value of all such work, with exclusions for design errors or defects removed by policy endorsement, and the locality shall be named additional insured in such policy; (b) a Workers' Compensation and Employer's Liability insurance policy covering all workers or employees engaged in such work, and, in case any such work is sublet, each subcontractor shall, similarly, provide Workers' Compensation and Employer's Liability insurance for all of the subcontractor's workers or employees who are engaged in the work, and in amounts not less than the minimums required by the Code of Virginia and other applicable laws and regulations;

(c) a Comprehensive Commercial General Liability insurance policy that provides a minimum level of \$500,000 combined single limit per occurrence, and the locality shall be named as an additional insured party in such policy; and (d) a Comprehensive Automobile Liability insurance policy that will insure against claims for property damage that may arise from the operation of motor vehicles associated with the construction or repair work, with a minimum level of \$500,000 combined single limit per occurrence. Before the commencement of any work, the locality must submit to the VDFP a Certificate of Coverage or Certificate of Insurance indicating that these types of insurance are in effect. All insurance shall be provided by insurers who are licensed to provide insurance in the Commonwealth of Virginia.

- 7 The Grantee agrees to operate and maintain the Project, now existing or built in whole or in part as a result of the Project, as a training facility for a period of 20 years from completion of this Project.

- 8 The Grantee agrees to operate, maintain and use the Project in accordance with the policies adopted by the Board, as amended from time to time.

- 9 Subject to lawful appropriation, the Grantee agrees to repay to the Department a sum which is equal to the pro-rata share (computed monthly) of all monies received under this Grant Agreement based on the period of operation and maintenance as specified in paragraph 7 above in the event that the Project ceases to be available for such specified training purposes prior to the expiration of such period, if such change in availability is due to an act or omission within the sole and direct control of the Grantee.

- 10 Grantee hereby agrees that the Project shall be maintained and operated at all times in a manner designed to prolong the useful life of the Project and that no condition will be allowed to exist that will, or is likely to lead to a shorter than expected useful life for the Project. The Grantee further agrees to ensure appropriate encroachment factors of surrounding land for a period of 5 years from the completion date of the Project.

Department of Fire & Emergency Administration

Administration

11

The Grantee represents to the Department that (a) its authorized representative whose signature appears below has read and understands the referenced provisions of the Code of Virginia and the Board's policy entitled "VFSB Burn Building Policy: Fire Service Grant Program, Grant Awards to Construct, Renovate, or Repair Burn Buildings throughout the Commonwealth", adopted thereunder, as amended from time to time, which are hereby incorporated into this Grant Agreement by reference in its entirety; (b) it agrees to comply with all applicable provisions of the Code of Virginia, including if appropriate, the Virginia Public Procurement Act that governs construction of public facilities by private entities. (c) It is duly authorized to enter into this Grant Agreement and to perform its obligations hereunder and has taken all necessary action to authorize such execution and performance.

12

This grant will be fully liquidated in public benefits to the Commonwealth 20 years from the completion date of the Project and the Grantee shall have no further financial obligation to the Commonwealth under this Grant Agreement upon the expiration of such time.

13

To the extent permitted by law, the Grantee shall retain title to the Project and underlying land, and the Grantee shall not release or transfer title without first receiving written approval from the Board prior to such release, which approval shall not be unreasonably withheld.

14

The Grantee agrees to retain all books, records and other documents relative to expenditures of Grant Funds for five years from the completion date of the Project. The Board, the Department and/or State auditors shall have full access to and the right to audit any of these records during the above-referenced period.

15

The Department shall be bound hereunder only to the extent of the Fire Services Grant Funds available or which may hereafter become available for the purpose of this Grant Agreement.

16

This writing constitutes the entire Grant agreement between the parties, supersedes any existing agreement among the parties hereto relative to the matters contained herein, and may be modified only by written amendment executed by all parties.

17

This agreement shall in all respects be governed by the laws of the Commonwealth of Virginia without regard to the legislative or judicial conflict of laws rules of any state.

18

If any provision of this Grant Agreement is determined to be invalid by a court of competent jurisdiction, it shall not render the remaining portions of this Grant Agreement void or unenforceable.

19

This Grant Agreement may be executed in several counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

20

When any written notice or report is required or may be given hereunder, it will be deemed sufficient if the party giving such notice, request, or report delivers the same to the other party by U.S. mail, postage prepaid, or by other superior mailing, or by hand delivery. All notices, request, demands or reports delivered by mail or by hand will be deemed to have been given when received by any party hereto at the following addresses:

Grantee: Such office or mailing address as stated on the Point of Contact Form attached hereto or to such other address of which the Grantee has notified the other parties hereto in writing.

Agency and Board: Virginia Department of Fire Programs
Attn: Burn Building Grant Administration
1005 Technology Park Drive
Glen Allen VA 23059-4500

or to such other address of which the Department has notified the Grantee in writing.

Department of Fire Programs

Administrator

IN WITNESS WHEREOF, the parties hereto have by their duly authorized representatives executed this Grant Agreement as of the date first above written, intending to be bound thereby.

DEPARTMENT OF FIRE PROGRAMS

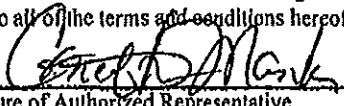
BY:  1/10/24
Signature of Authorized Representative Date

Name: Deshaun Steele
Grants Analyst

Title: _____

GRANTEE

The Grantee, City of Hopewell does hereby accept and ratify all terms, conditions and agreements contained in this Grant Agreement and does hereby accept the grant and by such acceptance agrees to all of the terms and conditions hereof.

BY:  1/2/24
Signature of Authorized Representative Date

Name: Concetta Mauk

Title: City Manager

Department of Fire Programs

Administration



CITY OF COLONIAL HEIGHTS

FIRE, EMS AND EMERGENCY MANAGEMENT

T. Wayne Hoover
Fire Chief

Public Safety Building
100-B Highland Avenue • P.O. Box 3401
Colonial Heights, VA 23834

David Kissner
Deputy Fire Chief

June 14, 2023

Chief Keith Johnson,
Chair, Virginia Fire Services Board
Virginia Department of Fire Programs
1005 Technology Park Drive
Glen Allen, VA 23059-4500

Re: Live Fire Training Structure Grant

Dear Chief Johnson and Board Members,

I am writing in support of the City of Hopewell's application for funds under the Live Fire Training Structure Grant. Hopewell's live fire training facility has been a staple for the localities in the Crater Region for many years. The Counties of Dinwiddie, Prince George, and the Cities of Colonial Heights and Petersburg have all used this facility for training in regional recruit schools and annual in-service training of our members. When the facility was condemned for the use of live fire, this significantly affected the options we have for conducting this training in the region, as none of the above listed localities currently have a live fire training facility. We have relied on facilities like this to fill this gap.

As a region, we work well together. We collaborate on a regional hazmat team, technical rescue team, and a swift water rescue team. Over the years, we have also collaborated on recruit schools, as we will be doing again this fall. We have all seen Hopewell's plan for their new facility, and are completely in support of the project, as it will provide a much needed training resource back to the communities here in the Crater Region. Please seriously consider Hopewell's proposal for this funding. Thank you for your support.

Sincerely,

T. Wayne Hoover

TWH/mg



COUNTY OF DINWIDDIE

Division of Fire & EMS

DENNIS HALE
Chief of Fire & EMS

13850 Courthouse Road
P.O. Drawer 70
Dinwiddie, Virginia 23841

DAWN TITMUS
Assistant Chief

(804) 469-5388
Fax (804) 469-7663
www.dinwiddleva.us

VACANT
Assistant Chief

June 20, 2023

Chief Keith Johnson,
Chair, Virginia Fire Services Board
Virginia Department of Fire Programs
1005 Technology Park Drive
Glen Allen, VA 23059-4500

Re: Live Fire Training Structure Grant

Dear Chief Johnson and Board Members,

I am writing in support of the City of Hopewell's application for funds under the Live Fire Training Structure Grant. Hopewell's live fire training facility has been a staple for the localities in the Crater Region for many years. The Counties of Dinwiddie, Prince George, and the Cities of Colonial Heights and Petersburg have all used this facility for training in regional recruit schools and annual in-service training of our members. When the facility was condemned for the use of live fire, this significantly affected the options we have for conducting this training in the region, as none of the above listed localities currently have a live fire training facility. We have relied on facilities like this to fill this gap.

As a region, we work well together. We collaborate on a regional hazmat team, technical rescue team, and a swift water rescue team. Over the years, we have also collaborated on recruit schools, as we will be doing again this fall. We have all seen Hopewell's plan for their new facility, and are in support of the project, as it will provide a much needed training resource back to the communities here in the Crater Region. Please seriously consider Hopewell's proposal for this funding. Thank you for your support.

Sincerely,

Dennis E. Hale
Chief of Fire & EMS
Dinwiddie County



DEPARTMENT OF
FIRE, RESCUE AND EMERGENCY SERVICES

Fire Administration Office
1151 Fort Ross Drive
Petersburg, VA 23805

Phone: 804.733.2328
Fax: 804.733.2881
Web: www.petersburgva.gov/fire

June 21, 2023

Chief Kelth Johnson,
Chair, Virginia Fire Services Board
Virginia Department of Fire Programs
1005 Technology Park Drive
Glen Allen, VA 23059-4500

RE: Live Fire Training Structure Grant

Dear Chief Johnson and Board Members,

On behalf of the City of Petersburg, Department of Fire, Rescue and Emergency Services, I am communicating our support for the City of Hopewell's application for funds requested through the Live Fire Training Structure Grant. Since the closure of Hopewell's live fire training facility, the Tri-Cities/Crater Region has experienced a large gap in viable options with regards to live fire training opportunities held within the area. Currently, none of the localities for this area have a facility to conduct live fire training drills. This has significantly affected the quality of training afforded to our personnel.

The Tri-Cities/Crater Region has a long-enduring collaborative relationship. The cities of Colonial Heights, Hopewell and Petersburg along with the counties of Dinwiddie and Prince George all participate with our regional hazardous materials and technical rescue teams. The spirit of cooperation also extends to regional recruit academies that have taken place over the years and is planned again for this fall. Each locality provides mutual aid to the other as needed. Hopewell's plan for a new live fire training facility is a desperately needed resource for our area to conduct annual in-service training independently and collaboratively to practice safe and effective fireground operations.

We ask for your serious consideration in support of Hopewell's plan for a live fire training facility. Thank you for your continued commitment to provide safe and quality training for our area.

Sincerely,

Christopher Magann
Interim Fire Chief

ZONING AMENDMENT REQUEST
to add 'Municipal Facility' to C-1 District &
Definition of 'Municipal Facility' to Article I

CITY COUNCIL PUBLIC HEARING

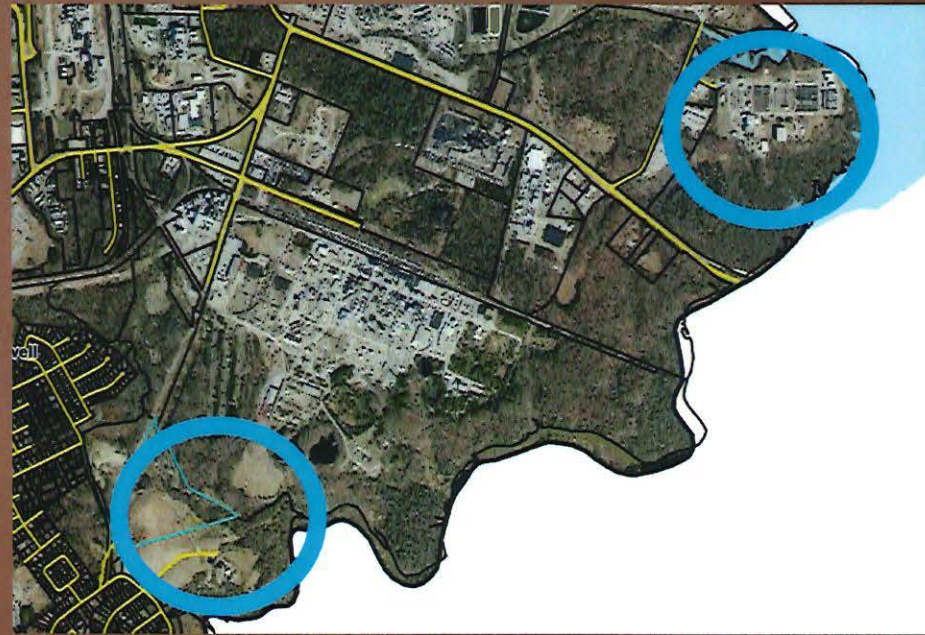
February 11, 2025

ZOA REQUEST: Adding 'Municipal Facility' to C-1

- **APPLICANT:** City of Hopewell
- **WARDS:** 2
- **CURRENT ZONING:** C-1 allows 'Municipal Utility' but not 'Municipal Facility'
- **REQUEST:** Add 'Municipal Facility' to the C-1 Conservation District
- **PUBLIC NOTICE:** Ads in Progress-Index

ZOA REQUEST: Adding 'Municipal Facility' to C-1

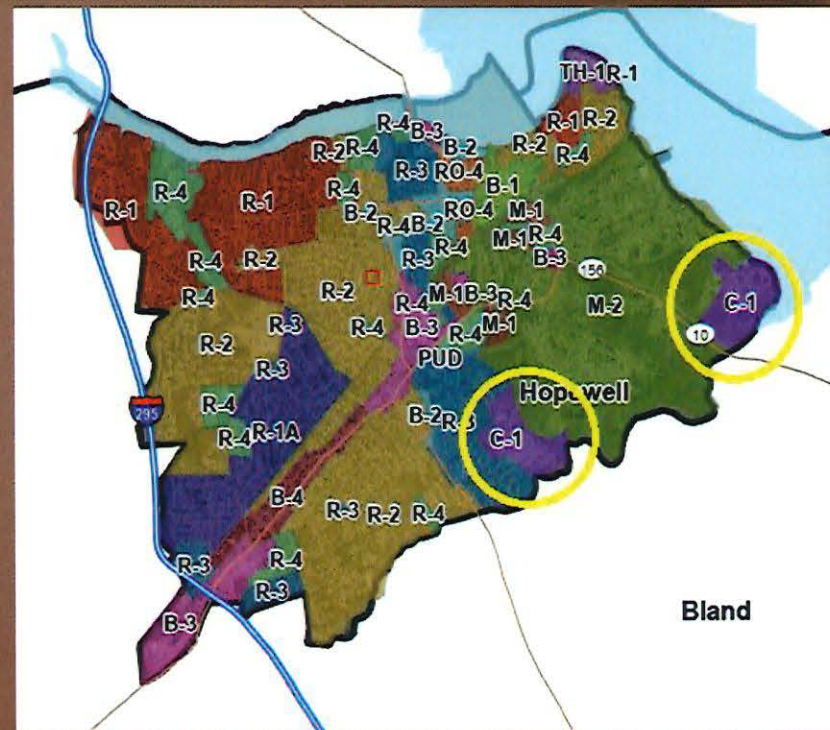
Adding a use to zoning district allows that use throughout the entire district.



ZOA REQUEST: Adding 'Municipal Facility' to C-1

Current uses in C-1:

- Active Wastewater Treatment Facility
- Decommissioned Wastewater Treatment Facility
- Decommissioned Municipal Landfill



Staff Analysis

- The two C-1 districts already have ‘municipal utilities’ which are a wastewater treatment facility, a decommissioned wastewater treatment facility, and a decommissioned landfill.
- The areas are mostly brownfields with very limited redevelopment potential
- The vegetative buffer under conservation will be preserved (RMA/RPA/flood area)

Staff Recommendation

Staff recommends approval of the request to add 'Municipal Facilities' to Section A of Article XV-B, Conservation District as an allowable use and to amend Article I to include the definition for 'Municipal Facilities.'

Planning Commission Recommendation

Staff recommends approval of the request to add 'Municipal Facilities' to Section A of Article XV-B, Conservation District as an allowable use and to amend Article I to include the definition for 'Municipal Facilities' to read as 'a building or structure owned by the local government which is used for governmental or proprietary functions and is not a municipal utility.'

Questions?

Applicant: City of Hopewell



The City of Hopewell, Virginia

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

ZONING ORDINANCE AMENDMENT/USES NOT PROVIDED FOR APPLICATION
INTERNAL INITIATION

INITIATED BY: Planning Commission City Council Staff

DATE: Oct 17, 2024

APPENDIX A, ARTICLE: XV-B: Conservation District, I: Definitions

PROPOSED AMENDMENT
Add 'Municipal Facilities' to C-1
Add definition of 'Municipal Facilities' to Article I

REASON: Fire Dept. wants to build a training facility on city-owned property

Christopher Ward
DEVELOPMENT DIRECTOR SIGNATURE

10/17/2024
DATE

Christopher Ward
PRINTED

OFFICIAL USE ONLY

DATE RECEIVED: 10/17/24 DATE OF FINAL ACTION: _____

ACTION TAKEN:
 APPROVED DENIED
 APPROVED WITH CONDITIONS:

REGULAR BUSINESS

R-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: Repeal of recent Conflict of Interest Policy

ISSUE: To repeal the Conflict-of-Interest Policy

RECOMMENDATION:

TIMING: February 11, 2025 City Council meeting

ENCLOSED DOCUMENTS: AG Opinion

STAFF: None

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

- | | | | | | |
|--------------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|--|
| Y | N | | Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Rita Joyner, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Michael Harris, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor John B. Partin, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Dominic Holloway, Sr., Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Jasmine Gore, Ward #4 | | | |

CITY OF HOPEWELL

Policy Statement

Policy Number: 9.8

SUBJECT: CONFLICTS OF INTEREST

ORIGINATING OFFICE:

City Council

(TO BE FILLED OUT BY THE CITY MANAGER)

Effective Date: _____

Administering Department: Human Resources

Approved By: _____
City Manager

The actions of local government officials may involve conflicts of interest, and the City of Hopewell adopts this policy to serve as a guidepost for city officials, including employees who serve as elected or appointed city officials. These conflicts include but are not limited to the various situations described below. It is the policy of City of Hopewell that:

1. A city official shall not have a personal interest in any contract with the City or with any agency that is a component part of the City and under the City's control. *Code of Virginia §2.2-3107 A.*
2. A city official shall not have a personal interest in a contract of employment with a governmental agency to which the city council appoints a majority of the members of that agency's governing body. This section does not apply if:
 - a. the contract of employment began before the official's election or appointment;
 - b. the contract is for a government's sale of goods or services at uniform prices available to the public;
 - c. the contract is awarded to a city official through competitive sealed bidding for the same or similar goods or services if (1) the official did not participate in preparation of bid specifications and (2) the city council adopts a resolution stating the official's bid is in the public interest. *Code of Virginia §2.2-3107*
3. A city employee elected to city council shall not wear a city uniform during meetings of the city council. *See Code of Virginia §15.2-1512.2*
4. A city employee elected to city council shall use personal time off or leave without pay to attend meetings of the city council that are held during the employee's normal work hours.
5. A city official shall not solicit or accept money or other thing of value for services performed within the scope of official duties but may accept special benefits authorized by law. *Code of Virginia §2.2-3103*

6. A city official shall not offer or accept money or other thing of value for or in consideration of obtaining employment, appointment or promotion of any person with any governmental or advisory agency. *Code of Virginia §2.2-3103*
7. A city official shall not offer or accept money or other thing of value for the use of the public position to obtain a contract for any person or business with any governmental or advisory agency. *Code of Virginia §2.2-3103*
8. A city official shall not use for his/her own economic benefit, or for any other person's economic benefit, confidential information not available to the public and acquired by reason of serving on city council. *Code of Virginia §2.2-3103*
9. A city official shall not accept any money, loan, gift, favor, service, or business or professional opportunity that tends to influence the performance of official duties (does not apply to political contributions used for campaign or constituent services). *Code of Virginia §2.2-3103*
10. A city official shall not accept any honoraria for any appearance, speech, or article in which the employee provides expertise or opinions related to the performance of official duties. The employee may accept reimbursement for related lodging and travel expenses in accordance with the city's travel reimbursement policy. *Code of Virginia §2.2-3103*
11. A city official shall not accept any gift from a person whose interests may be substantially affected by the employee's performance of official duties where timing and nature of the gift would cause questioning of the employee's impartiality. *Code of Virginia §2.2-3103*
12. A city official shall not accept gifts so frequently that such acceptance creates the impression the employee is using his/her official position for private gain. *Code of Virginia §2.2-3103*
13. A city official shall not use his/her position to retaliate or threaten retaliation against any person for expressing views on matters of public concern or for exercising any other right provided by law. *Code of Virginia §2.2-3103*
14. An employee elected to city council shall not use his/her position to exert authority over his/her supervisors or employees of city council and shall not vote on personnel issues related to such supervisors and employees. *See Code of Virginia §15.2-1512.2*
15. An employee elected to city council shall not use his/her position to bully or intimidate other employees. *See Code of Virginia §15.2-1512.2*
16. An employee elected to city council shall not vote on the city's budget, pay raises, health insurance or any development of policies that would impact an official's economic interest. *See, Hopewell City Charter Ch. IV, §6.*
17. An employee elected to city council shall not have access to personnel or confidential information related to fellow employees.

Any city employee who is an elected official remains subject to all policies and protocols of the city and the department to which the employee is assigned.

NOTE: No member of the council shall participate in the vote on any ordinance, resolution, motion or vote in which he, or any person, firm or corporation for which he is attorney, officer, director, or agent, has a financial interest other than as a minority stockholder of a corporation, or as a citizen of the city. Hopewell City Charter Chapter IV § 6

DATE AMENDED: _____

Policy Number _____

**RESOLUTION ADOPTING A CONFLICTS OF
INTEREST POLICY FOR CITY COUNCIL, APPOINTEES OF CITY
COUNCIL, AND CITY EMPLOYEES ELECTED TO CITY COUNCIL**

WHEREAS, the council of the City of Hopewell recognizes that from time to time the actions of local government officials may involve conflicts of interest;

WHEREAS, for purposes of this policy the term "local government officials" includes, but is not limited to, members of city council, appointees of city council, employees of city council and city employees elected to city council; and

WHEREAS, the City of Hopewell desires to provide guidance to assist its local government officials in avoiding conflicts of interest;

BE IT RESOLVED this 10th day of December 2024, that the City of Hopewell hereby resolves and approves City of Hopewell Policy Statement, Policy Number 9.8 on Conflicts of Interest (a copy of which is attached hereto).

ADOPTED by the Council of the City of Hopewell, Virginia, the 10th day of December, 2024.


Witness this signature and seal:



Mayor Johnny Partin, Ward 3

VOTING AYE:	Councilor Harris-	Yes
	Vice Mayor Gore -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes

VOTING NAY:	Mayor Partin -	No
	Councilor Denton -	No
	Councilor Joyner -	No

ATTEST:


Brittani Williams, City Clerk





COMMONWEALTH of VIRGINIA

Office of the Attorney General

Jason S. Miyares
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
Fax 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

July 1, 2024

The Honorable Carrie E. Coyner
Member, Virginia House of Delegates
9910 Wagners Way
Post Office Box 58
Chesterfield, Virginia 23832

Dear Delegate Coyner:

I am responding to your request for an official advisory opinion in accordance with § 2.2-505 of the *Code of Virginia*.

Issues Presented

You ask whether the City of Hopewell may adopt an ordinance containing certain provisions related to city employment and public office holding. You specifically inquire regarding provisions that direct as follows:

(a) Any employee . . . may be a candidate for political office but shall resign, or shall be released, from employment with the City upon successful election to political office within the City, or other political office due to the responsibilities of that office [sic] will interfere with the employee's ability to perform the duties of his/her City position.

(b) Any member of the governing body who seeks employment with the City shall resign from their elected office and may be eligible for such employment one year from their date of resignation in order to avoid the appearance of impropriety and any potential conflicts of interest.

(c) Any Constitutional Officer who seeks employment with the City shall resign from their elected office and may become eligible for such employment one year from the date of their resignation in order to avoid the appearance of impropriety and any potential conflicts of interest.^[1]

Applicable Law and Discussion

In Virginia, the powers of local governing bodies are governed by the Dillon Rule, which establishes that local governments may exercise "only those powers expressly granted by the General

¹ CITY OF HOPEWELL, VA., Ordinance No. 0424(B)(4). The analysis contained herein is limited to these provisions.

Assembly, those necessarily or fairly implied therefrom, and those that are essential and indispensable.”² When “there is a reasonable doubt whether legislative power exists, the doubt must be resolved against the local governing body.”³ “The Dillon Rule is applicable to determine in the first instance, from express words or by implication, whether a power exists at all. If the power cannot be found, the inquiry is at an end.”⁴ Moreover, local action, when authorized, must be exercised in a manner consistent with state law.⁵ Actions taken by a locality that are *ultra vires*, i.e., beyond the powers of the locality, are void and of no effect.⁶

The provision terms about which you inquire, in effect, impose restrictions on who may hold local office. Article II, § 5 of the Virginia Constitution provides that “[t]he *only* qualification to hold any office of the Commonwealth or of its governmental units, elective by the people, shall be that a person must have been a resident of the Commonwealth for one year next preceding his election and be qualified to vote for that office[.]”⁷ Nevertheless, “nothing in this Constitution shall limit the power of the General Assembly to prevent conflict of interests, dual officeholding, or other incompatible activities by elective or appointive officials of the Commonwealth or of any political subdivision.”⁸ Recognizing the salutary purposes such laws may serve in certain circumstances, the Constitution thus contemplates that laws defining impermissible conflicts of interests or incompatible activities by officials will be enacted.⁹ The power to do so directly lies with the General Assembly.¹⁰ While the General Assembly has clear authority to enact laws governing conflicts of interests and incompatible activities by local officials, under the Dillon Rule, a locality may adopt such measures only if the General Assembly first has enacted legislation empowering it to do so, whether by general law or special act.

I find no act of the General Assembly that establishes directly restrictions like those you present.¹¹ I also find neither a statute that generally grants localities authority to adopt such rules nor a provision of the Hopewell City Charter that expressly or impliedly authorizes the Hopewell City Council to adopt

² *City of Richmond v. Confrere Club of Richmond, Va., Inc.*, 239 Va. 77, 78 (1990). *See also, e.g.*, *Marble Techs., Inc. v. City of Hampton*, 279 Va. 409, 417 (2010); *City of Va. Beach v. Hay*, 258 Va. 217, 221 (1999).

³ *Marble Techs., Inc.*, 279 Va. at 417 (quoting *Bd. of Supvrs. v. Reed’s Landing Corp.*, 250 Va. 397, 400 (1995)).

⁴ *Id.* at 416-17 (quoting *Commonwealth v. Arlington Cnty. Bd.*, 217 Va. 558, 575 (1977)); *see also* *Commonwealth v. Rivera*, 18 Va. App. 103, 107 (1994).

⁵ *See* VA. CODE ANN. § 1-248 (2022); *Blanton v. Amelia Cnty.*, 261 Va. 55, 63 (2001).

⁶ *See* *City of Chesapeake v. Gardner Enters., Inc.*, 253 Va. 243, 246 (1997); *Rivera*, 18 Va. App. at 107; *see also* 2008 Op. Va. Att’y Gen. 73, 76; 1986-87 Op. Va. Att’y Gen. 315, 316; 1975-76 Op. Va. Att’y Gen. 156, 158.

⁷ VA. CONST. art. II, § 5 (emphasis added).

⁸ *Id.* art. II, § 5(c).

⁹ *See id.*

¹⁰ *Id.*; *see also* VA. CONST. art. IV, § 1 (establishing that “[t]he legislative power of the Commonwealth shall be vested in a General Assembly”); VA. CONST. art. VII, § 2 (providing that the General Assembly shall provide for “the organization, government, [and] powers . . . of counties, cities, towns, and regional governments”); *Confrere Club of Richmond, Va., Inc.*, 239 Va. at 78 (setting forth the Dillon Rule of strict construction).

¹¹ I note that the State and Local Government Conflict of Interests Act (the “Conflicts Act”) does not prohibit a member of a city council from retaining a personal interest in a contract of employment with the city if that member’s “employment first began prior to the member becoming a member of the [city council].” *See* VA. CODE ANN. § 2.2-3107 (2022). The Conflicts Act, however, does not address “matters related to dual officeholding or to incompatibility of offices or positions.” 1996 Op. Va. Att’y Gen. 33, 35 (citing 1974-75 Op. Va. Att’y Gen. 561, 562). Although the General Assembly has enacted statutes barring certain types of dual officeholding by constitutional officers and members of local governing bodies, *see* §§ 15.2-1534 and 15.2-1535, these provisions do not implicate the types of restrictions you describe.

them.¹² While the charters for several other municipalities contain provisions similar to those you present,¹³ the Hopewell City Charter is silent on such issues.¹⁴ In the absence of any enabling legislation, I must conclude that the Hopewell City Council lacks authority to adopt the provisions you describe and they are *ultra vires*.

Conclusion

Accordingly, it is my opinion that the City of Hopewell lacks the authority to adopt the specific ordinance provisions presented. The authority to enact such measures, or to authorize the Hopewell City Council to do so, lies with the General Assembly.

With kindest regards, I am,

Very truly yours,



Jason S. Miyares
Attorney General

¹² Although the Conflicts Act generally bars a city council member from acquiring a personal interest in a contract of employment with the city subsequent to taking office, *see* § 2.2-3107, it does not require that the member resign his position on the city council and wait one year in order to become eligible for such employment. Nevertheless, as indicated above, the Act does not address matters related to incompatibility of offices or positions. Moreover, the Conflicts Act does not contain any provisions that authorize a local government to adopt its own conflict-of-interests ordinances; rather, the state law “establish[es] a single body of law applicable to all state and local government officers and employees on the subject of conflict of interests . . . so that the standards of conduct for such officers and employees may be uniform throughout the Commonwealth.” Section 2.2-3100 (2022).

¹³ *See, e.g.*, CHARTER FOR THE CITY OF FRANKLIN, VA., § 3.10; CHARTER FOR THE TOWN OF RICH CREEK, VA., § 7; CHARTER FOR THE TOWN OF WISE, VA., § 3.9. *See also generally* 1996 Op. Va. Att’y Gen. 33, 34 (noting that the General Assembly was authorized under Article II, § 5 of the Constitution to pass a charter provision barring a town employee from serving as a member of the town council); 1979-80 Op. Va. Att’y Gen. 94, 95 (detailing the authority of the General Assembly under Article II, § 5 to pass a charter provision “prevent[ing] local employees from holding local office” (citing 1975-76 Op. Va. Att’y Gen. 35, 35)).

¹⁴ I note that localities have been afforded a process by which they can seek charter amendments by the General Assembly. *See* § 15.2-201 (2018). Whether such amendments are warranted is a policy question reserved to the General Assembly and one that is beyond the scope of an Opinion of this Office. *See, e.g.*, 2013 Op. Va. Att’y Gen. 82, 87; 2015 Op. Va. Att’y Gen. 87, 90; 1982-83 Op. Va. Att’y Gen. 220, 221; 1973-74 Op. Va. Att’y Gen. 142, 143.

COUNCILOR REQUESTS

CCR-1

The Progress-Index

NEWS

House subcommittee kills bill adjusting Hopewell charter to transfer some treasurer duties



Bill Atkinson

Petersburg Progress-Index

Published 3:42 p.m. ET Jan. 30, 2025

Key Points AI-assisted summary ⓘ

A House of Delegates subcommittee voted to kill a bill that would have shifted accounting responsibilities from the Hopewell city treasurer to the city Finance Department.

The bill was introduced following legal issues with the current Hopewell city treasurer, who is facing charges of forgery, fraud, and embezzlement.

Opponents of the bill argued against removing responsibilities from an elected official.

While the bill is dead, a state senator is requesting a study of the role of local treasurers in Virginia.

RICHMOND – Saying it did not want to “take away responsibilities from an elected office,” a House of Delegates subcommittee voted Wednesday along party lines to kill legislation that would have rewritten Hopewell’s charter to transfer accounting responsibilities from the city treasurer to the city Finance Department.

The 5-3 vote to kill House Bill 2283 occurred with very little fanfare and hardly any speeches for or against it. The bill’s patron and Hopewell’s city manager went before a House Counties, Cities & Towns subcommittee to push for it, but despite their pleas, one brief comment from one of the panel’s Democrats appeared to seal its fate.

“It’s hard for me to support a bill or a charter change that takes away responsibilities from an elected office,” Del. Marty Martinez, D-Leesburg, said. “If this was an appointed office, that’d be a whole different story.”

Hopewell voters elected the treasurer to fulfill the duties of the job, and Martinez said he could not support taking the duties “and handing them off to the City Council.”

Hopewell: CSX train collides with tractor-trailer. Crash under investigation.

Why was the bill brought?

Although not specified by name during Wednesday’s testimony, the saga surrounding legal issues with current treasurer Shannon Foskey loomed high over the meeting. Foskey is currently on leave while she faces charges of computer record forgery, fraud and embezzlement by a public official.

Foskey was indicted last October on two counts of forging and uttering a public record, one count of computer fraud to obtain services valued at more than \$1,000, and one count of disabling computer software. A month later, she was arrested on the embezzlement charge after she reportedly froze Hopewell city administration out of access to its banking accounts.

Prosecutors see the latter charge as retaliation for City Council’s decision to temporarily yank Foskey’s accounting and billing responsibilities after she was repeatedly called out by the Robert Bobb Group during its overhaul of Hopewell’s fiscal management system.

Wednesday’s defeat does not mean that the checkbook will go back to the treasurer’s office. The city finance office will still keep control of it.

New trees coming to Petersburg's E. Washington St. corridor: What to know about project

Bill was amended to gain political support

The bill before the subcommittee Wednesday morning had been amended to garner support from the Treasurers Association of Virginia. In her presentation, Del. Carrie Coyner, R-Chesterfield County, said she wanted to make sure the request did not hamper the office’s constitutional duties.

Coyner said the amendment was necessary if Hopewell wants to climb out of fiscal obscurity. Because the city had gone 10 years without a clean and/or no state-mandated audit, it has a zero bond-credit rating.

“We’ve had reconciliation and financial oversight failures, operational and inefficiency delays, policy and leadership deficiencies, security and fraud risks, fund-management

failures, legal and ethical challenges,” Coyner said, adding she had “detailed report” from the Robert Bobb Group backing up the claims.

She admitted the issues pre-date the current officeholder, Foskey, but said the current condition is “dire” in Hopewell.

“Our current treasurer by court order cannot even step foot in the office right now,” Coyner said in her only reference to the court proceedings.

Subcommittee deliberations took only a fraction of the time it took for presentations from Coyner and Manker. Hopewell Mayor Johnny Partin tried to testify remotely on the bill; however, technical difficulties kept him from appearing on video, and under General Assembly rules, remote testimony must be done on camera.

After Martinez spelled out his opposition, the subcommittee, without further comment, killed the measure. Four Democrats, including subcommittee chair Irene Shin of Fairfax County, joined Martinez in opposition. The panel’s three Republicans supported the bill.

Bill dead, but issue may not be

While the Hopewell charter amendment bill has died, the issue of treasurers handling accounting procedures for their localities may not be.

Sen. Lashrecse Aird, D-Petersburg, is asking for a language amendment in the next biennium budget for a study of local treasury roles. Treasurers are among five constitutional officers who are elected directly by the voters.

Aird’s request wants the state Compensation Board, which pays the constitutional officers’ salaries to work with Virginia’s Auditor of Public Account on studying the treasurer’s office model “and the role that the office of the treasurer plays in the accounting and fiscal process at the local level.” That study would recommend ways to adjust the treasurer model “to improve financial outcomes at the local level.”

Aird, whose Senate district includes Hopewell, told The Progress-Index she had been asked by Hopewell to carry the charter amendment in the Senate. However, because Petersburg was also asking for changes involving its treasurer’s office, she said she opted to let Coyner carry the Hopewell amendment while she asked for the more general study.

Bill Atkinson (he/him/his) is an award-winning journalist who covers breaking news, government and politics. Reach him at batkinson@progress-index.com or on X (formerly known as Twitter) at [@BAtkinson_PI](https://twitter.com/BAtkinson_PI).

ADJOURNMENT