

MINUTES OF THE JUNE 25, 2019 CITY COUNCIL MEETING

A meeting of the Hopewell City Council was held Tuesday, June 25, 2019, at 5:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Jasmine E. Gore, Mayor, Ward 4
Patience Bennett, Vice Mayor, Ward 7
Deborah Randolph, Councilor, Ward 1
John B. Partin, Jr., Councilor, Ward 3
Janice B. Denton, Councilor, Ward 5
Brenda Pelham, Councilor, Ward 6 (arrived at 5:32 p.m.)

John M. Altman, Jr., City Manager
Charles Dane, Assistant City Manager
Stefan M. Calos of Sands Anderson PC, City Attorney
Ronnieye L. Arrington, City Clerk
Debra Hogan Knight, Assistant City Clerk

ABSENT: Arlene Holloway, Councilor, Ward 2

ROLL CALL

Mayor Gore opened the meeting at 5:31 p.m. Roll call was taken as follows:

Mayor Gore	-	present
Vice Mayor Bennett	-	present
Councilor Randolph	-	present
Councilor Partin	-	present
Councilor Holloway	-	absent
Councilor Denton	-	present
Councilor Pelham	-	----- (arrived at 5:32 p.m.)

CLOSED MEETING

At 5:32 p.m., Vice Mayor Bennett moved to go into closed meeting for (1) discussion of performance of city council employees (city attorney, city manager, city clerk); (2) discussion, consideration, and interview of specific appointees of city council (boards, committees, commissions); (3) discussion of the disposition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (HRHA, downtown development); and (4) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters requiring the provision of legal advice by such counsel, in accordance with Virginia Code § 2.2-3711 (A) (1) [two items], (3), and (8), respectively.

Councilor Partin seconded the motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

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RECONVENE OPEN MEETING

At 7:10 p.m. Council returned to the dais and responded to the question pursuant to Virginia Code § 2.2-3712 (D): were only public business matters (I) lawfully exempted from open-meeting requirements and (II) identified in the closed-meeting motion discussed in closed meeting? Upon the roll call, the responses resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

AMEND/ADOPT WORK SESSION

Councilor Partin moved to adopt the agenda for the work session. His motion was seconded by Councilor Pelham. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

WORK SESSION

WS-1 Current Spot Blight List – City Manager John M. “March” Altman, Jr. introduced Tevya Griffin, Director of Development. Ms. Griffin presented the properties to Council, recommending that all be demolished.

WS-2 – Community Development Block Grant (CDBG) FY19-20 Budget Allocation – shifted to item R-1, per City Council vote.

REGULAR MEETING

Mayor Gore requested a roll call, which resulted as follows:

Mayor Gore	-	present
Councilor Denton	-	present
Councilor Pelham	-	present
Vice Mayor Bennett	-	present
Councilor Randolph	-	present
Councilor Holloway	-	absent
Councilor Partin	-	present

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PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Mayor Gore called the meeting to order, and thanked all for attending. The prayer was led by Rev. John Brown of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America, led by Councilor Partin.

Councilor Denton raised a point of order regarding items added to the agenda after the deadline, specifically items IR-3, IR-4, IR-5, IR-6 and IR-7. After discussion, Mr. Calos ruled that the agenda did contain items after the deadline, and that Council's remedy was to either enforce the rules and remove all items submitted after the deadline, or waive the rules, and allow those items to remain. Councilor Pelham moved to waive the rules for agenda preparation deadlines and keep the agenda that's public as is, and to move forward tonight, and then to comply with the rules at the next regular scheduled meeting. The motion was seconded by Vice Mayor Bennett. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 5-1

AMEND/ADOPT AGENDA

Councilor Partin moved to amend the agenda to move WS-2 to item R-1, and shift other R-items down one, and to table PH-1 due to notice concerns. The motion was seconded by Mayor Gore. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

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CONSENT AGENDA

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

C-1 Minutes:

C-2 Pending List:

1. See Attached

C-3 Routine Approval of Work Sessions:

C-4 Personnel Change Report & Financial Report:

1. See attached

C-5 Ordinances on Second & Final Reading:

C-6 Routine Grant Approval:

C-7 Public Hearing Announcement: July 9, 2019 - School Supplement FY20 Budget Appropriation; disposition of land (old Social Services Building and Marina Park); and Refuse Collection Fee

C-8 Information for Council Review:

1. Minutes: CPMT May 20, 2019 draft minutes, HRHA April 8, 2019

C-9 Resolutions/Proclamations/Presentations:

C-10 Additional Announcements:

Councilor Partin moved to approve the Consent Agenda. Councilor Pelham seconded his motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

PUBLIC HEARINGS

PH-1 Spot Blight Program (tabled per Council vote)

PH-2 Conditional Use Permit to operate a duplex at 2907 Poplar Street – The Residential, Medium Density District (R-2) requires a Conditional Use Permit, approved by City Council, to operate a duplex. Mrs. Tevya Griffin, the Director of Development presented to Council and advised that the Planning Commission noted that the property did not meet items 2 and 5 of the Approval Criteria, and therefore. Mayor Gore opened the public hearing at 7:55 p.m. There was no one signed up to speak. Christopher Jenkins, the owner of the Property came forward when Mayor Gore extended

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the invitation to meeting attendees. Mr. Jenkins spoke, explaining why he made the request, and seeking Council’s approval of the proposal. Mayor Gore closed the public hearing at 8:01 p.m.

MOTION: Councilor Denton moved to approve the Conditional Use Permit tonight. Her motion was not seconded.

Councilor Pelham made a substitute motion to approve the Conditional Use Permit providing that items 2 and 5 of the Approval Criteria cited by the Planning Commission be completed prior to approval. Mayor Gore seconded her motion. There was additional discussion of Council.

Councilor Partin made a substitute motion to postpone action on item PH-1 for the Conditional Use Permit to operate a duplex at 2907 Poplar Street to the August meeting. Vice Mayor Bennett seconded the motion.

Councilor Randolph made a friendly amendment to note that this postponement was at the request of the Owner. Councilor Partin and Vice Mayor Bennett agreed to the amendment. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

PH-3 Conditional Use Permit to construct a cell tower at 130 Mercer Lane The City has received a request to construct a 195-foot monopole cell tower, with a four-foot lightning rod at 130 Mercer Lane. Mrs. Griffin presented information to Council regarding this CUP request. Mayor Gore opened the public hearing at 8:25 p.m. A representative from PI Tower Development, LLC came forward and addressed Council regarding this request. Donald Stokes, representing property owner Patricia Gonzales also addressed Council regarding his client’s concerns with the proposed cell tower construction. Mayor Gore closed the public hearing at 8:33 p.m.

MOTION: Councilor Partin moved to approve the Conditional Use Permit to construct a 195-foot monopole cell tower, with a four-foot lightning rod, at 130 Mercer Lane, to be no higher than 199 feet. His motion was seconded by Vice Mayor Bennett.

Upon additional discussion of Council, Councilor Pelham moved to send this item back to the Planning Commission to address concerns brought forward at this public hearing.

Mayor Gore made a friendly amendment to add the phrase “at their next meeting” to the motion, which amendment was accepted.

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Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

PH-4 Request for rezoning of property at 5, 7, 9, and 11 Rev. C. W. Harris Street - These properties are zoned for business uses. The applicant proposes to operate a boat manufacturing and repair shop, which will require that the property be rezoned industrial CUP request. Mrs. Griffin again presented information to Council regarding this item. Mayor Gore opened the public hearing at 8:45 p.m. Julia Cho, the owner of an adjacent property came forward to speak to Council regarding her request to add cypress trees in the setback area to act as a buffer between her property and the applicant's property. Benny Jones, the applicant also came forward and addressed Council regarding his request and Ms. Cho's concerns. Mayor Gore closed the public hearing at 8:45 p.m. Mayor Gore suggested that Mr. Jones and Ms. Cho go out in the hallway to see if a settlement could be reached between them.

MOTION: Councilor Randolph moved to allow for the property at 5-7-9 and 11 Rev. C. W. Harris Street to be rezoned to meet the requirements for the applicant. Her motion was seconded by Vice Mayor Bennett. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	no
Councilor Pelham	-	no
Vice Mayor Bennett	-	yes

Motion failed 3-3

Councilor Pelham moved to reconsider the request for the rezoning of the property at 5-7-9 and 11 Rev. C. W Harris Street for the next scheduled meeting. Her motion was seconded by Mayor Gore. Upon additional discussion of Council, Councilor Pelham withdrew this motion.

Councilor Pelham then moved that the applicant and the adjacent property owner speak to each other regarding their concerns and possible solutions, and come back to Council within this meeting. Her motion was seconded by Councilor Partin. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes

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Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

UNFINISHED BUSINESS

UB-1 Tri-Cities Multimodal Train Station - Endorsement of Multimodal train station location – Mr. Altman introduced Johnny Butler, the City Engineer, who spoke to Council regarding this item. Upon discussion of Council, Councilor Pelham moved to endorse the Multimodal train station location to stay where it is currently located. Her motion was seconded by Vice Mayor Bennett. Upon the roll call, the vote resulted:

Councilor Randolph	-	no
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 4-2

PH-4 Request for rezoning of property located at 5, 7, 9, and 11 Rev. C. W. Harris Street – The applicant and adjacent property owner returned to the Council meeting. Mrs. Griffin announced that an agreement had been reached between them. Upon discussion of Council with the owner and the adjacent property owner regarding the agreement, Councilor Partin moved to approve the request to rezone sub-parcels 048-0110, 045-0105, 048-0115, 048-0120 from B3 (Highway Commercial District) to M1 (Limited District), within the following proffer conditions: the applicant will cypress trees at least two inches along the property line of 048-0115. His motion was seconded by Councilor Randolph. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

COMMUNICATIONS FROM CITIZENS

No one signed up to speak and no one came forward.

REGULAR BUSINESS

Reports of City Manager:

R-1 Community Development Block Grant (CDBG) FY19-20 Budget Allocation – (This item moved to R-1 per vote of Council). Tevya Griffin and Bill Dore presented information to Council regarding the CDBG proposed budget allocation. There was discussion of Council. There was consensus of Council for this item to return during the July 23, 2019 meeting. No action was taken.

R-2 Employee Day of Service - At the request of Councilor Partin, City Council authorized the City Manager to research semi-annual or quarterly employee community service days to tackle the growing litter problem. Jennifer Sears, Director of Human Resources and Melissa Diggs, Executive Assistant for the Department of Development presented information to Council regarding this item.

Motion: After discussion of Council, Councilor Partin moved to accept the recommendation the City of Hopewell Community Involvement Committee has put forward for the Employee Service Day recommendation. His motion was seconded by Vice Mayor Bennett. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 5-1

R-3 Request for Lab Analyst Position at Hopewell Water Renewal - Hopewell Water Renewal is requesting an additional full-time Lab Analyst position, which requires City Council approval. Jerry Byerly, Director of Hopewell Water Renewal, presented information to Council.

Motion: Councilor Partin moved to approve the requested Lab Analyst position at Hopewell Water Renewal. His motion was seconded by Councilor Randolph.

Upon discussion of Council, Councilor Randolph moved to postpone this item for sixty days, which motion was seconded by Councilor Pelham.

Councilor Partin requested the following be read into the record: "I am very much in support of the Lab Analyst position. The water renewal committee voted in favor of it, with only one vote against it. We are saving money in overtime, we are saving money in contracts. To me, it makes financial sense, and I'm ready to move forward with it right now."

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Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	no
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 4-2

R-4 Chesapeake Clean Water Blueprint – Administration is requesting City Council support of the Chesapeake Clean Water Blueprint. Mr. Altman presented information regarding this item to Council. He noted a concern that other rural states and jurisdictions need to step up and handle their loads so that our load does not become heavier. Mayor Gore noted that, as Vice President of LGAC, she is aware of concerns, and recommended that Council table this item, if possible. Councilor Pelham moved to table this item to the first meeting in November. Councilor Partin seconded the motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	no
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 5-1

EXTEND MEETING

Councilor Pelham moved to waive the rules and extend the meeting beyond the three-hour limit to complete R-5, Appointment of School Board members only. Councilor Partin seconded the motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	no
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 5-1

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EXTEND MEETING

Councilor Partin moved to waive the rules and extend the meeting beyond the three-hour limit to give gift to the departing City Attorney. Mayor Gore seconded the motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

R-5 Appointment of School Board members - There are two positions in the current School Board which will expire June 30, 2019, and which will need to be filled. The applicants for these positions are: Cadeidre Alexander, Christopher Reber, Anthony Zevgolis, Susan Temple, John Griffin, Jr., and Duran Williams. Council is asked to appoint two members to the Hopewell School Board.

Motion: Councilor Partin moved to appoint John Griffin, Jr., to the School Board. Vice Mayor Bennett seconded the motion. Upon the roll call, the vote resulted:

Councilor Randolph	-	yes
Councilor Partin	-	yes
Mayor Gore	-	yes
Councilor Denton	-	yes
Councilor Pelham	-	yes
Vice Mayor Bennett	-	yes

Motion passed 6-0

Council presented Stefan M. Calos of Sands Anderson PC with a framed Ed Hatch print, as well as a plaque to thank him for his service.

ADJOURN

At 10:50 p.m. the meeting was adjourned.

/s/ Jasmine E. Gore
Jasmine E. Gore, Mayor

/s/ Ronnieye L. Arrington
Ronnieye L. Arrington, City Clerk