

AGENDA



CITY OF HOPEWELL
Hopewell, Virginia 23860

AGENDA

(804) 541-2408

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

CITY COUNCIL

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

John M. Altman, Jr., City Manager
Peter Eliades, Acting City Attorney
Mollie P. Bess, City Clerk

December 14, 2021

REGULAR MEETING

Closed Meeting: 5:30 p.m.
Worksession: 6:30 p.m.
Regular Meeting – 7:30 p.m.

OPEN MEETING

5:30 p.m. Call to order, roll call, and welcome to visitors

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

CLOSED MEETING

RECONVENE OPEN MEETING

Roll Call

CERTIFICATION

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

Roll Call

WORK SESSION

WS-1 – Stormwater Resiliency Work Session – Johnnie Butler & Austin Anderson

REGULAR MEETING

Call to order, roll call, and welcome to visitors

Prayer by Rev. Danny Tucker, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Pelham

SUGGESTED MOTION: To amend/adopt Regular Meeting agenda

Roll Call

CONSENT AGENDA

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

C-1 Minutes: October 26, 2021 City Council Meeting,

C-2 Pending List:

C-3 Information for Council Review: DDR Minutes-10/6/21; HRHA Minutes-10/18/21;
Planning Commission Minutes 9/2/21, 10/7/21 & 11/16/21

C-4 Personnel Change Report: Personnel Change Report – November 2021

C-5 Public Hearing Announcements:

C-6 Routine Approval of Work Sessions:

C-7 Ordinances on Second & Final Reading:

C-8 Routine Grant Approval:

C-9 Resolutions, Proclamations:

SUGGESTED MOTION: To amend/adopt consent agenda

Roll Call

INFORMATION/PRESENTATIONS

Presentation – Hopewell Downtown Partnership – Heather Lyne

PUBLIC HEARING

PH-1 – Vacation of a portion of Jones Street

PH-2 – School Board Vacancy

UNFINISHED BUSINESS

UB- 1 – Residency Requirements

COMMUNICATIONS FROM CITIZENS

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

Reports of Boards and Commissions:

REGULAR BUSINESS

Reports of City Manager:

R-1 – Subdivision of 310 Stonewall Avenue

R-2 – Rental Inspection Program

R-3 – Redistricting – 2021

R-4 – DEQ – Certificate of Deposit

R-5 – Sheriff’s Office Salary Increase Request

Reports of City Attorney:

Reports of City Clerk:

Reports of City Council:

Committees

COUNCILORS REQUEST

CR-1 – Finance Policy (Gore)

MOTION:

Roll Call

CR-2 – City Energy and Conservation Program (Partin)

MOTION:

Roll Call

CR-3 – Research Establishment of Hopewell/Prince George Stormwater Comm. (Partin)

MOTION:

Roll Call

Presentations from Boards and Commissions

Other Council Communications

Adjournment

**CLOSED
MEETING**

WORK SESSION

WS-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: Stormwater Resilience Plan

ISSUE: Follow-up Discussion of the Stormwater Resilience Plan Tour

RECOMMENDATION: Staff recommends receipt of the information. No Action is requested.

TIMING: N/A

BACKGROUND: The City Engineer’s Office and the Department of Public Works developed the City of Hopewell Stormwater Resilience Plan which placed stormwater drainage improvement projects into 1 of 5 categories – Public Works Stormwater, Short Range, Intermediate Range, Long Range and Channel-Outfall. City Council toured stormwater projects and received an overview of projects that were recently completed, are scheduled for construction, and are in the planning phase. Additionally, the connectivity between the projects was discussed along with some of the challenges associated with the projects.

ENCLOSED DOCUMENTS:

- Stormwater Resilience Plan
- Stormwater Program Revenue Overview
- VPDES Industrial Utility Fee Credit

STAFF:

Johnnie E. Butler, City Engineer

SUMMARY:

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

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

Austin B. Anderson, Construction Manager
Stephen Edwards, Stormwater Program Manager

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

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

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

Memo

To: John M. Altman, Jr. City Manager
From: Johnnie Butler, City Engineer; Austin Anderson, Construction Manager
cc: Stephen Edwards, Stormwater Program Manager
Date: December 8, 2021
Re: Stormwater Resilience Plan Worksession WS-1

City Council asked staff to participate in a Stormwater Resilience Plan Worksession at the December 14, 2021 meeting. The purpose of this memo is to update City Council on five (5) specific questions in advance of the Worksession.

1. Complaints in the last 4 years of the top 20 flooding areas in the City.
City staff has included the following risk areas in the Stormwater Resilience Plan:
 - Cattail Creek Channel Improvements at NS Railroad
 - Cattail Creek Reach 4 Bank Stabilization
 - Moultrie Ave including culvert under CSX railroad
 - Richmond/Petersburg Street Improvements
 - Miles Ave near Sherwood Ave
 - North 6th Ave Drainage Improvements (risk area W Broadway & N 3 ½ St)City staff is currently compiling the drainage related complaints in the work order system to determine the top 20 complaint areas. It is important to note that the top 20 recurring complaints may not align exactly with these identified risk areas.
2. Who provided the projects that you listed?
The City Manager charged the Public Works – Office of Stormwater Management and Public Works – Division of Engineering to develop this comprehensive plan. This core group of four City staff members are the most involved with the drainage complaints, associated complexity of the problems, the engineered evaluations, damage assessments and practical solutions.
 - Johnnie Butler, City Engineer
 - Austin Anderson, Construction Manager
 - John DeGroot, Stormwater Utility Engineer
 - Stephen Edwards, Stormwater Program Manager

3. How did you come to select those projects as priority?

The Stormwater Resilience Plan categorizes risk area by size, cost and complexity. City staff developed five (5) categories with approximate timeframes, estimated cost, recent examples and Capital Improvement Program (CIP) status in the enclosed narrative.

4. How many projects are neighborhood specific?

City Staff considers all of the Category 2, 3 and 4 projects neighborhood specific, which would include 15 of the 28 projects. The Category 1 Short Range projects do not typically address neighborhood specific risk areas and the Category 5 – Channel/Outfall projects address drainage conveyance within the Cattail Creek drainage area comprising several neighborhoods.

5. What is the funding proposed for these projects?

The funding depends on the Stormwater Resilience Plan categories. Category 1 – risk areas are typically delivered with current year stormwater funds with either in-house resources or annual contractor assignments. Category 2 – 5 risk areas may include local, state and federal funding sources. Several of the risk areas identified are in the City CIP, include grant participation and have previous City Council endorsements.

City of Hopewell Stormwater Resilience Plan Narrative

The purpose of this narrative is to expand on one of the City of Hopewell's critical facilities found in section 2.3 of the Richmond-Crater Multi-Regional Hazard Mitigation Plan – Executive Summary for City of Hopewell. This Hazard Mitigation Plan was updated in 2017 and endorsed by City Council the same year.

In an effort to address potential climate hazards that are not only felt today but will impact every aspect of life in the City over the coming decades, Hopewell has developed the enclosed Stormwater Resilience Plan. This plan initiates Hopewell's planning process for a key climate risk, flooding, which combined with sea level rise and other climate hazards will contribute to the city's overall climate risk going forward. There are a multitude of factors, such as topography, geographic orientation of the shoreline, depth and duration of the flooding, and rate of water rise, which affect damage caused by floods.

The City of Hopewell is comprised of seven (7) wards of nearly equal population to establish political subdivisions and Council representation. However, the City's hazards that stem from inadequate stormwater infrastructure do not follow these boundaries. The appropriate boundaries for identifying and controlling inadequate critical infrastructure are the City's drainage areas. The City has illustrated these drainage areas on the Stormwater Resilience Plan with contrasting colors:

- Appomattox River
- James River
- Bailey Creek
- Cattail Creek
- Cabin Creek

The City of Hopewell realized that a successful Stormwater Resilience Plan would require logical prioritization to categorize risk areas by size, cost and complexity. The City developed five (5) categories with approximate timeframes, costs and examples:

Staff has broken down this comprehensive rehabilitation plan into five (5) categories and provided examples of recent projects that identify with each category:

1. Public Works/Stormwater Project Delivery

Delivery Timeframe: 6 months or less

Typical Cost: Under \$30,000

This category includes projects delivered by the City's in-house labor and equipment. This crew performs regular maintenance of the City's drainage

system and delivers small projects citywide that improve drainage conveyance by maintaining roadside ditches, channels and culverts.

- a. Clingman St culvert sinkhole repair, completed May 2021
- b. N Colonial Dr/CSX Crossing – replace failed culvert, completed July 2021

2. Short Range Drainage Improvement Projects

Delivery Timeframe: 1 -2 years

Typical Cost: Under \$100,000

This category includes *various citywide chronic street flooding projects*, which need engineered solutions (site survey and/or plans) and fiscal year targeted funding. These projects may be assigned to our annual contractors or short bid.

- a. Sherwood Lane curb extension – completed April 2021
- b. Western St at NS Crossing – replace failed culvert, completed March 2021
- c. E Broadway Alley Drainage Improvements – completed July 2021

3. Intermediate Range Drainage Improvement Projects

Delivery Timeframe: 3-4 years

Typical Cost: \$100,000 to \$500,000

This category includes *localized neighborhood storm water management projects*, whereby engineered solutions, watershed analysis and fully prepared plans are required along with specific CIP funds and/or grant funds from outside sources. Projects of this size and scope will be awarded by a formal invitation for bid (IFB) process following state and local procurement regulations.

- a. Prince Henry Ave Improvements – completed September 2020
- b. Stewart Ave/Bassett St Improvements – completed July 2020

4. Long Range Drainage Improvement Projects

Delivery Timeframe: 5 years

Typical Cost: \$500,000+

This category includes *localized neighborhood storm water management projects*, whereby engineered solutions, watershed analysis and fully prepared plans are required along with specific CIP funds and/or grant funds from outside sources. Projects of this size and scope will be awarded by a formal invitation for bid (IFB) process following state and local procurement regulations.

- a. Pine Ave Improvements – completed January 2021

- b. Hummel Ross Rd Improvements – completed June 2021
- c. Moultrie Ave Improvements – design complete, construction in 2022

5. Stream Valley, Channel Reaches and Outfall Stabilization Projects

Delivery Timeframe: 6 years+

Typical Cost: \$1M+

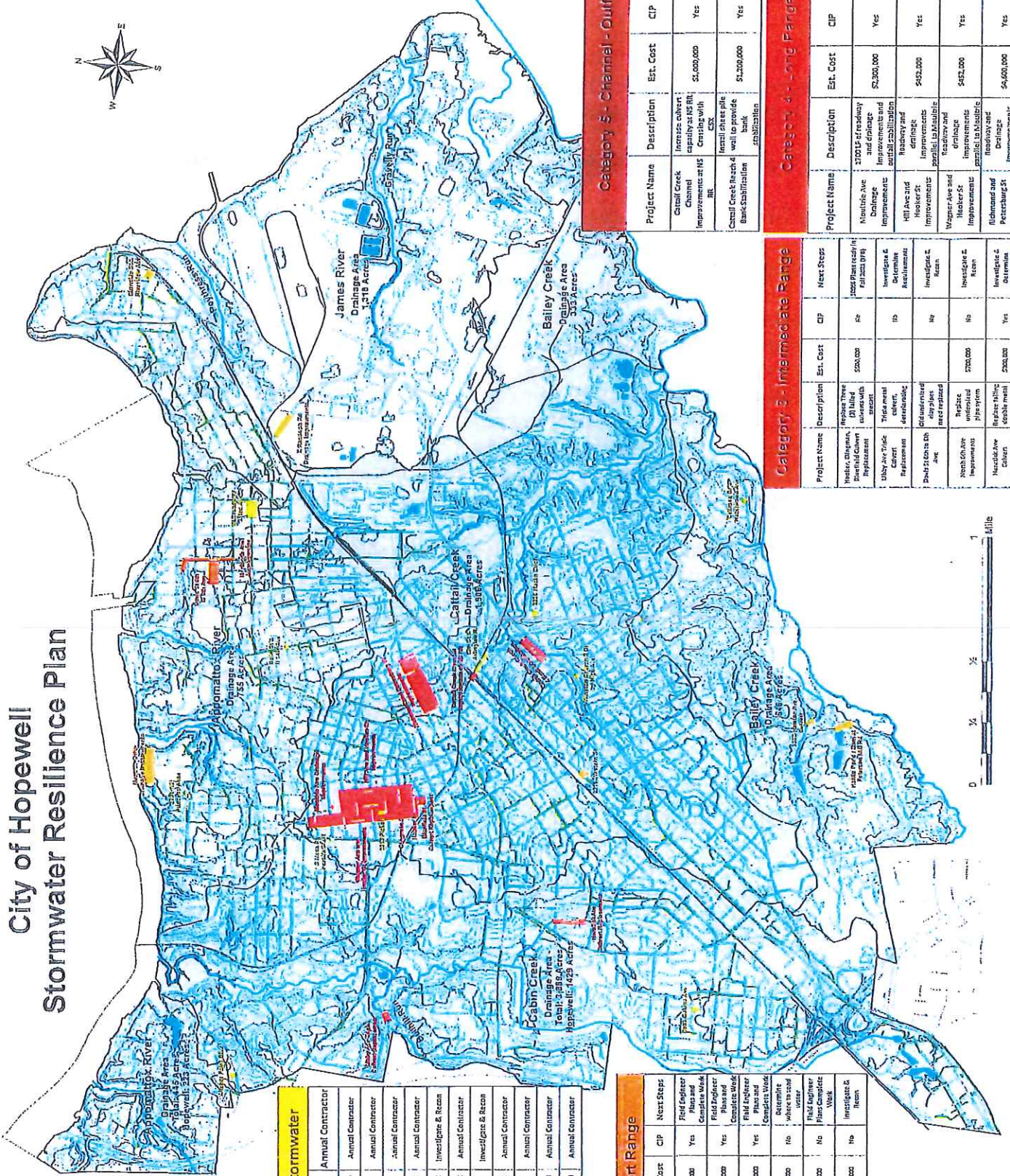
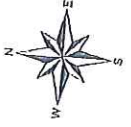
This category includes *regional stormwater management* projects, applied best management practices (BMPs) and accompanying channel stabilization projects, whereby engineered solutions, watershed analysis and fully prepared plans are required along with specific CIP. Projects of this size and scope all need grant assistance, as they are too costly to fund exclusively under the City's CIP.

- a. Riverside Park – Completed 2018
- b. Cattail Creek Drainage Crossing – Community Project Funding \$1M
- c. Cattail Creek, Reach 4 Stabilization Project – FEMA PDM \$1.2M

This Stormwater Resilience Plan would not be nearly as effective without public outreach and involvement. City staff held a public work session including a driving tour of risk areas with City Council and staff as well as community stakeholders on September 8, 2021.

A second public meeting was held on September 28, 2021 where the Stormwater Resilience Plan was revisited by City Council and formally endorsed.

City of Hopewell Stormwater Resilience Plan



Category 1 - PW Stormwater

Project Name	Description	Est. Cost	Annual Contractor
Anchor Point Blvd	Need to rebuild 15 Single wall 18" x 24" pipes	\$10,000	Annual Contractor
2313 Pike St S1	15 Single wall 18" x 24" pipes	\$8,800	Annual Contractor
S Mass Street	Separation of pipes	\$5,000	Annual Contractor
2793 L St	Metal River Colling	\$25,000	Annual Contractor
W Broadway & Princez Ave	Pipes not drainage, need to replace unrelaxed to 3.75'	\$15,000	Investigate & Recon
Dolin St & N 15th Ave	Pipes separating under road	\$10,000	Annual Contractor
2215 Madin Circle	Separation of manholes, pipe	\$5,000	Investigate & Recon
Belmore Dr & Millwood Ave	Clean debris from channel	\$15,000	Annual Contractor
Winston Churchill Dr	Replace top slab falling across	\$4,500	Annual Contractor
3903 Calhoun Ave	Reset crownall pipe half full of debris	\$15,000	Annual Contractor
		\$25,000	Annual Contractor

Category 2 - Short Range

Project Name	Description	Est. Cost	CIP	Next Steps
Home Park/Dean at Peterum Mill Rd	Full depth repair (Form, Place, Finish) on 12" x 18" concrete	\$20,000	Yes	Field Engineer Coordinate Work
Madison Drive	Install curb & gutters	\$245,000	Yes	Field Engineer Plans and Complete Work
Rt 600, Johnson Drainage	Re-work drainage	\$700,000	Yes	Field Engineer Plans and Complete Work
Bozette St	Two 18" x 24" manholes to be replaced	\$50,000	No	Determine where to seek permit
3422 Freedom St	System dropped manhole to be replaced	\$20,000	No	Field Engineer Plans and Complete Work
3307 Hampton Ave	Overcome flooding	\$320,000	No	Investigate & Recon

Category 3 - Intermediate Range

Project Name	Description	Est. Cost	CIP	Next Steps
Hecker, Chapman, Southfield Court	Replace 24" x 36" manholes with 30" x 48" manholes	\$50,000	No	2022 Plan ready for full 2023 DRI
Libby Ave Trade Center	Trade manhole, determine	\$0	Yes	Investigate & Determine Requirements
South Main St	Reconstruct manhole	\$200,000	No	Investigate & Recon
North Oak Ave	Replace manhole	\$200,000	Yes	Investigate & Recon
Madison Ave	Replace manhole	\$200,000	Yes	Investigate & Recon

Category 4 - Long Range

Project Name	Description	Est. Cost	CIP	Next Steps
Cattail Creek Channel Improvements at NS RR	Increase channel capacity at NS RR Crossing with CSX	\$1,000,000	Yes	Awaiting CIP Funding US House of Rep.
Cattail Creek Bank Stabilization	Install sheet pile wall to provide bank stabilization	\$1,500,000	Yes	Awaiting FEMA Pre-Disaster mitigation

Category 5 - Channel - Outfall

Project Name	Description	Est. Cost	CIP	Next Steps
Mainline Ave Drainage Improvements	2100 LF of roadway and drainage improvements and soil stabilization	\$2,300,000	Yes	2022 Plans Ready for Full 2023 DRI
Hill Ave and Hecker St	roadway and drainage improvements parallel to Mainline	\$450,000	Yes	WOTF 2023 - PE Start in FY 25
Wagner Ave and Hecker St	roadway and drainage improvements parallel to Mainline	\$450,000	Yes	WOTF 2023 - PE Start in FY 25
Ridgeway and Patterson St	roadway and drainage improvements parallel to Mainline	\$450,000	Yes	WOTF 2023 - PE Start in FY 27



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

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

VPDES Industrial Utility Fee Credit
Table 1

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

CONSENT AGENDA

MINUTES

**October 26, 2021
Regular Meeting
DRAFT**

MINUTES OF THE CITY COUNCIL MEETING

A Meeting and Work Session of the City Council of the City of Hopewell, Virginia, was held Tuesday, October 26, 2021, at 6:30 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Johnny Partin, Vice Mayor
Deborah Randolph, Councilor
Arlene Holloway, Councilor
Jasmine Gore, Councilor
Janice B. Denton, Councilor
Brenda S. Pelham, Councilor (arrived at 6:05 pm)

ABSENT: Patience Bennett, Mayor (Ward 4)

John M Altman, City Manager
Peter Eliades, Acting City Attorney
Mollie P. Bess, City Clerk

ROLL CALL

Vice Mayor Partin opened the meeting at 6:30 p.m. Roll call was taken as follows:

Vice Mayor Partin	-	present
Councilor Randolph	-	present
Councilor Holloway	-	present
Councilor Gore	-	present
Councilor Denton	-	present
Councilor Pelham	-	absent (arrived at pm)

Moved to go into Closed Session by Councilor Randolph and seconded by Councilor Denton pursuant to Va. Code Section 2.2-3711 (A)(1) for discussion, consideration, or interviews (HRHA and School Board) of perspective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 – Ayes
0 – No

CLOSED SESSION

Motion to come out of closed by Councilor Gore and seconded by Councilor Randolph

October 26, 2021
Regular Meeting
DRAFT

Roll Call:

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

Motion Passes: 6 – Ayes
0 – No

CERTIFICATION

Certification pursuant to Virginia Code 2.2-3712(D) were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?

Roll Call:

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

Motion Passes: 6 – Ayes
0 – No

Motion made by Councilor Gore and seconded by Councilor Holloway to extend the contract with Mr. Peter Eliades until December 31, 2021.

Councilor Pelham announced that she will be signing the form for Conflict of Interest for this motion. Councilor Denton stated that she would vote against because the Mayor is not at the meeting and she feels all seven councilors should discuss and pass.

Roll Call:

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

Motion Passes: 5 – Ayes
1 – No

Vice Mayor stated that at this time he will turn the meeting over to City Manager Altman for the Worksession. Mr. Altman turned the meeting over to Ms. Tevya Griffin for WS-1 – Vacation of a portion of Jones Street to walk council through. The public hearing on this request will be 12/14/21.

October 26, 2021
Regular Meeting
DRAFT

WS-1 – Vacation of a portion of Jones Street

Mr. Joseph A Walton has requested the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,500 square feet. The undeveloped portion of Jones Street is located in Ward 6. The right of way is approximately 2,500 square feet. While this would not be allowed under current City Council policy right-of-way vacation's, only half of the right-of-way was vacated in 1995; leaving the half in question as a wooded area. The site is relatively plan and at present is not usable. The other portion of Jones Street vacated in 1995 is used as open space for the owners at 1899 Liberty Avenue. Mr. Walton purchased the property on August 17 and he is requesting to add this portion of Jones Street to his property. The property is zoned R2 and at this time if he wanted to he could build a single family detached house, so he is not requesting the vacation so that he can build a house, he can already do that. He simply wants to add onto his property, he does not plan to build a home at this time. Information signs were place on the property with phone and reference number, 28 letter were also sent out. No citizen comments have been received by planning commission, commission voted in approval 7-0. This will come back to City Council at the 12/14/21 meeting. Stormwater gave approval.

WS-2 – Stormwater Resiliency Plan

Mr. Edwards will provide some information in regard to industrial credit. In fairness to Mr. Edwards, the first page in your packet was developed by Mr. Anderson and Mr. Butler who are at a VDOT conference this evening. Mr. Edwards stated that in the packet it reflects an industrial breakdown on the 90% credits the industrial companies use. In 2015 when City Council approved the Stormwater r credits were allowed to be generated as part of the program. Policy in place gave the utility a 90% utility credit fee to the industrial plants that do not go into our MS4 program. As long as they maintain their facilities on a yearly basis, they get this credit. A lower credit can be set for the new ones. Gore asked Mr. Edwards to double check our fees on the website. Asked for confirmation so that the website can be updated. Mr. Edwards stated that he would provide confirmation to Council. Council Gore stated that she asked twice for a works session, Vice Mayor Partin indicated that we had decided that the worksession would be on the 12/14/21 meeting agenda. City Clerk stated she would make sure that a worksession would happen at the Dec. 14 meeting and would make sure that Mr. Butler and Mr. Anderson are available to attend. Mr. Edwards stated that the ERU could be adjusted.

REGULAR MEETING

Vice Mayor Partin officially called the regular meeting to order.

Roll Call:	Councilor Randolph	-	Here
	Councilor Holloway	-	Here
	Vice Mayor Partin	-	Here
	Councilor Gore	-	Here
	Councilor Denton	-	Here
	Councilor Pelham	-	Here

Vice Mayor Partin welcomed everyone to the Regular Meeting. Reverend Danny Tucker provided the prayer and the Pledge of Allegiance was led by Vice Mayor Partin.

Motion made by Councilor Pelham and seconded by Councilor Denton to amend the agenda to include a section under Information/Presentations under the Consent Agenda for Chief Afzal.

**October 26, 2021
Regular Meeting
DRAFT**

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 Ayes
0 No

AMEND/ADOPT AGENDA

Motion made by Councilor Gore and seconded by Councilor Pelham to adopt the consent agenda and remove C9 and put as R1.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 Ayes
0 No

Chief Afzal was called to the podium to make his presentation to City Council of a letter signed by everyone in the police department as a thank you for the merit increase for police officers.

PUBLIC HEARING

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

Vice Mayor Partin moved on to Public Hearing and called Director Tevya Griffin to the podium to present.

The City has received a request from Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub-Parcel #011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High District-Offices (RO-4). Director Griffin confirmed that this is not spot zoning.

Vice Mayor Partin opened the Public Hearing. City Clerk verified that no one signed up to speak on the issue and there was no one at the public hearing that wanted to speak.

Vice Mayor Partin then closed the Public Hearing.

**October 26, 2021
Regular Meeting
DRAFT**

Motion made by Councilor Randolph and seconded by Councilor Denton that Council deny the request made by Andrew G. Spivey and Larry Spivey to rezone 303 North 3rd Avenue also identified Sub-Parcel #011-0620 and to amend the official zoning map from the business limited commercial district to residential high district offices RO-4, noting that it is not spot zoning but instead not going along with current comprehensive plan.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	no
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 5 Ayes
1 No

COMMUNICATIONS FROM CITIZENS

No citizens signed up to speak. No one in audience spoke.

REGULAR BUSINESS

R-1 – Discussion of Budget Resolution for Public Safety Salary Increases

Vice Mayor Partin called on Councilor Gore to speak. Gore asked for clarification on persons in position without proper credentials and she feels that those that are not do not have their proper credentials should not get the increase. This should be an incentive for them to get current and that we take this seriously, only a handful of people. City Manager Altman stated that this one not something that they considered when looking at the salary adjustments. They were looking at overall the need to increase the salary levels of the current employees to be competitive. This is a valid point and Council can be brought back information on this if they so desire. Councilor Gore has tasked the City Manager to look into and make a recommendation. Councilor Randolph stated that we need to make sure we are not violating any employment laws, we should check on legalities first. Councilor Pelham stated it would give those not certified incentive to become certified, we need to amend the Resolution. Councilor Gore stated that we should give them 6 months to get certified, give it to them stating increase will applicable to those without certification once Council adopts a plan. Mr. Altman will give a definitive number of how many along with a recommendation. Mr. Altman stated the Resolution we have just budgets the funding. We will withhold until that point and time with a recommendation, but this just budgets the money. Mr. Altman is asking that we approve the money or it will not go into effect for those that are certified. Once we give it to them or give them time, the money will be there in the budget. Councilor Gore stated could we do the Resolution with a 6 month window to meet the requirements and compliance, that way everyone starts off and it is up to them to be compliant and if not compliant will need to become compliant to keep the increase. City Manager Altman said we need to focus on minimum job requirements. If you want to talk about certifications, you can be a certified police officer, that doesn't mean you can't be a police officer, but a different level of police officer. In talking about the 6 months, can we caveat that with Attorney Eliades legal research and if we find out we can't, then we revisit. Based on the minimum job requirements, do they have what they need to have to be in that position? Prior Resolution amended to reflect the new language reflected in Resolution attached with minutes.

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Motion made by Councilor Gore and seconded by Councilor Randolph to approve the amended Resolution to amend the fiscal year 2021-2022 Operating Budget for Public Safety Salary Increases to approve subject to legal review and to bring back to Council.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 Ayes
0 No

Reports of City Clerk

City Clerk Bess gave an update on Boards and Commissions. Council was informed that the City website has been updated with a link for citizens to click on and apply via a TBR for any Board/Commission position that they may be interested. Also, the City Manager's weekly newsletter will reflect any Boards/Commissions that have opening on their respective committee and that is updated weekly by the City Clerk. Still working on getting current in the Munic system so that it will automatically show vacancies.

Vice Mayor Partin gave an update on the Hopewell Water Renewal Commission and Capital Improvement Plan. DEQ air permit inspection was completed and DEQ highly complimented us on the details that were provided in such a quick fashion. Since Jan. 1 of 2021 there have been six separate sanitary sewer overflows and this is caused from I&I infiltration, when stormwater gets into the sewer system and goes down to the treatment plan and then that water has to be treated as if it is regular sewage. They are currently exploring possible solutions to tackle this issue that is happening a little more often. Will be getting some cost estimates on rain guards for manholes and pump stations and also look at some additional I&I projects across neighborhoods. If we are able to implement a lot of these it ends of reducing the amount of stress that is on the plant now, which means we get more longevity out of our equipment. Continued discussion on phosphorus removal project, the limit that is being floated but not approved is to get our average phosphorous concentration down to .2 milligrams per liter. Currently our average is approximately 1.06 milligrams per liter. Talking about an 81% reduction in phosphorus that will have to be meet sometime in the next five years. Nitrogen project that previous Council did was about \$75 million project, this one is about \$75 million to \$125 million. Good news from wastewater lab, we passed the audit from the Virginia Environmental Lab Accreditation program with flying colors. City Council approved the water renewal staff to apply for the clean revolving loan to explore the feasibility in a pilot study about reusing some of the wastewater down at the plant and to recycle it and then sell it back to industry to reduce our nutrient load into the river. Mr. Altman asking Senator Morrissey to make this a forgivable loan. Our capital improvement program is progressing nicely. City Council adopted a \$7.5 million capital improvement program – highlights are we have our uniox mixer replacement, base plate and mixers, first phase of project are on-site, installation and will begin beginning of November. Contract for our incinerator feed pump has been finalized and equipment should be done by November 1, centrifuge is on order, installation should be in November as well. We have to rehab one of our secondary tanks, this is currently underway using contractors, can't use staff because we are short staffed. Two projects underway, one is to get the paperwork and billing process done a lot faster, that project is

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almost complete. We are upgrading plant switch gear that's currently being designed right now along with a design for a new industrial fine screen, will reduce phosphorus load. Continuing design phase of expanding the laboratory and the storage facility at the plant, also have furnace upgrade that is being designed right now, have almost finished the design process of the bucket elevator replacement and our incinerator feed pump piping is almost complete and our pipeline has been completed, just going through final punch-out list. Will be holding a special meeting at some point in November and December to discuss a few items- to discuss the oxygen plant upgrades and a possible oxygen contract as a back-up for the plant, discussion about outside revenue, policy and credits going toward industry, an update on the great water reuse project and I&I projects.

CR-1 Adjust Budget to hire an Internal Auditor to establish an Audit Department

Councilor Pelham stated that we have been requesting this for a while. If we had had an internal auditor some of the items we had issues with could have been facilitated with the audit if there was a person on board that knew what the department's faults were. She doesn't want the auditor to be under the City Manager, but to be under City Council. Maybe a contractor instead of an employee. Ask is that we amend our budget to incorporate hiring an internal auditor. Councilor Randolph ask are we only looking at hiring an internal auditor? Councilor Pelham responded – yes. This person would prepare the departments for the audit. A prelude to the audit. Need someone to come in and learn what our policies and procedures are to help prepare our departments. Councilor Randolph asked why wouldn't we outsource this? Councilor Pelham stated that looking at a contractor would be fine. Councilor Pelham asking Interim City Attorney Eliades to please look into how we can do this. Councilor Gore said we can has for Attorney to create an Ordinance to create a position or a proposal for a firm. Councilor Gore will send all information she has on this from the past city council meetings on to entire City Council for their review.

Motion made by Councilor Gore and seconded by Councilor Pelham for Interim City Attorney Eliades to bring back options to fill the role of Internal Auditor via Ordinance or Request for Proposal

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	no
	Councilor Pelham	-	yes

Motion Passes: 5 Ayes
1 No

CR-2 – Remote Participation Policy

Councilor Denton would like a review of the policy on Remote Participation. It is her understanding that the General Assembly has revised their procedure on that. When we set the policy about five years ago, two meeting a year were fine, because we met on January and we knew how to plan our vacations so as not to be gone during the regular meetings. However, now we have as many special meetings as we have meetings, so there is no way we can narrow it down. We are representatives of our wards and we represent the people and if we cannot be at the meeting we cannot represent them. And when special

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meetings are called the week we are on family vacations or have a planned surgery schedule we try to live within the parameters of what we set forth with our schedules, we are limited that we cannot participate. Based on our meetings we should be allowed at least six meetings per year, based on what was just passed with the General Assembly. City Clerk Bess stated that the General Assembly passed 25% and we have 22 regular meetings which would equate to about 6 meetings per year. However, there are stipulations to that and clerk read General Assembly language. This is code 2.2-3708.2. So we can either adopt that or not. Councilor Randolph does not agree to six regular meetings to miss, maybe divide up between special meeting and regular meetings. Maybe 2 for regular meetings and four for special meetings. Councilor Denton stated she looked back through archives and we did not have as many special meetings in the past as we have had in the last two years. Councilor Denton would like to get with Attorney to see how we can revise the policy. Councilor Gore is fine with adding one additional day.

Motion made by Councilor Pelham and seconded by Vice Mayor Partin to extend the meeting to finish the item we are currently on.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 Ayes
0 No

Councilor Denton stated that stated that she does not agree. When special meetings are called and we are not here to attend, that effects our Ward as we are not here to represent them. Regular Meetings we can plan for Special Meetings we cannot plan for. In 2018 we had 5 special meetings, 4 related to budget, 2019 we had 20 special meetings that year. Ask of City Clerk to bring back to Council how many special meetings we had and how many regular meetings we had and the attendance at those meetings (2016 to 2021). Councilor Randolph would prefer to not add any extra days to the calendar. Two regular meetings max, special meetings, we do at least two and if it exceeds a certain number add another day. Specify Personal Matters - Section B for Council.

Motion to adjourn made by Councilor Randolph and seconded by Councilor Gore.

Roll Call:	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes
	Councilor Denton	-	yes
	Councilor Pelham	-	yes

Motion Passes: 6 Ayes
No

Meeting Adjourned

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Johnny Partin, Vice Mayor

Mollie Bess, City Clerk

PERSONNEL REPORT

DATE: December 7, 2021
TO: The Honorable City Council
FROM: Jennifer Sears, Director of Human Resources
SUBJECT: Personnel Change Report – November 2021

APPOINTMENTS:

NAME	DEPARTMENT	POSITION	DATE
ROBERT BASKERVILLE	WATER RENEWAL	WWT OPER TRAINEE	11/03/2021
ROCHELE JOHNSON	SOCIAL SERVICES	BEN PROG SPC I	11/03/2021
MARKEE BROOKS	WATER RENEWAL	WWT OPER TRAINEE	11/03/2021
HANNAH BELL	RECREATION	AQUATIC PROG SPEC	11/03/2021
MADISON WESTON	RECREATION	PT LIFEGUARD	11/03/2021
SPENCER ROTZOLL	POLICE	POLICE OFFICER NON CAR DEV	11/17/2021
KATHLEEN CLEMENS	WATER RENEWAL	LAB TECH IV	11/17/2021
THOMAS BAGLEY	WATER RENEWAL	WWT OPER TRAINEE	11/17/2021

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

REMOVALS:

NAME	DEPARTMENT	POSITION	DATE
CARL CALHOUN	PWS GARAGE	AUTO MECHANIC	10/27/2021
JOSEPH LEMIEUX, JR	POLICE	POLICE OFFICER NON CAR DEV	10/28/2021
BRENE' OSBOURNE	RECREATION	PT REC PROGRAMS ASST	10/28/2021
REBEKAH ROSEN	COMM ATTORNEY	ADMIN ASSISTANT	10/29/2021
FRANCES HARRISON	TREASURER	DEPUTY TREAS I	10/29/2021
LILLIAN MOODY	RECREATION	PT LIFEGUARD	10/30/2021
DONALD R HUNTER, II	FIRE	FIRE CHIEF	11/01/2021
MARIE REY	COMM OF REVENUE	COR DEPUTY II	11/01/2021
GERALD EVERETT	WATER RENEWAL	WWT SHIFT SUPV	11/01/2021
JACQUELINE DEAN	COMM ATTORNEY	VICT WITN COORDINATOR	11/01/2021
STACEY ROSA	PUBLIC WORKS	ACCOUNTING TECHNICIAN	11/05/2021
DAWN FLIPPIN	SHERIFF	PT SHERIFF DEPUTY	11/18/2021
SYLVESTA CLARK	VOTER REGISTRAR	PART TIME TEMP	11/19/2021
JOSEPH BIZZELL	TREASURER	DEPUTY TREAS IV	11/30/2021
EVELYN JONES	TREASURER	GEN CLK	11/30/2021

CC: March Altman, City Manager

Debbie Pershing, Administrative Services Manager
Elizabeth McGaha, Accounting Tech
Michael Terry, Finance Director

Concetta Manker, IT Director
Jay Rezin, IT
Arlethia Dearing, Customer Service Mgr.
Kim Hunter, Payroll
Dipo Muritala, Assistant Finance Director

INFORMATION
FOR
COUNCIL REVIEW

**MINUTES OF THE OCTOBER 6, 2021 MEETING
OF THE DOWNTOWN DESIGN REVIEW COMMITTEE
City of Hopewell**

A meeting of the Downtown Design Review Committee for the City of Hopewell was held on Wednesday, October 6, 2021 in the City Council Conference Room located at 300 N. Main St. at 3:30pm.

Downtown Design Review Committee Members present:

Rita Joyner
Mary French Elder
Irma Gail Mahaney

Absent:

Terry Ammons
Daniel Jones

Staff:

Chris Ward, Senior Planner

Guests:

Eliza Lamb – COA applicant
Heather Lyne – Director, Hopewell Downtown Partnership

Ms. Joyner called the meeting to order at 3:38PM. Mr. Ward conducted the roll call. A quorum was established. Ms. Joyner welcomed the members and guests.

ADMINISTRATIVE MATTERS / CONSENT AGENDA ITEMS

Ms. Joyner asked if there were requests for withdrawal, deferral or amendment to the agenda. There were none.

Ms. Joyner asked if there were any corrections or changes to the meeting minutes from September 1, 2021. There were none. Ms. Mahaney made a motion to approve the meeting minutes. Ms. Elder seconded. The motion carried 3-0.

CITIZEN COMMENTS

Ms. Joyner asked if the guests had any comments about items not on the agenda. There were none.

CERTIFICATES OF APPROPRIATENESS (COAs)

Ms. Joyner invited Eliza Lamb to introduce her COA application for changes to the previously approved façade design for 230 E. Broadway. Ms. Lamb explained that there are three changes to the design: 1) the exterior lighting fixtures will be copper instead of black (with the fixture over the doorway being black on the outside and copper on the inside; 2) the proposed tile along the bottom of the façade will now be painted brick, and; 3) the paint scheme is changing to SW6617 Blushing as the base color, SW6599 Begonia as the cornice accent color, SW2848 Roycroft Pewter

as the detail color, and SW7551 Greek Villa as the background color. Ms. Mahaney asked Ms. Lamb if she was concerned about installing copper fixtures and the possibility that they may be stolen. Ms. Lamb answered that she had not thought about that but will consider installing a security system and/or security cameras at some point. Ms. Lamb finished her comments by stating that the façade work should be finished in time for the Hopewell Artfest in November. Ms. Mahaney made a motion to approve the changes to the façade design for 230 E. Broadway as presented. Ms. Elder seconded. The motion carried 3-0.

UNFINISHED BUSINESS


Mr. Ward updated the members on several properties. He asked Ms. Joyner to comment on the status of the former Broyhill building. Ms. Joyner stated that the building is currently under a bankruptcy order that will hopefully be resolved by the end of the year. Mr. Ward next asked about 246 E. Broadway. Ms. Joyner replied that the property had officially been sold to the Bowman group and that they should be starting work to rehabilitate it in the near future. Mr. Ward next asked Ms. Lyne how her meeting went with the tenant at 265 E. Broadway. Ms. Lyne replied that Mr. Cole stated he would change out the material in the windows to something more appealing. Lastly, Mr. Ward informed the members that the court case involving the unfinished garage at 320 Appomattox was moved to October 18, 2021.

NEW BUSINESS

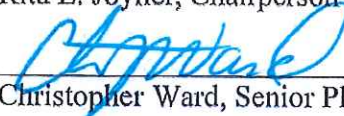
There was no new business.

Ms. Mahaney made a motion to adjourn. Ms. Elder seconded. The motion carried 3-0. The meeting adjourned at 4:31PM.

Submitted by,



Rita E. Joyner, Chairperson



Christopher Ward, Senior Planner

12/1/2021
Date

HOPEWELL REDEVELOPMENT AND HOUSING AUTHORITY
350 East Poythress Street
Hopewell, VA 23860

REGULAR MEETING OF October 18, 2021

*** MINUTES ***

Minutes of Regular Meeting of the Board of Commissioners of the Hopewell Redevelopment and Housing Authority of the City of Hopewell, Virginia, held Monday, October 18, 2021 at 6:00 p.m.

The meeting was called to order by the Chairman. Roll call, those present and absent were as follows:

Present: Sheila Flowers, Chairman
John Tunstall, Vice-Chairman
Ruth Johnson, Commissioner
Shamika Lewis, Commissioner
Susan Temple, Commissioner - arrived at 6:12 p.m.

Absent: Anthony Bennett, Jr., Commissioner

Also Present: Steven Benham, Chief Executive Officer
Madelyn Peay, Chief Operating Officer
Sherry Henderson, Executive Secretary
Tarvaris McCoy, Chief Development Officer
Craig Wiss, Senior Property Manager
Kameko Coleman, Administrative Assistant
Harriet Reynolds, Delphine Carnes Law Group, LLC
Ann Curtis Saunders, McGuire Woods

CONSENT AGENDA

C-1 Upon motion made by Commissioner Johnson and seconded by Commissioner Lewis, with all Commissioners present responding, the Consent Agenda was approved.

Upon roll call, the vote resulted:

Chairman Flowers - Yes
Vice-Chairman Tunstall - Yes
Commissioner Johnson - Yes
Commissioner Lewis - Yes

4 Yes; Motion Passed

COMMUNICATIONS FROM CITIZENS: None

R-1 Request approval of Resolution No. 901, Authorizing and Approving the Issuance of Revenue Bonds for the Benefit of Env-Hopewell Heights, LP in an amount not to exceed \$11,000,000 and the execution of related documents.

Upon motion made by Commissioner Johnson and seconded by Vice-Chairman Tunstall, with all Commissioners present responding, approved Resolution No. 901, Authorizing and Approving the Issuance of Revenue Bonds for the Benefit of Env-Hopewell Heights, LP in an amount not to exceed \$11,000,000 and the execution of related documents.

Upon roll call, the vote resulted:

Chairman Flowers - Yes
Vice-Chairman Tunstall - Yes
Commissioner Johnson - Yes
Commissioner Lewis - Yes

4 Yes; Motion Passed

R-2 Summary Report Discussion

Mr. Benham presented the Summary Report to the Board of Commissioners.

R-3 Discussion of Pending List

Mr. Benham discussed the pending list with the Board of Commissioners. The following will be completed for the pending list:

1. Item number 55 will remain as a pending item.
2. Item number 54 will remain as a pending item.
3. Item number 56 was added to reflect positions that are available at HRHA.
4. Item number 48 will be removed.

R-4 Request approval of Resolution No. 902, approve the acquisition of land adjacent to the Main Office.

Upon motion made by Commissioner Johnson and seconded by Commissioner Temple, with all Commissioners present responding, approved Resolution No. 902, approve the acquisition of land adjacent to the Main Office.

Upon roll call, the vote resulted:

Chairman Flowers	- Yes
Vice-Chairman Tunsall	- Yes
Commissioner Johnson	- Yes
Commissioner Lewis	- Yes
Commissioner Temple	- Yes

5 Yes; Motion Passed

R-5 Other Matters

No other matters were presented.

R-6 Commissioner Comments (and recommendations for next meeting).

No comments were presented.

ADJOURNMENT

Upon motion made Commissioner Johnson seconded by Vice-Chairman Tunsall with all Commissioners present responding affirmatively, the meeting was adjourned at 6:50 p.m.

Sheila Flowers

 Sheila V. Flowers, Chairman

Steven A. Benham, Jr.

 Steven A. Benham, Secretary-Treasurer

**MINUTES OF THE SEPT 2, 2021 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Thursday, September 2, 2021 at 6:00 p.m. in City Council Chambers/City Council Board Room located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Chairman
Todd M. Butterworth, Vice Chairman
Fara Jenkins
Paul Reynolds
Cassandra Vanderkeift

Staff Members present:

Tevya W. Griffin, Director

Chairman Eliades opened the meeting at 6:01 p.m.

A prayer was rendered by Vice Chairman Butterworth.

By roll call a quorum was established with the above members of the Commission present.

Withdrawals/Deferrals

A motion was made by Vice Chairman Butterworth to move unfinished business before administrative, withdrawals/deferrals and/or amendments. Commissioner Jenkins seconded the motion. The motion was approved 5-0.

Unfinished Business

Nathaniel W. Blanding is applying for a Conditional Use Permit to increase the non-conformity of a single family detached home located at 1216 1st Ave., also identified as Sub-Parcel #071-0195. Mrs. Griffin reviewed the timeline of the Planning Commission and City Council meetings. Commissioner Vanderkeift re-read the staff report that included the posting of the stop work order, the courtesy letter that was written, and notice of violation provided in May. She says it shows the owner did not follow the rules.

The home originally was 955 square feet. In 2013, a 203 foot addition was built bringing the square footage to 1,158 square feet. A permit was approved for this addition.

Vice Chairman Butterworth recapped that the Commission's job is to approve or not approve the Conditional Use Permit, for an addition to a house which is in the M-1 Light Industrial zone.

A motion was made by Commissioner Jenkins to allow Mr. Arrington, a friend of the owner, to address the Planning Commission. Vice Chairman Butterworth seconded the motion. The motion was approved 4-1 with Commissioner Vanderkeift voting nay.

Mr. Arrington stated that the owner was not in defiance. He did not get a notice of stop work order and continued. Per Mr. Arrington the work was completed in January of 2020. Mr. Blanding reiterated the work was completed prior to the notice. Commissioner Jenkins asked Mr. Blanding if he was aware he needed a permit. Mr. Blanding stated he knew he had to report the work before it was all done.

A motion was made by Commissioner Vanderkeift to recommend denial, based on the fact that the proposed addition exceeds the allowable fifteen percent of the gross floor area of 1217 1st Avenue as advised in the Zoning Ordinance. Vice Chairman Butterworth seconded the motion. The motion was approved 4-1 with Commissioner Jenkins voting nay.

Mrs. Griffin advised Mr. Blanding that the Planning Commission has recommended denial of the Conditional Use Permit. Next, the recommendation will go to the City Council to have the final decision regarding the request. Mrs. Griffin explained that the City Council had not set their next agenda for the September 14, 2021 meeting. It's likely that the application would go to a work session on September 28, 2021. Mrs. Griffin explained the work session is simply for staff to give a report of what is going to come before their next public hearing. Mrs. Griffin told Mr. Blanding that he would receive information when the work session and public hearing would take place and it would be in the same location as tonight's meeting.

Mrs. Griffin asked Mr. Blanding if he had any questions and he stated yes. Mr. Blanding asked if he could contact his City Council members and Chairman Eliades stated that he could.

Commissioner Jenkins wanted to go on record why she voted nay. Commissioner Jenkins felt like this was something new that Mr. Blanding did not receive the posting or letter. Mrs. Griffin replied that she has photos of postings and certified letter was sent with photos to Mr. Blanding. Mrs. Griffin stated that this was irrelevant because the issue at hand for the Planning Commission was to determine whether the Conditional Use Permit meets the requirements of the allowable fifteen percent of the gross floor area.

Mr. Arrington wanted to know how they calculated overage percentage. Mrs. Griffin stated that Mr. Blanding provided the drawings showing the exact measurements of the addition. This

information was used to get the percentage. Mr. Arrington expressed his concerns to how much money Mr. Blanding has paid out of pocket for the engineer report and he keeps getting hit with more. Chairman Eliades reiterated to Mr. Arrington this is just a recommendation not the final say.

Mrs. Griffin presented the second unfinished business item which is a request from Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620, and to amend the Official Zoning map from the Business Limited Commercial District (B-2) to Residential High Density-Offices (RO-4). Mrs. Griffin gave an overview of the staff report.

Mrs. Griffin presented the information that the Planning Commission requested. The Planning Commission asked how many of the houses or structures on the immediate parcel adjustment to West Broadway and the interior lot were residential. There are three homes being used as residence. There are churches and offices on that same corridor. Mrs. Griffin stated that the applicant and real estate agent that are selling the property are present to answer any questions the Planning Commission may have.

Commissioner Reynolds moved to accept the recommendations of the staff to deny the request to rezone 303 N. 3rd Avenue from B2 to RO-4. The motion was seconded by Vice Chairman Butterworth. Vice Chairman Butterworth shared what came out of the work session that by reverting to residential at this point would undermine the commercial intention, designation and consistency of the W. Broadway corridor and the spirit of the Comprehensive Plan. Commissioner Reynolds shared his concerns that he voiced previously. The reason the applicant's property is zoned B-2 is to allow for enough property depth away from Broadway to support a typical business. Business growth along W. Broadway has not kept pace with what was envisioned in 1989 when properties were zoned B-2. There's been no indication from applicant that he has attempted to jointly list his property with corner property as a joint business property.

A motion was made by Commissioner Jenkins to allow Ms. Abernathy to address the Planning Commission. Commissioner Vanderkeift seconded the motion. The motion was approved 5-0.

Ms. Abernathy stated that the house to the right of the property just sold a month ago. It advertised to live in your own office. She is not sure what type of use will eventually be there.

Commissioner Vanderkeift agreed with the motion made by Commissioner Reynolds. Mrs. Griffin repeated the motion and took roll call for vote. The motion was approved 5-0.

Mrs. Griffin advised Mr. Spivey that the Planning Commission is recommending denial of the rezoning. This recommendation will go to the City Council to make the final decision. Mrs. Griffin explained that the City Council had not set their next agenda for the September 14, 2021 meeting. It is likely that the application would go to a work session on September 28, 2021. Mrs. Griffin explained the work session is simply for the staff to give a report of what is going to come before their next public hearing. Mrs. Griffin told Mr. Spivey that he would receive information when the

work session and public hearing would take place and it would be in the same location in this same building.

Administrative Matters

Meeting Minutes

August 5, 2021 meeting minutes motioned to be approved as amended by Vice Chairman Butterworth. Motion second by Commissioner Vanderkeift. Motion passed 5-0.

August 19, 2021 work session minutes motioned to be approve as amended by Commissioner Vanderkeift. Motion seconded by Commissioner Jenkins. Motion passed 4-0. Commissioner Reynolds abstained since he was not present.

Unfinished Business

Short Term Rentals

Commissioner Vanderkeift asked for a picture of map divided by wards, seeing what district and populations would be conducive to Air B&B's. Chairman Eliades asked Mrs. Griffin if we can designate where an Air B&B can be located in the city. Mrs. Griffin replied yes and referenced Williamsburg as an example. The Planning Commission needs to think on where to allow short term rental.

The Planning Commission wants staff to check with other jurisdictions and see what they are doing. Mrs. Griffin did provide Richmond, Henrico and Chesterfield. Mrs. Griffin and staff are asked to investigate in 2 months where we should take Air B&B's, and draft a policy to where they can be located, steps in setting one up and what applicants would pay. This would be due back to Planning Commission December 2, 2021.

House Bill 2053 – Accessory Apartments

This bill is to evaluate the construction of internal, attached, and detached accessory dwelling units as a strategy to address the Commonwealth's growing demand for affordable and market-rate housing. Mrs. Griffin has checked with Colonial Heights and they are not allowing any accessory apartments unless it's in a house that already has two entry/exits.

The City of Hopewell currently only allows accessory apartments that are detached for family members or persons that are 55 years or older. Mrs. Griffin stated that the city's Accessory Apartment Regulations are very strict. Mrs. Griffin proposed to the Planning Commission that they should consider more inclusive regulations on accessory apartments.

Mrs. Griffin informed the Planning Commission that the City of Hopewell does not have an Affordable Housing Ordinance. Other Virginia localities have them and they give incentives in higher density, if you build affordable housing. Affordable doesn't mean cheap it doesn't have to mean shabby it just means affordable for the market. Mrs. Griffin informed the Planning Commission that they should be looking at the trends in the zoning world to determine if that's something they should consider for the city and that's something that the commission should be moving forward to City Council because it is not on their radar.

New Business

Mrs. Griffin presented the proposed Zoning Ordinance update recommendations. It simply states after a jurisdiction approves a Comprehensive Plan it is customary for the Zoning Ordinance to be updated to legalize and implement the concepts in the Comprehensive Plan. The Hopewell 2028 Plan was approved in April 2018. There are certain areas in the city that don't follow the land use map that was created in 2018. Mrs. Griffin stated that when you look at the zoning ordinance you may see, for example at 1217 1st Ave. in your future Land Use Map is labeled industrial but at this time it is used as residential. The Planning Commission must decide if areas like this will remain as industrial or switch to residential.

- Listed below is a list of items that Staff has identified that should be revisited in the Zoning Ordinance. The writing in green shows the amendment that was approved by City Council in 2019.

1. Fix current issues in the Zoning Ordinance that are contradictory to Comprehensive Plan (Housing, Planning Areas).

- Being allowed to construct on non-conforming lots if setbacks are met. This amendment was approved by City Council at their March 26, 2019 meeting. Non-conforming lots in all zoning districts must receive a conditional use permit approved by City Council.

- ❖ At this time our department is working on something that would be good for the city and the Planning Commission to pass. The department's Building Official is working to provide 4 house plans

for Conditional Use Permits. This would be incentivize developers to build this type of house some 4 bedrooms, 3 bedrooms, and 2 bedrooms all different sizes 1 story and 2 story poly plank and brick foundations. They would be different style of art deco different style houses. The idea is that the Planning Commission and City Council

will approve these houses, as these are model houses to be built in the city of Hopewell. If the developer says "okay I will build it" then the builder would not have to go through the red tape of getting a Conditional Use Permit process. It would save the builder time and money and the city is getting the house that we think is going to improve the area. The Building Official Todd Hawkes should have them ready for presentation at the January 2022 meeting. Todd Hawkes is a Class "A" Contractor and a luxury home builder. He is from Dinwiddie and had been with the City of Hopewell for 4 years.

- Decrease time frame that non-conforming uses are allowed to remain non-conforming before converting back to base zoning district standards. (See attached proposed amendment to Article XVII A-6 change from 2 years to 12 months or 1 year).
 - ❖ This action would change the amount of time a structure can remain non-conforming before it reverts to the base zoning district This amendment works in theory, but would take an initial sweep of the City to determine non-conforming structures, and subsequent follow-up site inspections. This will be brought back to the October 21, 2021.
 - Remove undesired land uses from certain districts. This proposed amendment speaks to the issues raised in your most recent Conditional Use Permit case at 1216 1st Avenue. How and when can a structure occupied revert back to the proposed land use designation?
 - ❖ This will not be resolved at this meeting. Just because you say this property or area will be use as residential it will not change quickly. For example Davis and Bland Court that would be industrial and right now it is residential. You would not go and change your Future Land Use Map. How that happens and when that happens is still unknown.
2. Examine needed revision to Zoning Ordinance within the 6 Planning Areas identified in the Comprehensive Plan.

- ❖ The idea behind this is within those areas there are probably zoning ordinance revisions that could be made. Does the Planning Commission want to take on these 6 planning areas or take on one and look at it and work on zoning changes within those planning areas? A couple of the 6 planning areas would be included in number four. That would include the healthcare district and downtown.

3. Review Zoning Map in context to Future Land Use Map.

- ❖ There are some things that are zoning districts now that may change because of future land use map designation changing. That is a total look at the Zoning Map now up against the Future Land Use Map and that require a total revision of the Zoning Map. That is a very detailed process. The Planning Dept. needs to devise a plan with dates and what is required of the Planning Commission.

4. Consider adding Form Based Code Overlay Districts to the ordinance.

- ❖ Staff recommends Form Based Code for area designated as Downtown, to include “B” Village. You are more focused on the design and the function of the street, buildings and sidewalks. This is the aesthetics of the street versus actually what uses there and it’s a totally new way of doing zoning. A consultant would be needed for this. An RFP needs to be written.

Reports of Council’s Boards & Commissions

1. City Council Public Hearing on September 14, 2021
Public Hearing: A request to vacate a portion of undeveloped right of way identified as Texas Street between 221 and 301 South 9th Avenue, also identified as Sub-Parcel's 046- 0120 and 046-0030, respectively.
Work Session: A request from Nathaniel W. Blanding for a Conditional Use Permit to increase the non-conformity of a single family detached home located at 1216 1st Avenue, also identified as Sub-Parcel #071-0195.
Work Session: A request from Andrew G. and Larry Spivey to rezone 303 North 3rd Avenue, also identified as Sub – Parcel # 011-0620.
2. Board of Zoning Appeals -next meeting September 15, 2021
3. Downtown Design Review Committee -next Meeting, October 6, 2021
4. Architectural Review Board -next meeting September 16, 2021

Report of the Director

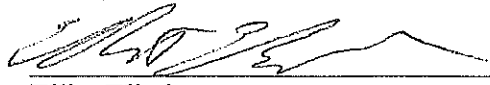
None

Adjourn

A motion was made by Commissioner Vanderkeift to adjourn the meeting. Vice-Chairman Butterworth seconded the motion. The meeting was adjourned at 7:53 p.m.

Respectfully submitted,


Tevya W. Griffin
Director


Elliot Eliades
Chairman

**MINUTES OF THE OCTOBER 7, 2021 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Thursday, October 7, 2021 at 6:00 p.m. in City Council Chambers/City Council Board Room located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Chairman
Todd M. Butterworth, Vice Chairman
Fara Jenkins
Paul Reynolds
Cassandra Vanderkeift

Staff Members present:

Christopher Ward, Senior Planner
Kimberly Kinker, Executive Assistant

Chairman Eliades opened the meeting at 6:00 p.m.

A prayer was rendered by Vice Chairman Butterworth.

By roll call a quorum was established with the above members of the Commission present.

Withdrawals/Deferrals

A motion was made by Commissioner Jenkins to move the public hearing before administrative matters and Vice-Chairman Butterworth asked to amend the motion to table the approval of minutes until the November 4, 2021 meeting. Commissioner Jenkins agreed and Commissioner Reynolds seconded the motion. The motion was approved 4-1 with Commissioner Vanderkeift voting nay.

Public Hearing

A request submitted by Joseph A. Walton to vacate a portion of undeveloped Jones Street between 1899 Liberty Avenue and Sub-Parcel 034-0110.

Mr. Ward provided an overview of the application to vacate a portion of undeveloped right of way identified as Jones Street between 1899 Liberty Avenue and Sub-Parcel 034-0110. The property is located in Ward 6. The right of way is approximately 2,500 square feet. While this would not be allowed under the current City Council Right-of-Way Vacation policy, only half of the right-of-way was vacated in 1995; leaving the half in question as a wooded area. The site is relatively flat

and at present is not useable. The owners at 1899 Liberty Avenue have placed a shed on the previously vacated portion of the right-of-way. Commissioner Reynolds asked for clarification since the staff report stated the vacated property from 1995 was being used as open space for the owners at 1899 Liberty Avenue. Mr. Ward stated the Baileys at 1899 Liberty Avenue who owns the portion vacated in 1995 have placed a shed on their half.

There were no comments received prior to the meeting from any adjacent property owners. The Department of Development contacted relevant departments within the city to include Department of Engineering, Department of Storm Water, Department of Real Estate and the Department of Fire/EMS, regarding this request and they did not have any comments.

The public hearing was opened at 6:09 p.m.

Mr. Joseph A. Walton made his presentation, stating he purchased the property through an auction for delinquent taxes. The property has been deeded in his name. Chairman Eliades asked Mr. Walton who is paying off the delinquent taxes. Mr. Walton replied that his understanding is that taxes were to the bank when he purchased the property. Ward confirmed with the Treasurer's Office that the taxes are settled by the bank.

Chairman Eliades asked if there was anyone there to speak in regards to this request. Mr. and Mrs. Bailey approached the podium and stated that they were interested in the same portion of right-of-way. Mrs. Bailey had a copy of a letter that she wrote to Mr. Richard Leach, the previous owner, asking if he was interested in requesting a vacation of the undeveloped portion of Jones Street. Mrs. Bailey stated that she never heard back from Mr. Leach.

Mr. Ward clarified by reading the City Council Right-of-Way Policy that stated that adjoining property owners may petition the City to vacate any public right-of-way for a street or alley. By State law, the general rule is that when a City vacates a right-of-way, it is divided between adjoining property owners. This division rule does not apply when a right-of-way is on the edge of a subdivision. Chairman Eliades explained to Mr. & Mrs. Bailey that the Planning Commission could not speak to why Mr. Leach did not follow up on the auction proceedings. The Commission job is to consider the request from the applicant.

Mr. Ward stated that the department had not received a right-of-way vacation request from the Baileys so there is no formal application on file. Mr. Ward stated the recommendation of the Planning and Zoning Staff is to approve the right-of-way request. Mr. Ward added there was no comments received prior to the meeting from any adjacent property owners or from the Department of Storm Water and Department of Fire/EMS.

The public hearing was closed at 6:20 p.m.

Vice-Chair Butterworth asked Mr. Ward if the application was in line with the right-of-way policy. Mr. Ward stated the application before them tonight was in line with all City policies.

A motion was made by Vice-Chair Butterworth to recommend to City Council to approve Mr. Walton's request to vacate the portion of Jones Street. The request is in line with the vacation

right-of-way policy and conforms to the state code. Commissioner Jenkins seconded the motion. The motion was approved 5-0.

Unfinished Business

Chairman Eliades suggested that staff get with Mrs. Griffin the Director of the Department of Development and have her see which days looked good on her calendar to have work sessions on the Zoning Ordinance Re-write. Vice-Chair Butterworth asked if he could do the meetings remotely since he would be traveling for work. Ms. Kinker checked the bylaws, Article 6 – Meetings, Section 6-5 allowed Commissioners to participate in meetings from a remote location that is not open to the public under certain circumstances.

Chairman Eliades announced that the Airbnb’s draft ordinance is due December 2, 2021.

Chairman Eliades reiterated that staff is conducting research to provide information for the Accessory Apartment draft ordinance.

New Business of the Wetlands Board

Austin Anderson the City’s construction manager presented a request to determine if a wetlands permit is needed for drainage improvement on Moultrie Street. Moultrie Avenue and the adjacent properties experience heavy flooding during rain events due to inadequate drainage. This project will improve drainage, protect properties from flooding and repair the roadway. The project is located east of I-295 and west of Winston Churchill Drive and spans from Pickett Street south to Atlantic Street paralleling Moultrie Avenue.

The existing Moultrie Avenue is a two lane, residential street with sections of narrow width and pavement deterioration. The existing unnamed channel and culverts are undersized, leading to flooding of the adjacent properties, particularly near Bluefield Street, Joseph Hooker Street and Clingman Street.

Commissioner Vanderkeift asked that the presentation be emailed to all members. Ms. Kinker would supply the members with the presentation by email. Commissioner Jenkins asked if anything had been done in the past. Mr. Anderson stated nothing of this magnitude. She asked how this would affect the neighbors. Mr. Anderson stated it would impact them but the outcome will be worth it and the project would take 12 to 15 months. Mr. Ward stated staff recommendation is that no permit will be required because it is an allowable activity in Wetlands in accordance with Hopewell City Code Chapter Sec. 27.5-23(9).

A motion was made by Vice-Chairman Butterworth to acknowledge that the Moultrie Avenue Drainage Improvement project impacts wetlands but that no permit will be required because it is an allowable activity in wetlands in accordance with Hopewell City Code Chapter 27.5, Sec. 27.5-23.(9) which states the work proposed constitutes the normal maintenance and repair of, or addition to, presently existing roads, highways, railroad beds, or facilities abutting on or crossing wetlands, provided that no waterway is altered and no additional wetlands are covered. Commissioner Vanderkeift second the motion. The motion was approved 5-0.

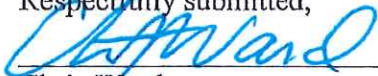
Report of Council's Boards & Commissions

None

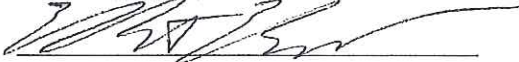
Adjourn

A motion was made by Vice Chair Butterworth to adjourn the meeting. Commissioner Vanderkeift second the motion. The meeting was adjourned at 6:54 p.m.

Respectfully submitted,



Chris Ward
Senior Planner



Elliot Eliades
Chairman

**MINUTES OF THE NOVEMBER 16, 2021 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Tuesday, November 16, 2021, at 6:00 p.m. in City Council Chambers located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Chairman
Todd M. Butterworth, Vice Chairman
Paul Reynolds
Cassandra Vanderkeift

Planning Commission Members absent:

Fara Jenkins

Staff Member present:

Tevya Griffin, Director

Chairman Eliades opened the meeting at 6:03 p.m.

A prayer was rendered by Vice-Chairman Butterworth.

By roll call, a quorum was established with the above members of the Commission present.

Withdrawals/Deferrals

A motion was made by Vice-Chair Butterworth to move the public hearing before administrative matters, and Commissioner Vanderkeift seconded the motion. The motion was approved 4-0.

Public Hearing

The public hearing was opened at 6:30 p.m.

Mrs. Griffin provided an overview of the application. The City of Hopewell has received a request from Edgardo Ledee for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single-family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

Mrs. Griffin explained the minimum square footage required to construct a single-family detached home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property meets the minimum square footage requirement but

only has 38 feet of frontage at the right of way line and is therefore required to obtain a Conditional Use Permit from City Council.

Per Mrs. Griffin, the applicant has proposed to build a 12' x 17' home. The 204 square studio would have a kitchen and bath as shown on the drawing marked, "Floor Plan". The structure will have a crawl space and brick foundation as required by City Council.

City Council requires the Department of Development to provide the neighborhood characteristics to make sure the home is consistent for that area. Mrs. Griffin stated the subject property is a vacant lot located in the Buren Subdivision at 216 South 16th Avenue, also identified as Sub-Parcel #024-0845. The property is located between two single-family detached homes. On this portion of 16th Street from Atlantic Street to Buren there are 15 dwellings. West End Presbyterian Church is located at Atlantic and 16th. An unimproved parking lot is located at the western corner of Atlantic and South 16th and is used for overflow parking for West End Presbyterian Church.

Mrs. Griffin added an inventory of fourteen (14) homes in the immediate vicinity of the lot in question is attached to this report. The average square feet of the homes are 1,423. All homes were built prior to 1951. Most homes are Bungalow style with a few Cape Cod's. The exterior material varies from brick, Masonite, vinyl, and asbestos.

Mrs. Griffin informed the Commission that she and the Building Official met with the applicant to discuss the Conditional Use Permit process and the architectural inventory survey requested by City Council prior to the Planning Commission meeting.

Vice-Chairman recused himself from this case and any discussion because the owner of the property is his sister-in-law.

Mr. Ledee approached the podium. He explained that he is an oversees contractor and has recently come back to Hopewell. He lived in the City before his last job. He is going through a divorce and will build this house to accommodate himself and kids when they come to visit. He is building this type and size house because this is what he can afford at the time. He plans to add on to the house as he is financially able to do so. He provided the Commission with a drawing of the exterior design of the proposed building.

Chairman Eliades asked the applicant if the property had been purchased, and he stated it was under contingency. Chairman Vanderkeift asked about the drawing and the location of the windows. The applicant explained his drawing. Mr. Reynolds asked about the slope of the roof and if the applicant thought of constructing a gable roof which would be beneficial when adding an addition in the future. The applicant responded he wanted to give the home a modern look, so he chose the roof shown on the drawing.

Chairman Eliades asked if there were any other comments to be read into minutes. Mrs. Griffin responded no comments. Mrs. Griffin did add that the Planning Commission has the purview of the zoning ordinance to put conditions on the applicant. For example, build it to 1400 square feet in two years.

The public hearing closed at 6:43 p.m.

There was conversation regarding the compatibility of the size and architecture of the proposed structure. Mrs. Vanderkeift addressed the applicant regarding his need to build in increments due to finances. She stated that she appreciated this and wanted him to know that she sympathized with him and understood the need for affordable housing. Mr. Reynolds also spoke to the need of affordable housing in the City and recognized that this type of studio home is an example of an affordable alternative housing type. He expressed the importance of the Planning Commission addressing the issues of housing affordable housing and providing avenues for a diversity of housing options that could address the affordability problem. There was further discussion about the precedence the construction of this studio home would have for other conditional use permits in the City and how a Conditional Use Permit could be designed to allow multiple additions over time.

A motion was made by Commissioner Vanderkeift to deny the Conditional Use Permit due to the size and style of architecture presented to the Planning Commission. The application does not meet standards outlined in Article XXI, Amendments, Section D, Sub-Section d. Approval Criteria: Condition 4 and 5.

Chairman Eliades seconded the motion. The motion to deny the request was approved 3-0 with Vice-Chairman Butterworth abstaining.

Administrative Matters

Meeting Minutes

September 2, 2021, meeting minutes motioned to be approved as amended by Vice-Chairman Butterworth. Motion second by Commissioner Reynolds. Motion passed 4-0.

October 7, 2021, meeting minutes motioned to be approved as written by Commissioner Vanderkeift. Motion second by Vice-Chairman Butterworth. Motion passed 4-0.

Unfinished Business

Mrs. Griffin proposed scheduling the work sessions on the Zoning Ordinance Re-write for November 30, 2021, and December 7, 2021, from 1:30 p.m. to 3:30 p.m. Vice-Chair Butterworth asked if he could do the meetings remotely since he would be traveling for work. Mrs. Griffin will send a Zoom invite to Vice-Chair Butterworth.

New Business of the Wetlands Board

Mrs. Griffin presented the request that the City received to subdivide 310 Stonewall Avenue, also identified as Sub-Parcel # 014-1120, from one parcel to three. Each of the lots will be over 7500 square feet and meet the 75 feet frontage at the right-of-way that is required. Mrs. Griffin stated that the staff recommends approval because the subdivision meets the requirements in the Subdivision Ordinance and the Zoning Ordinance. A motion to approve the subdivision was made by Vice-Chairman Butterworth because the subdivision meets the requirements in the Subdivision Ordinance and the Zoning Ordinance. Motion seconded by Commissioner

Vanderkeift. Motion passed 4-0.

Report of Council's Boards & Commissions

None

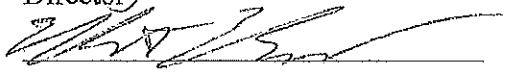
Adjourn

A motion was made by Commissioner Vanderkeift to adjourn the meeting. Vice-Chair Butterworth seconded the motion. The meeting was adjourned at 7:19 p.m.

Respectfully submitted,



Tevya W. Gliffin
Director



Elliot Eliades
Chairman

INFORMATION/ PRESENTATION

**City Council
December 14th, 2021**



The Hopewell Downtown Partnership (HDP) partners with local government, existing community and business organizations, as well as our richly diverse community at large, to develop and implement a program for a healthy, vibrant, and prosperous central downtown district.



Reflecting on 2021

Project Updates

2022 Projects

Feedback from Merchants

Reflecting on 2021



Economic Vitality

- Net gain of businesses
- Assisted with 3 major property renovations
- Functioning as a 'broker' and filling vacancies



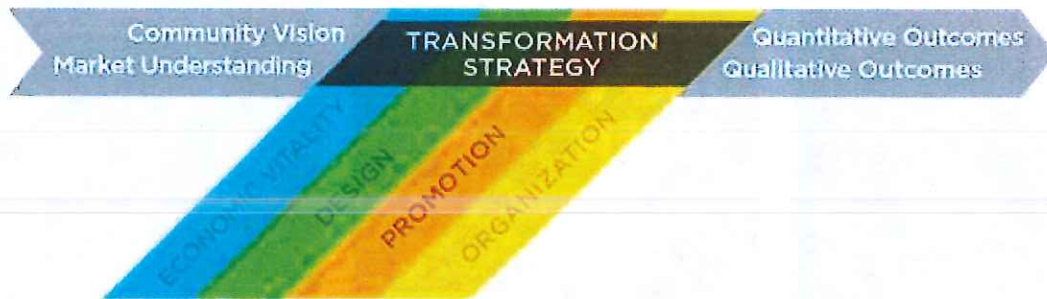
HDP Events

- 6 festivals with different music genres
- 6 Merchant Meetings
- 5 months of markets
- Spring Cleaning Event



Design and Branding

- 2 murals completed
- 5&Dime project and prints
- Billboards, social media, radio, print, online - success stories



Transformation Strategies for Downtown Hopewell

- Outdoor Recreation
- The Arts
- Small-scale production



ANNUAL EVENTS

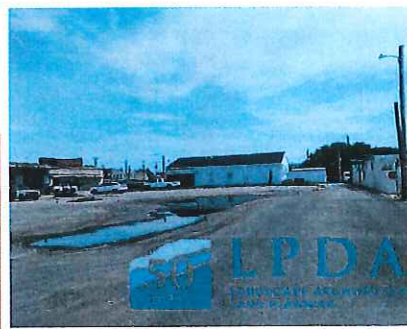


Project Updates



Public Art

- Austin Miles
"Hopewell Proud"
224 N Main
- Nico Cathcart
"A New Dawn"
245 E Broadway



Streetscapes and Wayfinding

Site visit conducted.
Partnering with Planning and Development on initiative.



Alleyway Transformation and Complete Streets

Funded!
Patio lights, banners, greening, and bike racks around Downtown.

In-process!

New 2022 Projects



Community Business Launch

- VSU Minority Small Business Launch Center
- \$30,000 to award
- May 2022 - Pitch Night
- Goal is 3 new businesses and 5 new jobs



Small Scale Development Bootcamp

- Scholarships for Hopewellians, SWaM emphasis
- Updated Market Analysis
- Investment Guide for Downtown
- Train 120 small-scale developers

**Feedback from your constituents?
or generally?**

Merchant Feedback

- **WAYFINDING IS A MUST**
- **SUPPORTIVE OF EVENTS**
- **SAFETY & LIGHTING ARE CONCERNS**
- **POSITIVE ABOUT THE FUTURE**
- **PARKING SYSTEM NEEDS TO BE DEVELOPED**



**New Office Space
106 N Main St., Ste A**

**(804)571-1068
heather@
hopewellowntown.com**

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 to consider citizen comments regarding a request to vacate a portion of an undeveloped right-of-way

ISSUE: The City has received a request to vacate a portion of an undeveloped right of way and must consider citizen comments before voting on the matter. The Planning Commission has made a recommendation on the matter and the City Council held a work session on October 26, 2021.

RECOMMENDATION: Staff recommends City Council consider citizen comments during the public hearing.

TIMING: Public Hearing – December 14, 2021

BACKGROUND: The City has received a request from Joseph Walton to vacate a portion of undeveloped right of way identified as Jones Street between Sub-Parcel #034-0110 and 1899 Liberty Avenue. The right-of-way is approximately 2,500 square feet.

ENCLOSED DOCUMENTS:

- Application
- Staff Report

STAFF:

Tevya W. Griffin, Director, Department of Development

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

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

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

Roll Call

SUMMARY:

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

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



Joseph A. Walton
Vacation of a portion of Jones Street

Staff Report prepared for the City Council Public Hearing

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

I. PUBLIC HEARINGS & WORK SESSION:

Planning Commission Public Hearing	October 7, 2021	Recommended Approval
City Council Work Session	October 26, 2021	No Action required
City Council Public Hearing	December 14, 2021	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

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

III. EXECUTIVE SUMMARY:

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

IV. STAFF ANALYSIS:

This undeveloped portion of Jones Street is located in Ward 6. The right of way is approximately 2,500 square feet. Only half of the right-of-way was vacated in 1995 leaving the half in question as a wooded area. The site is relatively flat and at present is not usable. The other portion of Jones Street was vacated in 1995 and used by the owners at 1899 Liberty Avenue.

V. PUBLIC SERVICE AND SITE CONSIDERATIONS:

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

Engineering and Storm water staff have no objections to the right-of-way vacation.

VI. STAFF RECOMMENDATION:

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

VII. PLANNING COMMISSION RECOMMENDATION:

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission recommends with a vote of 5-0 to approve the request submitted by Joseph A. Walton to request the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue, and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,500 square feet.

VIII. CITY COUNCIL RESOLUTION:

The Hopewell City Council votes ___ *to* ___ *to approve, deny* the request submitted by Joseph A. Walton to request the vacation of an undeveloped portion of Jones Street between 1899 Liberty Avenue and Sub-Parcel #034-0110. The approximate square footage of the right of way is 2,500 square feet.

Aerial Map of portion of Jones Street



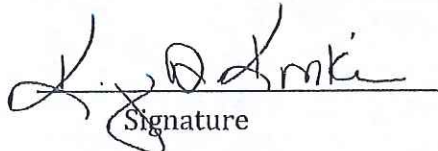
Sub-Parcel #034-0110



Proposed vacated area

AFFIDAVIT OF MAILING

I, (**Kimberly D. Kinker**), under oath, hereby certify that the Hopewell City Council will conduct a public hearing meeting on Tuesday December 14, 2021 at 7:30 p.m. in City Council Chambers in the Municipal Building, 300 North Main Street, Hopewell, Virginia 23860. For a request submitted by Joseph Walton to vacate a portion of undeveloped right of way identified as Jones Street between Sub-Parcel #034-0110 and 1899 Liberty Avenue. The right-of-way is approximately 2,800 square feet. Letter notices were mailed on November 23, 2021 to applicant and adjacent property owners for the properties on the attached mail matrix.


Signature

Executive Assistant

Title

COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that (**Kimberly D. Kinker**) whose name is signed to the foregoing as **Executive Assistant** for the (**Department of Development/Planning**), has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

Given under my hand this 23 day of November 2021.

My Commission expires: May 21, 2024

Notary Public: Darlene B. Loving





The City of
Hopewell, Virginia

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

November 23, 2021

Dear Property Owner:

As an adjacent property owner of the following request, we are notifying you of a Public Hearing.

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

The Hopewell City Council will hear citizen comments during a Public Hearing at 7:30 p.m. on Tuesday, December 14, 2021 in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia. The following items will be considered:

1. A request submitted by Joseph Walton to vacate a portion of undeveloped right of way identified as Jones Street between Sub-Parcel #034-0110 and 1899 Liberty Avenue. The right-of-way is approximately 2,800 square feet.

If you cannot attend the meeting, but would like to comment regarding the matter there are several ways to do so. Call (804) 541-2220 and leave a voice message that will be read into the meeting minutes. Please listen carefully to the prompts that will direct you to the public comment mailbox. The public can also email comments to Devdept@hopewellva.gov. These comments will be received by Kim Kinker, Executive Assistant. All verbal and written comments must be received by Thursday, October 7, 2021 at 5:00 p.m. to be considered during the public hearing.

Information regarding the above referenced matters may be examined at the Department of Development, Room 321, Municipal Building, Hopewell, Virginia during normal business hours from 8:30 a.m. to 5:00 p.m., Monday through Friday. Additionally, information can be obtained by telephone at (804) 541-2220.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

FILE COPY



City of Hopewell
Department of Development

300 North Main Street
Hopewell, VA 23860

November 23, 2021

Joseph Walton
1814 Stewart Avenue
Hopewell, Virginia 23860

Dear Mr. Walton:

The Hopewell City Council will meet on Tuesday, December 14, 2021 at 7:30 p.m. to hold a public hearing regarding your request to vacate a portion of Jones Street located between Sub-Parcel# 034-0110 and 1899 Liberty Avenue. At a public hearing City Staff will provide an overview of the request, with a recommendation. As the applicant, you are allowed to present the request to the City Council. The Council may also ask you questions. The Code of Virginia also requires the City to notifying adjacent property owners of your request. If they choose, they are allowed to provide their opinion in writing or at the meeting.

The meeting on Tuesday, December 14, 2021 will be held in City Council Chambers located at 300 North Main Street, Hopewell, Virginia in City Hall. Please plan to attend this meeting or have a representative attend that can answer questions regarding the application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tevya Williams Griffin".

Tevya Williams Griffin, AICP
Director
Department of Development

WB ACQUISITIONS LLC
165 Hawk Nest Ct
Richmond, VA 23227

Genita M Ruffin
P O Box 4070
Fort Polk, VA 71459

Cayruth Barbara
1818 Liberty Ave
Hopewell, VA 23860

Joseph & Goldie P Walton
2701 Poplar Street
Hopewell, VA 23860

Scott Lorraine
21401 Warrior Dr
Matoaca, VA 23803

Johnson Francisco
1905 Liberty St
Hopewell, VA 23860

Ava G Young
1908 Liberty Ave
Hopewell, VA 23860

Walter JR Royal
1701 The Terraces
Baltimore, VA 21209

Jerone D & Letia K. Hill
1816 Liberty Ave
Hopewell, VA 23860

Wiileen C Ford
1821 Liberty Ave
Hopewell, VA 23860

Clarence & Maretha Bailey
1899 Liberty Ave
Hopewell, VA 23860

Spencer & Catherine E. Whitehead
1904 Liberty Ave
Hopewell, VA 23860

BERRIOS SAMUEL & LESVY R
MALDONADO
1906 Liberty Ave
Hopewell, VA 23860

Clarice M Scott
1910 Liberty Ave
Hopewell, VA 23860

WB ACQUISITIONS LLC
1806 Summit Ave Suite 300
Richmond, VA 23230

HOLY TRINITY CH OF
HOPEWELL
P O Box 671
Hopewell, VA 23860

Kelly JR Mcdowell
1822 Liberty St
Hopewell, VA 23860

Kennedy Shirley
1903 Liberty Ave
Hopewell, VA 23860

WESTBUILT HOMES INC
6020 Surrywood Dr
Prince George, VA 23875

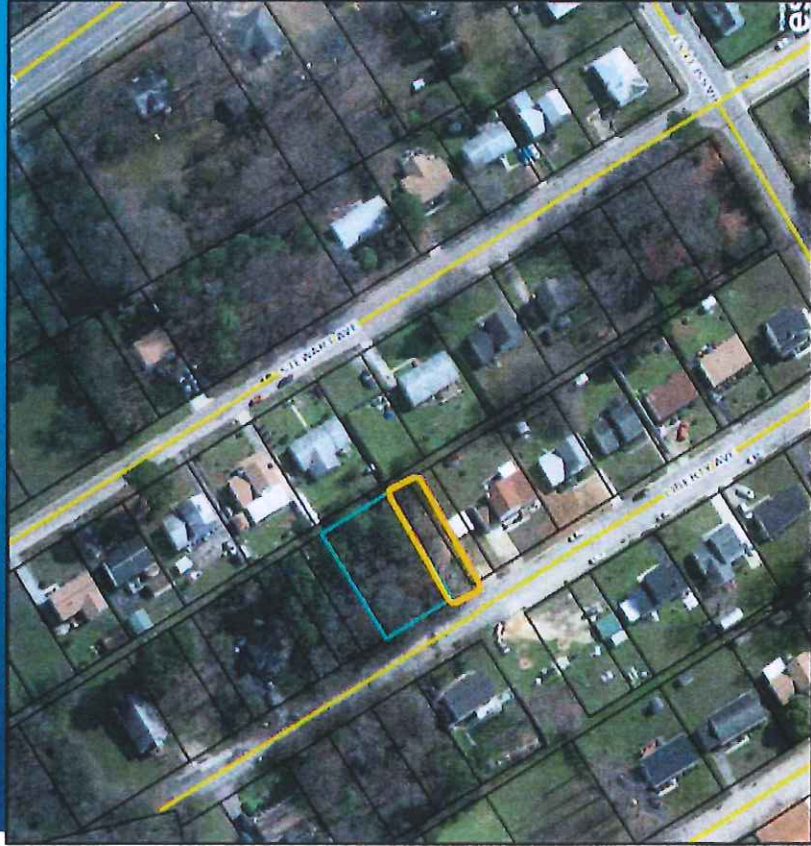
Walean J Paul S. Warren
1907 Liberty Ave
Hopewell, VA 23860

Hopewell City Council Public Hearing

DECEMBER 14, 2021

VACATION OF A PORTION OF JONES STREET

Vacation of a portion of Jones Street



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



Sub-Parcel # 034-0110



Portion of undeveloped Jones Street

Property information

- ▶ Size of Area to be vacated:
2,500 square feet
- ▶ Ward 6
- ▶ Land use plan: Urban
Residential
- ▶ Zoning: R-2, Residential
Medium Density District
- ▶ Combined square footage of
parcel & right of way: 12,700

Citizen input

- ▶ Informational sign placed on property that includes case # , and phone number of development office.
 - ▶ 28 Adjacent property owner letters mailed on September 20, 2021 for Planning Commission meeting on October 7, 2021.
 - ▶ 28 Adjacent property owner letters mailed on November 2021 for City Council meeting on December 14, 2021
 - ▶ Ad placed in Progress Index two weeks prior to both the Planning Commission and City Council meeting.
- ▶ Adjacent property owner of 1899 liberty avenue attended the Planning Commission meeting and requested the undeveloped portion of Jones Avenue be added to their property instead of the applicant.
 - ▶ There were no other citizen comments.

Planning Commission Recommendation

- ▶ The Planning Commission voted 7-0 to recommend approval of the request submitted by Joseph A. Walton to vacate a portion of Jones Street located between 1899 Liberty Avenue and Sub-Parcel #034-0110 the approximate square feet being 2,500.



City Council Resolution

- ▶ The Hopewell City Council votes ___ to ___ to *approve*, *deny* the request submitted by Joseph A. Walton to vacate a portion of Jones Street located between 1899 Liberty Avenue and Sub-Parcel #034-0110 the approximate square feet being 2,500.

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: School Board Vacancy

ISSUE: In accordance with § 22.1-29.1. of the Code of Virginia, City Council must conduct a public hearing prior to the appointment of school board members

RECOMMENDATION: Staff recommends that City Council conduct the public hearing to receive nominations and comment on potential candidate to fill the vacancy on the School Board, and schedule a date(s) to interview the candidates

TIMING: Action is request at the December 14, 2021 City Council meeting

BACKGROUND: § 22.1-29.1. of the Code of Virginia that at least seven days prior to the appointment of any school board member City Council shall hold one or more public hearings to receive the views of citizens within the school division. Public notice of the hearing shall be given at least ten (10) days prior to any hearing in a newspaper having a general circulation within the school division. No nominee or applicant whose name has not been considered at a public hearing shall be appointed as a school board member.

ENCLOSED DOCUMENTS:

▪

STAFF:

Mollie Bess, City Clerk

SUMMARY:

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

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

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

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

CITY OF HOPEWELL

NOTICE OF PUBLIC HEARING

The City Council of the City of Hopewell will hold a public hearing on Tuesday, December 14, 2021 at 7:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia. The following item will be considered:

The purpose of the Public Hearing is to receive public comments regarding nominees or applicants to the School Board to fill one unexpired term through June 30, 2024. Section 22.1-29 of the State Code states that *"No nominee or applicant whose name has not been considered at the public hearing shall be appointed as a school board member."* Terms of office for School Board members are three years with terms commencing on July 1.

Talent Bank Resumes will be received in the Office of the City Clerk until Friday, December 3, 2021.

If additional information is required regarding this hearing, contact the Office of the City Clerk, (804) 541-2408.

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

UNFINISHED BUSINESS

UB-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: City Code Section 2-4 – Residency Requirement

ISSUE: City Council requested proposed amendments to § 2-4 of the City Code which provides residency requirements for City Council appointee and the Assistant City Manager and Department Heads

RECOMMENDATION: Staff recommends City Council review the draft amendments to § 2-4 of the City Code and take appropriate action

TIMING: N/A

BACKGROUND: Section 2-4 of the City Code requires the City Manager, City Attorney, and City Clerk to reside within the City, unless a waiver is granted by City Council, and it requires that the Assistant City Manager (ACM) and Department Heads may live within 30 miles of the City limits if they reside there at the time of hire. If the ACM or Department Head should relocate their residence at any point during their employment then they must relocate within the City. City Council discussed a request for a waiver submitted by a Department Head at which time City Council requested the City Manager prepare two (2) ordinance amendments for consideration – one (1) eliminating the requirement to relocate into the City Council should the ACM or Department Head relocate during their employment and one (1) eliminating the requirement to relocate, but requiring the Fire Chief, Police Chief and Director of Public Works to live within the City during their employment.

The amendment of Section 2-4 does not require a public hearing.

SUMMARY:

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

ENCLOSED DOCUMENTS:

- Draft Ordinances Amending §2-4 of the City Code

STAFF:

John M. Altman, Jr., City Manager

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

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

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

Sec. 2-4. Residency requirements for certain city officers and department heads.

- (a) The following city officers appointed by the city council must become residents of the city no later than six (6) months after appointment:
- (1) City manager;
 - (2) City attorney;
 - (3) City clerk.
- (b) The assistant city manager and department heads residing within 30 miles of the city limits of the City of Hopewell at the time of initial employment are exempted from the residency requirement. If the assistant city manager or a department head relocates his or her primary residence while employed by the City of Hopewell, such assistant city manager or department head shall be subject to the residency requirement.
- (c) The city council may waive any provision or requirement of this section. City council may grant such waiver by ordinance, resolution, or motion.

(Ord. of 10-24-78; Ord. No. 89-24, 10-24-89; Ord. No. 92-11, 5-12-92; Ord. No. 97-11, 7-8-97; Ord. No. 2001-24, 12-11-2001; Ord. No. 2013-06 , 6-4-13; Ord. of 12-10-19)

ORDINANCE 2021-__

An Ordinance amending and reenacting Section 2-4, Residency requirements for certain city officers and department heads, of Chapter 2 of the Code of the City of Hopewell.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Section 2-4, Residency requirements for certain city officers and department heads, of Chapter 2, Administration, of the Code of the City of Hopewell is amended and reenacted as follows:

CHAPTER 2 – ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-4. Residency requirements for certain city officers and department heads.

- (a) The following city officers appointed by the city council must become residents of the city no later than six (6) months after appointment:
- (1) City manager;
 - (2) City attorney;
 - (3) City clerk.
- (b) The assistant city manager and department heads ~~residing shall reside~~ within 30 miles of the city limits of the City of Hopewell ~~at during the their~~ time of ~~initial~~ employment ~~and~~ are exempted from the residency requirement. ~~If the assistant city manager or a department head relocates his or her primary residence while employed by the City of Hopewell, such assistant city manager or department head shall be subject to the residency requirement.~~
- (c) The city council may waive any provision or requirement of this section. City council may grant such waiver by ordinance, resolution, or motion.

(Ord. of 10-24-78; Ord. No. 89-24, 10-24-89; Ord. No. 92-11, 5-12-92; Ord. No. 97-11, 7-8-97; Ord. No. 2001-24, 12-11-2001; Ord. No. 2013-06, 6-4-13; Ord. of 12-10-19)

In accordance with Section 7, Effective date of ordinances and resolution; emergency measures, of Chapter 4 of the City Charter, this ordinance shall become effective after thirty (30) days from the date of its adoption by the City Council. In all other respects said Code of the City of Hopewell shall remain unchanged and be in full force and effect.

ORDINANCE 2021-__

An Ordinance amending and reenacting Section 2-4, Residency requirements for certain city officers and department heads, of Chapter 2 of the Code of the City of Hopewell.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Section 2-4, Residency requirements for certain city officers and department heads, of Chapter 2, Administration, of the Code of the City of Hopewell is amended and reenacted as follows:

CHAPTER 2 – ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-4. Residency requirements for certain city officers and department heads.

(a) The following city officers appointed by the city council must become residents of the city no later than six (6) months after appointment:

- (1) City manager;
- (2) City attorney;
- (3) City clerk.

(b) The assistant city manager and department heads appointed by the City Manager residing shall reside within 30 miles of the city limits of the City of Hopewell at the time of initial during employment ~~are exempted from the residency requirement. If the assistant city manager or a department head relocates his or her primary residence while employed by the City of Hopewell, such assistant city manager or department head shall be subject to the residency requirement, except for the following who must become residents of the city no later than six (6) months after appointment:~~

(1) Chief of Police;

(2) Chief of Fire; and

(3) Director of Public Works.

(c) The city council may waive any provision or requirement of this section. City council may grant such waiver by ordinance, resolution, or motion.

(Ord. of 10-24-78; Ord. No. 89-24, 10-24-89; Ord. No. 92-11, 5-12-92; Ord. No. 97-11, 7-8-97; Ord. No. 2001-24, 12-11-2001; Ord. No. 2013-06, 6-4-13; Ord. of 12-10-19)

In accordance with Section 7, Effective date of ordinances and resolution; emergency measures, of Chapter 4 of the City Charter, this ordinance shall become effective after thirty (30) days from the date of its

adoption by the City Council. In all other respects said Code of the City of Hopewell shall remain unchanged and be in full force and effect.

COMMUNICATIONS

FROM

CITIZENS

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:

Subdivision of property located at 310 Stonewall Avenue.

ISSUE: The City has received a request to subdivide a parcel of land located at 310 Stonewall Avenue. The Hopewell Subdivision Ordinance requires a review of the subdivision by the Planning Commission and approval by City Council.

RECOMMENDATION: The subdivision meets the requirements of the Subdivision Ordinance and the underlying Residential, Medium Density (R-2) Zoning District. The Planning Commission therefore recommends approval of the request.

TIMING: Staff requests City Council review the request and provide approval at their December 14, 2021 meeting.

BACKGROUND: The Planning Commission approved the subdivision at their November 16, 2021 meeting.

ENCLOSED DOCUMENTS:

- Subdivision Staff Report
- Subdivision Plat

STAFF:

Tevya W. Griffin, Director, Department of Development

FOR IN MEETING USE ONLY**SUMMARY:**

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

MOTION: _____

Roll Call

SUMMARY:

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

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



Applicant: Fetko Properties, LLC
310 Stonewall Avenue

Staff Report prepared for the
City Council Meeting

December 14, 2021

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

I. INFORMATIONAL MEETING:

Planning Commission	November 16, 2021	Recommended Approval
City Council	December 14, 2021	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: N/A
Existing Zoning: R-2, Residential, Medium Density District
Sub-Parcel #: 014-1120
Owner: ILUP, LLC
Size of Area: 30,012 square feet or .689 acres
Proposed Use: Three developable parcels
Location of Property: Southwestern corner of Stonewall Avenue and Clingman Street
Election Ward: Ward 4
Land Use Plan Recommendation: Urban Residential

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Fetko Properties LLC to subdivide one parcel into three parcels at 310 Stonewall Avenue; also identified as Sub-Parcel # 014-1120.

IV. SUBJECT PROPERTY:

The property is located in the R-2, Residential, Medium Density Zoning District. In this district, a property must contain at least 7,500 square feet and 75 feet of frontage along the public right of way to be subdivided. The house located on the property will remain but the shed will be demolished to make way for future construction of a single family

detached home. It appears that the fence will also have to be demolished for the same reason, although this is not depicted on the plat. The property is 30,012 square feet. The 10 lots that comprise Sub-Parcel #014-1120 will be vacated with the creation of the subdivision.

V. ZONING/STAFF ANALYSIS

The applicant proposes to subdivide parcel #014-1120 into three parcels with the following configuration

- Lots 1, 2, 3, and ½ of 4 creates Lot 1R – 10,680 square feet
- ½ of Lot 4, 5, 6 and a portion of Lot 7 creates Lot 2R – 9,660 square feet
- A portion of Lot 7, Lot 8, 9 and 10 creates Lot 3R – 9,660 square feet

Each new lot meets the requirements to subdivide.

VI. APPLICABLE CITY REGULATIONS

The provision of the Subdivision Ordinance that are germane to this subdivision request include the following:

*Article 6, Preparation, Approval and Recording of Subdivision Plats,
Section 6-10, Approval of Preliminary Plat:*

"The City shall refer the preliminary plat to the Planning Commission and to the City Council for Council's information. The Planning Commission shall discuss the preliminary plat with the subdivider in order to determine whether or not the preliminary plat generally conforms to the requirements of the Subdivision Ordinance, Zoning ordinance and any other applicable City plans or ordinances. Within sixty (60) days of the preliminary plat submission to the Planning Commission, the subdivider shall be advised in writing by formal letter of approval, approval with conditions or disapproval of the preliminary plat."

*Article 6, Preparation, Approval and Recording of Subdivision Plats,
Section 6-14, Approval of Final Plat:*

"The final plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this ordinance, and has made satisfactory arrangements for performance bond, cash or cash bond to cover the cost of necessary improvements, in lieu of construction, to the satisfaction of Council. Approval of final plat shall be written on the face of the plat by the Council."

III. COMPREHENSIVE PLAN ANALYSIS

Land Use Plan Recommendation:

The 2028 Comprehensive Land Use Plan/Map recommends this area for Urban Residential. This request is consistent with this designation.

VII. STAFF RECOMMENDATION:

The subdivision meets the requirements of the Subdivision and Zoning Ordinance. Staff therefore recommends approval of the subdivision request submitted by Fetko Properties, LLC.

VIII. PLANNING COMMISSION RESOLUTION:

At their meeting on November 16, 2021, the Hopewell Planning Commission voted 5-0 to recommend approval of the subdivision application submitted by Fetko Properties, LLC to subdivide 310 Stonewall Avenue, also identified as Sub-Parcel # 014-1120 from one parcel to three parcels creating Lots 1R, 2R, and 3R, Block 38, Battle Ground Annex.

This recommendation was given in accordance with Article VI., Preparation, Approval and Recordation of Subdivision Plats, Section 6-9, of the Hopewell Subdivision Ordinance.

Attachments:

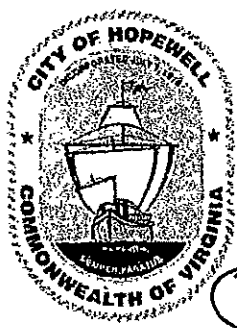
1. Application
2. Preliminary Subdivision Plat

Aerial Photo of 310 Stonewall Avenue



310 Stonewall Avenue

City of Hopewell, VA
Permits & Inspect. - 20210721ADR - 2021
APPROVAL # 20210721
ADMINISTRATIVE RESUBDIVISION - REVIEW 50.00
Payment Amount: 50.00
Transaction Amount: 50.00
CHECK: 3506



The City of Hopewell, Virginia

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



SUBDIVISION / ADMINISTRATIVE RESUBDIVISION APPLICATION

A. PLEASE CHOOSE THE TYPE OF LAND USE DIVISION YOU ARE REQUESTING.

SUBDIVISION
APPLICATION FEE: \$250

check # 3511

ADMIN. RESUB.
APPLICATION FEE: \$50

check # 3406

B. PROPERTY INFORMATION

SUBDIVISION / ADMIN. RESUB. TITLE: LOT 1R, 2R, & 3R, BLOCK 38
BATTLEGROUND ANNEX; A RESUBDIVISION OF LOTS 1-10,
BLOCK 38, BATTLEGROUND ANNEX

PROPERTY ADDRESS / LOCATION:

310 STONEWALL AVENUE

PARCEL #: 014-1120 SQUARE FEET 302,842 ZONING DISTRICT: R2

NUMBER OF EXISTING / PROPOSED LOTS: 10 / 3

NEW PUBLIC STREET EXISTING PUBLIC RIGHT-OF-WAY

C. APPLICANT INFORMATION

APPLICANT: Fetko Properties LLC

ADDRESS: 1458 DOHOVAN MILL LANE
POWHATAN, VA 23139

PHONE #: 804-691-9358 FAX #: _____

EMAIL ADDRESS: fetkopropr@yahoo.com

★ For questions / pick up / additional information - call Tina at 804-536-6314 ★

City of Hopewell, VA
Permits / Inspect... - 20210722SUB - 2021
016335-0001 Debra mc... 09/24/2021 12:01PM
711771 - OWNER
SUBDIVISION REVIEW
Payment Amount: 200.00
Transaction Amount: 200.00
CHECK: 3517

INTEREST IN PROPERTY: _____ OWNER OR AGENT

IF YOU ARE NOT THE OWNER OF THE PROPERTY, PLEASE PROVIDE DOCUMENTATION THAT GIVES YOU PERMISSION TO APPLY FOR THIS APPLICATION.

D. OWNER INFORMATION

OWNER: ILUP, LLC
ADDRESS: 3606 RIVER ROAD
Hopewell, VA 23860
PHONE #: _____ FAX #: _____
EMAIL ADDRESS: _____

E. ENGINEER/SURVEOR INFORMATION:

ENGINEER/SURVEYOR: STEPHEN L. BARCENA, L.S.
ADDRESS: BASELINE LAND SURVEYING
526 GROVE AVE, PETERSBURG, VA 23803
PHONE #: 804 520 9180 FAX #: 804 722 9517
EMAIL ADDRESS: BLS23803@M5M.COM

SUBMISSION REQUIREMENTS

SIX (6) COPIES OF A PLAT OF THE SUBDIVISION / ADMINISTRATIVE RESUBDIVISION MUST ACCOMPANY THIS APPLICATION

- FOR A SUBDIVISION, THE SUBDIVISION PLATS MUST BE ON 17" x 22" SHEETS AND FOLLOW THE GUIDELINES SET FORTH IN ARTICLE 6-13 OF THE SUBDIVISION ORDINANCE.
- FOR AN ADMIN. RESUB., THE "BOUNDARY LINE ADJUSTMENT" (BLA) PLATS MUST FOLLOW THE GUIDELINES SET FORTH IN ARTICLES 6-15 AND 6-16 OF THE SUBDIVISION ORDINANCE.

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.

George Fetko

APPLICANT SIGNATURE

9/14/21

DATE

George Fetko

APPLICANT PRINTED NAME

9/14/21

DATE

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

APPROVED

DENIED

September 24, 2021

Fetko Properties, LLC
1458 Donovan Mill Lane
Powhatan, VA 23139

Re: Permission to subdivide

For the property located at 310 Stonewall Avenue in Hopewell, Virginia (parcel ID: 0141120), currently owned by ILUP, Inc., permission is given by Kenneth Rutherford, representative of ILUP, Inc. to George Fetko of Fetko Properties, LLC to apply to the City of Hopewell to subdivide the property behind the house into two separate buildable lots. Fetko Properties, LLC is under contract with ILUP, Inc. to purchase the property.

Kenneth Rutherford.

09/24/21

Kenneth Rutherford, ILUP, Inc.

Date

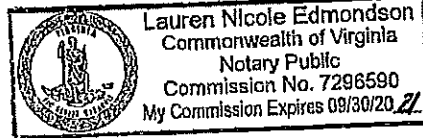
George J Fetko

9/27/21

George Fetko, Fetko Properties, LLC

Date

Commonwealth of Virginia
City/County of Prince George
The foregoing instrument was acknowledged before me
this 27th day of September, 20 21
by George J Fetko
Notary Signature Lauren Edmondson
Registration # 7296590 Expires 9-30-2021
Lauren Nicole Edmondson, Notary Public



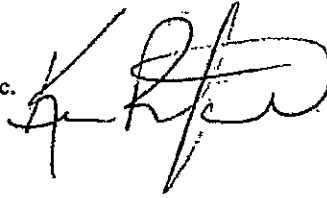
September 24, 2021

Fetko Properties, LLC
1458 Donovan Mill Lane
Powhatan, VA 23139

Re: Permission to subdivide

For the property located at 310 Stonewall Avenue in Hopewell, Virginia (parcel ID: 0141120), currently owned by ILUP, Inc., permission is given by Kenneth Rutherford, representative of ILUP, Inc. to George Fetko of Fetko Properties, LLC to apply to the City of Hopewell to subdivide the property behind the house into two separate buildable lots. Fetko Properties, LLC is under contract with ILUP, Inc. to purchase the property.

Kenneth Rutherford, ILUP, Inc.

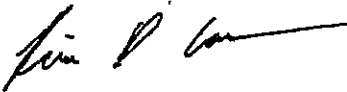


Date

9/27/21

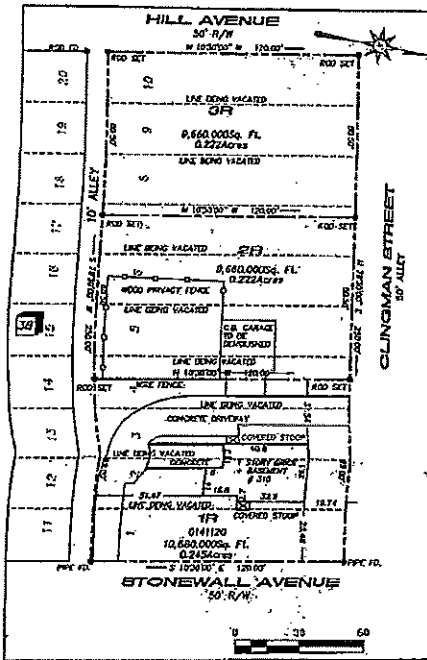
George Fetko, Fetko Properties, LLC

Date



REISE DESHONGELO CARTER
NOTARY PUBLIC
REGISTRATION # 7953535
COMMONWEALTH OF VIRGINIA

EXP DATE: 02/27/25



SUBDIVISION CERTIFICATE

The Subdivision of land shown on this Plat, designated as LOTS 1R, 2R & 3R, BLOCK 3B, BATTLE GROUND ANNEX, A RESUBDIVISION OF LOTS 1-10, BLOCK 3A, BATTLE GROUND ANNEX is with the consent and in accordance with the wishes of the undersigned owners. The delineation of streets and easements are of the width and extent shown on this plat.

ORDER _____ TRUSTEE _____
COMMONWEALTH OF VIRGINIA } **TO WIT**
 OF _____ }
 a Notary Public in and for the State of Virginia, do hereby certify that _____ whose names are signed to this Subdivision Certificate have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2021.

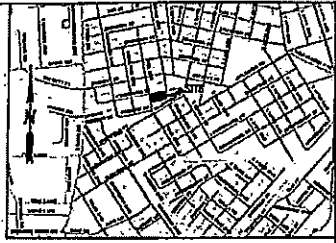
My commission expires _____ Notary Public _____
COMMONWEALTH OF VIRGINIA } **TO WIT**
 OF _____ }
 a Notary Public in and for the State of Virginia, do hereby certify that _____ whose names are signed to this Subdivision Certificate have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2021.

My commission expires _____ Notary Public _____

CERTIFICATE OF APPROVAL

This subdivision shown as LOTS 1R, 2R & 3R, BLOCK 3B, BATTLE GROUND ANNEX is in accordance with existing subdivision regulations and may be permitted to record.

Date _____ Director of Development, City of Hopewell



VICINITY MAP

GENERAL NOTES

1. USE: SINGLE FAMILY RESIDENCE
2. ZONING: R-2, RESIDENTIAL MEDIUM DENSITY
3. WATER: VMCO
4. SEWER: CITY SYSTEM
5. DRAINAGE: EXISTING CURB & GUTTER & ROADSIDE DITCH
6. LOT SIZE: AREA IN LOTS= 0.689 ACRES
TOTAL AREA= 0.689 ACRES
7. TAX MAP: 041120
8. NUMBER OF LOTS: 10 EXISTING / 3 PROPOSED
9. EASEMENTS: ALL EASEMENTS SHOWN ON PLAT ARE FOR DRAINAGE AND UTILITIES, UNLESS OTHERWISE NOTED.
10. BUILDING LINES: ALL BUILDING LINES ARE TO CONFORM TO THE CITY OF HOPEWELL ZONING ORDINANCE.

SURVEYORS CERTIFICATE
 To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivision for recordation in the City of Hopewell, Virginia have been complied with.

STEPHEN L. BARGENA, L.S.

SOURCE OF TITLE
 The property embraced within the limits of this Subdivision was conveyed from U.S. Bank National Association AS ADVENTURE TRUSTEE FOR THE HOLDERS OF THE CMT TRUST 2017-4 MORTGAGE-BACKED NOTES SERIES 2017-3 by deed dated February 14, 2019 to RUP LLC and recorded February 22, 2019 as instrument number 190000410 in the Clerk's Office of the Circuit Court, Hopewell, Virginia.

STEPHEN L. BARGENA, L.S.

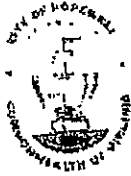


PLAT SHOWING
**LOTS 1R, 2R & 3R, BLOCK 3B,
 BATTLE GROUND ANNEX**
 A RESUBDIVISION OF LOTS 1-10, BLOCK 3A, BATTLE GROUND ANNEX
 HOPEWELL, VIRGINIA

BASLINE LAND SURVEYING
 516 GRIFFIN AVENUE
 HOPEWELL, VIRGINIA 23060
 (804) 863-1111
 www.baseline-land.com

DATE: SEPTEMBER 23, 2021 SCALE: 1" = 30'
 DRAWN BY: SLD
 CHECKED BY: JLB
 APPR'D BY: JLB

App# 201072



City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23860
804-541-2220
Welcome

016316-0005 debra m. 09/14/2021 01:01PM

PERMITS / INSPECTIONS

ADMINISTRATIVE
RESUBDIVISION - REVIEW
2021 Item: 20210772|ADR 50.00
Payment Id: 232840

50.00

Subtotal
Total

50.00
50.00

CHECK
Check Number 3506

50.00

Change due

0.00



Thank you for your payment.

CUSTOMER COPY



City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23860
804-541-2220
Welcome

016375-0001 debra m. 09/24/2021 12:01PM

PERMITS / INSPECTIONS

OWNER

SUBDIVISION - REVIEW

2021 Item: 20210772|SUB 200.00

Payment Id: 233239

200.00

Subtotal 200.00

Total 200.00

CHECK 200.00

Check Number 3517

Change due 0.00

Paid by: OWNER



Thank you for your payment.

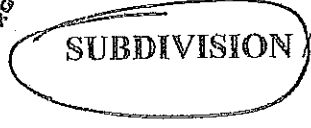
CUSTOMER COPY

App# 20210772



The City of Hopewell, Virginia

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



**SUBDIVISION / ADMINISTRATIVE RESUBDIVISION
APPLICATION**

A. PLEASE CHOOSE THE TYPE OF LAND USE DIVISION YOU ARE REQUESTING.

SUBDIVISION APPLICATION FEE: \$250 *check # 3517*

ADMIN. RESUB. APPLICATION FEE: \$50 *check # 3406*

B. PROPERTY INFORMATION

SUBDIVISION / ADMIN. RESUB. TITLE: LOT 1R, 2R, & 3R, Block 38
BATTLEGROUND ANNEX, A RESUBDIVISION OF LOTS 1-10,
BLOCK 38, BATTLEGROUND ANNEX

PROPERTY ADDRESS / LOCATION:

310 STONEWALL AVENUE

PARCEL #: 014-1120 SQUARE FEET: 3002.84 ZONING DISTRICT: R2

NUMBER OF EXISTING / PROPOSED LOTS: 10 / 3

NEW PUBLIC STREET EXISTING PUBLIC RIGHT-OF-WAY

C. APPLICANT INFORMATION

APPLICANT: Fetko Properties LLC

ADDRESS: 1458 Dobovan Mill Lane
Powhatan, VA 23139

PHONE #: 804-691-9358 FAX #: _____

EMAIL ADDRESS: fetkopropr@yahoo.com

★ For questions / pick up / additional information - call Tina at 804-536-6314 ★

INTEREST IN PROPERTY: _____ OWNER OR AGENT

IF YOU ARE NOT THE OWNER OF THE PROPERTY, PLEASE PROVIDE DOCUMENTATION THAT GIVES YOU PERMISSION TO APPLY FOR THIS APPLICATION.

D. OWNER INFORMATION

OWNER: ILUP, LLC
ADDRESS: 3606 RIVER ROAD
Hopewell, VA 23860
PHONE #: _____ FAX #: _____
EMAIL ADDRESS: _____

E. ENGINEER/SURVEOR INFORMATION:

ENGINEER/SURVEYOR: STEPHEN L. BARCENA, L.S.
ADDRESS: BASELINE LAND SURVEYING
526 GROVE AVE, PETERSBURG, VA 23803
PHONE #: 804 520 9180 FAX #: 804 722 9517
EMAIL ADDRESS: BLS23803@M5M.com

SUBMISSION REQUIREMENTS

SIX (6) COPIES OF A PLAT OF THE SUBDIVISION / ADMINISTRATIVE RESUBDIVISION MUST ACCOMPANY THIS APPLICATION

- FOR A SUBDIVISION, THE SUBDIVISION PLATS MUST BE ON 17" x 22" SHEETS AND FOLLOW THE GUIDELINES SET FORTH IN ARTICLE 6-13 OF THE SUBDIVISION ORDINANCE.
- FOR AN ADMIN. RESUB., THE "BOUNDARY LINE ADJUSTMENT" (BLA) PLATS MUST FOLLOW THE GUIDELINES SET FORTH IN ARTICLES 6-15 AND 6-16 OF THE SUBDIVISION ORDINANCE.

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.

George Fetko
APPLICANT SIGNATURE

9/19/21
DATE

George Fetko
APPLICANT PRINTED NAME

9/14/21
DATE

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

_____ APPROVED _____ DENIED

September 24, 2021

Fetko Properties, LLC
1458 Donovan Mill Lane
Powhatan, VA 23139

Re: Permission to subdivide

For the property located at 310 Stonewall Avenue in Hopewell, Virginia (parcel ID: 0141120), currently owned by ILUP, Inc., permission is given by Kenneth Rutherford, representative of ILUP, Inc. to George Fetko of Fetko Properties, LLC to apply to the City of Hopewell to subdivide the property behind the house into two separate buildable lots. Fetko Properties, LLC is under contract with ILUP, Inc. to purchase the property.

Kenneth Rutherford.

09/24/21

Kenneth Rutherford, ILUP, Inc.

Date

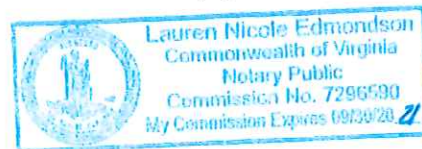
George J Fetko

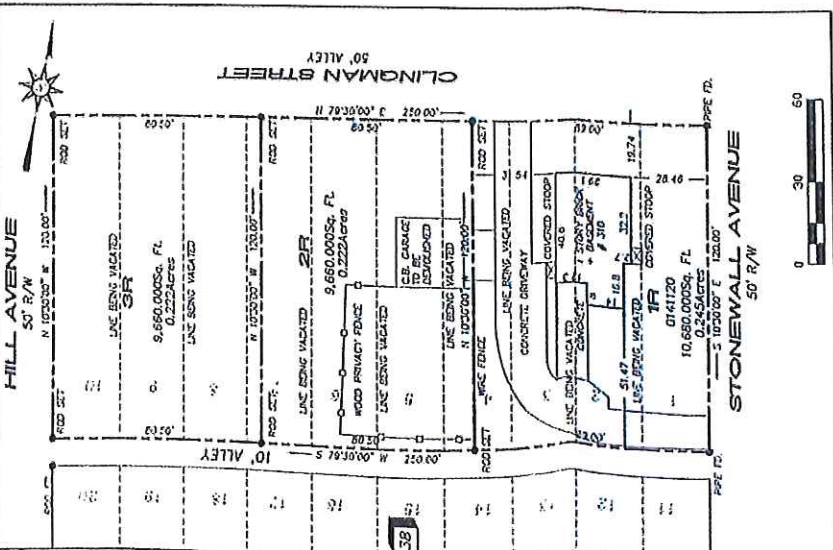
9/27/21

George Fetko, Fetko Properties, LLC

Date

Commonwealth of Virginia
City/County of Prince George
The foregoing instrument was acknowledged before me
this 27th day of September, 2021
by George F. Fetko
Notary Signature Lauren Edmondson
Registration # 2896590 Expires 9-30-2021
Lauren Nicole Edmondson, Notary Public





SURVEYORS CERTIFICATE

To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivision for recordation in the City of Hopewell, Virginia have been complied with.

STEPHEN L. BARCEVA, L.S.

SOURCE OF TITLE

The property embraced within the limits of this Subdivision was conveyed from U.S. Trustee as Indenture Trustee for the Holders of the CMU Trust 2017-3, Mortgage-Backed Notes, Series 2017-3 by deed dated February 14, 2019 to iLUP LLC and recorded February 22, 2019 as Instrument Number 190000410 in the Clerk's Office of the Circuit Court, Hopewell, Virginia.

STEPHEN L. BARCEVA, L.S.

SUBDIVISION CERTIFICATE

The subdivision of land shown on the Plat, designated as LOTS 1R, 2R, & 3R, BLOCK 38, BATTLE GROUND ANNEX, A RESUBDIVISION OF LOTS 1-10, BLOCK 38, BATTLE GROUND ANNEX is with the true consent and in accordance with the desires of the undersigned owners. The dedication of streets and easements are of the width and extent shown on this Plat.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Commonwealth of Virginia, this _____ day of _____, 2021.

COMMONWEALTH OF VIRGINIA TO WIT

State of Virginia, do hereby certify that _____ a Notary Public in and for the State of Virginia, whose names are signed to this Subdivision Certificate have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2021.

My commission expires _____ Notary Public

COMMONWEALTH OF VIRGINIA TO WIT

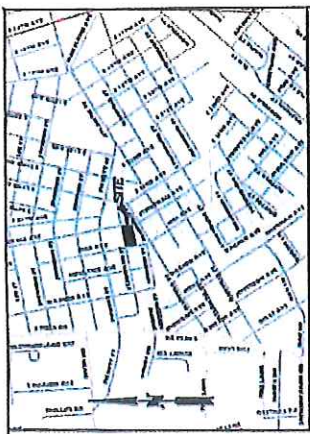
State of Virginia, do hereby certify that _____ a Notary Public in and for the State of Virginia, whose names are signed to this Subdivision Certificate have acknowledged the same before me in my State aforesaid. Given under my hand this _____ day of _____, 2021.

My commission expires _____ Notary Public

CERTIFICATE OF APPROVAL

This subdivision known as LOTS 1R, 2R & 3R, BLOCK 38, BATTLE GROUND ANNEX in accordance with existing subdivision regulations and may be committed to record.

Date: _____ Director of Development, City of Hopewell



VICINITY MAP

GENERAL NOTES

1. USE: SINGLE FAMILY RESIDENCE
2. ZONING: R-2, RESIDENTIAL MEDIUM DENSITY
3. EASEMENTS: SHOWN ON PLAT
4. CITY STREET: CITY STREET
5. DRAINAGE: EXISTING CURB & GUTTER & ROADSIDE DITCH
6. LOT SIZE: AREA IN LOTS = 0.689 ACRES
TOTAL AREA = 0.689 ACRES
7. TAX MAP: 014120
8. EASEMENTS: SHOWN ON PLAT
9. BUILDING LINES: ALL BUILDING LINES ARE TO CONFORM TO THE CITY OF HOPEWELL ZONING ORDINANCE
10. BUILDING LINES: ALL BUILDING LINES ARE TO CONFORM TO THE CITY OF HOPEWELL ZONING ORDINANCE

PLAT SHOWING
LOTS 1R, 2R & 3R, BLOCK 38,
BATTLE GROUND ANNEX
 A RESUBDIVISION OF LOTS 1-10, BLOCK 38, BATTLE GROUND ANNEX
 HOPEWELL, VIRGINIA

THIS DEED MAY BE RECORDED IN THE PUBLIC RECORDS OF THE CITY OF HOPEWELL, VIRGINIA, AT THE OFFICE OF THE CITY CLERK, 100 SOUTH MAIN STREET, HOPEWELL, VIRGINIA 23060. THE CITY CLERK'S OFFICE IS OPEN FROM 9:00 AM TO 5:00 PM, MONDAY THROUGH FRIDAY. THE CITY CLERK'S OFFICE IS CLOSED ON SATURDAY, SUNDAY, AND HOLIDAYS. THE CITY CLERK'S OFFICE IS OPEN FROM 9:00 AM TO 5:00 PM, MONDAY THROUGH FRIDAY, 100 SOUTH MAIN STREET, HOPEWELL, VIRGINIA 23060.

DATE: SEPTEMBER 22, 2021 SCALE 1" = 30'

LOTTEN BY: S.L.B.
 CHECKED BY: S.L.B.
 L.S. NO. 28383
 CALC. ONE: S.L.B.
 E.S. 28143

BASELINE LAND SURVEYING
 L.S. NO. 28383
 PROFESSIONAL SURVEYOR
 IN THE STATE OF VIRGINIA
 LICENSE NO. 28383

App# 2831077a

R-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:

Rental Inspection Program Update

ISSUE: City Council requested an update on the rental inspection program and strategies to improve.

RECOMMENDATION: Staff recommends City Council consider recommendations to improve and amend the ordinance.

TIMING: Consider revisions at the December 14, 2021 meeting. Determine next steps.

BACKGROUND: The rental inspection program was codified in 2005. The program has been implemented but lacks enforcement teeth to be influential. In March 2017 at the request of City Council, Staff provided ideas to improve and expand the program. It was decided by City Council to halt any updates until the CAFER's were complete since additional staff would be needed. A full time rental inspector was funding beginning July 2021. This position was filled in September 2021. Staff now requests revisions to the Rental Inspection Ordinance.

ENCLOSED DOCUMENTS:

- Current rental inspection program ordinance
- Program facts and proposed revisions to program

STAFF:

Tevya W. Griffin, Director, Department of Development

SUMMARY:

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

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

Robert Todd Hawks, Building Official

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

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

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



**IMPROVING THE CITY'S
RENTAL INSPECTION
PROGRAM**

PURPOSE OF THE RENTAL INSPECTION PROGRAM

- To maintain safe, decent and sanitary living conditions for tenants and neighboring residents (Code of VA)
- Reduce/Prevent blight
- Stabilize neighborhoods
- To build resident pride in their neighborhoods
- To improve the impression of the City to outside visitors, and potential future residents
- To foster community and economic development
- Help achieve goals in City's Strategic Plan, Comprehensive Plan, and Housing Plan

HISTORY OF THE CITY'S PROGRAM

- September 13, 2005 – City Council adopts Ordinance 2005-12, established the boundaries of the rental inspection district as the “City Point” area.
- August 11, 2009 – City Council adopts Ordinance 2009-11 amending §19-182, Rental inspection district boundaries, of the City Code to add ‘B’ and NW ‘B’ Village areas.

LIMITATIONS

- City does not charge a fee for failure to schedule an inspection, for the initial inspection, and periodic inspections.
- There is no consequence for willful failure to pay \$50 civil penalty. It is not added to the tax bill, a lien is not placed on property for failure to pay
- An exemption from inspection is given for units that are rented by family members.
- There is no process to verify familial status

LIMITATIONS

- Only two districts have been designated in the City
- No tiered compliance (Certificate of Compliance, Temporary Certificate of Compliance, Rejection)
- There are currently no individual residential dwellings in the program.
- Program is understaffed and therefore unsustainable
- Due to staffing limitations, follow-up inspections are not conducted

SOLUTIONS

HIRE ADEQUATE STAFF TO THOROUGHLY ADMINISTER THE PROGRAM

- Full Time Rental Inspector + Part Time Administrator – for every 2 districts
- 100 individual dwellings outside of district constitutes 1 (one) district

ENSURE FEES ARE COLLECTED

- If fees for any initial inspection and/or re-inspections are not paid within standard 30 days, a lien is placed on the property that must be paid prior to payment of taxes.

IMPLEMENT REASONABLE FEE STRUCTURE

- Initial Inspection \$50.00
- If after Re-inspection, **minor violations** have not been remedied a charge of \$100 per dwelling unit for each re-inspection until the violation is corrected.
- If after Re-inspection, **major violations** have not been remedied within the specified time period a notice of violation will be mailed. Owners will be subject to a penalty of a minimum of \$500 and up to \$2,500
- The VA Statewide Building Code allows a locality to fine an owner who fails to comply with a notice of violation within the specified time period, not more than \$2,500. Each day the violation(s) continues is considered a separate offense. This fine is given by a judge after a conviction in court. State Code Section 36-106

MINOR AND MAJOR VIOLATIONS

Minor Violations

- Fire Safety
- Lack of poor condition of sanitary facilities
- Absence of adequate heating systems or equipment
- Items that affect the safe operation of electrical and mechanical systems
- Structural integrity of the building and/or the ability of the building envelope to keep out the weather

Major Violations

- Any violation that is considered an immediate life safety hazard and requires the removal of persons from the unit per the Building Official.
- The authority to deem a violation minor or major is given to the Building Official per the State Code.

IMPLEMENT TIERED COMPLIANCE

- **Certificate of Compliance**
 - Good for 4 years
 - A Certificate of Compliance can be revoked, if violations are found within the 4 year grace period.
- **Temporary Certificate of Compliance**
 - Good for one year.
 - Allowed for minor violations not life and safety issues
- **Rejection (major issues, uninhabitable, life and safety issues)**

NEW TENANT REPORTING REQUIREMENTS

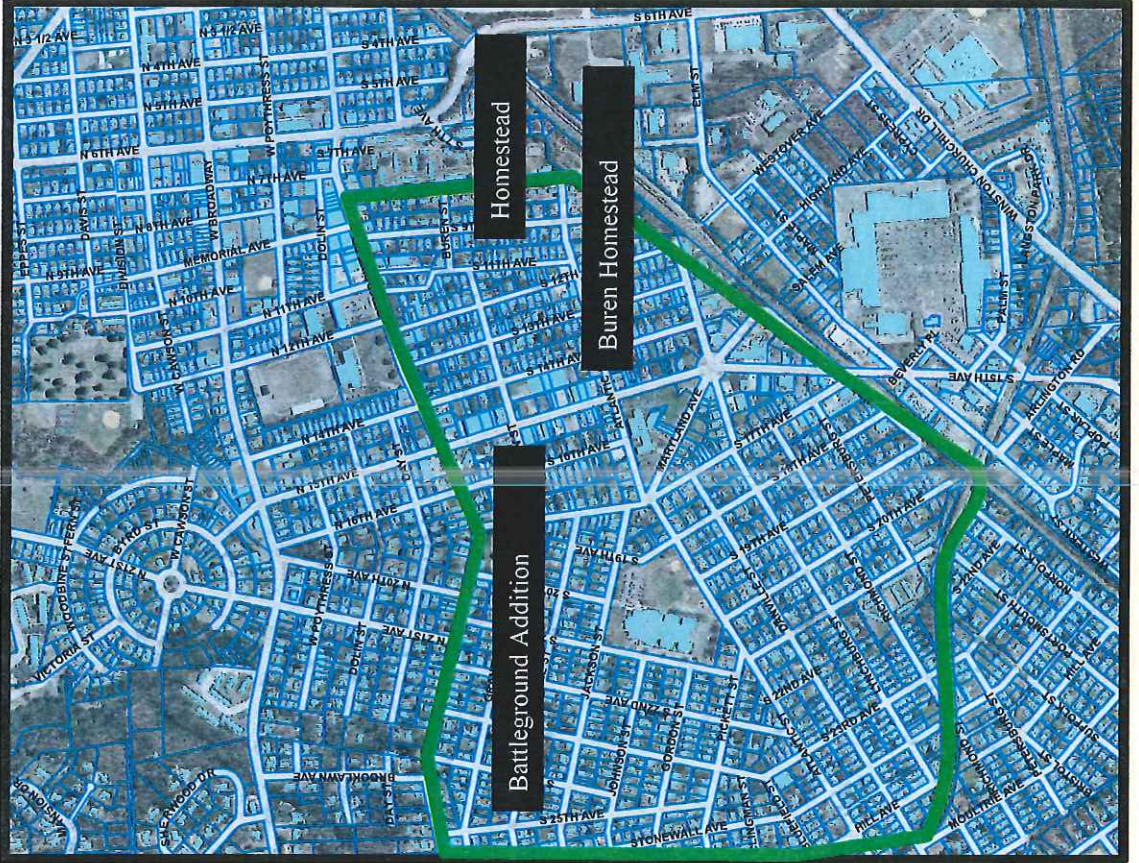
- Landlords must inform Building Official/City if renting to new tenants
- New tenant begins a new rental inspection process
- Initial inspection conducted prior to new tenant move in.
- If Building Official/ City informed inspection fee waived (\$50)
- Failure to inform Building Official results in \$500 penalty, collected by City, not judge

CREATE ADDITIONAL DISTRICTS
AND/OR ADD INDIVIDUAL
DWELLING UNITS

KEY CONSIDERATIONS

- Age of Housing
- Percentage of rental dwellings
- Repeated Building Code Violations
- Signs of neighborhood blight
- Individual dwelling units- must have separate findings for each dwelling unit by the City

PROPOSED ADDITIONAL AREAS TO CONSIDER



NEXT STEPS

Council endorse proposed revisions to Rental Inspection Ordinance/Program

Staff provide ordinance to City Attorney for review

Public comment period

Hold public hearing

QUESTIONS & ANSWERS

R-3



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
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- 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:

Update on 2020 U.S. Census and Redistricting Process

ISSUE: The U.S. Census Bureau has released data from the 2020 Census. Included in this release is information on total population, voting age population, race and housing unit data.

RECOMMENDATION: Staff recommends City Council review the information presented and set a date for a work session to discuss redistricting in response to the increase in population.

TIMING: On December 14, 2021 Staff will present Census 2020 information as it relates to redistricting.

BACKGROUND: Every 10 years the United States government conducts a census, a count and survey of individuals residing in the country. A year after the Census is conducted, local governments are required to use specific criteria to examine, and possibly readjust voting boundaries to create balanced Wards based on the new population data. This presentation is the introduction to the redistricting process in the City of Hopewell.

ENCLOSED DOCUMENTS:

- Power Point Presentation

STAFF:

David Thompson, Geographic Information Systems (GIS) Manager

Tevya W. Griffin, Director, Department of Development

FOR IN MEETING USE ONLY**SUMMARY:**

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

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

MOTION: _____

Roll Call

SUMMARY:

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

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

CITY OF
HOPEWELL
REDISTRICTING
2021



REQUIREMENTS FOR REDISTRICTING

- Law requires Council to change the boundaries of Wards every 10 years in year ending in 1.
- Changes need to reappropriate population among the Wards.
- Boundary changes must be based on U.S. Census data.
- Redistricting of Wards does not change any school district boundaries.

REQUIREMENTS FOR REDISTRICTING

- Wards must be:
 - Contiguous
 - Compact
 - Have clearly observable boundaries such as streets, rivers and other permanent features shown on maps.
 - Have equal populations; maximum deviation between districts should be less than 5%.
- Redrawing Wards cannot result in
 - Racial vote packing (concentrating a voting block into one district to move their ability to influence surrounding districts)
 - Racial vote cracking (breaking a voting block into many districts to water down their vote)



Using Census Data:

- Identify the Ward 2020 Census Ward Populations
- Determine "Ideal" Ward Population based on overall new population of the City
- Calculate Standard Deviation
- Calculate Average Deviation
- Verify Results



Using Census Data:

- Ideal Ward Population = 3,290
- Standard Deviation
 - ✓ +5% to -5%
 - ✓ Ideal Population Numbers +164.5 to -164.5



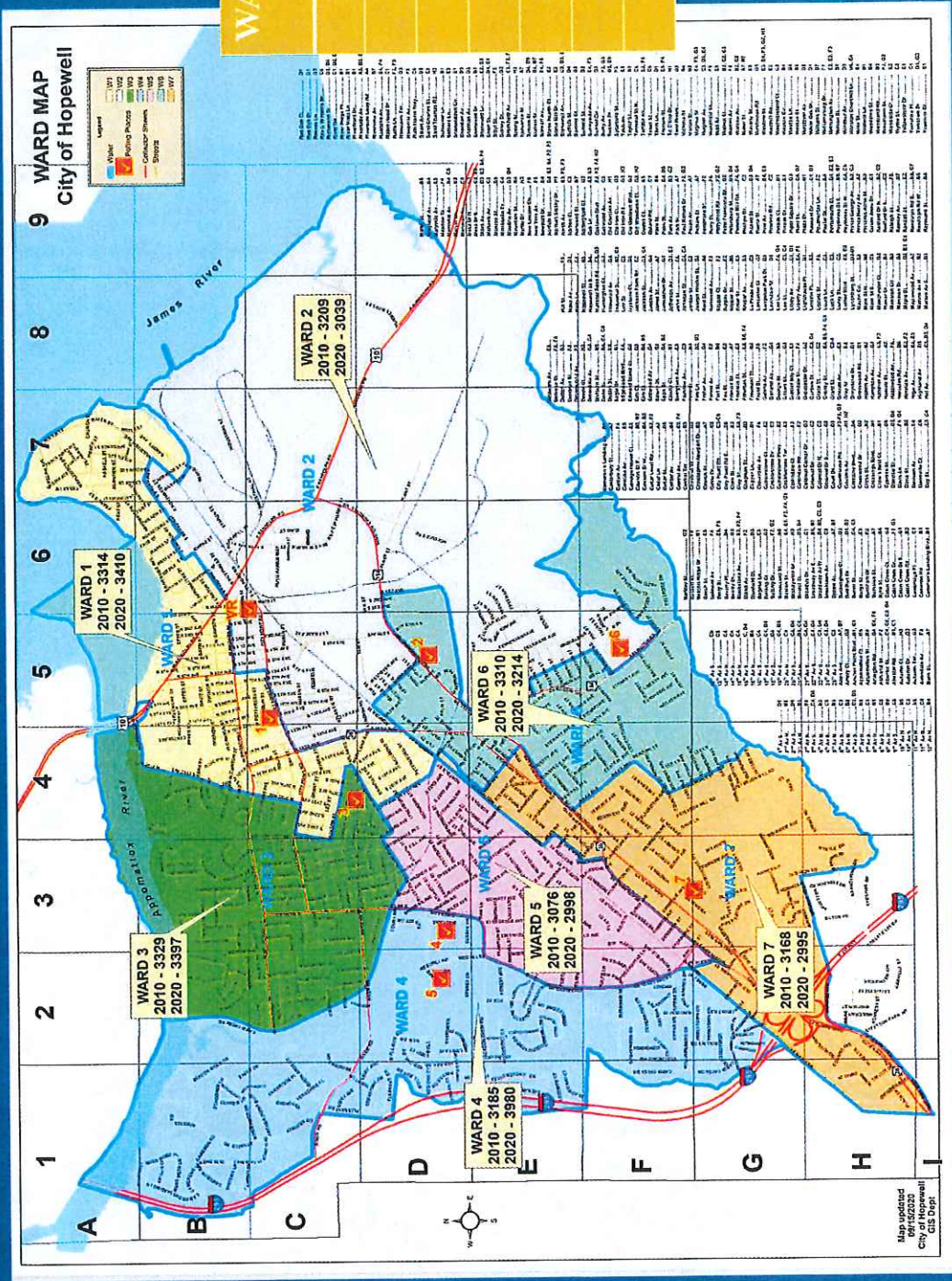
2020 CITY POPULATION

- 2010 Population: 22,591
- 2020 Population: 23,033
- 1.95% increase in population



Population change by Ward

WARD	2010	2020	% CHANGE
1	3314	3410	+2.89%
2	3209	3039	-5.2%
3	3329	3397	+2%
4	3185	3980	+24.9%
5	3076	2998	-2.5%
6	3310	3214	-2.9%
7	3168	2995	-5.4%



Map updated
04/15/2020
City of Hopewell
GIS Dept.

CALCULATING IDEAL WARD POPULATION

Amount Above or Below "Ideal" Ward
Population of 3,290 by Ward

Ward	Total Population	Amount of + / -
1	3,410	120
2	3,039	-251
3	3,397	107
4	3,980	690
5	2,998	-292
6	3,214	-76
7	2,995	-295
Total	23,033	0

AVERAGE

2020

POPULATION:

23,033/7=

3290



CURRENT WARDS WITH NEW CENSUS DATA

WARD	TOT POP	TOT POP DEVIATION	% DEVIATION	WHITE	% WHITE	ALL OTHER	% ALL OTHER
W1	3410	120	3.65	2038	60	1224	36
W2	3039	-251	-7.63	803	27	2136	70
W3	3397	107	3.25	2485	73	763	23
W4	3980	690	20.97	2002	50	1836	46
W5	2998	-292	-8.88	1997	67	882	29
W6	3214	-76	-2.31	933	29	2148	67
W7	2995	-295	-8.97	1302	43	1543	52



NEXT STEPS

- Hold a Work Session
- Provide population/ % change by race for each Ward
- Provide various mapping scenarios to accommodate new population numbers
- January 2022 work session

R-4



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: DEQ – Certificate of Deposit

ISSUE: The City received from the Virginia Department of Environment Quality (DEQ) an Underground Storage Tank (UST) Financial Responsibility Deficiency Notice, for the petroleum UST currently located at the Department of Public Works

RECOMMENDATION: Staff requests City Council to authorize the City Manager to take all necessary actions to establish the Certificate of Deposit to come into compliance with 9VAC25-590 of the Administrative Code of Virginia

TIMING: Action is request at the December 14, 2021 City Council meeting

BACKGROUND: 9VAC25-590, Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements (the “Regulation”), of the Administrative Code of Virginia, requires the City to annually maintain and submit a current mechanism to demonstrate financial assurance for the UST in question. 9VAC25-590-40 (A) requires owners or operators of petroleum USTs to “demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks...that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year” of \$1 million. 9VAC25-590-60 through 9VAC25-590-110 provide allowable mechanisms and combinations of mechanisms for the owner or operator to demonstrate financial responsibility for a UST. Continued non-compliance could subject the City to penalties and fines from DEQ.

SUMMARY:

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

ENCLOSED DOCUMENTS:

- Memo to City Council dated December 7, 2021
- 9VACS25-590-260 – Appendix 13 – Assignment of Certificate of Deposit Account

STAFF:

John M. Altman, Jr., City Manager
Michael Terry, Director of Finance

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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



MEMORANDUM

To: The Honorable City Council
cc: Michael Terry, Director of Finance
From: John M. Altman, Jr., City Manager *JMA*
Date: December 9, 2021
Re: Certificate of Deposit – Underground Storage Tank (UST)

John M. Altman, Jr.
City Manager

maltman@hopewellva.gov
p: (804) 541-2243
f: (804) 541-2248

300 North Main Street
Suite 216
Hopewell, VA 23860

www.hopewellva.gov

The City received from the Virginia Department of Environment Quality (DEQ) an Underground Storage Tank (UST) Financial Responsibility Deficiency Notice, for the petroleum UST (ID# 40007517) currently located at the Department of Public Works, 103 S. Hopewell Street. Per 9VAC25-590, Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements (the "Regulation"), of the Virginia Administrative Code, the City is required to annually maintain and submit a current mechanism to demonstrate financial assurance for the UST in question.

9VAC25-590-40 (A) requires owners or operators of petroleum USTs to "demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks...that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year" of \$1 million.

9VAC25-590-210, Virginia Petroleum Storage Tank Fund (the "Fund"), was established, in part, to offset the costs of demonstrating financial responsibility for regulated petroleum USTs as required by 9VAC25-590-40. The Fund can be used to demonstrate a significant portion of the City's overall financial responsibility obligation, but cannot be used to demonstrate the entire financial responsibility amount of \$1 million.

Total Fund Coverage Amount	\$1,000,000
Coverage Under the Fund	\$980,000
Required City Portion*	\$20,000

* - Portion or obligation required based on 600,000 gallons or less pumped on an annual basis in the UST.

The City's obligation is to demonstrate the ability to satisfy a \$20,000 obligation. 9VAC25-590-60 through 9VAC25-590-110 provide allowable mechanisms and combinations of mechanisms for the owner or operator to demonstrate financial responsibility for a UST. At this time the City cannot satisfy the financial test of self-insurance as the FY 2020 audit is unavailable. After extensive research, in consultation with the City's financial advisor and bond counsel, into the mechanisms contained in 9VAC25-590-60 through 9VAC25-590-110 it was determined that the best option for the City is to utilize 9VAC25-590-105 and assign all rights, title, and interest of a certificate of deposit (see the attached form) to the State Water Control Board. Continued non-compliance could result in penalties and fines by DEQ.

The Honorable City Council
RE: Certificate of Deposit – Underground Storage Tank
Page 2 of 2

Staff requests at the December 14, 2021 Council meeting that City Council authorize the City Manager to take all necessary actions to establish the Certificate of Deposit to come into compliance with 9VAC25-590 of the Virginia Administrative Code.

Please do not hesitate to contact me if you have question or wish to discuss this issue.

Virginia Administrative Code
Title 9. Environment
Agency 25. State Water Control Board
Chapter 590. Petroleum Underground Storage Tank Financial Responsibility Requirements

9VAC25-590-260:13. APPENDIX XIII. ASSIGNMENT OF CERTIFICATE OF DEPOSIT ACCOUNT.

APPENDIX XIII. ASSIGNMENT OF CERTIFICATE OF DEPOSIT ACCOUNT.

[Note: The instructions in brackets are to be replaced by the relevant information and the brackets deleted.]

[Name and Address of Bank]

City _____, 20__

___ FOR VALUE RECEIVED, the undersigned assigns all right, title, and interest to the State Water Control Board, Commonwealth of Virginia, and its successors and assigns the State Water Control Board the principal amount of the instrument, including all moneys deposited now or in the future to that instrument, indicated below:

___ If checked here, this assignment includes all interest now and hereafter accrued.

Certificate of Deposit Account No. _____

This assignment is given as security to the State Water Control Board in the amount of _____ Dollars [\$ _____].

Continuing Assignment. This assignment shall continue to remain in effect for all subsequent terms of the automatically renewable certificate of deposit.

Assignment of Document. The undersigned also assigns any certificate or other document evidencing ownership to the State Water Control Board.

Additional Security. This assignment shall secure the payment of any financial obligation of the [name of owner/operator] to the State Water Control Board for "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the underground storage tank(s) identified below in the amount of [in words] \$[insert dollar amount] corrective action per occurrence, [in words] \$[insert dollar amount] third party liability per occurrence, and [in words] \$[insert dollar amount] annual aggregate:

[List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to 9VAC25-580-70 ("Notification requirements" of the Underground Storage Tanks: Technical Standards and Corrective Action Requirements), and the name and address of the facility.]

The certificate of deposit may not be drawn on to cover any of the following:

- (a) Any obligation, of [insert owner or operator] under a workers compensation, disability benefits, or unemployment compensation law or other similar law;
- (b) Bodily injury to an employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator];

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [insert owner or operator] that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of 9VAC25-590-40 ("Amount and scope of financial responsibility requirement" of the Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements).

Application of Funds. The undersigned agrees that all or any part of the funds of the indicated account or instrument may be applied to the payment of any and all financial responsibility obligations of [name of owner/operator] to the State Water Control Board for "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the underground storage tank(s) at the [facility name and address]. The undersigned authorizes the State Water Control Board to withdraw any principal amount on deposit in the indicated account or instrument including any interest, if indicated, and to apply it in the State Water Control Board's discretion to fund "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the underground storage tank(s) at the [facility name] or in the event of [owner or operator's] failure to comply with the Petroleum Underground Storage Tank Financial Responsibility Requirements, 9VAC25-590. The undersigned agrees that the State Water Control Board may withdraw any principal and/or interest from the indicated account or instrument without demand or notice. [The undersigned] agrees to assume any and all loss of penalty due to federal regulations concerning the early withdrawal of funds. Any partial withdrawal of principal or interest shall not release this assignment.

The party or parties to this Assignment set their hand or seals, or if corporate, has caused this assignment to be signed in its corporate name by its duly authorized officers and its seal to be affixed by authority of its Board of Directors the day and year above written.

The party or parties to this Assignment also certify that the wording of this Assignment is identical to the wording specified in Appendix XIII of 9VAC25-590 as such regulations were constituted on the date this Assignment was executed.

_____	SEAL
[Owner/Operator signature]	
_____	_____
[print Owner or Operator's name]	[Date]
_____	SEAL
[Owner/Operator signature]	
_____	_____
[print Owner or Operator's name]	[Date]

THE FOLLOWING SECTION IS TO BE COMPLETED BY THE BRANCH OR LENDING OFFICE:

The signature(s) as shown above compare correctly with the name(s) as shown on record as owner(s) of the Certificate of Deposit indicated above. The above assignment has been properly recorded by placing a hold in the amount of \$ _____ for the benefit of the State Water Control Board, Commonwealth of Virginia.

If checked here, the accrued interest on the Certificate of Deposit indicated above has been maintained to capitalize versus being mailed by check or transferred to a deposit account.

[Signature]

[Date]

[print name]

[Title]

Mailing address of branch or lending office

Area code and telephone number of branch or lending office

Statutory Authority

§§ 62.1-44.34:9 and 62.1-44.34:12 of the Code of Virginia; 40 CFR Part 280.

Historical Notes

Derived from Virginia Register Volume 29, Issue 26, eff. October 10, 2013.

Website addresses provided in the Virginia Administrative Code to documents incorporated by reference are for the reader's convenience only, may not necessarily be active or current, and should not be relied upon. To ensure the information incorporated by reference is accurate, the reader is encouraged to use the source document described in the regulation.

As a service to the public, the Virginia Administrative Code is provided online by the Virginia General Assembly. We are unable to answer legal questions or respond to requests for legal advice, including application of law to specific fact. To understand and protect your legal rights, you should consult an attorney.

R-5



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: Sheriff's Office – Pay Proposal**ISSUE:** Merit Pay Proposal for Sheriff's Office**RECOMMENDATION:** n/a**TIMING:** n/a**BACKGROUND:** See Memo from Sheriff Kephart**ENCLOSED DOCUMENTS:**

- Memo from Sheriff Kephart

STAFF:

John M. Altman, Jr., City Manager
 Stephen M. Kephart, Jr., Sheriff

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

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



Stephen M. Kephart, Jr.
SHERIFF
CITY OF HOPEWELL



FROM: Sheriff Steve Kephart
TO: March Altman
SUBJECT: Yearly Merit Pay Proposal

As you may be aware the Sheriff's Office shares most of the same retention issues as the Police and Fire, although maybe not quite as apparent because of the smaller size of our Office. We currently loose tenured good employees to jurisdictions around us due primarily to issues regarding pay. The recent move by Council to raise police pay has even moved some of my Deputies to apply with the Police Department. While this may be seen as not a totally bad thing, it still causes issues in the Sheriff's Office.

Currently the Sheriff's Office has three full time positions open and six part-time positions open. These positions remain open primarily due to the low pay offered. The Sheriff's Office currently has three positions with over 15 years' experience (one of those is mine) this makes for a very young Office. In a profession where split second decisions are made with long lasting consequences, you can see where recidivism can be an issue. As you know, the Sheriff's Office has been very active in the community. It takes so much time to get an Officer acclimated to our community, then loose them over pay issues.

As stated earlier, a Deputy's job is inherently dangerous by nature. The argument has been put forward over the 34 years of my career that police jobs are more dangerous than Sheriff's jobs. We will just leave that argument for another day, but I will concede the main difference between the two Offices is the Sheriff's Office typically does not work evenings, weekends or Holidays. That fact alone possibly entitles Police Officers a higher rate of pay than Deputies, but not to the extent it currently is.

For the above stated reasons and a few others, I am suggesting a slightly different pay plan. Initially the Command staff and any person serving more than 10 years with the City of Hopewell would receive a 15% increase to their base salary. Part-time Deputies would be based on their FTE and paid by the hour. Dispatchers would be compensated at the same FTE as Police Dispatchers. The Sheriff's Administrative Assistant would be moved to an Executive Admin position with credit for years of service.

INCREASES

- This plan would place the grade between 24-25 the starting Deputy pay would rise to \$45,310.00, which is more in line with the surrounding jurisdictions and approximately \$4,000.00 below the starting pay for Police and Fire.

- The Sheriff and Chief Deputy would not see initial increases under this plan, but would be entitled to the yearly merit increases.
- The initial cost to adjust all Full-time positions would be \$162,007.00
- The first year merit increases would amount to \$14,187.00 at 2.5%
- If all Part-time staff worked the full FTE it would generate a cost of approximately \$ 30,000.00 over the course of a year.

Full-Time Deputy

2.5355% increase per step

1	45,310.00	
2	46,458.84	1,148.84
3	47,736.80	1,177.96
4	48,947.17	1,210.37
5	50,188.23	1,241.06
6	51,460.75	1,272.52
7	52,765.54	1,304.79
8	54,103.41	1,337.87
9	55,475.20	1,371.79
10	56,881.77	1,406.57
11	58,324.00	1,442.24
12	59,802.81	1,478.88
13	61,319.11	1,516.30
14	62,873.86	1,554.75
15	64,468.03	1,594.16
16	66,102.62	1,634.59
17	67,778.65	1,676.03
18	69,497.17	1,718.53
19	71,259.27	1,762.10
20	73,066.05	1,806.78
21	74,872.83	1,898.40

Part-Time Deputy

2.5355% increase per step

1	21.78	.55
2	22.33	.57
3	22.89	.58
4	23.47	.60
5	24.07	.61
6	24.68	.63
7	25.31	.64
8	25.95	.66
9	26.61	.67
10	27.28	.69
11	27.97	.71
12	28.68	.73
13	29.41	.75
14	30.16	.76
15	30.92	.78
16	31.70	.80
17	32.50	.82
18	33.32	.84
19	34.16	.87
20	35.03	.89
21	35.92	.91

Part-Time Dispatch

2.5355% increase per step

1	17.60	.45
2	18.04	.46
3	18.50	.47
4	18.97	.48
5	19.45	.49
6	19.94	.51
7	20.45	.52
8	20.97	.53
9	21.50	.55
10	22.05	.56
11	22.61	.57
12	23.18	.59
13	23.77	.60
14	24.37	.62
15	24.99	.63
16	25.62	.65
17	26.27	.67
18	26.94	.68
19	27.62	.70
20	28.32	.72
21	29.04	.74

COUNCILOR REQUESTS

CR-1

~~PROCUREMENT POLICY AND PROCEDURES~~

SMALL PURCHASE POLICY AND PROCEDURES

PURPOSE

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

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

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

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

DEFINITIONS

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

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

VALIDITY OF CONTRACTS

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

UNAUTHORIZED CONTRACTS

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

GENERAL PROVISIONS

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

Up to \$_____ One verbal quote is required.

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

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

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

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

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

SOLE SOURCE PROCUREMENT

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

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

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

EMERGENCY PURCHASES

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

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

CHANGE ORDERS

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

RECONCILIATION REQUIRED

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

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

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

CITY MANAGER

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

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

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

LIMITATION ON DELEGATION OF AUTHORITY

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

NO CHANGES WITHOUT CITY COUNCIL'S APPROVAL

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

**RESOLUTION ESTABLISHING
GUIDELINES FOR BUDGET DOCUMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CR-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:

City Energy and Conservation Program

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

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

TIMING: As soon as possible

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

ENCLOSED DOCUMENTS:

- None

STAFF:

March Altman, City Manager

FOR IN MEETING USE ONLY**SUMMARY:**

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

MOTION: _____

Roll Call

SUMMARY:

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

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

CR-3



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:

Exploring and Researching the Establishment of a Hopewell/Prince George Stormwater Commission

ISSUE: Virginia is experiencing increased numbers of rainstorms. The rainstorms are also increasing in intensity resulting in increased flooding and pollution to our waterways.

RECOMMENDATION: To charge the City Manager with exploring and researching the possibility of establishing a joint Hopewell and Prince George Stormwater Commission and bring back recommendations no later than 3 months.

TIMING: As soon as possible

BACKGROUND: Prince George County borders Hopewell and drainage from the county enters into Hopewell's stormwater system and share smaller water ways like Bailey's Creek, Cattail Creek, Cabin Creek, Bull Hill Creek, Mathis Stream, etc. The request is for the City Manager to research this idea and its feasibility for Hopewell and Prince George to team up to address these environmental, infrastructure, and quality of life issues for both city and county residents.

ENCLOSED DOCUMENTS:

- None

STAFF:

March Altman, City Manager

FOR IN MEETING USE ONLY**SUMMARY:**

Y N

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

Y N

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

MOTION: _____

Roll Call

SUMMARY:

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

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

ADJOURNMENT