

June 24, 2008

MINUTES OF THE CITY COUNCIL MEETING HELD JUNE 24, 2008

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, June 24, 2008, at 5:00 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor
Brenda S. Pelham, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
E. Randy Sealey, Councilor
N. Gregory Cuffey, Councilor

Edwin N. Wilmot, City Attorney
Ann M. Romano, City Clerk
Edwin C. Daley, City Manager

Mayor Taylor opened the meeting at 5:00 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	ABSENT (arrived at 5:12 PM)
Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Emerson	-	ABSENT (arrived at 5:10 PM)
Councilor Sealey	-	ABSENT (arrived at 5:45 PM)
Councilor Cuffey	-	present

CLOSED SESSION

At 5:00 PM **Motion** was made by Councilor Cuffey, and seconded by Councilor Bailey, to convene into Closed Session to discuss Acquisition/disposition of Property; Litigation (Honeywell M & T Suit); Appointments to Boards and Commissions; and Personnel (Annual Performance Evaluations for City Manager, City Attorney and City Clerk-starting at 5:30 PM), in accordance with Virginia Code Sec. 2.2-3711(A) (1) (3) (5) & (7). Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Mayor Taylor	-	yes

OPEN SESSION

At 7:42 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

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WORK SESSION

The Work Session on the CDBG FY 2008/2009 Budget was cancelled.

REGULAR MEETING

Mayor Taylor opened the regular meeting at 7:42 PM. Roll call was taken as follows:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

Prayer was offered by Mayor Steven R. Taylor, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Councilor Cuffey, and seconded by Councilor Sealey, to approve the Consent Agenda: Minutes: City Council minutes June 3, 2008 and June 10, 2008; Pending List; Information for Council Review: HRHA minutes 4/14/08 & agenda 6/9/08; School Board agenda 6/12/08 & announcement of 3 meetings 6/17/08, 6/23/08 & 7/1/08; Hopewell Twinning Assn. minutes 5/19/08 & 6/16/08; HRWTF Comm. Mtg. announcement 7/29/08; Downtown Redevelopment Comm. Minutes 5/20/08 & cancellation of 6/17/08 mtg.; Personnel Change Report; Public Hearings Announcements: PH 7/8/08-“B” Village Plan for Redevelopment and Conservation, as submitted by the Department of Development and Planning with Assistance by K. W. Poore & Associates, Hill Studio PC & Development Strategies; PH 7/8/08-Request to vacate an undeveloped portion of Maryville Ave.; and PH 7/8/08-request to place a Dominion Power underground network easement on City property - Atwater Park/Cameron’s Landing; Routine Approval of Work Sessions: none; Ordinances on second and final reading: Ord. No. 2008-10 - ZOA - Conditional Use Permits and Special Permits; Routine Grant Approval: none; Proclamations/Resolutions/Presentations: Special Presentations - Mayor Taylor and Councilor Sealey. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

Mayor Taylor invited his wife Kim and their daughter Jordan to the podium. Mayor Taylor presented them with a key to the City of Hopewell at this, his last City Council meeting. Rev. Curtis Harris prayed for the Taylor family.

Vice Mayor Pelham presented Mayor Taylor and Councilor Sealey each with a Resolution from Council in appreciation for the time they served on City Council. She also presented each of them with two Jefferson Cups engraved with the City logo.

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RESOLUTION

WHEREAS, on June 30, 2008 **Steven R. Taylor** will conclude eight years of devoted service to the Hopewell City Council; and

WHEREAS, **Mayor Taylor** was elected to represent the Ward #5 Council seat for a term extending from July 1, 2000 – June 30, 2004, and was re-elected for a second term extending from July 1, 2004 - June 30, 2008; and

WHEREAS, while on City Council, **Mayor Taylor** served on the: ABIDCO (later named Virginia's Gateway Region); Archaeological Dig Committee; Ashford Civic Plaza Commission; Council Finance Committee; Legislative Committee; Historic Preservation Committee; Library Design Committee; Crime & Drug Forum Committee; Cultural Resources & Management Plan; Economic Development Committee; and Investment Policy Committee, to name a few; and

WHEREAS, **Steve** is married to **Kimberly Brown Taylor**, they have a daughter **Jordan Elizabeth**, born on June 11, 2007, and they expect a son in September 2008; and

WHEREAS, some of **Mayor Taylor's** personal interests include his church, Church Youth Group, youth sports, and performing in his band; and

WHEREAS, **Mayor Taylor** is supportive of Hopewell and especially supportive of the progress it has made and the progress that it continues to make now and into the future.

NOW, THEREFORE, BE IT RESOLVED that the Hopewell City Council, upon this occasion, offers profound appreciation from the Council and the citizens of the City of Hopewell to **Steven R. Taylor** and his wife **Kim**.

IN WITNESS WHEREOF, we set our hands and the Seal of the City on this 30th day of June, 2008.

Councilor Curtis W. Harris
Councilor E. Randy Sealey

Vice Mayor Brenda S. Pelham
Councilor Christina J. Luman-Bailey
Councilor Kenneth B. Emerson
Councilor N. Gregory Cuffey

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RESOLUTION

WHEREAS, on June 30, 2008 **E. Randy Sealey** will conclude four years of devoted service to the Hopewell City Council; and

WHEREAS, **Councilor Sealey** was elected to represent the Ward #4 Council seat for a term extending from July 1, 2004 – June 30, 2008; and

WHEREAS, while on City Council, **Councilor Sealey** served on the: Ashford Civic Plaza Commission; Economic Development Committee; Council Committee - Hopewell/Prince George Chamber of Commerce Liaison; and the Downtown Redevelopment Committee, to name a few; and

WHEREAS, while on Council **Councilor Sealey** took special interest in the restoration of the World War I Cannon at Veteran's Circle and citizen safety within Hopewell (especially regarding the illegal use

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of firearms); and he attended the opening ceremony of the ICMA in Pennsylvania and introduced Hopewell City Manager Dr. Edwin C. Daley who was installed as ICMA President; and

WHEREAS, Randy and his wife **Cindy** have a daughter, **Colby**, who attends Patrick Copeland Elementary School and who won Second Place in the City Science Fair in 2008; and

WHEREAS, Councilor Sealey is supportive of Hopewell and especially supportive of the progress it has made and the progress that it continues to make now and into the future.

NOW, THEREFORE, BE IT RESOLVED that the Hopewell City Council, upon this occasion, offers profound appreciation from the Council and the citizens of the City of Hopewell to **E. Randy Sealey** and his wife **Cindy**.

IN WITNESS WHEREOF, we set our hands and the Seal of the City on this 30th day of June, 2008.

Councilor Christina J. Luman-Bailey
Councilor Kenneth B. Emerson

Mayor Steven R. Taylor
Vice Mayor Brenda S. Pelham
Councilor Curtis W. Harris
Councilor N. Gregory Cuffey

COMMUNICATIONS FROM CITIZENS

Leonard Hughes, 3807 Kippax Circle, Hopewell, (1) He referred to an article that was written by servicemen about the Hopewell school system. He mentioned that Hopewell schools received six stars out of a possible 15; (2) he prefers an appointed school board to an elected school board; and (3) Ethanol - if the project falls through the site could be a railroad museum, or as a church site with restaurants.

Tommy Wells, 1004 Smithfield Avenue, Hopewell, referred to the recent removal of trees along East Broadway downtown. That has uncovered many imperfections in the storefronts. He feels that store owners should pay to improve their own store fronts and buildings; the City should not.

Anthony J. "Tony" Zevgolis, 3003 West Riverside Drive, Hopewell, congratulated Mayor Taylor and Councilor Sealey for their services to Hopewell while on City Council. He congratulated Jerry Stokes and Wayne Walton as they take their seats on City Council on July 1. He addressed Council regarding **Marina Fees**.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Cuffey, to Waive Council's Rules & Procedures to consider a new fee schedule for the Hopewell City Marina. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

Council discussed the issue at great length.

Motion was made by Councilor Sealey, and seconded by Councilor Bailey, to resolve to reduce Hopewell Marina rates by 21% for Hopewell residents for six (6) months, effective July 1, 2008.

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Motion was made by Councilor Emerson, and seconded by Councilor Bailey, to Call for the Question. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	NO

Upon the roll call to reduce Hopewell Marina rates by 21% for Hopewell residents for six (6) month, effective July 1, 2008, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	NO

Dr. Daley was asked to present a report at the meeting on July 8, 2008.

Mickey Garcia & Lewis Stevenson, of **Garcia Development** announced that they wish to proceed with the Mallonee School project approved in January 2008.

Motion was made by Councilor Emerson, and seconded by Councilor Sealey, to Waive Council's Rules & Procedures, to consider the Garcia-Mallonee School Project Agreement to move forward and to adopt the ordinance on second reading. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

City Attorney Wilmot drafted the ordinance and explained that the Public Hearing was held in January 2008. The agreement was distributed to the Schools and the developer. The differences included: items from the public hearing - auditorium/nominal fee for use; parking for football games, etc.; and preservation of the trees.

Mr. Garcia indicated that the original funding was again available to him and was the same as it was proposed six months ago.

Motion was made by Councilor Sealey, and seconded by Councilor Harris, to adopt Ordinance No. 2008-11 on second and final reading. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

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Mayor Taylor - yes
Vice Mayor Pelham - yes

ORDINANCE NO. 2008-11

An Ordinance authorizing the sale of certain property located in the City, containing approximately 3.716 acres of land, with improvements thereon, that is commonly know as the former Mallonee School property, and providing for the restoration, development and maintenance of said property.

WHEREAS, Garcia Development, LLC (the “Developer”) has been negotiating to purchase certain property located in the City and owned by City, containing approximately 3.716 acres of land, with improvements thereon, that is commonly known as the former Mallonee School property (collectively, the “Property”), more particularly described as Parcel No. 030-0252, Parcel 1, Day Subdivision; and

WHEREAS, Developer submitted a proposal, dated February 22, 2007, and subsequently supplemented and amended in March and August of 2007 (collectively, the “Proposal”), for the purchase and development of the Property; and

WHEREAS, on January 8, 2008, Hopewell City Council held a public hearing on the matter, which hearing was duly noticed and advertised in accordance with applicable law; and

WHEREAS, following said public hearing, City Council passed an ordinance on first reading, authorizing the sale of the Property and execution of a Development Agreement (the “Agreement”) with Developer; and

WHEREAS, City is desirous of having preserved the historically significant architectural features of the former James E. Mallonee School building (hereinafter, the “School”), located on the Property; and

WHEREAS, subject to the terms and provisions of the Agreement (attached hereto and incorporated hereby) [on file in the City Clerk’s Office], City desires to convey, and Developer desires to acquire and develop, the Property and construct the Project, which will include market rate residential units, and a daycare center on the Property; and

WHEREAS, subject to the terms and provisions of the Agreement, Developer intends to enhance the City Point corridor of City by developing the Project, thus improving the image and economic vitality of the corridor and stimulating redevelopment of other retail, office and residential facilities located in City; and

WHEREAS, City and Developer recognize and agree that Developer is assuming significant financial risk in undertaking the Project, and that all risks of cost overruns, labor difficulties, parcel acquisition and the like that are integral to making the Project a success after fulfillment of City’s obligations as contained in the Agreement, are the sole responsibility of Developer; and

WHEREAS, City has determined that development of the Project will result in substantial benefits to the welfare of City and its inhabitants, and in furtherance of the public purposes and governmental interests served, including, but not limited to, increased tax revenues to be received by City, employment benefits and historic preservation benefits; and

WHEREAS, City has further found that it is in the public interest of the citizens of City, and that it is consistent with the economic development goals of City and with City’s master plan, for the Project to be developed in order to stimulate redevelopment of existing facilities in order to generate higher revenues, while preserving the historic architecture of the School.

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the sale by City of the following described real estate:

Parcel No. 030-0252 containing approximately 3.716 acres more or less, Parcel 1, Day Subdivision, commonly referred to as the "former Mallonee School property"

be authorized, and that execution by the City Manager of the Development Agreement, attached hereto and incorporated by reference hereby, be approved and authorized.

BE IT FURTHER ORDAINED that the City Manager be authorized to execute all documents, and perform all tasks, associated with the Project, including the authority to agree to minor modifications of the Agreement. This Ordinance shall be deemed effective immediately upon passage on this second and final reading.

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Katherine Podlewski, 507 N. 2nd Avenue, Hopewell, reminded citizens of the "B" Village Public Hearing on July 8, 2008. She urged interested parties to attend. She commented on a disagreement between neighbors, the Beacon Theatre and Christina J. Luman-Bailey that she felt should be addressed. It is her opinion that the Patrick Copeland School demolition, supported by the Beacon Theatre and the Historic Hopewell Foundation, will be a stain on the City. Her hopes are that the new Mayor will be in cooperation.

There being no other speakers, Communications from Citizens was closed at 8:49 PM.

UNFINISHED BUSINESS - SCHOOL BOARD APPOINTMENTS

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to resolve to reappoint Ronald Caricofe and Juanita Chambers to the Hopewell School Board for terms extending through June 30, 2011. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

UNFINISHED BUSINESS - FY 2008/2009 CDBG BUDGET

Tevya Griffin, City Planner presented the FY 2008/2009 CDBG Budget, and answered the infrastructure and Housing questions from the Council meeting dated June 10, 2008. There was discussion and a number of Council questions that Mrs. Griffin explained and answered.

Motion was made by Councilor Emerson, and seconded by Councilor Harris, to adopt the FY 2008/2009 CDBG Budget with the exception of \$1,000.00 designated for the Neighborhood Watch Advisory Council to go to the James House and \$1,500.00 from the Salvation Army to the James House.

Substitute Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to adopt the FY 2008/2009 CDBG Budget as presented.

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Motion was made by Councilor Bailey, and seconded by Vice Mayor Pelham, to table the FY 2008/2009 CDBG Budget. Upon the roll call, the vote resulted:

Councilor Cuffey	-	NO
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	NO
Councilor Sealey	-	NO
Mayor Taylor	-	NO
Vice Mayor Pelham	-	yes

Upon the roll call on the **Substitute Motion** made by Vice Mayor Pelham, and seconded by Councilor Bailey, to adopt the FY 2008/2009 CDBG Budget as presented, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

Vice Mayor Pelham requested that \$150,000 for paving streets in Ward #6 by June 30, 2009, be added to the agenda for July or August.

REPORT: BUDREPORT1 GENERATED: 09 FEB 07 19:00
 ESDAY JUL222008 12:16 PAGE 2
 FUND052

RUN: TU

CITY OF HOPEWELL
 CDBG FUND BUDGET % OF YEAR = 50%
 FOR FISCAL YEAR ENDING JUNE 30 2009

	2005- 2006 ACTUAL	2006- 2007 ACTUAL	2006- 2007 BUDGET	2007- 2008 AMENDED BUDGET	2007- 2008 YTD ACTUAL
<u>REVENUES BY SOURCE:</u>					
INTEREST INCOME 052.1501001.0000.000.000	5-	0	0	0	0
CDBG FUNDING 052.3201001.0000.000.000	150648-	171528-	221824-	0	81069-
REVENUES-TOTAL	150653-	171528-	221824-	0	81069-
<u>EXPENDITURES:</u>					
BIG BROTHER-BIG SISTER 052.8120100.5640.001.000	5000	4999	5000	0	0
NEIGHBORHOOD WATCH-POLICE 0528120100.5640.002.000	5000	4999	5000	0	0
RAINBOW SUMMER PROGRAM 052.8120100.5640.003.000	6000	6000	6000	0	0
HEALTHY FAMILIES 052.8120100.5640.005.000	5586	4137	6000	0	2132
CARES PROGRAM 052.8120100.5640.005.000	5000	6000	6000	0	3000
JAMES HOUSE 052.8120100.5640.007.000	1155	1238	4000	0	231

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	2005- 2006 ACTUAL	2006- 2007 ACTUAL	2006- 2007 BUDGET	2007- 2008 AMENDED BUDGET	2007- 2008 YTD ACTUAL
SALVATION ARMY 052.8120100.5640.012.000	8349	1838	5000	0	1838
RETIRED SENIOR VOLUNTEER 052.8120100.5640.014.000	1497	1045	0	0	934
COMM CENTER 052.8120200.8100.085.000	0	55000	0	0	55000
RALEIGH ST PROJECT 052.8120200.8100.109.000	0	0	38000	0	0
LYNCHBURG ST DRAINAGE 052.8120200.8100.115.000	4850	0	0	0	0
PETERSBURG STREET 052.8120200.8100.150.000	3800	60085	20000	0	0
CONTINGENCY BALANCE 052.8120200.8100.960.000	0	0	17460	0	0
HOPEWELL HOUSING AUTH 052.8120300.3130.005.000	0	0	50000	0	0
SPARC HOMEOWNERSHIP ASSIST 052.8120300.8100.025.000	0	0	20000	0	0
SPOT BLIGHT 052.8210300.8100.040.000	3361	350	0	0	350
HIST PRESERVATION 052.8210300.8100.050.000	3361	350	0	0	350
SALARIES & WAGES 052.8120400.1100.000.000	40370	21247	44364	0	19676
FICA-EMPLOYER CONTRIBUTION 052.8120400.2100.000.000	2859	1596	0	0	1479
RETIREMENT VRS 052.8120400.2210.000.000	5260	3020	0	0	3021
GROUP LIFE INSURANCE 052.8120400.2400.000.000	0	91	0	0	92
SHORT-TERM DISABILITY 052.8120400.2510.000.000	18	9	0	0	9
LONG-TERM DISABILITY 052.8120400.2520.000.000	101	55	0	0	55
WORKERS COMPENSATION INS 052.8120400.2710.000.000	59	30	0	0	28
EPA PROGRAM 052.8120400.2835.000.000	21	16	0	0	11
GRANTS ADMINISTRATION 052.8120400.3120.020.000	7068	4766	0	0	766
EXPENDITURES - TOTAL	107549	176871	226824	0	88972

UNFINISHED BUSINESS - JOHN REDLING - AD HOC CITY SONG COMMITTEE REPORT

Mayor Taylor explained that the City received a request from a citizen to use her song for the official City of Hopewell Song. The Mayor and Council formed a committee to have a contest for others to submit songs from which to choose a City Song.

John Redling reported on behalf of the City Song Committee. He and Earlene Allen were the only two members who attended the meetings. He referred to a song, "Powder Town Rag" by DuPont in 1916. There was no official record of Council adopting that song as the City song however. Mr. Redling thanked all of the song writers for their entries.

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The City Song Committee conclusion and proposals:

- We, the committee conclude that of all the entries submitted, none of them stand alone as a city song, but collectively capture the history and spirit of the city very well.
- As a committee, we propose that each original entry be included in a well-produced, high quality compilation CD - Hopewell Songs by Hopewell Citizens.
- Songwriters who have submitted original entries would be rewarded with the ability to participate in making a high quality recording of their song, and its inclusion and distribution as part of the project. The legalities of copyright, mechanical and publishing royalties would have to be addressed.
- The artwork involved with the label, insert, and tray card could also be submitted by citizens.
- The insert could include a description of the process through which the CD was conceived and produced, as well as a brief history of the City.
- The product could be made available to visitors and residents alike through the Visitors' Center, the Library, and other outlets such as local businesses and citizen groups.
- The project could be called "Volume I," which would leave the door open for subsequent volumes for the future.
- The project could largely be paid for with the money originally set aside as prize money.
- Proceeds from sales of the CD could be used to fund future volumes, or support other future fine arts endeavors in the City.

Mr. Redling and Ms. Allen were thanked for their contribution to the committee.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to accept the report of the City Song Committee. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

**CITIZEN/COUNCILOR REQUEST - MARY FRANCES PITO - CITY OF HOPEWELL
RETIRES HEALTH BENEFITS 2008**

Mary Frances Pito, retired City Clerk, spoke on behalf of the City's retirees regarding health benefits for 2008. She presented the following report:

"Retirees Health Benefits - 2008"

"Major policy change for retired employees:

Effective July 1, [2008] retirees must deal directly with AARP, with the city reimbursing the costs to each retiree based on proof of payment.

Request: Defer implementing policy change 6 months until retirees have information on change.

1. Retirees have no information on cost.
2. Retirees have received no briefings or had any discussions on the policy change.
3. Retirees have no information on why the change. What is the problem?
4. There is no budget impact with this change - only major disruption for retirees.
5. Retirees have no experience or training on communicating with AARP.

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If the city will advise as to the problem, and the details of the new policy, we may be able to help.

- No all retirees can afford to pay up front and wait indefinitely for reimbursement based on proof of payment.
- No all retirees have the communication and financial skills to resolve problems with AARP. The city has always represented us.
- Retirees might not be intimidated by this change if they understood it.

/s/ Mary Frances Pito
Retired City Clerk
June 17, 2008"

Motion was made by Vice Mayor Pelham, and seconded by Councilor Emerson, to resolve to defer action for twelve (12) months on the AARP billing practice change for City of Hopewell Retirees Health Benefits 2008. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

**CITIZEN/COUNCILOR REQUEST - DEBORAH B. WILLIAMSON, EXECUTIVE DIRECTOR
- VIRGINIA NETWORK OF NON-PROFIT ORGANIZATIONS**

Ms. Williamson addressed City Council with information on the Tri-Cities Conference on September 9, 2008. It will be a Forum for the candidates from Virginia for the U. S. Senate - Governor Mark Warner and Governor Jim Gilmore.

The Virginia Network of Nonprofit Organizations anticipates an audience of 200 individuals representing nonprofits, businesses, government, and higher education who are active participants in the regional economy. (Report filed in the City Clerk's Office.)

Motion was made by Councilor Sealey, and seconded by Councilor Bailey, to receive the update from VANNO, endorse the conference and encourage citizen participation. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

**CITIZEN/COUNCILOR REQUEST - COUNCILOR CUFFEY - CONSIDER INCREASING THE
HOPEWELL SCHOOL BOARD FROM FIVE TO SEVEN MEMBERS - AMEND CITY
CHARTER, CHAPTER XXI, SEC. 1 - REQUEST TO CHANGE SCHOOL BOARD
MEMBERSHIP**

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Councilor Cuffey asked that Council consider increasing the Hopewell School Board from five (5) members to seven (7) members and to consider amending the City Charter, Chapter XXI, Sec. 1 - request to change school board membership.

The number of school board members currently (5) is contained in the City Charter, Chapter XXI, Sec. 1. In order to increase the number, a Charter amendment will have to be obtained from the Virginia General Assembly. To request such a change, a public hearing must be held by Council, with at least 10 days notice in the paper. (Or, a referendum could be held.) Once the hearing has been held, if a majority of Council wants to increase the number, a Resolution should be passed requesting the Charter Amendment, which Resolution should be sent to the General Assembly for its consideration at its next session (January, 2009). See Va. Code Sec. 15.2-202.

Motion was made by Councilor Cuffey, and seconded by Vice Mayor Pelham, to resolve to set a Public Hearing on July 8, 2008 to receive citizen comments regarding increasing the number of Hopewell School Board members from five (5) to seven (7). Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

CITIZEN/COUNCILOR REQUEST - MAYOR TAYLOR - PURCHASE OF PRUETT HOME (407 SHERMAN AVENUE, HOPEWELL)

Mayor Taylor requested that Council consider authorizing the purchase of property at 407 Sherman Avenue (Eugene Pruett).

There was no discussion and no action taken.

CITIZEN/COUNCILOR REQUEST - COUNCILOR BAILEY ON BEHALF OF HOPEWELL BUSINESS OWNER, SID HUDSON REGARDING CITY-OWNED PROPERTIES

Councilor Bailey received a letter from Sid Hudson, a Hopewell business owner, which the City Clerk read into the record:

6-12-08

Dear Mrs. Bailey,

I read an article in the progress Index dated 6-11-08 regarding Council's decision to hire an independent contractor to have the new 9 million dollar [\$9M] library checked for the presence of lead dust. I understand that this effort is being spearheaded by the powers at the [b]eacon Theatre and her friends on council.

The people of Hopewell that somewhat pay attention to local politics have enough common sense to understand that the majority vote of Steve Taylor, Ken Emerson, Randy Sealey and Curtis Harris has absolutely nothing to do with a legitimate concern of lead paint in the new library. However it is an obvious and calculated move that will spend taxpayer money to fight a personal vendetta.

However,

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If the concern of Steve Taylor, Ken Emerson, Randy Sealey, Curtis and the powers of the Beacon Theatre, have a sincere new found interest in lead based paint I have a formal request of Hopewell City Council.

The City of Hopewell owns 149 individual pieces of property. Let's don't stop with the Library. Let's check them all.

Now, if the City wants to be a good steward and has a real concern for the public you will approve this request.

If you do not have a legitimate concern for lead and the real motivation is sinister we are going to see some backpedaling from you.

P. S. I have printed a list of those 149 properties and included them for Council's convenience.

I further ask that this request be read aloud and be placed on the agenda for a vote.

/s/ Sid Hudson

There was no discussion and no action was taken. The letter and attachment are filed in the City Clerk's Office.

REGULAR BUSINESS - REPORT FROM PLANNING COMMISSION - SUBDIVISION REQUEST (HOTEL)

The City of Hopewell received a request from Papi Naidu, L.L.C. to subdivide a 5.57 parcel of land into two (2) lots. The parcel is identified as Sub-Parcel #245-0075. The property is currently zoned B-3, Highway Commercial district, and is located off of Norman Sisisky Drive northeast of Candlewood Suites Hotel. All lots will be serviced by public water and sewer.

A site plan for a 3-story, 13,377 square foot, eighty-six (86) room hotel was submitted to the Development Department of January 25, 2008. Comments from relevant City departments and utility providers were forwarded to Townes Engineering for review on March 6 and March 11. The City is currently awaiting revisions from Townes. The proposed hotel would be constructed on Parcel 2. The applicant has not revealed plans for Parcel 1. The subdivision of Lot 16 does not violate the Subdivision Ordinance and City Staff has no objection to the subdivision.

City Attorney Wilmot reminded Council of the differences among (1) the CUP process for an exception; (2) rezoning - changing the district; and (3) resubdivision. Council must approve the resubdivision request if it does not have any violations to the code and setback requirements.

Motion was made by Councilor Sealey, and seconded by Councilor Harris, to resolve to approve the request from Papi Naidu, L.L.C. to subdivide a 5.57 parcel of land into two (2) lots, identified as Sub-Parcel #245-0075, currently zoned B-3, Highway Commercial District, and located off of Norman Sisisky Drive NE of Candlewood Suites Hotel. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

June 24, 2008

Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - RESOLUTION OF THE COUNCIL OF THE CITY OF HOPEWELL, VIRGINIA, ADJUSTING THE SALARIES OF THE CITY CLERK, CITY ATTORNEY AND CITY MANAGER, EFFECTIVE JULY 1, 2008

Motion was made by Councilor Cuffey, and seconded by Councilor Sealey, to resolve to approve a resolution adjusting the salaries of the City Clerk, City Attorney and City Manager, effective July 1, 2008. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

A RESOLUTION OF THE COUNCIL OF THE CITY OF HOPEWELL, VIRGINIA, ADJUSTING THE SALARIES OF THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK, EFFECTIVE JULY 1, 2008

WHEREAS, pursuant to Hopewell City Charter Chapters V, VI and VII, the Council appoints the City Manager, City Attorney and City Clerk and sets their salaries by ordinance or resolution; and

WHEREAS, City Council has recently conducted evaluations of the performance of the City Manager, City Attorney and City Clerk, and is of the opinion that the current compensation of the City Manager (\$144,999.92), City Attorney (\$97,323.20), and City Clerk (\$50,128.00) should be adjusted to reflect a cost of living adjustment and merit increase.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that, effective July 1, 2008, the salaries of the City Manager and City Attorney be increased by a total of 5.28% per annum each, and City Clerk be increased by a total of 15.00% per annum, which increases include both the cost of living adjustment and a merit increase. This resolution shall take effect immediately upon passage.

REGULAR BUSINESS - NEW PERMIT FEE SCHEDULE FOR BUILDING CODE ENFORCEMENT

The Bureau of Fire and Code Enforcement submitted the new permit fee schedule (filed in the City Clerk's Office). They include fees for Building Permits, Electrical Permits, Mechanical Permits, plumbing Permits and Fire Permits.

Motion was made by Councilor Emerson, and seconded by Councilor Cuffey, to resolve to approve and file the New Permit Fee Schedule for Building Code Enforcement. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

June 24, 2008

Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - SAFER (STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE) GRANT

The Bureau of Fire staffing level is below national for a fire operation. The staffing level can be increased with assistance from a grant from the Department of Homeland Security. The SAFER Grant was created to provide funding directly to fire departments in order to help increase the number of trained firefighters available in their communities. The Bureau of Fire can enhance its ability to comply with staffing standards established by NFBPA 1710 and OSHA 1910.34 with assistance of a grant from the Department of Homeland Security.

If awarded a SAFER Grant for three (3) firefighter positions, the City's share per firefighter position would be: year one = 10% of the cost; year two = 20% of the cost; year three = 50% of the cost, and year four = 70% of the cost.

Motion was made by Councilor Cuffey, and seconded by Vice Mayor Pelham, to resolve to authorize grant application. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS -APPROVAL OF CSA SUPPLEMENTAL FUNDING REQUEST \$279,498)

City Council approved \$1,542,002 for the fiscal year ending June 30, 2008 for the CSA budget. As of June 13, 2008, CSA expenditures totaled \$2,589,987 and an additional \$1,047,985 (\$279,498 local match) is needed to pay for June mandated services for children in foster care and receiving special education services. This represents the City's 26.67% match for state funding and insures the Office of Comprehensive Services approval of the state's supplemental allocation. (Report filed in the City Clerk's Office.)

While the City needs to authorize the entire \$1,047,985 all but \$279,498 (26.67% local match) will be reimbursed by the state.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Harris, to approve the request. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - HOPEWELL DEPARTMENT OF SOCIAL SERVICES

June 24, 2008

The Hopewell Department of Social Services wishes to retain up to \$110,000 in unexpended city funds budgeted for Social Services in the Social Services Fund balance.

Motion was made by Councilor Cuffey, and seconded by Vice Mayor Pelham, to resolve to approve the request of the Hopewell Department of Social Services wishes to retain up to \$110,000 in unexpended city funds budgeted for Social Services in the Social Services Fund balance. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - SCHOOL BOARD RESOLUTION - APPROVAL OF MODIFICATIONS AND UTILIZATION OF THE NEW DEPARTMENT OF PUBLIC WORKS BUILDING

The Hopewell School Board approved a resolution that the Department of Public Works Building located at 103 South Station Street, Hopewell, Virginia, be modified.

Motion was made by Councilor Cuffey, and seconded by Councilor Harris, to resolve to adopt a Resolution approving modifications and utilization of the new Department of Public Works Building. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

RESOLUTION

BE IT RESOLVED, that upon the recommendation of the Hopewell School Board that the Department of Public Works Building located at 103 South Station Street, Hopewell, Virginia, be modified by converting the third storage space from the front of the building into offices for the School Division's Manager of Transportation, and Assistant Manager of Transportation, and that the remaining space in the room designated as the fluids storage room be reserved as the parts room for the Division's Transportation Department. The new restroom will be converted into a unisex restroom. Upon completion of these modifications and finalization of the Fleet Maintenance Agreement between the City of Hopewell and Hopewell Public Schools, the school division will reimburse the City of Hopewell for one-half (1/2) of the total project costs not to exceed, \$500,000.

REGULAR BUSINESS - DRAFT AMENDMENT TO CITY COUNCIL RULES OF CONDUCT - ENFORCEMENT MECHANISM

At the City Council meeting of December 18, 2007, Council adopted a Code of Conduct. Subsequent to the approval of the Code of Conduct, City Council requested that the City Attorney

research potential enforcement mechanisms which could be utilized in the event of violations of the code. Based upon the research, and the responses received from other jurisdictions, the City Attorney drafted a proposed amendment to Hopewell's Council Rules of Conduct, to add an enforcement mechanism. The proposed amendment contains new material with underlines:

20. Compliance and Enforcement

City Council members themselves have the primary responsibility to assure that the ethical standards are understood, met, and that the public can continue to have full confidence in the integrity of City government. Any City Council member found, by a super-majority (i.e., minimum two-thirds vote of Council as a whole), to have violated any of these rules is subject to punishment, as determined by a simple-majority of the whole of Council, which punishment may include any or all of the following: public or private reprimand, formal censure, loss of seniority or committee/board assignment, budget restriction (i.e., loss of the privilege of utilizing public funds), and, where not in violation of the law, a fine of not more than \$500.00 for each offense.

City Attorney Wilmot explained the reasons for the new language, and the need for a super majority to determine a violation. There was Council discussion favoring the amendment, and opposing it.

Motion was made by Councilor Sealey, and seconded by Councilor Emerson to approve the draft amendment to the city Council Rules of Conduct, Enforcement Mechanism, and to make it a part of the document.

Motion was made by Councilor Emerson and seconded by Councilor Sealey, to table the issue until the new Council takes office on July 1, 2008. Upon the roll call the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	NO
Councilor Harris	-	NO
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	NO

The motion passed to table action.

REGULAR BUSINESS - BOARDS & COMMISSIONS: ACCEPTANCE OF THREE LETTERS OF RESIGNATION - DOWNTOWN REDEVELOPMENT COMMITTEE, DOCK COMMISSION & WATERFRONT DEVELOPMENT COMMITTEE

Motion was made by Councilor Emerson, and seconded by Councilor Sealey, to appoint Steven R. Taylor (citizen) to the Historic Preservation Committee for a term extending from July 1, 2008 through June 30, 2012.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to table the appointment. Upon the roll call, the vote resulted:

Councilor Cuffey	-	NO
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	NO
Councilor Sealey	-	NO

June 24, 2008

Mayor Taylor	-	abstained
Vice Mayor Pelham	-	yes

The motion to table failed.

Upon the roll call on the **original motion**, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	abstained
Vice Mayor Pelham	-	NO

The motion passed to make the appointment.

The City Clerk received letters of resignation from two members of the Downtown Redevelopment Committee: Rolf McDaniel and Bud Yerly. In addition, Councilor-Elect Gerald S. "Jerry" Stokes resigned from the Dock Commission and the Waterfront Development Committee.

Motion was made by Councilor Harris, and seconded by Councilor Sealey, resolve to accept and file letters of resignation and to send thank you letters for services to Rolf McDaniel & Bud Yerly-Downtown Redevelopment Committee, and Councilor-Elect Jerry Stokes from the Dock Commission and Waterfront Development Committee. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REPORTS OF CITY COUNCIL MEMBERS

Councilor Bailey reported that Council already had rules in place which included conduct. She looks forward to a new Council where divisiveness is not the rule of the day. She wished farewell to Mayor Taylor and wished him well.

Councilor Cuffey wished farewell to Mayor Taylor and Councilor Sealey as their terms expire on June 30, 2008. It had been a pleasure and a privilege to serve with them. He appreciated their services and wished them well. He looks forward to new opportunities with the new Council. He is excited about Walgreen's coming. He recently went to the capitol with the Hopewell Police Chief, Sheriff and Councilor-Elect Stokes to see Congressman Randy Forbes.

Councilor Sealey said, "It's been a great ride and good night."

Councilor Emerson reported that he attended the Moose International Convention. In another matter, he referred to the letter from Mr. Hudson regarding lead near public buildings. He defends that Council should address any and all public buildings. Finally, the past two years he served with friends Mayor Taylor and Councilor Sealey. He will miss them and remember all the good they did.

June 24, 2008

Vice Mayor Pelham announced that on Monday, June 30, 2008, the Downtown Partnership will sponsor a movie on the Patrick Copeland property on Appomattox Street at 8:30 PM. HHS Wrestlers are still looking for lawns to cut and cars to wash to raise funds for their upcoming tournament trip. Contact Coach Henderson at 541-6402. She wished everyone a safe July 4th. This past weekend Carter G. Woodson School held a reunion for the classes of 1932-1968. Approximately 400 people attended, with representatives from every graduating class. Mrs. Qualls was from the Class of 1932. She was the principal of Arlington Elementary School for many years. Activities began on Friday, June 20 at the Elks Club, continued on Saturday, June 21 at Crystal Lake, and concluded on Sunday, June 22 at Union Baptist Church. She announced the Reorganizational Meeting of City Council on July 8, 2008, followed by the regular Council meeting at 7:30 PM.

Mayor Taylor expressed that he spent eight great years on City Council.

ADJOURN

Motion was made at 10:45 PM by Councilor Sealey, and seconded by Councilor Cuffey, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

Steven R. Taylor, Mayor

Ann M. Romano, City Clerk