

MINUTES OF THE September 12, 2023 CITY COUNCIL REGULAR MEETING

A REGULAR meeting of the Hopewell City Council was held on Tuesday
September 12, 2023 at 6:00 p.m.

PRESENT: John B. Partin, Mayor
 Jasmine Gore, Vice Mayor (Virtual)
 Rita Joyner, Councilor
 Michael Harris, Councilor
 Janice Denton, Councilor
 Brenda Pelham, Councilor
 Dominic Holloway, Councilor

Councilor Holloways makes a motion to allow Vice Mayor Gore to participate in meeting by zoom, Councilor Joyner seconds the motion.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Abstain
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 6-0

CLOSED MEETING:

Councilor Joyner makes a motion to go into closed session pursuant to Va. Code Section § 2.2-371 1 (A)(I) to discuss and consider personnel matters, including board and commission appointments; the assignment and

performance of specific appointee and employees of City Council, and to the extent such discussion will be aided thereby, motion is seconded by Councilor Joyner

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Yes
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 7-0

Reconvene Open Session

Councilor Holloway makes a motion to come out of closed session motion is seconded by Councilor Joyner.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Excused
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 6-0

CERTIFICATION:

Immediately thereafter, council responded to the question pursuant to Virginia § 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 Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Excused
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 6-0

Councilor Denton moves to make a motion to appoint Janice Petit to the Healthy Families Advisory Board, motion is seconded by Councilor Holloway.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Excused
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 6-0

WORK SESSION

WS-1- Jason Cowan begins his presentation with an introduction of himself and his credibility within his position. He also gave a little introduction for Ms. Born and how much experience she has. He states the local government needs to be funded and the real estate taxes makes up between 40 and 60 percent of any given city or county budget. He makes a few points of the value of taxes, stating they are based on value of the property, so you will pay more if the property is nicer. He talks about programs in place for those who struggle to pay their taxes. He explains what the assessor does in order to carry out the assessment function, they discover, list, value and then tax property. He goes over three types of depreciation, which are physical, functional, and economic. He states sales drives the whole process. He explains a ratio study in detail and how the compare the sales and the assessment. He went into detail that it was overall 71 percent when he began the job, and it was divided into 40 different neighborhoods. They are grouped by zoning, location, and style of houses. He goes into detail with his slide that shows all the sales and neighborhoods within the city. He stated at the end of the assessment they were at overall 98 percent. He states the burden relies on the tax payer, state code states assessor's office enjoys the presumption of correctness. Ms. Born stands up and speaks as the newly hired City of Hopewell Assessor and gives a brief introduction and thanks to Mr. Cowan. Councilor Pelham asks Mr. Cowan how the citizens of Hopewell can be alerted of the programs of relief, Mr. Cowan responded he does not know how they are being advertised. She asked how far did he go for his comparisons within the cities, Mr. Cowan responded it depends on the type of property to determine how far he went, he stated sometimes he has gone nationwide for apartments. Councilor Pelham also asked about the 250 people who were concerned about the assessments, but BOE only reviewed 80 cases. Mr. Cowan stated some were settled, but there was a two-step process. Councilor Joyner asked Mr. Cowan about the processes, timing, and timelines and the office structure. She asked in the future will it be city of Hopewell employees. Ms. Born addressed the answer and stated her goal is to hire full time employees. Mr. Cowan stated apartments were not assessed since 2015 or increased for 8 years. Councilors asked other questions in regard to the assessments for apartments and answers were given by Mr. Cowan. Vice Mayor Gore spoke in reference to how BOE met and how completed minutes from each meeting is given to city clerk to be submitted with agenda packets in the future meetings.

REGULAR MEETING

Mayor Partin calls the Regular Meeting to order.

Roll Call:	Councilor Harris -	Present
	Mayor Partin -	Present
	Vice Mayor Gore -	Present
	Councilor Denton -	Present (virtual)
	Councilor Pelham -	Present
	Councilor Holloway -	Present
	Councilor Joyner -	Present

Mayor Partin asked for all to stand for a moment of silence for the victims of 9-1-1.

Prayer by Reverend Danny Tucker, followed by the Pledge of the Allegiance led by Vice Mayor Gore.

Councilor Holloway makes a motion to adopt the Regular Meeting Agenda and second by Councilor Joyner.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Yes
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 7-0

Councilor Denton makes a motion to adopt the Consent Agenda and second by Councilor Holloway

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Yes
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 7-0

INFORMATION/ PRESENTATIONS

1. Police Report by Chief Taylor – Chief Taylor went over the September crime report in detail. He began with a crime summary for the violence crime murder rate and aggravated assault and stated there is a 30 percent decrease. There is a 19 percent decrease for property crime in the city, and an overall crime rate decrease of 21 percent. He goes over opioid overdose for 2023. Grand total for opioid overdoses is 78 suspected opioid overdoses. For shots fired through Aug 31, there has been 44, which is a 3-year low since 2020 where there was 47. He went into detail for all upcoming events within the next few months. Councilor Pelham asked if he works with operation ceasefire and Chief stated they are and it is a great and successful program. Councilor Joyner speaks about the positivity with the police department and thanks the department. Mayor Partin asked about the additional 10 technologies and is there a date when it will be up and running. Chief Taylor stated the 10 additional operational goals were

completed and he has two sites left to do additional work to.

2. **Fiscal Turn Around Report** – Robert Bobb – Mr. Bobb begins his presentation by stating he will be at every meeting going forward for the next several months. He thanked all of the staff for being available to his staff and providing all information requested over the last few weeks. He made one comment stating the report received by police is very uplifting giving what is going on within the US right now. He mentions there has been a program office established, and they have had leadership meetings with all city staff and sent out a detailed document of requests list and a drop box. Individual meetings with council have been completed and he thanks them for being available to do so. He goes over all meetings he has had since being on board to include the city treasurer who he states has been very available and very helpful. He stated along the way he needs to make sure he has all the resources they need in order to be successful. He talks briefly about upcoming meetings he has with other parts of the city. He stated there will be a lot more to report at the next meeting. He mentioned if anyone does not cooperate he will take it to the city manager and if there are still no results they will keep moving until they receive the results they need. He opened the floor for any questions. Councilor Pelham asked during interviews did anything stand out. Mr. Bobb responded stating the excellent cooperation from city treasurer which is very critical in being successful. There were further questions asked from councilors and Mr. Bobb responded in detail how the processes go.

Councilor Denton makes a motion to extend the meeting through R4, Mayor Partin seconds the motion.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Yes
	Councilor Denton -	Yes
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 7-0

3. **Fiscal Year 2019 Audit Report** – Roberson, Farmer, Cox Associates
- Before the presentation began there was conversation related to the way the presentation was distributed to the citizens and to the council. The City Attorney answered stating as long as there were copies provided physically to the citizens at the meeting it was legally ok for the team to present their presentation. Mr. David Foley began his presentation with a short interview and went through the main points of the audit with an overview. He explains the scope of what they do in detail. He mentions they look at internal controls and the federal compliance audit as well. He mentions this year they included the annual audit financial report and the report on financial controls and uniform guidance audit in one document. He states they are required to make certain communications with the city council at the end of an audit. He begins to go through a slide presentation in detail of the policies and accountant policy the city uses. He describes estimates or preparing financial statements, or significant statements that are included in the financial report. He moves on to go through the audit results beginning stating there were 3 main pieces of the audit which were financial statements, internal controls, and the federal compliance. Included in the annual comprehensive report there are three different reports. The first is independent audit report. In the report he stated similar to 2018, in 2019 a disclaimer was issued they were unable to obtain sufficient audit evidence to provide a basis of an opinion on the financial statements. Councilor Joyner asked that they began getting information in September of last year, and wants to know why it took a year. Mr., Foley responded stating their work did begin last year and received majority of everything in December, so did not begin until January. Councilor Pelham asked about internal controls and asked is that a policy that is not being followed, and once it is identified it is not being followed is there a process, Mr. Foley responded with an answer to the question.

COMMUNICATIONS FROM CITIZENS

There were no citizens signed up to speak.

PUBLIC HEARING

PH1- Rental Inspection Program Ordinance Amendment – Chris Ward

Mr. Ward began his presentation requesting action be taken on the amendment of the rental inspection program. He stated what the purpose of this program is for in detail. He mentioned what can be reduced, and other benefits of how this program can be helpful to the citizens as well as the landlords. He stated last year council requested the department of development to revive the rental inspection program because of the problems with implementation.

Department was tasked to revise the fees, and in January they came with a proposal and again in May with answers and revisions. They took another look at how to identify who should be subject to the rental inspection program and broke the city up into 15 areas. He stated 300 units per year is a good number to start the rental inspection program on, and after the first year they will come back in front of council with an update. Mr. Ward states that at the May work session council suggested to remove the 100 fee, he states staff has removed that fee. He then went into detail how the fees will be applied for initial inspections, re-inspections, and violations. Councilor Holloway asked Mr. Ward if it is passed tonight, what is the time frame the citizens are given to be trained on the program before they have to comply, Mr. Ward states it will be 60 days from notification. Councilor Holloway then asks is it the court judge that issues the summons for fines. The answer is yes it will be the court judge who imposes fines to include potential court fees. Councilor Holloway asks is there an appeal process for anyone who feels they may have been given violations in error, the answer is answered in detail how the appeal process is done. Mr. Ward then goes into detail the landlord only pays for the new inspections only if there are failed violations if the tenant remains the same within those 4 years. Councilor Pelham asks is the landlord responsible for fixing the violations, and Mr. Ward answers yes to that questions. There are further questions in regard to owner vs tenant and what qualifies them as a tenant vs an owner if it is rent to own tenants.

Mayor Partin opens the floor for public hearing citizens to ask any questions. City Clerk reads public hearing section Code.

1st Citizen – Marsha Lowe – She begins stating her concern with the program is the lack of specifics about what is a minor violation and what is a major violation. She states it seems it is up to the inspector and it should be spelled

out for everyone to be on an even playing field. The request there be an exemption for certain landlords because they are realtors, she does not agree with this and believes it should be applicable to everyone. If there is a list of what they will look at she believes the list needs to be more clear on the standards.

2nd Citizen – Mary Ann White – She stated she is here on behalf of Southside VA Associates of Realtors. She stated they support the program and thanks Mr. Ward for waiving the \$100-dollar fee. She encourages city to make a technical amendment to clarify that requirement for inspection upon a sell is not triggered when the home is sold or transferred to someone who will be an owner occupant.

3rd Citizen – Tyler Cradack – He begins by expressing his appreciation to staff and Mr. Ward. He gave a short introduction of himself and then opened the floor for questions.

4th Citizen – Shana Story – She began with an introduction of who she is and a little information about real estate company. She stated this program is crucial to ensure all residents have a safe place to call home. She asks the city to take blinders off and be proactive when on the streets. She believes that if inspector notices a violation of an adjacent owner occupied dwelling when performing a rental inspection necessary action should be taken.

Mr. Ward speaks on some of the concerns from the public who spoke on the program, and stated there is an available list to view tonight, but in a few weeks the list will be uploaded on the site for residents and landlords to view.

Councilor Holloway makes a motion that rental inspection program amended as is including the amendment of the 450 to 300 would be stated as presented, motion is seconded by Councilor Harris.

Roll Call:

Councilor Harris -	Yes
Mayor Partin -	Yes
Vice Mayor Gore -	Excused
Councilor Denton -	Yes
Councilor Pelham -	Yes

Councilor Holloway - Yes
Councilor Joyner - Yes

Motion Passes 6-0

REGULAR BUSINESS

R1- Amendments to the transient Occupancy – The city attorney gives a brief detail of what is being amended within the transient occupancy, to include the changes that add definitions to ordinance, for example the title of commissioner revenue, person, retail sell, and room charge. She speaks about minor changes as well in detail. She ends presentation by leaving it up to city council to be adopted tonight or continued to the next regular meeting.

Mayor Partin states he believes that amendments should be placed on regular meeting as a public hearing. R1 will be continued to September 25 as a public hearing.

R2 – Amended FOIA policy language and fees – City Attorney begins explaining the general assembly changes are stating the FOIA fee policies to be published to the city website, as well as the fee structure. It is a 2023 amendment to the VA code, and city of Hopewell policies need to be brought into compliance. Councilor Holloway asks has this been adopted yet, City Attorney answered no it has not been. Councilor Denton asked if there is an opinion of city attorney if it should be flat fee, City Attorney answered she believes it should be flat hourly fee. Councilor Pelham asked does the hourly rate based on how ever many people are involved. City attorney responded with the answer and an example. Councilor Holloway asked is there a medium number hourly for the flat rate. City Attorney stated she will provide the medium salary for the city, Councilor Holloway requests the hourly rate vs the salary rate. City Attorney stated she will provide it based on salary and non-salary.

Council recommends this matter be continued as a public hearing at the next regular meeting.

R-3 – Amendment to the Connection Sewer Fee – City Attorney goes over the proposed change, which changes where there is an existing sewer connection that can be used, the fee would be changed from original fee of \$2021.00 to a fee of \$200.00.

Council Agrees that this matter also be continued to the public hearing

Councilor Denton makes a motion to make the corrected changes to the sewer connection fee as presented by the city attorney. There was no one to second the motion. The motion dies for lack of second. This item will be continued for a public hearing at the next regular scheduled meeting.


R-4 – Formal Remaining ARPA Funds – Dr. Manker begins her presentation by stating the remaining of the funds that were declared as loss revenue to be set aside for any outstanding requests that may come about during the remediation process with the audits. Councilor Pelham states she doesn't understand why he is getting these funds as well as the agreed upon amount he is receiving. Dr. Manker stated it is not for Mr. Bobb, but for program upgrades that will be needed that will allow the work performance to take place. Councilor Pelham recommends to bring it to the council as problems arise instead of using the remaining of funds for this. Councilor Holloway states he believes this item should be tabled until the next hearing. Mayor Partin states that a contingency fund for emergencies is the best place to put these funds. He asked if everyone agrees with doing that, Councilor Pelham stated there is a contingency fund in place already. Councilor Joyner asked can it be named as emergency reserve fund, Councilor Pelham says it does not need to be named, it is currently in the general funding and it can stay as is.

Councilor Pelham makes a motion to place the remaining ARPA/loss revenue funds into a contingency line up, Councilor Joyner seconds the motion.

Roll Call:	Councilor Harris -	Yes
	Mayor Partin -	Yes
	Vice Mayor Gore -	Excused
	Councilor Denton -	No
	Councilor Pelham -	Yes
	Councilor Holloway -	Yes
	Councilor Joyner -	Yes

Motion Passes 5-1

Councilor Holloway makes a motion to adjourn the meeting.



Brittani Williams, City Clerk



Johnny Partin, Mayor