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**Minutes
Windsor Town Council Meeting
Town Hall
May 14, 2013**

The Windsor Town Council met in regular session on May 14, 2013 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Carita J. Richardson was present, and she called the meeting to order. She welcomed those who were present. She asked for anyone with cell phones to please turn them off. She asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Chief Reynolds, Dennis Carney, Planning and Zoning Administrator, and Wallace Brittle, Town Attorney were present.

Council members present: Wesley F. Garris
J. Clinton Bryant
Greg Willis
N. Macon Edwards, III
Durwood V. Scott
Patty Flemming

Mayor Richardson asked Councilwoman Flemming to lead the Pledge of Allegiance, and Councilwoman Flemming did.

Public Hearing

None

Delegations, Public Comments and Citizens' Concerns

Vince DeTerlizzie reported on sporting events for the high school. He also reported that the air conditioning was out in the school, and that there would be early dismissal for the next several days. He said the drama club would be performing a play, and it was open to the public for a minimal cost. He said the play would be on Friday and Saturday. He said the high school graduation is scheduled for June 14, 2013. Mayor Richardson thanked him for being the liaison this year, and wished him much success in his future endeavors.

Delegate Rick Morris presented Mayor Richardson with a resolution from the House of Delegates. He read the resolution, which commended her for the Citizens Planner Award she received from the Citizen Planning and Education Association of Virginia. Mayor Richardson thanked Del. Morris for coming and for the resolution.

Consent Agenda

Mayor Richardson said the consent agenda consist of the minutes of the April 9, 2013 Council meeting, the minutes of the April 29, 2013 Council work session, the Treasurer's reports, and three budget transfers. She asked Mr. Stallings to brief Council on the budget transfers.

Mr. Stallings said there are two budget transfers for the Water Fund. He said the first one is for \$250 to be transferred from Professional Fees line item to Bank Fees line item within the Water Fund. He said this budget transfer is due to an increase in the number of citizens using credit cards to make their payments to the Town. Mr. Stallings said the other transfer

in the Water Fund is for \$1,500 to be transferred from the Equipment Repairs and Maintenance line item to the Vehicle Repairs and Maintenance line item. He said this budget transfer is due to some repair work that needs to be done to the Chevrolet truck that Mr. Bowden drives.

Mr. Stallings said the third budget transfer is in the General Fund. He said the budget transfer is for \$2,200 to be transferred from the Street & Sidewalk Maintenance line item into the Part-Time Temporary Help line item. He said the transfer will allow the Maintenance Supervisor to hire a part time employee for the rest of this fiscal year to assist with grass cutting, general property maintenance, as well as any other items that are needed. Council briefly discussed the possibility of contracting out the grass cutting on the larger lots owned by the Town.

Councilman Scott suggested having the principal balances of the Farmers Bank Bond listed separately on the Treasurer's report under the liabilities portion of the report. Council agreed with the suggestion. Mr. Stallings said next month's report will reflect the change. Mayor Richardson asked what the pleasure of Council is regarding the consent agenda.

Councilman Scott made a motion to adopt the consent agenda as presented. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Police Chief's Report

Chief Reynolds said the report is before Council for its information. He reported that the County has seen an increase in burglaries. He said because of this, he has increased checks on homes and businesses in the Town. He said there has not been any reports of burglaries in the Town as of yet. Council asked to have an article in the newsletter to let residents know that they can contact the department and request home checks when they are out of town. Chief Reynolds said he would also post this message on the website and Facebook.

Council's Discussion of Citizens' Concerns

Councilman Willis asked about the tall grass on the lot on Bank Street across from Mr. Spivey's property. Mr. Stallings said the Town now owns the property, and he is working on getting someone with a large tractor to mow the property. He said the lot has too many ruts to use one of the Town mowers.

Mayor Richardson said there is visual obstruction at both ends of Lovers Lane. She said she has a very hard time seeing on-coming traffic at both ends of the road. Chief Reynolds said he would look into the matter and see what can be done to correct the problem.

Vice Mayor Garris asked if the light at Food Lion in the turn lane can have a flashing arrow like at the other intersection. Chief Reynolds said he has asked about this, and at this time it is not feasible and too costly for VDOT to make the change.

Town Manager's Report

Appropriation of Funds for Police Department Renovations

Mr. Stallings said at Council's work session, Council appropriated funds to complete the renovations at the newly acquired property for the police department. He said after

reviewing the previous resolutions that appropriated funds for this purpose, it became apparent that not enough funds were appropriated to cover the cost of the renovation due to a math error on his part. He said he has included a resolution appropriating \$5,400 which is needed to cover the remainder of the renovation project.

Mayor Richardson asked the Clerk to read the title of the resolution. Ms. Hewett read the title as follows: A resolution appropriating the sum of \$5,400 from the Space Needs Fund to the Building Renovations line item of the General Fund Operating Budget for fiscal year 2012-2013.

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$5,400 From The Space Needs Fund To The Building Renovations Line Item Of The General Fund Operating Budget For Fiscal Year 2012-2013.* Councilman Willis seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #2.

Water Leak Policies

Mr. Stallings said he has received water leak policies from the Town of Smithfield, Isle of Wight County, and the City of Franklin. He said each of these localities offer a credit for individuals that experience high water bills due to a leak. He said they also require that the resident provide proof of the leak repair prior to giving the credit. He said they give a credit of 50% of the usage in excess of their "normal" usage. He said this item is for Council's discussion and direction.

Council discussed various options, such as having caps or thresholds on the amounts. Mayor Richardson said she would like to have a cap for the out-of-the-ordinary bills when a leak occurs, but it is up to Council. Mr. Stallings said he would draft a policy for water leaks with caps and adjustments to the bills for Council's review and consideration at its next Council meeting.

Budget Presentation

Mr. Stallings said the proposed 2013-2014 budget has no recommended tax increase, uses no fund balance, or has any new programs. He said the General Fund proposed budget total is \$1,556,933. He said the proposed Water Fund budget total is \$483,000. He reviewed two pie charts which show "Where the Money Comes From" and "Where the Money Goes". He summarized the General Fund revenues and expenditures for each department of the proposed budget.

Mr. Stallings reported that water sales are consistent, and tap fees have increased due to homes being built at a steady rate. Council briefly discussed the depreciation line item of the budget in regards as to how it is reported, and what it is used for within the budget.

Mr. Stallings said the Capital Improvements Plan (CIP) is a doable list for the Town and not just a "wish list". He said the current year of the CIP is funded in the proposed 2013-2014 budget. He said the budget has been made available to the public on the Town's website, as well as being placed in businesses around Town. He said the public hearing on the budget is scheduled for May 28th at 7:00 p.m. in the Council Chamber. Mr. Brittle said the public notice of the budget will appear in the local newspaper tomorrow.

Mr. Stallings said enclosed in the Council packet is a memorandum from Chief Reynolds regarding his officers' salary adjustments. He said Chief Reynolds is asking to give

"Performance Based Incentives" instead of "Across the Board" pay raises. He said the change in his officers' salaries does not exceed the four percent increase authorized by Council. He said the changes in the salaries actually reduce the total salary cost for the Police Department by \$21,433. Mr. Stallings said he is in support of this change, and if Council approves it, he will adjust the appropriate budget pages and ensure that Council receives the updated pages. It was the consensus of Council to approve the salary changes recommended by Chief Reynolds. Mr. Stallings said he would take care of updating the budget pages, and getting them out to Council.

Action List

Mr. Stallings said the Action List is enclosed for Council's review. He reviewed a few items on the list. He said the Drainage Committee will be meeting next week.

Calendar of Events

Mr. Stallings said he has enclosed the calendar of events for Council's information. He said the VML Town Section meeting is scheduled for May 15th in Exmore. He said the Chamber's Business Appreciation luncheon is scheduled for June 5th from noon to 2:00 p.m. at the Smithfield Center. Mayor Richardson and Councilman Scott said they would like to attend the luncheon. Mr. Stallings said he would take care of making the reservations for everyone. He said the public hearing on the budget is scheduled for May 28th at 7:00 p.m. in the Council Chamber.

Town Attorney's Report

Mr. Brittle reported that the closing on the Bank Street property has been completed.

Mayor's Report

Mayor Richardson thanked Chief Reynolds for the work he did on the TRIAD event. She also thanked Councilman Scott for speaking on behalf of the Town. She said she will be attending Isle of Wight County's Board of Supervisors meeting on Thursday. She said the Town is on the agenda to discuss the welcome sign that will be located on the Mathews property owned by the County. She reported that she had attended the public hearing for the County School Board budget, and she spoke on the budget. She said she received a notice that stated International Paper Fluff Operations had received the "Shipper of the Year" award.

Mayor Richardson said she received a letter from the Isle of Wight Christian Outreach Program (COP), which was included in the Council packets for Council's review. She said the organization is requesting a \$15,000 donation from the Town to help with their building renovations, and a \$3,000 annual donation to assist with ongoing community programs. She said this item is on the agenda for Council's discussion. Mayor Richardson said the Town has not given to charities in the past. She said the Town does not have extra funds in the budget to give to charities, nor do we have a policy that addresses which charities the Town will contribute to. She said she feels it is best that the citizens make individual contributions to the charities instead. Mr. Brittle said State Code Section 15.2953 addresses giving to churches and sectarian societies. He said he has spoken with Wayne Farmer, Chairman of COP, asking if Mr. Farmer was familiar with the Code Section. He said Mr. Farmer said that the Town of Smithfield gave \$25,000, and Mr. Farmer suggested that he talk with Bill Riddick regarding this matter. Mr. Brittle said he trusts Mr. Riddick explicitly, and he does not have a problem with the Town contributing to this organization, but the General Assembly may.

Council briefly discussed giving to this organization as well as other organizations. After its discussion, Council unanimously agreed not to give any donation at this time. Mayor Richardson asked Mr. Stallings to send a letter to the COP organization letting them know the Town's standing on this issue. Council briefly discussed whether or not there should be a policy in place that addresses contributions given by the Town. Mayor Richardson asked Mr. Stallings to research the Town's policies to see if there is a policy already in place or not. She also asked him to draft a policy regarding charitable contributions referencing the State Code section that addresses this.

Council discussed the Town's contributions to the Library and to TRIAD. It was discussed whether to change the wording in the budget for these line items. It was also discussed as to whether the Town should be contributing to the Library and TRIAD according to State Code. Mr. Brittle said the Code addresses the separation of church and state, and these organizations do not fall in that category. After further discussion of contributions, it was the consensus of Council not to draft a contributions policy at this time.

Economic Development Authority

Councilman Scott said the business appreciation event is scheduled for June 6, 2013 from 6:00 to 7:30 p.m. at the Ruritan building. He said the event theme is "WWW – Working Within Windsor". He said there will be a menu of light foods prepared by the Windsor Woman's Club. He said they decided to try something different this year to hopefully get more business participation.

Councilman Scott said the EDA is working with the County on the Town's sewer capacity. He said Frank Haltom, Assistant Director of General Services for Isle of Wight County, came and spoke to them about the Town's sewer system. He said Mr. Haltom is going to provide the Town with an as-built sewer plan for the Town.

Councilman Scott said at their next meeting they will be electing new officers. He said he has a resolution before Council establishing June 6th as Business Appreciation Day within the Town of Windsor.

Councilman Scott made a motion to adopt the resolution entitled: *A Resolution Establishing June 6, 2013 As Business Appreciation Day Within The Town Of Windsor, Virginia.* Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Other Reports

None

Planning Commission

Mr. Carney said the planning and zoning report for April 2013 is enclosed for Council's information. He said there were eight zoning permits issued, and 10 violation notices were sent out during the month. He said Planning Commission at their April meeting held a joint work-session with Town Council and representatives of the Isle of Wight Planning Department on the U.S. Route 460 Corridor Study that Isle of Wight Planning is conducting at this time. He said Supervisor Delores Darden also attended the work session. Commissioners, Council, and Staff voiced their concerns about the need for adequate sewer in the Town, and the potential placement of a new commercial growth area adjacent to the east of the Town limits. Mr. Carney discussed how to coordinate this plan in the Town's

Comprehensive Plan, which is currently under review. He said it was also agreed that the designation of future land-uses would be prioritized and accelerated in the Town's Comprehensive Plan's development.

Mr. Carney said at Planning Commission's regular meeting, which followed the joint work session, he was asked to follow up on the list of questions that Commissioner Glyn Willis had posed to Isle of Wight County. He said they agreed that the information would be very helpful to the formulation of the Town's Comprehensive Plan. He said he has since contacted the County and requested the information within 30 days.

Mr. Carney reported that Planning Commission at its regular meeting had two public hearings on the proposed amendments on outdoor storage and residential parking for both the existing and pending Land Development Ordinances. He said Planning Commission recommended for approval to Town Council the amendments for the existing Land Development Ordinance, and they tabled the amendments to the pending Ordinance. He said they tabled the pending Ordinance amendments to determine whether Town Council would consider an approach that would permit the parking of some large commercial trucks (over 1.5 tons) in residential districts as a conditional use or special exception.

Council discussed the "commercial vehicle" portion of the ordinance in regards to what type of vehicles this would include. The Town Attorney said the "1.5 ton truck" wording is referring to the rating of the vehicle and not the truck weight. Mr. Stallings said Council can still have the public hearing on the ordinance amendments that is before them, or they could choose to leave out the "a. Commercial Vehicle" portion of the ordinance and continue with the other amendments.

After discussion, Vice Mayor Garris made a motion to have a public hearing on the ordinance amendments leaving out the section "a. Commercial Vehicles" at its June Council meeting. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Old or Unfinished Business

Mayor Richardson reported that plans for the 4th of July celebration are coming together nicely. She said Councilwoman Flemming is doing a great job on the event, as well as, Councilman Willis with the car show.

New Business

None

Closed Session

Councilwoman Flemming made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-1 personnel matters, regarding appointed personnel. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #5.

Councilman Willis made a motion to go back into regular session. Vice Mayor Garris seconded, and Council passed the motion as recorded on the attached chart as motion #6.

Councilman Edwards made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D, that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such

business matters as were identified in the motion that Council passed to go into closed session. Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Willis made a motion to suspend comp time, by removing Paragraph 2 of Section V (D) on page 7 of the Personnel Policy. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Councilman Edwards made a motion to adjourn. Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

The meeting adjourned at 11:25 p.m.

Carita J. Richardson, Mayor

Robin Hewett, CMC
Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date May 14, 2013

Motion #	Flemming	Edwards	Garris	Bryant	Willis	Scott	C. Richardson
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
9	Y	Y	Y	Y	Y	Y	
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Windsor Town Council
 May 14, 2013
 Robin Hewett, emc
 Clerk/Treasurer