

**Minutes
Windsor Town Council Meeting
Town Hall
July 12, 2016**

The Windsor Town Council met in regular session on July 12, 2016 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. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Chief Riddle, Dennis Carney, Planning and Zoning Administrator, Christy Jernigan, Town Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present:

- J. Clinton Bryant
- Greg Willis
- N. Macon Edwards, III
- Durwood V. Scott
- Patty Flemming
- Tony Ambrose

Mayor Richardson asked Vice Mayor Bryant to lead the Pledge of Allegiance.

Mayor Richardson recognized Frances Butler who serves on the Board of Zoning Appeals (BZA). She thanked her for attending the meeting.

Public Hearing

Mayor Richardson said there is a public hearing tonight to consider public comments on the Draft 2016 Comprehensive Plan. She asked Mr. Carney to give an overview of the Plan.

Mr. Carney said the 2016 Comprehensive Plan, if adopted, will replace the existing Comprehensive Plan which was adopted in 2008. The Comprehensive Plan for the Town of Windsor is used by Town citizens, staff, the Planning Commission and Town Council as a guide for future decisions affecting the Town including decisions related to future land use, zoning actions and the appropriate location of public infrastructure. He said the Plan area encompasses all of the Town of Windsor. Mr. Carney explained that the Plan does not rezone land but it suggests ordinance amendments and other policies that will facilitate implementation of the Plan after adoption by the Town of Windsor Town Council.

Mr. Carney explained that the Plan also provides for a future study area to protect and revitalize the older sections of Windsor. He said this area will be the Olde Towne Windsor District.

Mr. Carney reported that the public hearing has been properly advertised. He added that a report on the Bank Street area was received from a resident of the Bank Street area. He noted that it gave historical information and was neither in favor nor in opposition to the Draft Comprehensive Plan.

Mr. Carney recommended that Town Council consider accepting the Planning Commission's recommendation to adopt the 2016 Comprehensive Plan.

Mayor Richardson asked Mr. Carney to give a brief overview on the Olde Towne Windsor District. Mr. Carney said the Olde Towne Windsor District is not considered a Historic District. He explained that the Olde Towne concept allows other opportunities to homeowners who own older, larger homes. He said this district will allow certain compatible commercial uses where feasible. Mr. Carney said this mixed-use concept will help keep these areas more vibrant.

Mayor Richardson opened the public hearing. Being that there was no one to speak in favor or in opposition to the 2016 Comprehensive Plan, she closed the public hearing. She said it is now open for discussion among Council.

Councilwoman Flemming made a motion to adopt the 2016 Comprehensive Plan. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Mayor Richardson thanked Mr. Carney and the Planning Commission for their hard work and time spent on the 2016 Comprehensive Plan.

Delegations, Public Comments and Citizens' Concerns

Kurt Beach, Secretary of the 2016 Isle of Wight County TRIAD, presented the Marvin Hoffer Certificate of Excellence to the Town of Windsor. He thanked Town Council and the Windsor Police Department for their support of the Isle of Wight County TRIAD Senior Crime Prevention Program. Mayor Richardson accepted the award and thanked Mr. Beach and the Windsor Police Department for all that they do to support and keep our community safe.

Eddie Allison, 26 N. Court Street, thanked Town Council for listening to his concerns regarding the sink holes in his yard and for addressing the problem in such a timely manner. He said the maintenance department filled the holes with dirt the next day.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the June 14, 2016 Council meeting, the Police Chief's report and the Zoning Administrator's report. She asked if there were any questions or comments regarding the Consent Agenda.

Councilman Edwards made a motion to adopt the Consent Agenda. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Treasurer's Report

Appropriation

Mayor Richardson noted that \$100,000 was inadvertently moved from the General Fund Unappropriated Fund Balance into the Space Needs Fund. She asked Council to

consider appropriating \$100,000 for the Space Needs Fund because she feels that it will be needed to help fund the construction of the new municipal building.

Councilwoman Flemming made a motion to appropriate \$100,000 from the General Fund Unappropriated Fund Balance into the Space Needs Fund. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Mrs. Jernigan said the Treasurer's report for the month of June is before Council for review. She asked if there were any questions. Mrs. Jernigan gave an update on the Munis conversion.

Councilman Willis made a motion to accept the Treasurer's report. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Council's Discussion of Citizens' Concerns

None

Town Manager's Report

New Municipal Building A&E Contract

Mr. Stallings reported that the Town issued an RFP for architectural and engineering services to design a new municipal building and to help masterplan the site. He said he engaged Alpha Corporation to help with the drafting of the RFP as well as the selection process.

Mr. Stallings explained that the selection committee, which included Mayor Richardson, Councilwoman Flemming, Councilman Ambrose and himself, interviewed five firms on Monday June 20, 2016. Each of the five firms were scored by the selection committee, and negotiations began with the top ranked firm which was Moseley Architects.

Mr. Stallings noted that the negotiated contract price is \$183,642 allowing for a contingency of 7% to cover any unforeseen costs and consultants fees of approximately 10% for a total potential cost of \$214,242.

Mr. Stallings said he has prepared and attached a resolution that would appropriate the funds from the Space Needs Fund to perform the A&E work.

Mr. Stallings said that Mr. Brittle, Town Attorney, has minor legal revisions that he is going to recommend to Moseley Architects that do not change the substance of the contract.

Mr. Stallings introduced Brian Camden, Senior Construction Program Manager, with Alpha Corporation. Mr. Camden presented the results of the interviews as well as the results of the contract negotiation with Moseley Architects.

Mayor Richardson explained that the Town had a Space Needs assessment completed by Wiley Wilson in 2012. She said this may reduce the Space Needs assessment fee

proposed by Mosely Architects if it can be utilized. Mr. Stallings suggested that Mr. Camden review the 2012 Space Needs assessment and present it to Mosely Architects to see if it can be utilized by the firm. Mayor Richardson suggested that the landscaping proposal prepared by Russell Parrish also be presented to the firm for consideration.

Councilman Edwards stated that Council just received the contract a few hours before tonight's meeting. He suggested tabling this matter until Council has had an opportunity to thoroughly review the contract. After further discussion, it was the consensus of Council to schedule a work session on July 21, 2016 at 5:30 p.m. to discuss the new municipal building architectural and engineering contract further.

Appropriation of Byrne JAG Block Grant Funds

Mr. Stallings reported that the Town has been awarded a Byrne JAG Block Grant from the Department of Criminal Justice Services in the amount of \$2,031 with federal funding of \$1,828 and a required match of \$203.

Mr. Stallings said he attached a memorandum from Chief Riddle requesting that Council accept the grant and explaining what the grant proceeds would be used for as well as the grant paperwork.

Mr. Stallings said he enclosed a resolution that would accept the grant and appropriate the grant funds and the match into the Police Department's Equipment Line Item for the 2016-17 fiscal year.

Mayor Richardson read the title of the resolution as follows: "A resolution accepting a grant award from the Department of Criminal Justice Services of the Commonwealth of Virginia and appropriating the grant funds along with the required local match from the Unappropriated Fund Balance of the General Fund to the Town's Operating Budget for fiscal year 2016-2017."

Councilman Edwards made a motion to adopt the resolution entitled: *A Resolution Accepting A Grant Award From The Department Of Criminal Justice Services Of The Commonwealth Of Virginia And Appropriating The Grant Funds Along With The Required Local Match From The Unappropriated Fund Balance Of The General Fund To The Town's Operating Budget For Fiscal Year 2016-2017.* Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

New Public Works Building Fence

Mr. Stallings said the Town is in the process of building a new Public Works Building. The site plan is currently under review by Isle of Wight County. He said as we move forward, some of the existing fence will need to be removed and relocated, and some additional fence will need to be installed around the property.

Mr. Stallings said he obtained two proposals to do this work. Both companies were asked to evaluate the possibility of reusing as much of the old fence as possible. He explained that the proposal from Hercules Fence anticipates using new fence for the entire project whereas the proposal from Chesapeake Fence anticipates reusing some

of the existing fence. He said after adding the cost of removal of the old fence to Hercules' proposal, Hercules comes in as the low bidder at a total cost of \$16,900.

Mr. Stallings said staff would like to have the new fence installed prior to construction to provide a secure area for storage of materials during the construction phase. He said he attached a resolution that appropriates \$17,000 from the General Fund Unappropriated Fund Balance into the 2016-17 General Fund Operating Budget for this project.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$17,000 from the Unappropriated Fund Balance of the General Fund to the 2016-17 General Fund Operating Budget."

After discussion, Councilman Ambrose made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$17,000 From The Unappropriated Fund Balance Of The General Fund To The 2016-17 General Fund Operating Budget*. Vice Mayor Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Town Code Update

Mr. Stallings reported that in accordance with the Town Code update schedule, he has completed his review of Sections 49, 51, 54, 61 and 70. He reviewed each section with Town Council. They were in agreement with the revisions and agreed to add these changes to the previous batch for advertisement at a future date.

Action List

Mr. Stallings reviewed the Action List for the month of June with Council

Calendar of Events

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information. He noted that the National Night Out will take place August 2, 2016 at 6:00 p.m. at the vacant lot in front of Twin Ponds.

Financial Software Conversion

Mr. Stallings briefed Council on the progress of the Munis financial software conversion. He stated that last fiscal year, Council appropriated the funds to cover the total cost of the conversion to Munis. He explained that the conversion was not completed last fiscal year, and the remaining funds have gone into the Unappropriated Fund Balance of the General Fund. He said the funds must be appropriated in order to continue this project.

Mr. Stallings said he has enclosed a resolution appropriating \$125,515 to complete the Munis financial software conversion.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$125,515 from the Unappropriated Fund Balance of the General Fund to the 2016-17 General Fund Operating Budget."

Councilman Willis made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$125,515 From The Unappropriated Fund Balance Of The General Fund To The 2016-17 General Fund Operating Budget.* Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson thanked Chief Riddle and his police department for all they do for the Town. She said she often receives positive comments regarding the police department. She continued to report that the Fourth of July event was another success this year, and she thanked everyone involved. She said she received many good comments regarding the fireworks. She noted that a citizen on Virginia Avenue brought to her attention that the debris from the fireworks was much worse in her yard this year. Mr. Stallings said he will check into this matter and try to prevent it from occurring again next year.

Mayor Richardson reported that the last Environmental Impact Statement (EIS) completed by the Army Corps of Engineers is located at the Windsor Library for citizens to review. She noted that the EIS shows that Isle of Wight County supports the northern bypass, and that is inaccurate. She said VDOT is asking the Army Corps of Engineers to issue a permit for the Route 460 plan with a northern bypass around Windsor. She said during this process, they will accept comments from the public through Monday, July 25, 2016 at the following website: Route460SEIS@VDOT.virginia.gov. She encouraged everyone to send their comments expressing their concerns with the northern bypass alternative.

Economic Development Authority Report

None

Other Reports

None

Old or Unfinished Business

None

New Business

Proffer Policy

Mr. Carney reported that the Virginia General Assembly this year passed more restrictive legislation on the use of cash proffers for Conditional residential zoning requests. Because of these amendments, Isle of Wight County has decided to review each request on a case by case study and has repealed its overall cash proffer policies.

Mr. Carney explained that the Town has a very simple Proffer Policy on Conditional Rezoning that refers to Isle of Wight's proffer policy study of 2003. The County has actually updated their policy study since that time but did not sign a formal agreement with the Town on the new studies. He said since that time, the Town has utilized the school proffers from Isle of Wight's studies and passed those funds along to Isle of Wight for the school system.

Mr. Carney recommended that Town Council repeal "Windsor's Proffer Policy on Conditional Rezoning" from the Town's Policy notebook because the County no longer utilizes a blanket Residential Cash Proffer Policy. He said this is because the Town's policy is predicated on a now repealed County policy system.

Mr. Carney noted that when new development is proposed that requires a rezoning, the Town will continue to look at the effects of the proposal, both positive and negative, and the developer will be able to respond accordingly to the negative effects upon the Town.

After discussion, Councilwoman Flemming made a motion to repeal the Windsor Proffer Policy. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Closed Session

None

Councilman Willis made a motion to adjourn. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

The meeting adjourned at 8:25 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date July 12, 2016

| Motion # | Bryant | Willis | Scott | Flemming | Edwards | Ambrose | 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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Jerry Whitehead, Clerk