

**Minutes  
Windsor Town Council Meeting  
Town Hall  
June 12, 2018**

The Windsor Town Council met in a continued session on June 12, 2018 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, Christy Jernigan, Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present: Durwood Scott  
N. Macon Edwards, III  
Greg Willis  
Patty Flemming  
Tony Ambrose  
Walter Bernacki - via telephone

Mayor Richardson led the Pledge of Allegiance.

**Electronic Participation**

Mayor Richardson stated that Councilman Bernacki would like to request to participate and vote at tonight's meeting by electronic participation due to being out of town at this time. She said if approved, Councilman Bernacki will be participating electronically from Levanon, Ohio.

Councilman Ambrose made a motion to allow Councilman Bernacki to participate and vote at tonight's meeting by electronic participation. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

**Public Hearing**

***Cigarette and Meals Tax Increases***

Mayor Richardson said there is a public hearing tonight to receive the comments and requests of interested citizens and organizations concerning a proposed cigarette and meals tax increase. She asked Mr. Stallings to give an overview.

Mr. Stallings explained that the proposed cigarette tax increase will raise the tax from its current rate of \$0.25 per pack to \$0.30 per pack. He said this increase is projected to raise an additional \$10,000 in revenue. He said the proposed meals tax increase will raise the tax from its current rate of 5% to 6%. He said this increase is projected to raise an additional \$40,000 in revenue.

Mr. Stallings recommended that Council defer action until later on the agenda when Council is scheduled to take action on the 2018-19 Budget and CIP.

Mayor Richardson opened the public hearing. She asked for any persons wishing to speak in favor of the tax increases to come forward at this time. There were none. She asked for any persons wishing to speak in opposition of the tax increases to come forward, and hearing none she closed the public hearing. She said it is now open for discussion among Council.

Vice Mayor Scott and Councilman Edwards expressed their concerns with increasing taxes when the Town shows a surplus every year and has a substantial amount of money sitting in the bank. They both agreed that a tax increase may be needed in the future, but an increase is not necessary this fiscal year.

Mr. Stallings explained that some of the surpluses have included money that has been allocated to a specific project that the Town did not begin that year.

Council continued to discuss the cigarette and meals tax increases.

Mayor Richardson explained that action regarding these tax increases will be deferred until later on the agenda when Council is scheduled to take action on the 2018-19 Budget and CIP.

### **Delegations, Public Comments and Citizens' Concerns**

Brenda Peters, 11332 Five Forks Road, said she is before Council representing the Virginia Master Naturalist Historic Southside Chapter. Mrs. Peters presented a Certificate of Appreciation to Council for their support regarding the creation and maintenance of Monarch Waystation number 19703 which is located at the Windsor Library. She said with the help of the Town and the Windsor Library, the project is in its second year. She explained that creating and maintaining a Monarch Waystation contributes to monarch conservation and helps to assure the continuation of the monarch migration in North America.

### **Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the May 8, 2018 Council meeting, minutes of the May 22, 2018 Council meeting, and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

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

### **Treasurer's Report**

Mrs. Jernigan stated that the Treasurer's report for the month of May is before Council for review. She asked if there were any questions or comments regarding the report.

Councilman Edwards made a motion to adopt the Treasurer's report as presented. Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

## **Council's Discussion of Citizens' Concerns**

Councilwoman Flemming reported that the fence located on the property line of the CVS Pharmacy and the Town's property is falling down and is in need of repairs. She also reported a sinkhole located in the middle of North Court Street that needs to be reported to VDOT. Mr. Stallings said he will look into these issues.

Vice Mayor Scott reported that Lovers Lane and Church Street have sections where VDOT started repairs by putting down rock but has not completed the work. He noted that cones have been left at the two locations. Mr. Stallings said he will contact VDOT regarding this issue.

Mayor Richardson reported that a citizen contacted her regarding a safety issue at the six-way intersection. She said the citizen would like a "Yield to Right Turn" sign installed by VDOT to help avoid a possible accident. Mr. Stallings said he will contact VDOT regarding this request.

Mr. Stallings reported that the South Court Street railroad crossing repairs will begin on June 13, 2018. He also noted that the water fountain has been repaired at the Wesley Garris Event Park.

Mr. Stallings said he received a letter from Community Harvest Outreach requesting a donation from the Town. He said he explained to this organization that in the past, Council has not approved using taxpayer money for donations. He said the letter from Community Harvest Outreach is attached for Council's review.

## **Town Manager's Report**

### ***Windsor Town Center Project***

Mr. Stallings reviewed the monthly status report on the renovation of the Windsor Town Center that was submitted by Brian Camden with Alpha Corporation. He noted that the contractor continues to diligently prosecute the work satisfactorily, and the project is on schedule to be completed by September 14, 2018.

Councilwoman Flemming said the Town Center Advisory Board will be distributing a fundraising pamphlet for the project in the near future.

### ***Route 460 – Draft Letter***

Mr. Stallings said at the May meeting, Council reviewed a letter to VDOT requesting that VDOT include the stretch of Route 460 that runs through the Town in its latest safety study of the corridor. He said he incorporated comments that were received from that meeting.

After reviewing the revised draft letter, Council agreed to have Mr. Stallings mail the letter to VDOT. Councilman Willis suggested that Mr. Stallings include some of the evacuation pictures from Hurricane Floyd.

### ***Appropriation of Donated Funds***

Mr. Stallings explained that the Town received a donation of \$500 from the Woman's club of Windsor to be used towards the July 4<sup>th</sup> celebration. He recommended that Council adopt the attached resolution appropriating these funds for their respective purposes.

Vice Mayor Scott made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$500 In Donations Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2017-18. Councilman Willis seconded.

Councilman Edwards explained that these funds were given to the Town in error. He said these funds should have been given to the Ruritan Club to use to purchase food for the July 4<sup>th</sup> celebration.

After discussion, Vice Mayor Scott withdrew his motion, and Councilman Willis withdrew his second.

Mr. Stallings said he will have a check processed for those funds to be given to the Ruritan Club for the purchase of food for the July 4<sup>th</sup> celebration.

### ***Action List***

Mr. Stallings reviewed the Action List for the month of May with Council. He said he met with Bowman Consultants, the Town's contracted engineering firm, to discuss a scope of work for the drainage study for the Town. He said he provided them with a list of the priority areas that the Drainage Committee had established. He said he will report back to Council when he receives cost estimates from Bowman Consultants.

Mr. Stallings reported that the sewer study has been completed, and the County is waiting to receive the report.

### ***Calendar of Events***

Mr. Stallings reviewed the Calendar of Events with Council.

### ***Town Attorney's Report***

None

### ***Mayor's Report***

Mayor Richardson thanked those who attended the State of the County Breakfast. She said it was a very informative meeting. She thanked everyone for their hard work towards preparing for the July 4<sup>th</sup> celebration.

### ***Economic Development Authority (EDA) Report***

Vice Mayor Scott said he is saddened to report that Thomas D. Elder, Jr., Isle of Wight County's Director of Economic Development, died unexpectedly on Sunday, June 10,

2018 from natural causes. He also reported that the Town's EDA will be having a meeting on Thursday, June 14, 2018 at 5:30 p.m. at the Town Hall.

### **Other Reports**

None

### **Old or Unfinished Business**

#### ***Adoption of the 2018-19 Operating Budgets and Five Year CIP***

Mayor Richardson stated that Council has to consider the adoption of the Five-Year Capital Improvements Plan (CIP) and the 2018-2019 Operating Budgets for the Water Fund, General Fund, and Space Needs Fund, which was continued from the May 22, 2018 Council meeting.

Mayor Richardson said the first item under Old Business is Council's consideration of adopting an ordinance entitled: "An ordinance establishing the water rate schedule for the water system owned and operated by the Town of Windsor, Virginia."

Mr. Stallings explained that there is a proposed water rate increase from the current \$7.25 per 1,000 gallons to \$7.50 per 1,000 gallons to help fund depreciation and help with the rising costs of maintaining and operating the Town's water system.

Councilman Edwards made a motion to adopt the ordinance entitled: An Ordinance Establishing The Water Rate Schedule For The Water System Owned And Operated By The Town Of Windsor, Virginia. Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Mayor Richardson said the next item is Council's consideration of adopting a resolution entitled: "A resolution approving and adopting the Five-Year Capital Improvements Plan (CIP) for the period covered by fiscal years 2018-2019 through 2022-2023."

Councilwoman Flemming made a motion to adopt the resolution entitled: A Resolution Approving And Adopting The Five-Year Capital Improvements Plan (CIP) For The Period Covered By Fiscal Years 2018-2019 Through 2022-2023. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Mayor Richardson said the next item is Council's consideration of adopting an ordinance entitled: "An ordinance imposing and levying taxes within the Town of Windsor, Virginia upon real property, upon public service corporation, upon personal property, upon machinery and tools, and upon mobile homes for the calendar year beginning January 1, 2018, and ending December 31, 2018."

Councilwoman Flemming suggested changing the language from "mobile homes" to "manufactured homes" as stated in the Land Development Ordinance. Council agreed to the change.

Mr. Stallings explained that there is a proposed tax increase in the cigarette tax from its current \$0.25 per pack to \$0.30 per pack and an increase in the meal's tax from its current 5% to 6%.

Councilman Ambrose made a motion to adopt the ordinance entitled: An Ordinance Imposing And Levying Taxes Within The Town Of Windsor, Virginia Upon Real Property, Upon Public Service Corporation, Upon Personal Property, Upon Machinery and Tools, And Upon Manufactured Homes For The Calendar Year Beginning January 1, 2018, And Ending December 31, 2018 with the aforementioned change in language from "Mobile Homes" to "Manufactured Homes." Councilwoman Flemming seconded, and Council passed the motion 4 to 3 with Mayor Richardson breaking the tie as recorded on the attached chart as motion #6.

Mayor Richardson said the last item is Council's consideration of the resolution entitled: "A resolution approving and adopting the fiscal year 2018-2019 operating budget for the Town of Windsor, Virginia and appropriating the requisite funds for said budget."

Councilwoman Flemming made a motion to adopt the resolution entitled: A Resolution Approving and Adopting The Fiscal Year 2018-2019 Operating Budget For The Town Of Windsor, Virginia And Appropriating The Requisite Funds For Said Budget. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

### **New Business**

Councilman Bernacki asked if any information or price projections have been received regarding a covered shelter for the backhoe. Mr. Stallings said he may be receiving information this week regarding a shelter for the backhoe. He said he will report back to Council when he receives this information.

Councilman Edwards reported that his term on the Planning Commission will expire on June 30, 2018, and he does not wish to be appointed for another term. He stated that he has served on the Planning Commission three different terms and also served as the first chairman in 1975, and he is ready to step down. Mayor Richardson said that Bennie G. Brown's term will also expire on June 30, 2018.

Mr. Stallings suggested that a representative from Council be temporarily appointed to take Councilman Edwards place until after the November 2018 election and then reevaluate. Councilman Willis volunteered to serve as a Council representative on the Planning Commission until the end of December 2018.

Councilman Edwards made a motion to appoint Councilman Willis to temporarily serve as a Council representative on the Planning Commission until the end of December 2018. Councilman Ambrose seconded, and Council passed the motion as recorded on the attached chart as motion #8.

### **Closed Session**

Councilman Willis made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711 for A-1 personnel matters and A-3 discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real

property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Councilman Willis made a motion to go back into regular session. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Councilman Ambrose 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. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Councilman Edwards made a motion to adjourn. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

The meeting adjourned at 8:49 p.m.

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Carita J. Richardson, Mayor

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Terry Whitehead, Town Clerk

TOWN OF WINDSOR  
RECORD OF  
COUNCIL VOTES

Council Meeting Date July 10, 2018

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