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**Minutes
Windsor Town Council Meeting
Town Hall
September 13, 2022**

The Windsor Town Council met in a regular session on September 13, 2022 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Glyn Willis was present, and he called the meeting to order. He welcomed those who were present. Mayor Willis asked for anyone with cell phones to please turn them off. Terry Whitehead, Town Clerk, recorded the minutes. William G. Saunders, IV, Town Manager, Cheryl McClanahan, Treasurer, and Fred Taylor, Town Attorney, were present.

Council members present: Walter Bernacki
Kelly Blankenship
J. Randy Carr
Jake Redd
George Stubbs

Council member absent: Greg Willis

Councilman Bernacki led the Pledge of Allegiance.

Delegations and Public Comments
None

Consent Agenda

Mayor Willis said the Consent Agenda consists of the minutes of the August 9, 2022 Council Meeting, the Planning and Zoning report, and the Police Chief's report. He asked if there were any questions or comments regarding the Consent Agenda.

Councilman Bernacki asked if there was a positive outcome from the conference call held with Isle of Wight County Public Utilities regarding sewer services within the Town that was documented in the Planning and Zoning report.

Mr. Saunders stated that Isle of Wight County is working towards conducting a study to look at the current and future capabilities of the pump station located on Duke Street.

Councilman Stubbs made a motion to adopt the Consent Agenda as presented. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. McClanahan reviewed the August 2022 Treasurer's report. She gave an update on collections that were moved back to FY22 for the accruals.

Ms. McClanahan noted that the Historical Report is for June 2022, and explained why the year end has not been closed out. She also reported that the auditors were in the office this past week, and they are hoping to present the audit at the November or December meeting.

Ms. McClanahan stated that the 2022 Real Estate bills and the 2022 Personal Property bills have been generated and are in the system.

Ms. McClanahan explained that reassessments will be completed next year by the County, and will be reflected in the 2023 billing, as questioned by Councilman Bernacki.

Ms. McClanahan clarified several transactions on the Treasurer's report.

After further discussion, Councilwoman Blankenship made a motion to approve the Treasurer's report. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Council Comments

None

Town Manager's Report

Capital Projects Update

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that all deeds of easement have been acquired. He said this item is on the agenda tonight for review of the documents and authorization by Council to put out to bid.

Windsor Library Expansion Project

Mr. Saunders stated that bids received by the County for the expansion project came in well over the engineer's estimate. He said the IOWC Board of Supervisors rejected all bids and will tentatively wait 6-12 months to rebid the project in a hopefully more stable market environment.

Calendar of Events

Mr. Saunders said the September 2022 and October 2022 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

Windsor Town Center Operations

Mr. Saunders reported that concerns about the Windsor Town Center were brought to Town Council and staff.

Mr. Saunders said a meeting including all Town and County staff who have duties related to the Center was held on September 1, 2022. He said the meeting was very productive and plans were made to minimize the potential for issues going forward.

Mr. Saunders noted that the quarterly Windsor Town Council Advisory Board meeting will be held at the end of September, and further discussion on these issues will likely take place there, as well.

Mr. Saunders explained that the tables owned by the Town that were inadvertently damaged by Arts & Crafts during summer camp will be replaced by the County.

Town Council Work Session – Strategic Plan and ARPA Projects

Mr. Saunders said the Town Council has recommended revisiting the Strategic Plan prior to the start of the next budget cycle and further consideration and planning on ARPA funded projects in conjunction with the plan is appropriate.

Mr. Saunders said a work session at the end of September, and possibly a follow-up session at the end of October, is recommended.

After discussion, Council agreed by consensus to schedule a work session for Tuesday, September 27, 2022 at 6:00 pm.

Proposal for Senior Programs at the Windsor Town Center

Mr. Saunders said at the August 9, 2022 meeting of the Windsor Town Council, the Memorandum of Understanding (MOU) regarding the Senior Services of Southeastern Virginia (SSSEVA) proposal to provide senior programs at the Windsor Town Center was approved.

Mr. Saunders said following Council's approval, Town staff met with Mr. Zollos of the SSSEVA to discuss the MOU's parameters. He said SSSEVA has considered the MOU and has chosen to decline the agreement. He added that the reasons given by Mr. Zollos were the conflicts with the current use of the Center by Isle of Wight County Schools and Parks and Recreation Department.

Mayor Willis said he was disappointed that SSSEVA has chosen to decline the agreement. He said we will continue to keep them in mind, and maybe there will be an opportunity in the future for senior programs at the Town Center as they consider other alternatives.

Town Attorney's Report

None

Mayor's Report

None

Economic Development Authority (EDA)

Councilman Redd said the concrete pad for the Boy Scout frog should be poured in a circular shape this week.

Councilwoman Blankenship asked if the coating on the frog could be cleaned easily if it was vandalized with graffiti. Councilman Redd said he believes it is a protective coating that can be washed.

Councilman Stubbs asked that the EDA have someone cut the tall grass at the two lots on the west end of Town that are for sale by the EDA. Councilman Redd said he will look into this matter.

Councilman Redd gave an update on the potential sale of the two lots on the west end of Town.

Other Reports

None

Old or Unfinished Business

Duke Street and Virginia Avenue Water Main Replacement Project

Mr. Saunders reported that the Duke Street and Virginia Avenue Water Main Replacement Project has been in the Town's Capital Improvement Plan for some time. He said the project was nearly put out to bid previously, when it was realized that some of the new water mains were outside of the VDOT right-of-way and did not have some necessary utility easements. Following this, Bowman engineers have created easement exhibits for the properties and the Town has created deeds of easement and obtained signatures from the land owners.

Mr. Saunders explained that the project includes the replacement of 1,750 linear feet of 4" water main with 8" main on Duke Street, the replacement of 1,450 linear feet of 4" water main with 6" main on Virginia Avenue, the relocation of 2 fire hydrants, the addition of 3 fire hydrants, and the relocation of 38 water meters.

Mr. Saunders said the next phase of the project is to put the project out to bid. Enclosed herein are documents to include plan sheets and estimate for project administration and inspection oversight. Mr. Saunders said while the project has been approved through the adoption of the budget, with \$750,000 in the FY23 CIP, it is recommended that Council vote to approve putting the project out to bid, as well as the agreement with Bowman engineers on oversight.

Mr. Saunders said once the bids are received, they will come back before Council for further action. He noted that a project cost estimate will be provided by Bowman Consulting prior to bid opening.

Mr. Saunders added that the Duke St. / Virginia Ave. Water Main Project Plan Sheets and the agreement for engineering and inspection services with Bowman Consulting are enclosed for Council's review.

Mr. Saunders recommended that Council approve putting the project out to bid and authorizing the Town Manager to enter into the Bowman proposal.

Mr. Saunders noted that the bid documents before Council will require some minor revisions. He explained that once we knew when it was actually going out to bid, there would be dates and times that would need to be revised.

Councilwoman Blankenship asked if the Construction Administration Services fee of \$103,960.00 was included in the \$750,000.

Mr. Saunders explained that \$71,000 for Construction Inspection Services was not anticipated in the \$750,000. He said the \$750,000 was strictly for contractor's expenses.

Councilman Bernacki asked if there were issues in the future with this project that an inspector may have missed; would the inspector assume some of the liability.

Mr. Taylor said if there were some negligence on the part of the inspector or professional responsible for inspection services, then you really can't waive that away.

Councilman Bernacki said the memo states that the project includes the relocation of 2 fire hydrants and the addition of 3 fire hydrants. He said he reviewed the drawings, but did not see the distance between the fire hydrants specified. Councilman Bernacki said those measurements would be helpful in determining that good water flow is available for better fire protection. He said the requirement is that they are 500 feet apart.

Mr. Saunders said he would obtain those measurements and report back to Council.

Mayor Willis asked if Council rejects all bids, how would that impact the Bowman contract.

Mr. Saunders explained that if Council rejects all the bids and delays the project, we could try to hold Bowman to the current rates, or they may choose to increase the rates.

After further discussion, Councilman Bernacki made a motion to proceed with putting the Duke Street and Virginia Avenue Water Main Replacement Project out to bid. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Councilman Stubbs made a motion to enter into an agreement for engineering and inspection services with Bowman Consulting. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

New Business

Personal Property Tax Relief Percentage Ordinance for Calendar Year 2022

Mr. Saunders reported that each year the Town readopts an ordinance per the 2005 revisions to the Personal Property Tax Relief Act of 1998. He said this year, the property tax relief percentage is 13.06%.

Mr. Saunders said attached is an ordinance to establish this percentage for calendar year 2022. He recommended that Council adopt the enclosed ordinance.

Mayor Willis read the title of the ordinance as follows: An Ordinance Establishing A Personal Property Tax Relief Percentage Of 13.06% For Calendar Year 2022 Personal Property Tax Bills.

After discussion, Councilman Bernacki made a motion to adopt the ordinance entitled: An Ordinance Establishing A Personal Property Tax Relief Percentage Of 13.06% For Calendar Year 2022 Personal Property Tax Bills. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Closed Session

Councilman Stubbs made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711. A.7 consultation with legal counsel and briefings by staff members for consultants pertaining to actual or probable litigation in regard to litigation involving the

Town and Police Department with the Commonwealth of Virginia, where such consultation or briefing in open meeting would adversely affect negotiating or litigating posture of the public body. Section 2.2-3711. A.8 consultation with legal counsel employed or retained by the public body regarding specific legal matters in regard to contract negotiations requiring the provision of legal advice by such counsel. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Councilman Stubbs 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. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Stubbs made a motion to adjourn. Councilwoman Blankenship seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

The meeting adjourned at 8:19 p.m.

Glyn Willis, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date Sept. 13, 2022

Motion #	Bernacki	Blankenship	Carr	Stubbs	Redd	Greg Willis	Glyn Willis
1	Y	Y	Y	Y	Y	absent	
2	Y	Y	Y	Y	Y		
3	Y	Y	Y	Y	Y		
4	Y	Y	Y	Y	Y		
5	Y	Y	Y	Y	Y		
6	X	Y	Y	Y	Y		
7	Y	Y	Y	Y	X		
8	Y	Y	X	X	Y		
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Jerry Whitehead, Clerk