

**Minutes
Windsor Town Council Meeting
Town Hall
November 13, 2018**

The Windsor Town Council met in regular session on November 13, 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, Ben Sullivan, Planning and Zoning Administrator, Christy Jernigan, Town 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

Mayor Richardson congratulated Randy Carr, Kelly Blankenship, and George Stubbs, the newly elected Council members. She also congratulated Glyn Willis, the newly elected Mayor.

Councilman Ambrose led the Pledge of Allegiance.

Public Hearing

None

Delegations, Public Comments and Citizens' Concerns

7 Bank Street Rezoning

Mr. Jim Laule, 11072 Wythe Drive, said with the infrastructure challenges that the town currently faces, he feels that it is irresponsible to encourage population growth at this time whether it is rental properties or single family homes. He said these homes will bring in additional maintenance costs to support the potential structures in an already financially challenged budget. He said he doesn't feel that anyone is considering all of the impacts of population growth. He said there will be a need to provide additional services such as utilities and associated costs, safety services, and increased infrastructure maintenance costs.

Mr. Laule explained that the schools are a big draw to families looking to move into this area, and if the system becomes overpopulated, the quality of education will be degraded. He said property values are 22.2% lower on average in areas with substandard schools. He also stated that high volumes of rental property in an area tend to decrease real property values an average of 13.8%.

Mr. Laule stated that this project only stands to benefit the developer and real estate agents trying to fill the proposed housing units. He noted that Councilman Bernacki polled the citizens who this project will most impact, and they were against the rezoning. He said Councilman Bernacki also cited safety concerns due to the proximity of the structures to

each other, and it would be a challenge to bring in emergency vehicles and equipment into the area in the event of an emergency.

William Leitner, developer of the proposed project, said he is a local resident and has a business in the Town of Windsor. He said he supports the town and its local merchants. He said he is trying to enhance the property rather than develop it, and he is not trying to overcrowd. He said he feels that the proposed two units will bring additional tax revenue to the town. Mr. Leitner explained that his intentions are to provide a more affordable option to those seeking to live in Windsor but who could not afford to purchase their own home.

Jason Marsh, 151 Hidden Acres Circle, said he moved from San Diego, CA to Windsor five years ago primarily for the schools. He said he echoes Mr. Laule's concerns regarding the impact these two units may have on the schools.

Christy Leitner, developer of the proposed project, said we're only talking about a difference of one or two families. She said there may be one or two children or there may be no children living in the proposed homes at all; therefore, it may not affect the schools at all. She said they are in the landscape and construction business and have a strong desire to make the homes and lawns appealing. She said the lawns will be maintained by her business, and they will focus on enhancing the neighborhood and adding to the community.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the October 9, 2018 Council meeting and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

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

Treasurer's Report

Mayor Richardson said the Treasurer's report for the month of October is before Council for review. She asked if there were any questions regarding the Treasurer's report.

Councilman Edwards questioned why the 2017-2018 audit will not be presented until after the first of the year. He said new auditors were hired for the 2017-2018 audit, and the agreement was to have the audit completed and presented in December, 2018.

Mrs. Jernigan explained that there have been setbacks resulting from the Munis conversion and working with new auditors. She explained that the town is still processing taxes in the Bright system, and working with two systems has proven to be challenging and problematic. She continued to discuss some of the specific issues being dealt with regarding importing data from Bright to Munis and other IT issues.

Councilman Edwards stated that this Council is responsible for the 2017-2018 audit, and he was expecting that it would be completed by the end of the year before the newly elected Mayor and Council members take office.

Mayor Richardson requested that the 2017-2018 draft audit be given to the outgoing Council members for review when it is completed the first of the year.

Council continued to discuss the Munis implementation, conversion, and service contract.

Vice Mayor Scott requested a copy of the chart of accounts to use as a cross reference when reviewing the Treasurer's report.

Vice Mayor Scott made a motion to approve the Treasurer's report. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Council's Discussion of Citizens' Concerns

Councilwoman Flemming said that an employee from the maintenance department discussed with her the difficulties of reading and locating meter boxes in some yards due to overgrown grass and debris. She suggested ways of notifying citizens to keep their meter boxes clear of debris and overgrown grass.

Councilman Ambrose said he was approached by a citizen who lives on Watson Street who believes that he has a water leak under his driveway on the Town's side of the meter, and it has not been repaired. Mr. Stallings explained that the maintenance department cannot identify a leak at this location. He said Virginia Rural Water Association is scheduled to put listening equipment on those water lines to determine if there is a leak or not. Mr. Stallings said if a leak is identified, it will be addressed.

Councilman Edwards followed up on several issues from the previous month. He noted that the hole in the street on Virginia Avenue caused by a leak has not been repaired by VDOT. He also noted that the railroad crossing on South Court Street that was mentioned last month has not been repaired. Mr. Stallings said he would contact VDOT and the railroad again regarding these issues.

Councilman Ambrose asked if there was an update from the Commonwealth Transportation Board (CTB) regarding the two intersection improvement projects that will be going through Smart Scales. Mr. Stallings said the projects have been submitted, and they are still waiting to be scored.

Councilman Willis asked how often does the maintenance department check the street drains within town to see if they need cleaning due to the excessive leaves and pine straw falling this time of year. Mr. Stallings said that VDOT is responsible for keeping the drains clear, but the maintenance department does check them routinely before major storms. He said he would contact VDOT to make sure they are checking these drains on a routine basis.

Councilman Bernacki said there is pavement sagging and eroding on Lovers Lane and Shiloh Drive that is causing dips in the road. He said there is also two water caps in the middle of the street near this location with missing collars that may be caused by erosion under the street. Mr. Stallings said he would check into this matter.

Vice Mayor Scott asked if the maintenance department is having problems locating water meters because he has noticed that meters are being marked with paint throughout the town. Mr. Stallings explained that due to some health issues in the maintenance department, some of the part time employees have had to fill in reading the meters. He notes that Kenny Sims, the maintenance supervisor, is the primary person who normally reads the meters.

Town Manager's Report

Yard Sale Ordinance

Mr. Stallings reported that at the last Town Council meeting, Council directed staff to revise the Town's Yard Sale Ordinance. He said the requested changes were to remove the \$1.00 yard sale permit fee and to provide the application and signs in a printable form on the website.

Councilman Ambrose recommended having the paper sign emailed after receiving the yard sale application to avoid citizens from just printing the signs without going through the application process.

Councilman Bernacki recommended that in Sec. 152-4., the language "or designee" be added after "approval by the Zoning Administrator." He said it was also suggested by a constituent that citizens use their own signs, with a violation if they are not cleaned up after 24 hours of the yard sale, because the size of the printable sign would be too small.

After further discussion, Councilman Ambrose made a motion to approve the changes to the Yard Sale Ordinance which include removing the \$1.00 yard sale permit fee, providing the application and signs in a printable form on the website, and adding the language "or designee" to Sec. 152-4.

Vice Mayor Scott questioned if there will be a penalty if yard sale signs are not returned to the town office.

Councilman Ambrose withdrew his motion.

Mr. Stallings said there will not be a penalty if the signs are not returned to the town office. He explained that the \$1.00 deposit will not be refunded if the signs obtained from the town office are not returned.

Councilman Ambrose made a motion to approve the changes to the Yard Sale Ordinance which include removing the \$1.00 yard sale permit fee, providing the application and signs in a printable form on the website, and adding the language "or designee" to Sec. 152-4. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Funding for Police Officer Position

Mr. Stallings said he was directed to prepare a funding package for the new police officer position for the remainder of this fiscal year as well as a projected funding package for upcoming fiscal years.

Mr. Stallings explained that when the current operating budget was developed, the town was under the assumption that we would not be receiving bank franchise tax from Citizens National Bank due to it being sold to Old Point National Bank. He said he received word from the President of Old Point that they are currently estimating a payment of \$25,000 being made to the Town of Windsor for bank franchise taxes. He said the combination of the additional bank franchise tax and reallocated money within the Police Department budget will cover the cost of the position for this fiscal.

Mr. Stallings said for future years, the town can continue to anticipate the \$25,000 from Old Point as well as reallocating the \$7,000 with the Police Department budget. He said this leaves \$29,500.60 to be identified. He said the town has \$60,000 budgeted to complete the payment for the three cars purchased last year, and we anticipated only purchasing two cars next fiscal year. He said this will realize a reduction of approximately \$24,000 in the budgeted amount due to purchasing one less car which will then leave a budget gap of \$5,500.60. Mr. Stallings said staff will continue to evaluate both revenues and expenditures to identify areas that we can pull this funding from.

Mr. Stallings recommended that Council adopt a budget transfer as well as the attached appropriation resolution to put the funding for this fiscal year in place.

Councilman Willis expressed his concerns with funding this position two years from now in 2020 when the third police vehicle is needed. Mr. Stallings stated that he reviewed an economics report at the last Managers meeting, and the trends in sales tax is starting to go up which will help fund this position in 2020.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$25,000 in additional bank franchise tax revenue into the General Fund Operating Budget and approving a budget amendment and transfer for fiscal year 2018-19."

Councilman Edwards made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$25,000 In Additional Bank Franchise Tax Revenue Into The General Fund Operating Budget And Approving A Budget Amendment And Transfer For Fiscal Year 2018-19. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Action List

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

Calendar of Events

Mr. Stallings reviewed the Calendar of Events with Council. He noted that Breakfast with Santa, Windsor High School's Windsor Bazaar, and the Christmas parade will take place on Saturday, December 1, 2018.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson reported that the Ribbon Cutting Ceremony for the Windsor Town Center took place Saturday, November 3, 2018. She said it was very successful, and she received many positive comments on the center. She thanked those Council members who attended.

Mayor Richardson said she will be hosting her annual Christmas party for Council and staff to show her appreciation on Thursday, December 20, 2018 beginning at 5:30 p.m.

Mayor Richardson invited the newly elected Mayor, Council members, and reporters to enjoy some of the outgoing Council member's favorite deserts after the December 11, 2018 Council meeting.

Mayor Richardson suggested that staff put an information pamphlet in the welcome bags for new residents to inform them of town ordinances regarding leash laws, yard sales, and other pertinent information.

Economic Development Authority (EDA) Report

None

Other Reports

None

Old or Unfinished Business

7 Bank Street Rezoning

Mr. Sullivan reported that the applicant, Cullen Group, LLC, previously requested to change the zoning at 7 Bank Street from Single Family Residential (R-1) to a Conditional High Density Residential (HDR) and place three 861 sq. ft. housing units on the property. He noted that Council tabled the request at the October 8, 2018 meeting to give the applicant the opportunity to revise the site plan where it is more favorable based on the density and fire control concerns that were previously discussed by Council.

Mr. Sullivan said the applicant is now requesting to construct two 861 sq. ft. housing units on the property. He explained that by eliminating one of the proposed units and a portion of the shared driveway that would have gone to the third unit, the applicant no longer needs a conditional use permit.

Mr. Sullivan stated that it has been rumored that a proposed four-story, low-income housing complex will be constructed on the property, and this is not the case. He also added that there are no rental homes available in Windsor, and this project would fulfil that need.

Mr. Sullivan stated that eliminating the third unit has addressed most of the Planning Commission's concerns regarding density and flooding issues.

Councilman Willis asked if each unit would have its own utility hookups and if the lot could be subdivided at a future date should the owner wish to sell one or both units an individual, non-rental homes. Mr. Stallings said the homes will have separate utility hookups, and they can be subdivided.

Councilman Bernacki stated that he knocked on doors to show neighboring residents the drawings of the proposed units, and no one was in favor of it. He said the residents feel that there are other options that would be more suitable for the neighborhood without putting multiple homes on one lot. He said they suggested a single two-story home with an apartment upstairs and one downstairs or a duplex which would help eliminate some of the drainage issues. He said these options would blend with the neighborhood and still achieve the same results.

After further discussion, Councilman Willis made a motion to approve the 7 Bank Street rezoning. Councilman Ambrose seconded, and Council approved the motion 5 to 1, as recorded on the attached chart as motion #5.

Town Center Fees

Brenda Stephenson, Chairperson of the Advisory Board for the Windsor Town Center, reviewed the Town Center rates with Council. She discussed the option of giving a courtesy discount to civic organizations and those who have donated a large sum of money to the center. She said she has spoken with representatives from similar facilities to receive input regarding their fees and discounts. She said they offer discounts to those who support their centers. She said it is unknown at this time how much it will cost to operate the center until data has been received. Ms. Stephenson suggested a courtesy discount for a trial period until operational costs for the building have been determined.

Council continued to discuss the current fees, courtesy discounts, operational costs, and liability risk with giving some discounts and not others.

Mayor Richardson explained that Town Council wanted an Advisory Board and had previously agreed to leave these decisions to the Advisory Board.

After further discussion, Councilman Bernacki made a motion to table this discussion until the new Council is in office in January, 2019, and let the new Council address this issue.

Mr. Brittle explained that it is the responsibility of the Advisory Board to make the final decision regarding fees for the Town Center.

Councilman Bernacki withdrew his motion. Council agreed that the discussion regarding the Town Center fees will continue at the November 26, 2018 Advisory Board meeting. Mr. Brittle was invited by Ms. Stephenson to attend the meeting.

New Business

Mr. Stallings explained that with the recent elections, there will be two seats on the Planning Commission that will need to be filled. He said with Glyn Willis becoming Mayor, and with Council appointing Greg Willis to temporarily serve until January, 2019, two seats will be vacant. Mr. Stallings recommended that Mr. Stubbs, who was elected to serve on Council, continue to serve on the Planning Commission as a Town Council representative.

Mr. Stallings asked Council to consider a nominee to fill Mr. Glyn Willis' seat until his term ends on June 30, 2019 and a nominee to fill Mr. Greg Willis' temporary term which ends on June 30, 2022.

Closed Session

None

Councilman Edwards made a motion to adjourn. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

The meeting adjourned at 9:15 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date November 13, 2018

Motion #	Ambrose	Bernacki	Willis	Scott	Flemming	Edwards	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	N	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk