

**Minutes
Windsor Town Council Meeting
Town Hall
October 9, 2018**

The Windsor Town Council met in regular session on October 9, 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, 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

Councilman Edwards led the Pledge of Allegiance.

Public Hearing

Mayor Richardson stated that there is a public hearing tonight to receive comments regarding the 7 Bank Street rezoning. She asked Mr. Sullivan to give a summary regarding the request.

Mr. Sullivan reported that the applicant, Cullen Group, LLC, has 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 said the project requires the Conditional HDR as the by-right use and allows a maximum of 5 units per acre. He said the maximum density for a conditional use allows up to 10 units per acre. Mr. Sullivan said the proposed project would put the density at 5.6 units per acre.

Mr. Sullivan reported that the Planning Commission recommended denial of the application due to issues of density of property, setting precedence for future up-zonings, and negative impact on community composition due to the number of units.

Mr. Sullivan recommended approval of the request to rezone 7 Bank Street. He said it will increase the rental housing stock within Windsor and provide affordable rental units for young professionals. The total square footage of all 3 units will not be much larger than many of the larger single family homes currently on Bank Street.

Mayor Richardson opened the public hearing. Since there was no one to speak in favor or in opposition to the rezoning request, she closed the public hearing. She then opened the matter for discussion among Council.

Councilman Edwards asked if there is an operable fire hydrant near the property. He said you only have a 15 foot right of way on the property, and this could be a safety issue if fire trucks need to enter the property to reach the back units.

Mr. Stallings confirmed that there is a fire hydrant near the property.

Councilman Bernacki said he spoke with several of the neighbors near 7 Bank Street regarding the rezoning. He said the consensus was that they are not in favor of the rezoning because it does not fit the neighborhood due to the current homes being single family homes on single lots. He said the close proximity of the units to each other could cause fire control problems. Councilman Bernacki also explained that if the Planning Commission has concerns with the rezoning, then Council needs to take these concerns into consideration and have them addressed.

Vice Mayor Scott said there is a need for affordable rental property within the Town. He said if this property is not suitable, then he encourages the applicants to look at other sites within Town that are already zoned for these homes.

Council continued to discuss the need for affordable rental property and the size, appearance and design of the proposed new homes, as well as issues with density.

After further discussion, Councilwoman Flemming made a motion to table the rezoning and give the applicant the opportunity to present a more favorable site plan that addresses the density and fire control issues. Vice Mayor Scott seconded.

Councilman Bernacki suggested that the neighboring residents be notified that the rezoning was tabled and that the citizens will have another opportunity to speak at the November 13, 2018 Council meeting regarding any changes to the site plan. He also suggested that this be added to the motion.

Vice Mayor Scott withdrew his second, and Councilwoman Flemming restated her motion as follows:

Councilwoman Flemming made a motion to table the rezoning and give the applicant the opportunity to revise the site plan where it is more favorable based on the density and fire control issues, as well as notifying the neighboring residents that the rezoning has been tabled and that citizens will have another opportunity to speak at the November 13, 2018 Council meeting regarding any changes to the site plan.

Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Delegations, Public Comments and Citizens' Concerns

Student Liaison

Rachael Brock, Student Liaison to Council, briefed Council on several school activities. She reported that the Academic Letterman Jacket Ceremony took place on October 3, 2018. She noted that Windsor now has a Social Justice Club which promotes anti-bullying. She reported that the homecoming parade and game will take place on October 12, 2018. Ms. Brock continued to report on several sporting events.

Mayor Richardson thanked Ms. Brock for attending the meeting and for updating Council on the recent events at the high school.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the September 11, 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 Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Treasurer's Report

Mr. Stallings stated that Mrs. Jernigan is not present at tonight's meeting due to attending a training class with the Treasurer's Association. He said the Treasurer's report for the month of September is before Council for review. He said he will be glad to answer any questions.

Councilman Bernacki made a motion to approve the Treasurer's report. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Council's Discussion of Citizens' Concerns

Councilman Ambrose replied to an email he received from Katherine Dailey requesting that he publicly voice his position on allowing chickens in Residential (R-1) Districts within the Town. He stated that he personally does not have a problem with chickens. He explained that the vast majority of citizens that spoke with him regarding this issue were against chickens, and as a Council member, it was his duty to vote against chickens. Councilman Ambrose said he does hope that one day the Town can reach a compromise that will satisfy the citizens who move into this area regarding this issue. He said he is sorry that Ms. Dailey is not present at the meeting, but he felt that he owed her personally the respect to publicly state how he feels about the chicken issue.

Councilwoman Flemming said she also received a letter from Ms. Dailey requesting that she publicly voice her position on allowing chickens in R-1 Districts. She said she spoke with numerous citizens who were also against chickens, but she personally does not have an issue with chickens. She said she liked the idea of allowing chickens in R-1 Districts with written permission from neighbors who would be directly affected as previously discussed. Councilwoman Flemming said she hopes that a compromise can be made one day that will work for all citizens of Windsor.

Councilman Edwards reported a hole in the street on Virginia Avenue from a previous leak that needs a temporary patch until the water line repairs take place. He also reported that the Verizon building next to Town Hall has a pile of junk next to it. He said a violation letter needs to be sent to Verizon. Mr. Stallings said he would contact VDOT and Verizon regarding these two issues.

Councilman Bernacki said a citizen asked him why the Town charges \$1.00 for a yard sale permit and why the owners are being charged to sell items on their own property. Councilman Edwards explained that yard sale permits help regulate the number of yard sales that a citizen may have in a year and also insures that citizens do not set up permanent yard sales or flea markets which has happened in the past.

Mr. Stallings said there is also a \$1.00 fee for Town signs, and this fee is refunded to the citizens when the signs are returned.

After further discussion, Council agreed to have Mr. Stallings revise the Yard Sale Ordinance stating that there will be a downloadable PDF yard sale application for citizens to access online. Council also agreed to have the \$1.00 yard sale permit fee removed.

Vice Mayor Scott noted that a yard sale sign for a yard sale in Southampton County has been at the six-way intersection for several weeks. Mr. Stallings said he would ask Mr. Sullivan to remove the sign.

Vice Mayor Scott said there are several places in Town that have junk in their yards. Mr. Stallings asked Vice Mayor Scott to email him a list of these locations. Mr. Stallings noted that some of these locations may have already received violation letters.

Town Manager's Report

Action List

Mr. Stallings reviewed the Action List for the month of September with Council. He reported that since June 2016, the Town has paid Tyler Technologies \$95,706 for the Munis software conversion, and the contract was for \$120,000. He said he is working with Munis to have this broken down to determine how much of this is on the original contract and how much are add-ons.

Calendar of Events

Mr. Stallings reviewed the Calendar of Events with Council. He said Isle of Wight County has scheduled an Intergovernmental meeting for October 11, 2018 at the Smithfield Center at 6:00 p.m. He noted that the Tidewater News is hosting a candidate forum for the upcoming November, 2018 election on October 18, 2018 to be held at the Windsor High School auditorium at 7:00 p.m.

Mr. Stallings also reported that the Windsor Town Center's Grand Opening has been scheduled for Saturday, November 3, 2018 at 9:00 a.m. which is the same day as the Woman's Club Craft Fair.

Council continued to discuss the rate schedule for the Windsor Town Center.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson reported that she attended the VML Conference along with Vice Mayor Scott, Councilman Ambrose, and Mr. Stallings. She said she attended several sessions with information regarding helping communities and acquiring funding for projects such as programs for Town Centers. She said she also attended a session where a representative from the Town of Farmville discussed amazing projects and improvements that have taken place in their Town through partnerships with government, businesses, and citizens.

Vice Mayor Scott and Councilman Ambrose noted that they attended several informative sessions regarding Economic Development incentives and the attempted implementation of broadband throughout the Commonwealth of Virginia in the next 10 years.

Mayor Richardson briefed Council on the most recent Town Center Advisory Board Meeting. She reported that Melvin Evans, Town Center Advisory Board Member, will be responsible for staffing large events that take place at the center. She announced that the ribbon cutting and grand opening for the town center will take place at 9:00 a.m. before the Woman's Club Craft Fair on November 3, 2018. She noted that Isle of Wight County Parks and Recreation representatives will be at the grand opening to discuss programs with the public. She added that tours of the town center will also be available.

Mayor Richardson thanked all the businesses and individuals who have contributed to the town center. She noted that Cost Plus-World Market donated furniture from their warehouse which was very much appreciated.

Economic Development Authority (EDA) Report

None

Other Reports

Councilman Bernacki relayed a message from Leonard Marshall, Chief of the Windsor Volunteer Fire Department, thanking everyone for preparing for the potential effects of Hurricane Florence. He said Chief Marshall also wanted to thank the community for their support with the BBQ fundraiser which has immensely helped with the purchase of a new rescue truck for the fire department.

Old or Unfinished Business

None

New Business

Request for Additional Police Personnel

Chief Riddle said the police department is requesting that Town Council consider funding an additional police officer position in either a part-time or full-time capacity. He said the Windsor Police Department is committed to providing top of the line law enforcement services to the citizens in the community. He said manpower is quite simply a key element in providing those services to the residents. He explained that over the past five years, the department has had a continual increase in overall police calls for service with 13,480 total calls in 2013 to 20,203 calls for service in 2017. He said while the workload has continued to increase, the staffing has remained unchanged. He said the department has at times been challenged with manpower requirements while trying to ensure the delivery of quality law enforcement services.

Councilman Ambrose asked if the department could temporarily work with a part-time officer. Chief Riddle explained how difficult it is to schedule the availability of a part-time officer when they already have a full time position at another department.

Councilman Willis stressed the importance of preventing burn-out among the police officers.

Council continued to discuss the need for an additional police officer and funding for the position.

After further discussion, Councilman Ambrose made a motion to fund a full-time police officer for the Town of Windsor. Councilman Willis seconded.

Councilman Edwards stated that he was against raising meals taxes last fiscal year because waiting to increase those taxes could have helped to fund an additional police officer this fiscal year. He said taxes have been taken to the limit, and he is afraid that real estate taxes may have to be increased to generate additional funding for additional police personnel and police vehicles in the future. He said he is going to vote yes for an additional police officer, but he is concerned with funding.

Council voted unanimously to pass the motion as recorded on the attached chart as motion #4.

Mr. Stallings said that he and Chief Riddle will continue to identify funding sources for this fiscal year and will start to identify funding sources for next fiscal year.

Mayor Richardson said that the Commonwealth Transportation Board (CTB) will be holding their public meeting on November 13, 2018 at 4:00 p.m. at their Hampton Roads District office. She said they are looking for comments on the projects that will be going through Smart Scales. Mayor Richardson said the improvements at the six-way intersection and the intersection at U.S. Route 460 and Highway 258 have been submitted for review.

Mr. Stallings said if Council is unavailable to attend the CTB meeting, staff will attend to make comments regarding the Town's requests for improvements at these two intersections.

Closed Session

None

Councilman Willis made a motion to adjourn. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

The meeting adjourned at 8:40 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date October 9, 2018

Motion #	Edwards	Ambrose	Bernacki	Willis	Scott	Flemming	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	
5	Y	Y	Y	Y		Y	
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out @ 8:15

Jerry Whitehead, Clerk