

**Minutes  
Windsor Town Council Meeting  
Town Hall  
April 11, 2017**

The Windsor Town Council met in regular session on April 11, 2017 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. Mayor Richardson asked the Treasurer to call the roll. Christy Jernigan, Town Treasurer, recorded the minutes. Michael Stallings, Town Manager, Chief Riddle, and Wallace W. Brittle, Jr., Town Attorney, were present.

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

Mayor Richardson asked Councilwoman Flemming to lead the Pledge of Allegiance.

**Public Hearing**

None

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

***Fiscal Year 2015-2016 Audit Presentation***

Mayor Richardson asked Roger Hamilton, CPA with A. Rohm, Smith & Company, to come forward at this time to present the 2015-2016 Town of Windsor audit.

Mr. Hamilton briefly explained the five sections of the audit report, which are the Introductory Section, Financial Section, Individual Statements, Statistical Section, and the Compliance Section. He reviewed the Government-wide Statement of Net Assets with Council. Mr. Hamilton then reviewed the Government-wide Revenues with Council. He said total revenues for Governmental and Water Funds are \$2,328,582. He reviewed the Government-wide expenses with Council as it was summarized by departments. He reported that the total expenses for Governmental and the Water Fund are \$1,860,279.

Mr. Hamilton continued the review by briefly explaining the General Fund and Water Fund Revenue and Expenses actual to budget. He reported that the actual expenses are below the budgeted expenditures. He stated that the expenses are being managed well.

Mr. Hamilton reported that the Town's legal debt margin is \$18,002,761. He concluded by reviewing the Statement of Auditing Standards with Council. He asked if anyone had any questions.

Mayor Richardson explained that Council just received the audit information and has not had an opportunity to review it in detail. Mr. Stallings said that Mr. Hamilton or Mrs. Smith will attend the budget work session scheduled for April 25, 2017 to answer any questions that Council may have regarding the 2015-2016 budget.

Mayor Richardson thanked Mr. Hamilton for attending the meeting and presenting the 2015-16 audit report.

### ***Student Liaison***

Mayor Richardson reported that Lauren Mckeel, Student Liaison to Council, was unable to attend the meeting. She said that Ms. Mckeel submitted an email briefing Council on several activities that have taken place at the high school.

### **Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the March 9, 2017 Called Council meeting, the minutes of the March 14, 2017 Council meeting and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

Councilman Bernacki 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 #1.

### **Treasurer's Report**

Mrs. Jernigan said the Treasurer's report for the month of March is before Council for review.

Councilman Edwards questioned why the Town is continuing to pay for a wireless phone out of the Planning and Community Development line item when there is no one in that position. Mr. Stallings said the line was kept active hoping that the position would have been filled by now. He said he will cancel the phone line and reactivate it when the position is filled.

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

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

Councilman Bernacki said he visited the location on Holland Drive to observe the ditch creating drainage problems that was discussed at the April 8, 2017 Council planning retreat. He said the ditch is creating a major stopping point for the flow of

rain water. He said he hopes that the students from ODU can assess these drainage problems and develop a plan for the Town to use to help address these issues going forward.

After further discussion, Council agreed that the priority drainage issues need to be discussed with Isle of Wight County representatives at a future Intergovernmental meeting.

Councilman Edwards asked if the streetlights from the Dairy Queen to the six-way intersection on U.S. Route 460 have been repaired by Dominion Power. Mr. Stallings said that the streetlights have been reported, and he will have staff contact Dominion Power to see if they have been repaired.

## **Town Manager's Report**

### ***Budget Transfer – Police Department***

Mr. Stallings stated that a budget transfer is needed to complete repairs on several of the police vehicles. Mr. Stallings recommended that Council approve a transfer of \$3,000 from the Fuel & Tire line item 4100-31100-6008 to the Vehicle Maintenance line item 4100-31100-6005.

After further discussion, Councilman Bernacki made a motion to approve a transfer of \$3,000 from the Fuel & Tire line item 4100-31100-6008 to the Vehicle Maintenance line item 4100-31100-6005. Councilman Ambrose seconded, and Council passed the motion as recorded on the attached chart as motion #3.

### ***Appropriation of Funds from Isle of Wight County***

Mr. Stallings reported that the Town refunded \$2,626.72 in overpaid Machinery and Tools Taxes due to a change in how Isle of Wight County is doing its valuation for these assets. He said that Isle of Wight County agreed to refund the Town of Windsor for these refunds.

Mr. Stallings said the Town recently received a check in the amount of \$2,626.72 from Isle of Wight County. He recommended that Council adopt the enclosed resolution appropriating these funds into the 2016-17 Operating Budget's Contingency Line Item.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$2,626.72 from Isle of Wight County into the General Fund Operating Budget and approving a budget amendment for fiscal year 2016-17."

Vice Mayor Scott made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$2,626.72 From Isle Of Wight County Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2016-17*. Councilman Willis seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #4.

### ***4<sup>th</sup> of July Celebration – Fireworks Display Permit***

Mr. Stallings said the Windsor Ruritan Club, the Town, and Isle of Wight County are planning the details for the Town's annual 4<sup>th</sup> of July celebration. He said the Town will end the celebration with a fireworks display that the County's Department of Parks and Recreation plans and coordinates.

Mr. Stallings said Section 73-10 of the Windsor Town Code provides a process for the Town to issue a permit for fireworks displays. He said he has enclosed a copy of a March 7, 2017 letter from Lauren Wood, the department's Events and Fair Coordinator, which is the application for this permit.

Mr. Stallings said he has reviewed the application and has determined that it is in order. He recommended that Council issue this permit. He said he has enclosed a resolution for Council's consideration. The adoption of this resolution constitutes the Town's written issuance of the fireworks display permit.

Mayor Richardson stated that several residents on Virginia Avenue called her last year and expressed concerns with excessive amounts of debris from the fireworks falling onto their property. Mr. Stallings said he will request no low fireworks for safety purposes.

Councilman Edwards stated that the "Woman's Club" should be included in the language on the resolution because they also help plan the event. He said the memo from Isle of Wight County Parks and Recreation requests permission from the Town to use the softball field at Windsor High School for the fireworks display. He explained that this authorization should come from Isle of Wight County. He also noted that the time should be corrected from 9:50 p.m. to 9:30 p.m. Mr. Stallings said he will make sure these corrections are made to the memo and to the resolution.

Councilman Willis made a motion to adopt the resolution with the correction to the language adding "Woman's Club" entitled: *A Resolution Issuing A Fireworks Display Permit To The Isle Of Wight County Department Of Parks & Recreation To Conduct A 4<sup>th</sup> Of July Fireworks Display In The Town Of Windsor, Virginia*. Councilman Edwards seconded, and Council passed the motion as recorded on the attached chart as motion #5.

### ***Church Street/Shiloh Drive Sidewalks***

Mr. Stallings said that Council has identified the installation of sidewalks on Church Street/Shiloh Drive from where they currently end to the entrance of Holland Meadows as its number one priority.

Mr. Stallings stated that engineering on this project has started, but in order to move forward with the VDOT process, the Town must commit to funding this project. Mr. Stallings recommended that the Town commit to funding the project with the understanding that the Town will seek other funding sources when the construction portion of the project begins.

Mr. Stallings reported that the estimated cost for this project will be approximately \$500,000. He explained that funding may be available through Revenue Sharing from VDOT. He said if these funds are obtained, the cost of the project would be reduced to \$250,000. He said the Town would also still have the \$100,000 from Holland Meadows as their development is built out.

Mr. Stallings recommended that Council adopt the enclosed resolution that commits the Town to funding the Church Street/Shiloh Drive sidewalks.

After further discussion, Mayor Richardson read the title of the resolution as follows: "A resolution of commitment to the Church Street/Shiloh Drive sidewalk project."

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Of Commitment To The Church Street/Shiloh Drive Sidewalk Project*. Councilman Bernacki seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #6.

Councilman Willis expressed his disappointment with the open-ditch sidewalk project due to safety issues.

### ***Action List***

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

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

Mr. Stallings noted that a budget work session is scheduled for April 25, 2017 at 5:00 p.m. He said that Diane Smith, Town Auditor, will attend the work session to answer any questions regarding the 2015-2016 audit, and Terry Hall will be briefing Council on the new Isle of Wight County radio system project.

Mr. Stallings said the Town will be holding a public meeting on the new Town Hall Design May 4, 2017 from 7:00 p.m. to 9:00 p.m. at the Windsor Ruritan Building.

Mr. Stallings reported that the first concert series will be May 5, 2017 featuring The Rhondels from 7:00 p.m. to 10:00 p.m. at The Garris Event Park.

### ***Windsor Town Center Advisory Board***

Mr. Stallings said that at the last Council meeting, it was agreed that the Windsor Town Center Advisory Board would be appointed at tonight's meeting. Mr. Stallings recommended appointing Mark and Sharon Clayton, Melvin Evans, and Tim and Brook Garrett to a two year term. He also recommended appointing Tony and Jessica Slaba, David Smith, and Brenda and Marie Stephenson to a four year term. He explained that the two and four year terms will create staggered terms, and moving forward everyone will be on four year terms. He noted that these terms were determined by alphabetical order.

After further discussion, Council recommended appointing Michael Stallings, Town Manager, and Mayor Richardson to a four year term on the board.

Councilman Ambrose made a motion to appoint Mark and Sharon Clayton, Melvin Evans, and Tim and Brook Garrett to a two year term on the Windsor Town Center Advisory Board, and Tony and Jessica Slaba, David Smith, Brenda and Marie Stephenson, Michael Stallings and Mayor Richardson to a four year term on the Windsor Town Center Advisory Board. Councilman Bernacki 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 Council for attending the planning retreat that was held on Saturday, April 8, 2017 to discuss and review the Town's 5-10-15 Year Plan. She said that good ideas and planning strategies were discussed at the retreat. She said the plan will be revised and presented to Council in the near future.

Mayor Richardson reported that Isle of Wight County will be having their State of the County Breakfast at the Smithfield Center on June 6, 2017 at 8:00 a.m. She said she will be giving a brief report on the State of the Town at the breakfast. She asked Council to notify Mr. Stallings if they would like to attend.

Mayor Richardson requested that the staff evaluations be turned in to her by Monday, April 17, 2017.

### **Economic Development Authority Report**

Vice Mayor Scott announced that as part of Business Appreciation Month, businesses will be recognized at the May 5, 2017 Concert at the Gazebo Series. He said they will be given a meal voucher, and one of the businesses attending will have an opportunity to win a Big Green Egg Grill as an appreciation gift. Mr. Stallings said that staff has sent out invitations to all the businesses to inform them of the event.

### **Other Reports**

Chief Riddle reported that the annual TRIAD conference will be May 1, 2017 at the Smithfield Center at 8:00 a.m.

### **Old or Unfinished Business**

#### ***Chicken Ordinance***

Councilman Bernacki said he presented Council with an information packet at the planning retreat regarding allowing chickens in residential zoning districts;

specifically the R1 District. He explained that Isle of Wight County has adopted an ordinance allowing chickens in residential zoning districts. He said that concerns were discussed at the retreat regarding policing the ordinance. He explained that Animal Control is under direction from the Isle of Wight County Board of Supervisors to police and control any complaints pertaining to the ordinance due to the fact that chickens are classified as domesticated animals.

After further discussion, Councilman Bernacki made a motion to ask the Planning Commission to review the Isle of Wight County Chicken Ordinance and draft an acceptable ordinance to be brought back before Council for a proposed public hearing regarding allowing chickens in the R-1 District within the Town of Windsor. Councilman Ambrose seconded, and Council passed the motion five to one as recorded on the attached chart as motion #8.

Mayor Richardson said that the ordinance must be very specific on the restrictions regarding the cleanliness and the condition of the chicken pens. She also suggested that Council draft any concerns that they may have regarding the ordinance which can be presented to the Planning Commission for their consideration.

Councilman Bernacki also noted that the Windsor High School has constructed a chicken coop for educational purposes, and they are in violation of the current ordinance because they are in a Public District. He said this information should also be given to the Planning Commission when they are considering revisions to the ordinance.

### ***Town Code Update***

Mr. Stallings reported that at the March meeting, Town Council held a public hearing on the revised changes to the Town Code. He said that some sections did not have penalties for violations.

Mr. Stallings explained that these sections have been reviewed, and recommendations have been attached. He noted an additional change to section 130-38. This section made reference to section 130-87 in regards to affixing tax stamps to cigarettes, which should have referenced section 130-39. He said this change has been made. He said that no other changes are recommended that were not part of the public hearing.

Mr. Stallings recommended that Council consider adoption of the proposed changes if they agreed with the recommendations.

Vice Mayor Scott noted a correction to the language in section 152-6 changing the word "that" to "than."

Councilman Willis made a motion to adopt the proposed changes to the Town Code as presented. Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

**New Business**

None

**Closed Session**

None

Councilman Willis made a motion to adjourn. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

The meeting adjourned at 8:18 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 April 11, 2017

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	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	
10	Y	Y	Y	Y	Y	Y	
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Christina Jennings  
Treasurer