

**Minutes  
Windsor Town Council Meeting  
Town Hall  
June 9, 2015**

The Windsor Town Council met in a continued regular session on June 9, 2015 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 Treasurer, who is filling in for the Town Clerk due to an illness in her family, to call the roll. Christy Newsome, Town Treasurer, recorded the minutes. Michael Stallings, Town Manager, Interim Chief Riddle, Dennis Carney, Planning and Zoning Administrator, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present: J. Clinton Bryant  
Greg Willis  
Durwood V. Scott  
Patty Flemming  
Tony Ambrose

Council member absent: N. Macon Edwards, III

Mayor Richardson asked Councilman Ambrose to lead the Pledge of Allegiance, and he did.

Mayor Richardson recognized Karita Suiter who serves on the Board of Zoning Appeals. Interim Chief Riddle introduced Cody Barnes who is pursuing his Criminal Justice degree from East Carolina. He said that Mr. Barnes is fulfilling his internship requirements with the Town of Windsor Police Department. Mayor Richardson welcomed them and thanked them for attending the meeting.

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

Brenda Peters, 11332 Five Forks Road, said she feels that citizens made an excellent, strong showing at the VDOT public meeting expressing their opposition to the U.S. Route 460 northern bypass alternative. She said that Rex Alphin, Chairman of the Isle of Wight County Board of Supervisors, stated in the Smithfield Times that he had used "poor judgement" in supporting the northern bypass alternative. Mrs. Peters said this gives citizens who are opposed to the northern bypass an opportunity to make a statement at the next Board of Supervisors meeting. She encouraged everyone to thank Chairman Alphin for his comments in the Smithfield Times and ask the other Board of Supervisors to re-evaluate their resolution supporting the northern bypass and join the Town of Windsor and their citizens in fighting against this alternative.

Mayor Richardson thanked Mrs. Peters for her hard work and diligence towards opposing the U.S. Route 460 northern bypass alternative.

**Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the May 12, 2015 Council meeting, minutes of the May 26, 2015 Council meeting, the Police Chief's report,

and the Zoning Administrator's report. Mayor Richardson noted two date corrections to the minutes. She asked if there were any questions or comments regarding the Consent Agenda.

Councilwoman Flemming made a motion to adopt the Consent Agenda with the two date corrections to the minutes. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

### **Treasurer's Report**

Ms. Newsome said 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.

### **Budget Transfers**

Ms. Newsome explained that there is a need for several budget transfers within the General Fund and Water Fund. She said there is a need for a budget transfer into the Postage line item of the General Fund due to bulk mail shipments to residents this fiscal year. There is a need for a budget transfer into the Public Works Part Time line item of the General Fund to allow for the employment of the two part time maintenance workers through the end of the fiscal year. She said there is also a need for a budget transfer into the Bank Fees line item of the Water Fund due to increased credit card sales for water bills. Ms. Newsome recommended that Council approve these budget transfers.

Councilman Ambrose made a motion to approve a budget transfer in the amount of \$100 from account 4-100-12100-3100 Professional Services to account 4-100-12100-5210 Postage, a budget transfer in the amount of \$1,500 from account 4-100-41000-1211 Public Works Overtime to account 4-100-41000-1311 Part Time Help, and a budget transfer in the amount of \$100 from account 4-200-42000-5810 Dues and Subscriptions to account 4-200-42000-3160 Bank Fees. Councilwoman Flemming 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 everyone enjoyed the food served by Granny's Kitchen at the June 5<sup>th</sup> concert series.

Mayor Richardson said she has received several positive comments regarding the bushes being cut at the intersection of Lover's Lane and U.S. Route 460 and the bushes at the six way intersection. She said visibility has been improved at both locations.

### **Town Manager's Report**

#### ***Police Car Purchase Agreement***

Mr. Stallings said the budget calls for the purchase of two police vehicles, and as with previous years, the Town plans to do a lease purchase for these vehicles. He explained that this allows for delivery of both vehicles this upcoming fiscal year and breaks the payment up over the next two years.

Mr. Stallings said he has enclosed two proposals for this lease purchase financing. He reported that VML/VACo Finance is offering a rate of 1.35% and Leasing 2 is offering 4.1%. The difference in the interest rate will save the Town over \$3,300.

Mr. Stallings recommended that Council authorize and direct him to execute the lease purchase agreement with VML/VACo Finance with a rate of 1.35% and move forward with the purchase of the two police vehicles.

Councilman Scott asked if the cost of the vehicles included being fully equipped. Mr. Stallings said that the proposal includes the vehicles being fully equipped.

Councilman Willis made a motion that Council authorize and direct the Town Manager to execute the lease purchase agreement with VML/VACo Finance and move forward with the purchase of the two police vehicles. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

### ***Trash Collection RFP Results***

Mr. Stallings stated that the Town recently put out a request for proposals for weekly trash collection which were due by May 29<sup>th</sup>. Mr. Stallings said he received a proposal from AVES for \$5.97 per stop per month and a proposal from Bay Disposal & Recycling for \$9.38 per stop per month. He said that previous contracts have been for a period of five years with a five year renewal. Mr. Stallings suggested that Council determine what length of time they would like the contract to be for and add that language to the recommended motion.

Mr. Stallings recommended that Council authorize him to execute a contract with AVES for trash collection in the Town of Windsor.

Mayor Richardson said the contract states that the Town of Windsor is responsible for disposal cost, and this language should be corrected to state that Isle of Wight County is responsible for the disposal fee. She also suggested that the contract be for a period of three years, and renewal will be based upon improved services. Councilman Scott asked if there are terms in the contract stating that Council has the right to terminate the contract if AVES does not provide the level of service agreed upon. Mr. Stallings explained that if the contract is violated, there are procedures put in place allowing the contractor to correct the issues. He said if the violations are not corrected in a period of time, Council can terminate the contract. Council continued discussing consistency of route and level of service provided by AVES.

After further discussion, Councilman Scott made a motion to authorize the Town Manager to execute a five year contract with AVES for trash collection in the Town of Windsor. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

### ***Craft Vendor License***

Mr. Stallings explained that at the last Council meeting, he brought a request from a citizen regarding a Craft Vendor's license. He said after some discussion, Council directed him to develop a license that would allow craft vendors to sell their homemade items under a yearly permit.

Mr. Stallings said the changes are being proposed to the current Peddler's license section of the Town Code. The new language would allow craft vendors to sell their homemade goods at locations that are currently zoned for business. They would be required to obtain permission to set up on the property from the business owner or the land owner. He said they would be required to obtain a Craft Vendor license at the rate of \$10 per day or \$100 per year.

Mr. Stallings recommended that Council adopt the attached revisions to the Town Code to allow for a Craft Vendor license.

After discussion, Councilwoman Flemming made a motion to adopt the proposed changes to Town Code to allow for the creation of a Craft Vendor license. Vice Mayor Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

### ***Action List***

Mr. Stallings reviewed the Action List for the month of May with Council. He said that survey work has been completed for the sidewalks from Church Street to Holland Meadows, and they are in the preliminary design stage. He said the sidewalks should be ready to install when funding is available.

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

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information. He reported that details for the July 4<sup>th</sup> celebration are being finalized.

Councilman Willis announced that participants of the 4<sup>th</sup> Annual Cruise in Antique Car Show being held during the July 4<sup>th</sup> celebration will receive free t-shirts, dash plaques and cash gift cards.

Councilman Scott suggested using cardboard trash boxes at the July 4<sup>th</sup> celebration that can be easily moved around and disposed of. Mr. Stallings said he would check the cost of the trash boxes.

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

None

### **Mayor's Report**

Mayor Richardson explained that Town Council honors citizens that dedicated considerable time and effort to the community, and there is no doubt that Bobby Claud is one of these citizens. She said Mr. Claud has served in many leadership roles in Windsor as well as Isle of Wight County. She said he has served as a Board Member and as Chairman of the Board for Isle of Wight County. Mr. Claud also served the community as a member of the Masonic Lodge and the Ruritan Club.

Mayor Richardson said for these reasons she recommends that Council adopt the enclosed resolution and that a framed copy be presented to Mr. Claud.

Mayor Richardson read the title of the resolution as follows: "A resolution thanking and commending Robert C. (Bobby) Claud for his service to the Town of Windsor, Virginia." She proceeded to read the resolution.

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Thanking And Commending Robert C. (Bobby) Claud For His Service To The Town Of Windsor, Virginia.* Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Mayor Richardson thanked Councilman Ambrose, Mr. Stallings and Mr. Carney for attending the State of the County Breakfast. She said the County Administrator and the Windsor and Smithfield Town Managers gave very informative video presentations.

Mayor Richardson thanked all the citizens, staff and Council members for attending the VDOT public meeting regarding the U.S. Route 460 northern bypass alternative. She also thanked the citizens who participated and made signs showing opposition against the northern bypass.

### **Economic Development Authority Report**

Mayor Richardson commended Chairman Scott and the other EDA members for trying something new and having the Business Appreciation Event during the Concert at the Gazebo. She said she received several positive comments regarding the event.

Councilman Scott said that the EDA has tried several different events in the past to show appreciation to the businesses in the Town. He said this year businesses were honored with a free meal and dessert at the June 5<sup>th</sup> concert series. He said that EDA was hoping for better attendance, but they will continue to come up with ideas to show appreciation to the businesses in Town. He thanked staff for their hard work in preparing for the event.

### **Other Reports**

None

### **Old or Unfinished Business**

#### ***Adoption of the 2015-16 Operating Budget and Five Year CIP***

Mayor Richardson stated that Council has to consider the adoption of the Five-Year Capital Improvements Plan (CIP) and the 2015-2016 Operating Budgets for the Water Fund, General Fund, and Space Needs Fund, which was continued from the May 26, 2015 Council meeting. She asked Mr. Stallings if he had any comments regarding the proposed budget.

Mr. Stallings said that a Medicare Tax line item has been created within each employee department to account for medicare tax. He explained that this change to the expenditures does not affect the bottom line totals of the budget. He said in previous years, it was rolled into the FICA Tax line item making it difficult to account for rate changes.

Mayor Richardson said the first item is Council's consideration of the resolution entitled: "A resolution approving and adopting the fiscal year 2015-2016 operating budget for the Town of Windsor, Virginia and appropriating the requisite funds for said budget."

Councilman Scott asked if there is a line item in the budget showing separate expenses for the post office rental property. Mr. Stallings explained that under the Public Works & Property Maintenance section of the budget there is a Rental Property—Repairs & Maintenance line item showing all expenses for the post office rental property.

Councilman Ambrose made a motion to adopt the resolution entitled: *A Resolution Approving and Adopting The Fiscal Year 2015-2016 Operating Budget For The Town Of Windsor, Virginia And Appropriating The Requisite Funds For Said Budget*. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

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, 2015, and ending December 31, 2015."

Councilman Scott 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 Mobile Homes For The Calendar Year Beginning January 1, 2015, And Ending December 31, 2015*. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

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 2015-2016 through 2019-2020."

Vice Mayor Bryant 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 2015-2016 Through 2019-2020*. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Mayor Richardson said the final item under Old Business is Council's consideration of adopting a resolution entitled: "An ordinance amending and establishing fees for the Town of Windsor." Mayor Richardson asked Mr. Stallings to brief Council on the amended and established fees. Mr. Stallings explained that the Late Water Payment Fee has been increased from \$15 to \$20, and an After Hours Water Cut On For Late Payment Fee has been established for \$45. He explained that this fee will help recoup travel expenses and overtime pay for the Town's maintenance workers when they are called in after hours to cut water on.

After discussion, Councilman Willis made a motion to adopt the resolution entitled: *An Ordinance Amending And Establishing Fees For The Town Of Windsor*. Councilwoman

Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Mayor Richardson thanked Staff for their hard work in preparing the budget. She commended Mr. Stallings for his accurate revenue projections for the budget each year.

### ***Flag Pole Installation***

Council agreed to discuss the placement of the flag pole at the next Council meeting.

Councilman Willis said he wanted to thank the many local businesses that sponsored the t-shirts being given away at the Antique Car Show during the July 4<sup>th</sup> celebration. He continued to thank Farmers Bank, Hardy's Towing, Windsor Amoco, M.A.M.A.S Creative Sweets, NAPA Auto Parts, Belcher's Paving, Farm Bureau Insurance, Shirley T. Holland Insurance, and Fern's Auto Repair.

### ***50/50 Recycling***

Mr. Stallings reported that the Town's recycling contractor does have the capability of doing a 50/50 split billing between the Town and residents. He said the total fee will be \$5.50 per month. Councilwoman Flemming made a motion to approve a one year trial 50/50 split recycling plan for citizens who are interested in participating. Vice Mayor Bryant seconded. Councilman Ambrose suggested putting a \$1,500 cap on the Town's half of the recycling fees.

After further discussion, Councilwoman Flemming withdrew her motion and Vice Mayor Bryant withdrew his second. Councilwoman Flemming made a motion to approve a one year trial 50/50 split recycling plan with a \$1,500 cap for citizens who are interested in participating. Vice Mayor Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

### **New Business**

None

### **Closed Session**

Councilman Willis made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-1 personnel matters regarding interviews of prospective candidates for employment. Councilwoman Flemming seconded, and Council passed the motion as recorded on the attached chart as motion #12.

Councilman Willis made a motion to go back into regular session. Councilwoman Flemming seconded, and Council passed the motion as recorded on the attached chart as motion #13.

Councilman Willis 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 #14.

Councilman Scott recused himself from the real estate closed session for possible conflict of interest due to his financial interest in the sale of the property.

Councilman Willis made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, 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. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #15.

Council invited Mr. Scott into closed session to present an offer on the post office, and then he was excused.

Councilman Ambrose made a motion to go back into regular session. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #16.

Councilman Willis 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 #17.

Councilman Willis made a motion to adjourn. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #18.

The meeting adjourned at 9:19 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 June 9, 2015

Motion #	Ambrose	Bryant	Willis	Scott	Flemming	Edwards	C. Richardson
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	Y	Y	Y	Y	Y		
7	Y	Y	Y	Y	Y		
8	Y	Y	Y	Y	Y		
9	Y	Y	Y	Y	Y		
10	Y	Y	Y	Y	Y		
11	Y	Y	Y	Y	Y		
12	Y	Y	Y	Y	Y		
13	Y	Y	Y	Y	Y		
14	Y	Y	Y	Y	Y		
15	Y	Y	Y	Abstain	Y		
16	Y	Y	Y	"	Y		
17	Y	Y	Y	"	Y		
18	Y	Y	Y	Y	Y		
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Christy Newsome, Treasurer