

**Minutes
Windsor Town Council Meeting
Town Hall
March 11, 2014**

The Windsor Town Council met in regular session on March 11, 2014 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, Interim Chief Riddle, Dennis Carney, Planning and Zoning Administrator, Christy Newsome, Interim Town Treasurer, and Wallace Brittle, Town Attorney were present.

Council members present: Wesley F. Garris
J. Clinton Bryant
Greg Willis
N. Macon Edwards, III
Patty Flemming

Council member absent: Durwood V. Scott

Mayor Richardson recognized Mr. Glyn Willis, who serves on the Planning Commission, and Mr. Andrew Cripps, the new President of the Isle of Wight/Smithfield/Windsor Chamber of Commerce. She welcomed them and thanked them for attending the meeting.

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

Mayor Richardson said there has been a change to the agenda. She explained that the Police Chief's report and the Zoning Administrator's report will be under the Consent Agenda, and the Treasurer will be presenting the Treasurer's report at the Council meetings. She said that all reports are on the Town's website and are also available in the Town Hall if anyone would like to review them in more detail. Mayor Richardson said that Council hopes this change will help to facilitate the meetings in a timelier manner.

Public Hearing

None

Delegations, Public Comments, and Citizens' Concerns

Jenny Saunders, Windsor High School Co-Student Liaison to Council, stated that the Forensics Team was awarded the runner-up title and trophy for 2014. She also stated that the BETA Club will be competing in various categories at the State Convention. Ms. Saunders reported that four students, including herself, will be attending the Model General Assembly (MGA) to attempt to have two of their bills

passed through the student run Senate and House of Delegates. Mayor Richardson congratulated the Forensics Team and all of the students for their accomplishments. She thanked Ms. Saunders for attending the meeting and for updating Council on the recent events at the high school.

Mayor Richardson informed Ms. Saunders of the Town's first Spring Concert at Robinson Park which will take place Friday, May 2, 2014. She asked Ms. Saunders to pass this information on to the Principal and to the students. Mayor Richardson said that everyone is invited to attend the event after the baseball game to enjoy the music. Ms. Saunders said she would have this information announced at the high school.

Mr. Cripps said he was honored to be the new President and CEO of the Isle of Wight/Smithfield/Windsor Chamber of Commerce. He said he is pleased to be a part of this community, and looks forward to working with Council in the future. Mayor Richardson said she and Council also look forward to working with Mr. Cripps to help make the Town of Windsor flourish.

Consent Agenda

Mayor Richardson said the consent agenda consists of the minutes of the February 11, 2014 Council meeting, minutes of the February 24, 2014 work session, the Police Chief's report, the Zoning Administrator's report, and budget transfers. Mayor Richardson asked if there were any questions or comments regarding the consent agenda.

Vice Mayor Garris asked if the credit card fees charged to the customers are credited back into the Bank Fees line item. Mr. Stallings explained that the fees charged to the customers are shown on the revenue side of the budget. Vice Mayor Garris suggested having the credit card fees credited back to the Bank Fees line item in the new budget. Mr. Stallings said he would speak to the auditor regarding this issue and report back to Council.

Councilman Edwards made a motion to adopt the consent agenda as presented. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. Newsome reported that she now has access to the Integrated Revenue Management System (IRMS) which will enable her to audit businesses within the Town. She stated that Staff is aggressively collecting delinquent taxes by all means possible allowed by State Code. She said that Virginia Auctions & Collections (VAC) will soon start booting vehicles as a means to collect delinquent taxes. She stated that DMV stops have been posted to individuals who have delinquent taxes; preventing these individuals from conducting any business at DMV regarding registrations and licenses for their vehicles. Ms. Newsome said she would answer any questions that Council may have at this time.

Councilwoman Flemming congratulated Ms. Newsome for taking numerous online training classes to gain access to the Integrated Revenue Management System (IRMS). She said this is a major accomplishment and will be very beneficial to the Town.

Council asked Ms. Newsome several questions regarding the Virginia Auctions & Collections booting process. Ms. Newsome explained the process in detail to Council.

Mayor Richardson thanked Ms. Newsome on her diligence regarding the collection of delinquent taxes. She stated that all citizens should be treated the same, and it is unfair to the citizens who do pay their taxes to have some who don't.

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

Council's Discussion of Citizens' Concerns

Councilman Edwards reported a deep ditch on East Griffin Street going towards the cemetery around a sharp curve that is a safety issue. He said if a vehicle meets another vehicle at this ditch; there is no shoulder, and this could cause a dangerous situation. Councilman Edwards said this should be addressed by VDOT. Mr. Stallings said he would report this ditch to VDOT.

Councilman Edwards also reported that the road on Church Street has not been completely repaired from the water leak. He read the Town's Ordinance, Section 126-1 *Street repair*. He stated that according to the Ordinance, the road must be restored to essentially the same condition that existed prior to the repairs. Councilman Edwards stated that the street has not been repaired to its original condition. Mr. Stallings explained that the Maintenance Department is filling the hole with crush and run waiting for the road to settle, and then they are going to have Belcher's Paving repair it to its original condition with asphalt.

Councilman Edwards said the Maintenance Department may need to put additional crush and run in the hole due to safety issues until it is ready for the asphalt. Mr. Stallings said he would have the Maintenance Department fill it with additional crush and run.

Council discussed a system of notifying citizens when a water leak causes them to go without water for a lengthy period of time. Mayor Richardson suggested contacting her so she can call other Council members to help notify the citizens.

Vice Mayor Garris said he was approached by a citizen who tripped on a sidewalk needing repair between Duke Street and Route 460. Mayor Richardson said that she and Mr. Stallings are planning to go through Town and mark sidewalks that need repair. Mr. Stallings said he would go to this particular sidewalk and mark it with high visibility paint for safety purposes. Councilman Edwards reported sidewalks

near 24 North Court Street that are also in need of repair. Mr. Stallings said he would mark those sidewalks for repair also.

Mayor Richardson reported that a letter was received from a citizen regarding the Town's Dog Leash Ordinance. She said the citizen is concerned with a neighbor who has two pit bulls that continue to get out of their fence and come into his yard. He is also concerned with dogs defecating on the sidewalks.

Mr. Stallings read Town Ordinance Section 40-9 as follows: *Running at large* – It shall be unlawful for any person who owns or is the custodian of any dog or dogs to allow such dog or dogs to run at large in the Town of Windsor. Mr. Stallings explained that if a citizen witnesses this Ordinance being violated, they need to call Animal Control or a Police Officer immediately. He said if Animal Control or a Police Office witnesses the violation, then a summons may be given to the dog owner, but if they do not witness the violation, then they can only speak with the owner regarding the situation. Mr. Stallings said he encourages citizens to call dispatch as soon as they witness this violation so that proper procedures may be taken to handle this matter.

Mr. Stallings said that dogs defecating on the sidewalks have been addressed by putting an article in the newsletter stating that the Ordinance prohibits obstructing the sidewalk. He said that Mr. Carney has also spoken to the owners of the dogs regarding this matter.

Mr. Stallings read Section 126-4 as follows: *Sidewalks not to be obstructed or damaged by trees and shrubbery; pruning of trees* – It shall be unlawful for any person, firm or corporation to obstruct or damage in any manner any sidewalk in the Town by allowing trees, shrubbery, hedges, branches, roots or other debris to interfere therewith. Trees shall be pruned to a minimum height of eight feet above the sidewalk.

After a brief discussion, Council agreed that the Ordinance is vague regarding this issue. Vice Mayor Garris suggested updating the Ordinance with language requiring citizens who walk their dogs on public right of ways or sidewalks to clean up after them.

After further discussion, it was the consensus of Council to have Mr. Stallings update the language in the Sidewalk Ordinance to address the issue of dogs defecating on sidewalks and bring it back before Council for their review.

Mayor Richardson noted that the Town secured two pet waste stations through grants; one will be installed at Robinson Park and the other will be installed at the Centennial Park.

Town Manager's Report

Route 460 Sidewalks MOU

Mr. Stallings said he has been working with Isle of Wight County to begin the preliminary engineering work for sidewalks down Route 460. He reported that there is currently \$42,000 in the County's Secondary Six Year Improvements Plan that is designated for this project. He said in order for the Town to use these funds, VDOT is requiring that Council put a Memorandum of Understanding (MOU) in place between the Town of Windsor and Isle of Wight County.

Mr. Stallings stated that he drafted a MOU that satisfies VDOT's requirements. It has been reviewed by the Town Attorney as well as the Isle of Wight County Attorney. Mr. Stallings recommended that Council approve the enclosed Memorandum of Understanding.

Councilman Willis made a motion to adopt the Route 460 Sidewalks Memorandum of Understanding (MOU). Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

4th of July Celebration – Fireworks Display Permit

Mr. Stallings reported that Isle of Wight County has written a letter requesting the 4th of July fireworks display permit. He said he has enclosed a resolution for Council's consideration. He stated that Council's adoption of this resolution constitutes the Town's written issuance of the fireworks display permit. Mr. Stallings recommended that Council adopt this resolution.

Mayor Richardson read the title of the resolution as follows: "A resolution issuing a fireworks display permit to the Isle of Wight County Department of Parks & Recreation to conduct a 4th of July fireworks display in the Town of Windsor, Virginia."

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Issuing A Fireworks Display Permit To The Isle Of Wight County Department Of Parks & Recreation To Conduct A 4th Of July Fireworks Display In The Town Of Windsor, Virginia.* Councilman Willis seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #4.

Action List

Mr. Stallings said the Action List is enclosed for Council's review. He noted that the health insurance premiums are increasing 1.7% this year. Mr. Stallings also reported that he attached a spreadsheet that shows the current set asides that are in the General Fund Balance.

Budget Calendar

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information.

Mayor Richardson asked Mr. Stallings to brief Council on the traffic count that will be taking place within the Town. Mr. Stallings reported that he received an email from VDOT notifying the Town that traffic counts will be conducted on Bank Street, North Court Street, and Church Street. He said they have already set up for the counts and will run them for a week or two.

Mayor Richardson said she feels that it is important to do another traffic count on Route 460, and she would also like to know when they did the last traffic count on Route 460. She said she would like to see the results from the last traffic count to compare to see if there is a large increase in traffic. Mr. Stallings said he would contact VDOT to see if they are planning a traffic count on Route 460 and to request the results from the last traffic count.

Mayor Richardson asked Mr. Stallings to brief Council on the letter received from VDOT regarding soil samples being conducted on the north side of the new Route 460. Mr. Stallings explained that as part of the supplemental environmental impact statement, VDOT is required to do evaluations on all of the alternatives, and some of the alternatives were north of the existing Route 460.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson said she met with a local business with concerns regarding their business license rates. She said that she and Ms. Newsome researched surrounding localities to make sure the Town of Windsor's rates were competitive, and they were. She said she also called the Commissioner of Revenue to make sure the business is in the correct category which he assured they were. Mayor Richardson asked Council if they felt that the Business License Tax rates need to be adjusted.

After a brief discussion, Council agreed that the Town of Windsor Business License Tax rates are compatible with other localities; therefore, the tax rates do not need to be adjusted.

Mayor Richardson reported that the last permits for the entrance signs were received from VDOT, and construction of the entrance signs will begin as soon as the weather permits.

Mayor Richardson said she and several Council members attended the Isle of Wight Economic Development announcement event regarding the expansion of Montague Farms. She said this expansion is a great opportunity for our local farmers and our

agricultural community. Mayor Richardson stated that the expansion will also be beneficial for exports and the Town's connection with the ports.

Mayor Richardson said she received a letter from the Windsor Athletic Association requesting a \$15,000 donation to use towards repairs to the facility. After a brief discussion, Council agreed that the Town does not have additional funds to donate to the Windsor Athletic Association. It was also discussed that personal donations may be given if anyone would like to do so.

Economic Development Authority Report

Mr. Carney reported that the Planning Commission and the Economic Development Authority will be scheduling a joint work session to discuss a series of broad goals, and more specific objectives and strategies as a way of implementing effective policies for the Comprehensive Plan. Mr. Carney said this work session will be focusing on Economic Development.

Other Reports

None

Old or Unfinished Business

None

New Business

Vice Mayor Garris commented that in the past, Council has discussed several ways of setting Windsor apart from other Towns. He said he saw a large flag flying on J Clyde Boulevard in Newport News, and he thought that flying a large flag at the new Police Department in Windsor would be a way of complimenting the Town and making the Town more memorable to people passing through.

Council discussed the Farmers Bank property next to the Windsor Amoco and the new Police Department as two possible locations for the flag. They discussed advantages and disadvantages of both locations. They asked Mr. Stallings to check out the two locations and obtain price quotes on a large flag and flag pole. Mr. Stallings said he would gather this information and report back to Council.

Councilwoman Flemming said a bicyclist expressed concerns with the Town not having activities for bikers who come through the Town as a group. She said he suggested contacting the Peninsula and Tidewater Bicycling Associations for ideas. Mr. Stallings stated that Isle of Wight County has a Bike and Pedestrian Committee. Mayor Richardson suggested inviting them to a Council meeting to discuss ideas for bicyclist riding through Town.

Closed Session

Vice Mayor Garris made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-1 personnel performance, 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, and A-7 consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #5.

Councilman Willis made a motion to go back into regular session. Councilman Edwards seconded, and Council passed the motion as recorded on the attached chart as motion #6.

Councilman Bryant 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 #7.

Council discussed the hiring of the new police officer and the need for a sixth officer.

Vice Mayor Garris made a motion to adjourn. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

The meeting adjourned at 9:45 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date March 11, 2014

Motion #	Wills	Scott	Flemming	Edwards	Garris	Bryant	C. Richardson
1	Y	Abseent	Y	Y	Y	Y	
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	
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Jerry Whitehead, Clerk