

**Minutes
Windsor Town Council Meeting
Town Hall
November 12, 2014**

The Windsor Town Council met in regular session on November 12, 2014 at 4:00 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 W. Brittle, Jr., Town Attorney were present.

Council members present:

- Wesley F. Garris
- J. Clinton Bryant
- Greg Willis
- N. Macon Edwards, III
- Durwood V. Scott (arrived at 4:10)
- Patty Flemming

Mayor Richardson asked Councilwoman Flemming to lead the Pledge of Allegiance, and she did.

Mayor Richardson congratulated Tony Ambrose for being elected to Town Council. She also congratulated Councilwoman Flemming and Councilman Edwards for being re-elected to Town Council. She said that Sharon Jones, Isle of Wight County Clerk of Court, will be swearing in the newly elected Council members in January and noted that a new Vice Mayor will also have to be elected. Mayor Richardson thanked Vice Mayor Garris for his many years of dedication and service to the Town of Windsor.

Mayor Richardson announced that a public hearing regarding amendments to the Land Development Ordinance on yard sales will be held at 6:00 p.m. to allow citizens ample time to attend after work.

Delegations, Public Comments and Citizens' Concerns

None

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the October 14, 2014 Council meeting, the Police Chief's report, and the Zoning Administrator's report. She said minor corrections have been made to the minutes and are before Council for review. 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 corrections to the minutes. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. Newsome stated that the Treasurer's report for the month of October is before Council for review. She asked if there were any questions. Mayor Richardson thanked Ms. Newsome for her hard work towards processing and getting the tax bills out in a timely manner.

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

Appropriation of Funds for Town Sign

Mr. Stallings explained that funds were received from VML Insurance to replace the digital display sign located in front of Town Hall, which was destroyed by a car accident. He said that Council approved the purchase of a replacement sign in the amount of \$17,910. Mr. Stallings recommended that Council adopt the enclosed resolution that appropriates the sum of \$17,910 to be added to the General Fund Operating Budget to purchase the replacement digital sign.

Councilman Edwards asked if the landscaping around the sign was included in the insurance claim. Mr. Stallings said he will discuss including the landscaping fees with VML Insurance.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$17,910 from the unappropriated portion of the General Fund Balance into the General Fund Operating Budget and approving a budget amendment for fiscal year 2014-15."

After further discussion, Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$17,910 From The Unappropriated Portion Of The General Fund Balance Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2014-15.* Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Appropriation of Funds for Police Vehicle Repairs

Mr. Stallings said that the Town has received funds from VML Insurance to repair a police vehicle which was involved in an accident. He said these funds must be appropriated into the 2014-15 General Fund Operating Budget to cover the repairs. Mr. Stallings recommended that Council adopt the enclosed resolution that appropriates the sum of \$2,412.40 from VML Insurance into the General Fund Operating Budget.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$2,412.40 from VML Insurance into the General Fund Operating Budget and approving a budget amendment for fiscal year 2014-15."

After a brief discussion, Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$2,412.40 From VML Insurance Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal*

Year 2014-15. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Appropriation of Donated Funds

Mayor Richardson reported that the Town receives donations from organizations, businesses, and individuals in the community to help support the Christmas toy drive that the Windsor Police Department conducts each year.

Councilman Edwards asked how the funds were going to be managed this year regarding purchasing the toys and the record keeping process. Interim Chief Riddle explained that the donations will be appropriated into the Police Department's Community Relations line item. He said that all the toys will be purchased with the Town credit card, and receipts will be given to the Treasurer to be deducted from the Community Relations line item. Council continued to discuss partnering with Community Harvest Outreach and the distribution of the toys.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$2,225 in donated funds into the General Fund Operating Budget and approving a budget amendment for fiscal year 2014-15."

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$2,225 In Donated Funds Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2014-15.* Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Council's Discussion of Citizens' Concerns

Councilwoman Flemming said that a citizen reported a leak in front of 31 Church Street and would like to know when it will be repaired. Mr. Stallings said that the maintenance department is planning to begin repairing the leak this week. Councilman Edwards reported that a citizen approached him regarding the unsafe, broken sidewalks on B Avenue. He also reported that a citizen contacted him regarding almost getting into an accident with a vehicle exiting the Southern Food parking lot making a left turn.

Mr. Stallings said the sidewalks have been marked for safety purposes, and he will expedite the repairs to prevent injuries. Council discussed several possible solutions to the safety issue regarding vehicles exiting Southern Food making a left turn onto U. S. Route 460. It was suggested that the owner mark the parking lot with exit and entrance arrows, and it was noted that the owner already has a "No Left Turn" sign. Council agreed to address this issue further when a decision has been made regarding the U. S. Route 460 Project.

Councilman Scott noted that the ditches at the Windsor Cafe have been cut back but the debris has not been removed. Mr. Stallings said he will contact VDOT to make arrangements to have the debris picked up. Council discussed several drop inlet issues within Town, and Mr. Stallings said he would report them to VDOT. Mayor Richardson reported that the "Through Trucks Prohibited" sign has been removed from Bank Street. Mr. Stallings said he will call VDOT to have the sign replaced.

Town Manager's Report

Toy Drive Donations

Mr. Stallings reported that Interim Chief Riddle has submitted a letter respectfully requesting that Council consider authorizing a \$500 donation in support of the 10th Annual Christmas Toy Drive. After a brief discussion, Councilman Willis asked Mr. Stallings to speak with him after the meeting regarding a personal donation.

Saunders' Property Drainage

Mr. Stallings said he is working with two contractors to determine the best solution to the drainage problems on the vacant lot behind Town Hall. Both contractors have indicated that they do not think it will be feasible to grade the lot to have the water drain to the street. He said he has received one proposal to leave the sump pump in place and pipe the water to the street and to run the electricity underground to the pump. The cost for this proposal was approximately \$2,600. Mr. Stallings explained that the second proposal has been delayed due to a death in the contractor's family. He said he will provide the second proposal to Council as soon as it is received. Councilman Edwards asked Mr. Stallings to relay this information to Mr. Throckmorton.

Flag Pole Installation Costs

Mr. Stallings reported that he has obtained a proposal for the installation of an 80 foot tall flag pole as well as the 20 foot by 30 foot flag to be flown on it. He said he has received a proposal from Eastern Shore Flagpoles located in Queenstown, Maryland for \$18,702. Councilman Edwards said he has concerns regarding servicing a 80 foot tall flag pole if a pulley were to lock up and noted that a light would have to be installed if the flag is going to be out at night. Councilman Edwards also asked which line item would the funds be taken from if the purchase of the flag pole and flag is approved. Mr. Stallings said if Council approves the purchase, there are funds in the Fund Balance. After further discussion, it was the consensus of Council to have Mr. Stallings obtain a proposal from this company and other companies for a flag pole and flag one size smaller. Mr. Stallings said he would have this information available for Council at the next meeting.

Strategic Planning Retreat

Mr. Stallings said that a date of February 20-21, 2015 has been tentatively scheduled for the Strategic Planning Retreat, which has been discussed at previous meetings. He said the retreat will be held at the Windsor Ruritan Building. Mr. Stallings explained that he has been working with Mrs. St. Clair and Mayor Richardson to develop the attached draft agenda for Council's review. After a brief discussion, Council agreed to schedule the retreat when a decision on the U.S. Route 460 project has been made.

Action List

Mr. Stallings reviewed the Action List for the month of October with Council. He reported that he attended the VML Regional Supper in Newport News on November 5, 2014 and has enclosed a copy of the report from the meeting for Council's review.

Calendar of Events

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information. He said the tax bills went out on schedule, and a draft copy of the audit has been received. He said an audit presentation will be given at the next Council meeting. He also noted that there will be a joint work session with Planning Commission and Council to review the Comprehensive Plan on November 19th at 5:00 p.m.

Town Attorney's Report

Mr. Brittle reported that the grievance hearing has not been rescheduled for former Chief, Arlis Reynolds. He said that another chairman has stepped down due to a possible conflict of interest. He reported that Taylor Williams, City Attorney for Franklin, may agree to be the chairman. He said he will keep Council updated on this issue.

Mayor's Report

Mayor Richardson thanked Vice Mayor Garris for presiding over the remainder of last month's meeting when she had to leave. She announced that she will be having her Christmas party for Staff and Council members on Monday, December 15, 2014 at 6:00 p.m. at her home. Mayor Richardson briefed Council on several events she attended during the month including speaking at the Veteran's Day Celebration sponsored by Isle of Wight County, which was held at the Smithfield Center. She said she also attended the first meeting of the Windsor Business Council sponsored by the Chamber of Commerce. She said it was announced at this meeting that the Town of Windsor will be having their own weekly newspaper through the Tidewater News.

Mayor Richardson reported that she spoke with several U. S. Route 460 Project experts at the public hearing held on October 27th. She said she met with representatives the next day and explained to them that the SEIS report indicates that it would displace 9 businesses if alternative 4 is chosen, and it would actually destroy 17 businesses and take most of the parking of several more. She continued to explain the negative impact that a northern bypass would have on the Town and on the citizens. Mayor Richardson said she is in the process of drafting a letter to VDOT, for Council's review, explaining the reasons why the Town of Windsor supports a southern bypass between the Town and the Intermodal Park.

Economic Development Authority Report

Councilman Scott said that EDA officers were elected at the November 10th meeting. He said they also reviewed the business pamphlet and made several revisions. He said that a revised copy will be presented at the next meeting. He reported that EDA has completed placing vacant land and buildings on the Town's website. Councilman Scott also noted that Verizon is going into the vacant building that was originally Movie Gallery.

Other Reports

None

Old or Unfinished Business

Mayor Richardson reported that a new ordinance was passed for Temporary Signs at the last meeting, and Council is responsible for setting the permit fee. She said that the sign permit fee is \$25.00, and asked Council if they would like to change the fee. After a brief discussion, Council agreed to leave the sign permit fee at \$25.00.

Councilman Willis asked if there is an update regarding Isle of Wight County's Emergency Services Facility Use Agreement conflicting with the Windsor Volunteer Fire Department's 2008 Memorandum of Understanding (MOU). Mr. Stallings reported that the County has agreed to fund the fire department, but the fire department must submit individual bills to them. They will not be issuing quarterly checks until the Facility Use Agreement is signed.

Councilwoman Flemming said the Christmas parade will be December 6, 2014 at 4:00 p.m., and the lighting of the Christmas tree will immediately follow at the library. She also reported that "Breakfast with Santa" will be that same day from 8:00 a.m. to 10:00 a.m. at the Windsor Ruritan Building.

Mr. Brittle reviewed the current Redflex Camera contract regarding fees and liability issues that may affect the Town. Councilman Edwards noted that the current contract is dated October 6, 2011 and questioned if it was still valid. Council agreed to continue to pursue this issue when a decision has been made regarding the U. S. Route 460 Project.

New Business

None

Mayor Richardson called for a recess at 5:30, and the meeting reconvened at 6:00.

Public Hearing

Amendments to the Land Development Ordinance on Yard Sales

Mayor Richardson said there is a public hearing to consider public comments on the adoption of amendments to the Land Development Ordinance on yard sales. She asked Mr. Stallings to summarize the proposal to amend the ordinance. Mr. Stallings said the revised ordinance includes a written warning for a first time violation for those who do not have a yard sale permit and a \$50.00 fine for each subsequent violation.

Mayor Richardson opened the public hearing. She asked for any persons wishing to speak in favor of the amendments to the Land Development Ordinance on yard sales to come forward, and there were none. She asked for any persons wishing to speak in opposition of the amendments to come forward, and hearing none she closed the public hearing. She said it is now open for discussion among Council.

After a brief discussion regarding enforcement issues, Vice Mayor Garris made a motion to adopt the amendments as presented. Councilman Willis seconded, and Council passed the motion four to three with the Mayor casting the deciding vote as recorded on the attached chart as motion #6.

Closed Session

Councilman Edwards 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. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #7.

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 #8.

Councilman Edwards 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. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

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

The meeting adjourned at 6:55 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date November 12, 2014

Motion #	Flemming	Edwards	Garris	Bryant	Willis	Scott	C. Richardson
1	Y	Y	Y	Y	Y	arrived 4:10	
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	N	N	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		
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Jerry Whitehead, Clerk