

## Draft of Onley Town Council Minutes of October 3, 2016

VIRGINIA: At the Onley Town Council Public Hearing for Special Use Permit RSMH & Regular Monthly Meeting held at the Onley Baptist Church, 25501 West Main Street, on the 3<sup>rd</sup> day of October 2016:

Council Members Present: Jack Pierson, Mayor (arrived 6:50pm)  
Ted Bliss  
Dawn Dize  
Ned Finney  
Matt Hart  
Susan Rillo  
Woody Zember

Staff Present: Jamye Salazar, Clerk/Treasurer  
John Spivey, Chief, Onley Police Dept.  
John Pavlik, Zoning Administrator

### **Regular Monthly Meeting**

#### **Call to Order**

In the absence of Mayor Pierson, Vice-Mayor Finney called the meeting to order at 6:30pm.

#### **Invocation & Pledge of Allegiance**

The invocation was given by Matt Hart and the Pledge of Allegiance was led by Ned Finney.

#### **Adoption of Agenda**

**Motion: To adopt the agenda by Ted Bliss and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

At this time, Mr. Zember asked to add something under New Business. Mr. Finney stated that he was too late, it should have been added before the agenda was adopted.

### **Town Council Public Hearing for Special Use Permit**

#### **Call to Order Public Hearing & Establishment Quorum**

Vice-Mayor Finney called the Public Hearing to order at 6:32pm and established that there was a quorum.

Ms. Salazar read the Rules for Public Participation.

Mr. Pavlik stated that Council had before them a copy of the proposal. He introduced Molly Trant, Attorney for RSMH, and asked that she present the Statement of Facts on the Special Use permit request. A copy of the Statement of Facts will be attached to the minutes.

At this time, Mr. Finney established that there was a quorum.

#### **Public Comments**

No one signed up to speak.

**Zoning Administrator Recommendation**

Mr. Pavlik noted that all of the advertising requirements were met and proper notifications were made in this matter. He added that he is not including the directional portion of the sign in the size of the sign. He feels that it is imperative that the Council grant this request.

**Adjourn Public Hearing**

Mr. Finney stated that the Public Hearing is now adjourned.

**Regular Monthly Meeting (cont'd)**

**Special Use Permit – Riverside Shore Memorial Hospital**

**Motion: To approve the Special Use Permit for RSMH allowing the construction of the sign in question by Matt Hart and seconded by Woody Zember. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

**Presentation of 2015-2016 Audit**

David Foley from Robinson Farmer Cox Associates presented the 2015-2016 Audit. A copy of the audit will be attached to the minutes.

Mayor Pierson arrived during this time.

**Motion: To adopt the 2015-2016 Audit by Matt Hart and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

**Consideration of Minutes**

**Motion: To accept the minutes of the September 7, 2016 Onley Town Council Public Hearing for Re-Zoning & Regular Monthly Meeting by Ned Finney seconded by Ted Bliss. Roll Call Vote:** Hart-abstain; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

**Department Reports**

**Police Report & Schedule**

Chief Spivey stated that Officer Spencer Rose has been hired to fill the vacancy that we have had in the department. He stated that since the PD pays for the internet service, he is looking into our options since what we currently have is not sufficient. He asked that Council approve the cost of \$559.08 to purchase four new tires for the 2012 Charger. At the Mayor's request, he has put together a proposal for a new vehicle. He asked for Council's thoughts on that. A copy of the proposal will be attached. He asked that Council consider the possibility of trading the 2009 Charger towards the cost of the new vehicle. The approximate value of the 2009 Charger on Edmonds.com is \$5,000.00 but that amount is for a civilian car and a police car is usually not worth as much. There was much discussion about this topic. Mr. Hart stated that it might be a better deal to keep the 2009 Charger as a back-up vehicle. Chief Spivey said that while that may be a good idea, we would not be able to use the equipment from the 2009 Charger in the new car which would increase the price quite a bit. He added that often when vehicles sit without being used, it is not good for the vehicle. Ms. Rillo stated there is also the matter of the additional \$1,000.00 per year for insurance.

Ms. Rillo asked why Sgt. Bennett's citations were so low for the month. Chief Spivey stated that he was on vacation for two weeks and he has also been heavily involved with training Officer Rose.

**Motion: To approve the November 2016 & re-revised October 2016 schedules by Dawn Dize and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes.  
MOTION PASSED

**Motion: To purchase tires for the 2012 Charger in the amount of \$559.08 by Susan Rillo and seconded by Woody Zember. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes.  
MOTION PASSED

**Motion: To purchase a 2017 Ford Explorer, using the 2009 Dodge Charger as a trade-in, by Ted Bliss and seconded by Woody Zember. Roll Call Vote:** Hart-no; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Mr. Zember complimented Chief Spivey on all of the detailed information that he provides to Council each month.

#### **Treasurer's Report**

Ms. Salazar gave her Treasurer's Report noting that the month was not over when the packets went out so some of the numbers may change.

**Motion: To Pay the September 2016 Payables including additional payables by Susan Rillo and seconded by Ted Bliss. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes.  
MOTION PASSED

#### **Zoning Administrator's Report**

Mr. Pavlik read his report into the minutes. A copy of his report will be attached to the minutes.

#### **Public Works**

Ms. Salazar stated that they are cutting grass, cleaning up storm drains and picking up some litter. She stated that they have cut several private yards at the request of Mr. Pavlik. Mosquito spraying will continue until around the 15<sup>th</sup> of the month depending on need.

#### **Planning Commission Report**

Rose Pierson said that the Planning Commission has decided to carefully review the Comprehensive Plan and Zoning Regulations starting next month.

#### **Old Business**

Mayor Pierson stated that the Statewide Fire Prevention Code Ordinance has been finalized and if Council agrees, it needs to be adopted along with the Classification of Misdemeanors Ordinance.

**Motion: To adopt the Statewide Fire Prevention Code Ordinance #003-16 by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED A copy will be attached.

**Motion: To adopt the Classification of Misdemeanors Ordinance #004-16 by Susan Rillo and seconded by Dawn Dize. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED A copy will be attached.

In the matter of the VDOT crosswalk proposal, Council asked that Mr. Hart send the proposal letter that he created to VDOT for consideration.

Mayor Pierson gave each Council member a Veterans Day Celebration flyer and asked that they solicit some goods or services to use as door prizes.

#### **New Business**

Mayor Pierson stated that Council will need to un-appoint Michael Sterling as Town Attorney and appoint Rachel Kellam to that position.

**Motion: To un-appoint Michael Sterling as Town Attorney by Ted Bliss.**

Mr. Finney stated that he would like to go into closed session to discuss this matter adding that this is a Council decision and should not have been made without them. Mayor Pierson said that is was discussed. Mr. Hart stated that he was not told anything about this matter. Mr. Zember recommended closed session as well. Mr. Bliss wanted to move forward and get this matter out of the way. Mr. Finney said he would like for everyone to be able to interview Ms. Kellam before making this decision. Mayor Pierson said that she was at the office and Mr. Finney did not come by to meet with her. Mr. Finney stated that he was working and couldn't make it on short notice. Ms. Rillo agreed with Mr. Finney that this matter was not handled properly – she thinks everyone should have voted on both matters in a formal setting. Ms. Dize asked if we received a resignation letter from Mr. Sterling. Mayor Pierson stated that we did not. Mr. Hart asked how any of this happened since Council needs to appoint and un-appoint employees and it seems that Council did not know about this matter until tonight. **At this time, Mr. Bliss withdrew his earlier motion.**

#### **Closed Session**

**Motion: To go into Closed Session at 7:42pm in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion or consideration of Personnel Matters pertaining to General Government specifically related to the Attorney vacancy by Woody Zember and seconded by Matt Hart. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED (Mr. Zember did not have the specific code to reference but asked that Ms. Salazar insert it once she was able to locate it.)

#### **Open Session & Certification of Closed Session**

**Motion: To go into Open Session at 8:13pm by Woody Zember and seconded by Ted Bliss. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

A roll call vote was taken immediately after reconvening in Open Session, at which time each member certified by his/her vote whether only the matters previously disclosed were discussed during Closed Session: Roll Call Vote: Pierson-yes; Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes.

#### **New Business (cont'd)**

**Motion: To un-appoint Michael Sterling as the Town Attorney by Ted Bliss and seconded by Ned Finney. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

**Motion: To appoint Rachel Kellam to the position of Town Attorney by Ted Bliss and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Mayor Pierson asked what the procedure is for moving \$500,000.00 from the General Fund into the Operating Budget for the purpose of beginning the process of building the new town office. Ms. Salazar stated that she spoke with Mr. Foley earlier in the night and he suggested an amendment to the current budget.

Mayor Pierson asked Council to consider Ordinance 005-16 to move the General Election to November. **Motion: To adopt Ordinance #005-16 by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Hart-yes, Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

#### **Public Comments**

Billye D. Custis said she does not think Council should amend the operating budget. She believes that Council needs to create a Capital Budget. In the matter of moving the election, Ms. Custis stated that

she believes Mr. Sterling said we will need to hold a public hearing. Mayor Pierson stated that he spoke with the Mayor of Melfa and they did not have a Public Hearing. Ms. Rillo read the directions from Pat White at the Registrar's Office. Mayor Pierson stated that the resolution is just the first step in getting the process started. Council asked Ms. Kellam to look into this matter. Rose Pierson signed up to speak but did not wish to at this time.

### **Council Comments**

Mr. Finney welcomed Ms. Kellam. He thanked everyone for all that they do.

Mr. Zember thanked everyone for coming to the meeting. He stated that he has been very impressed with the Town employees and very happy with the way they communicate information to him. He added that he is interested in expanding the beautification committee and anyone that would like to work with him on this should contact him.

Mr. Bliss thanked everyone for the effort that everyone has made to welcome him and keep him informed since this is his first time on a Town Council. He is eager to see some progress made on several of our pending projects and he would like to have more input from the residents.

Ms. Dize stated that she is happy that we are meeting at the church and feels that it is a better location. She added that she would like to see us using a PA system since she often has trouble hearing. She thanked Ms. Salazar for her work on the audit and Chief Spivey for his vehicle proposal. She thanked Mr. Pavlik and Mayor Pierson for their work as well.

Ms. Rillo thanked the Town employees adding that she thinks Joel has been a great help to Jamye. She asked Chief Spivey to extend a welcome to Officer Rose. She thanked Mr. Pavlik for what he does as well as Mayor Pierson and the rest of the Council. Lastly, she welcomed Ms. Kellam.

Mr. Hart thanked Council for making the meeting location change. He welcomed Ms. Kellam. He stated that he would like to move forward with the construction of a new town office and he feels that \$500,000.00 is a good amount. He thanked Chief Spivey and Ms. Salazar for all that they do.

### **Adjourn/Recess**

**Motion: To adjourn at 8:31pm by Susan Rillo and seconded by Ned Finney. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar  
Clerk/Treasurer