

Onley Town Council Minutes of August 7, 2017

VIRGINIA: At a Public Hearing for Polling Place Change Ordinance, Ordinance to Change Council Terms & Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 7th day of August, A.D., 2017:

Council Members Present: Jack Pierson, Mayor
Ned Finney, Vice-Mayor
Dawn Dize
Matt Hart
Susan Rillo
Woody Zember

Council Members Absent: Ted Bliss

Staff Present: Rachel Kellam, Town Attorney
Jamy Salazar, Town Manager
John Spivey, Chief of Police
Joel Parks, Clerk

Public Hearing

Call to Order

Mayor Pierson called the Public Hearing to order at 6:30pm.

Rules for Public Participation

Ms. Salazar read the Rules for Public Participation.

Presentation of Ordinances

Ms. Kellam stated that the Town Council wishes to move the date of the town elections and did that by changing the Town charter. The first ordinance will allow us to move the polling place to Nandua Middle School so that we will fall in line with all other elections. The second ordinance will extend the terms of the current Mayor and Council by six months since their terms will begin in January going forward.

Public Comments

Rose Pierson signed up but did not wish to speak at this time.

Billye D. Custis said that she had nothing to say because it is a done deal at this point.

Jan Siglin signed up but passed on speaking at this time.

Ordinance to Enact Polling Place Change & Ordinance to Change 2018 Council Terms

Motion: To adopt the Ordinance to Enact Polling Place Change by Susan Rillo and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss-absent; Zember=yes Finney=yes. MOTION PASSED

Motion: To adopt the Ordinance to Change 2018 Council Terms by Susan Rillo and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss-absent; Zember=yes Finney=yes. MOTION PASSED

Adjourn Public Hearing

Motion: To adjourn the Public Hearing at 6:37pm by Susan Rillo and seconded by Matt Hart. Roll Call

Vote: Hart=yes; Rillo=yes; Dize=yes; Zember=yes; Bliss-absent; Finney=yes. MOTION PASSED

Regular Monthly Meeting

Call to Order

Mayor Pierson called the meeting to order at 6:37pm.

Invocation & Pledge of Allegiance

The invocation was given by Matt Hart and the Pledge of Allegiance was led by Woody Zember.

Adoption of Agenda

At this time, Ms. Salazar stated that the Closed Session was going to be removed from the agenda.

Motion: To adopt the agenda removing items #12 and #13 pertaining to the Closed Session by Ned Finney and seconded by Susan Rillo.

Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss-absent; Zember=yes Finney=yes. MOTION PASSED

Presentation – Melfa, Onancock & Tasley Volunteer Fire Companies

In attendance from the three fire companies were Jeff Beall and Don Amadeo from Tasley, Adam James and Terry Payne from Onancock and Sam Baines and Tyler Marks from Melfa. They stated that they are here tonight to introduce themselves as well as reassure the town that it is covered. Each company gave an overview of the equipment that they possess and reiterated that the town is fully covered with service provided professionally and in a timely manner.

Mr. Hart asked Ms. Salazar to check into the status of the ATL grant. She said that she has already spoken with someone and the problem is that we need to provide the Department of Fire Safety with receipts as to how the previous year's grant was spent. She added that she has requested this information from former Chief Nicholson and again from the President, Royal Governor. She has not had a response as of this time.

Consideration of Minutes

Motion: To accept the minutes of the July 6, 2017 Regular Monthly Meeting by Matt Hart and

seconded by Dawn Dize. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss-absent; Zember=yes; Finney=yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey said that Officer Coulter began his employment about a month ago and he is settling in nicely. In the matter of the September schedule, Sergeant Bennett is taking some vacation but it should not have an adverse effect on scheduling.

Motion: To accept the September 2017 Police Schedule by Ned Finney and seconded by Susan Rillo.

Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss-absent; Zember=yes; Finney=yes. MOTION PASSED

Treasurer's Report

Ms. Salazar gave her report at this time. She explained the report in depth explaining that she was doing so at the request of a Council Member who stated that they did not understand the entire report. She pointed out that the Rainy-Day Fund has been transferred into its own separate account at Xenith Bank

per Council's request at last month's meeting. She also noted that we have received \$4,104.00 from Accomack County to help cover the cost of ditch maintenance and clean-up. Lastly, she pointed out that there is no VRS payment since they have asked that she hold off on making the July payment since they are in the process of adding in the hazardous duty supplement. She will make that addition once VRS gives her the go ahead making sure that it is posted to the proper time period.

Motion: To Pay the July 2017 Payables by Susan Rillo and seconded by Ned Finney. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

Town Manager's Report

Ms. Salazar stated that they have the mock-up of the Welcome to Onley sign changes. The cost of this is \$2,723.37. The GMB proposal has been signed (striking the water and sewage proposal) and returned to them. The next step is to adopt the schematic proposal. She has provided OVFD with the pager serial number information per Mr. Bliss' request at last month's meeting. The Facebook page is complete. The garage door is still broken. She had a repairman coming and he backed out at the last minute. She has secured someone else and he will be here on Thursday to complete the job. Joel Parks has been cleared to work six hours per day until she returns to the doctor. She said that Stewart Hall has provided us with templates for the paperwork that is required to begin the ditch project. She will need to have Ms. Kellam look over them and make any needed changes. She has had a conversation with Chris Isdell about the sidewalk project. Mr. Isdell said that the sidewalk package has been submitted as an evaluation and planning tool to their maintenance division. They are looking for things such as trip hazards- not necessarily aesthetics. We do meet that criteria. As money becomes available, they will not have to look for a project – this will be the project. Basically, money is the key. They are waiting on the money. VDOT currently has no concrete repair contract but they are planning to do it in-house. Lastly, she reported that the Accomack County Board of Supervisors voted to dissolve the OVFD. She stated that she has met with Mike Mason and C. Ray Pruitt to discuss the matter. As far as the town is concerned, our only issue is the matter of people living in the firehouse. She has spoken with Ms. Kellam and if they need to, they will meet with Cela Burge, the county attorney about the matter. Finally, she said that the Hazard Mitigation Plan Approval that we adopted has been accepted by FEMA so we are now eligible for federal funds in the case of natural disaster.

Zoning Administrator's Report

Mr. Pavlik read his report into the minutes. A copy will be attached. He presented Council with a mock-up sign proposal from Four Corner Plaza Inc. stating that there is no application as of yet but he does expect one at any time.

Attorney's Report

Ms. Kellam amended the Rainy Day Fund Resolution. She drafted the Property Maintenance Ordinance. She has spoken with Cela Burge regarding the OVFD dissolution and Ms. Burge said that we as a town do not need to help them with anything. They are to wind up their business and we have no liability where those matters are concerned. We will need to make sure they are in compliance with our zoning ordinances but nothing other than that. She finalized the election change documents. She has spoken with Mr. Pavlik regarding the sewer easement documents. She amended the procurement ordinance to reflect the \$500.00 increase however, we do need to figure out the best course of action when purchasing single sourced items.

Public Works

Ms. Salazar said that they have cut grass, weed eating, weeding and re-mulching at the town signs, weeding and trimming back around some of the speed limit signs in town and ditch work on

Pennsylvania Avenue and Forest Road. In the matter of Biomist, she said that we are going through it a lot faster since we are spraying three days a week and we are down to half a barrel. Ms. Dize said that she has had a few complaints about him not spraying her entire street and spraying the back of one particular house. Ms. Salazar will address those concerns with him. Council decided to have him continue to spray three times a week.

Motion: To purchase a drum of Biomist at a cost of \$1,883.75 by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

Planning Commission Report

Rose Pierson asked that the Council rescind the proposed changes made to the zoning ordinance at the June 2017 meeting. She said that the proposal is still under re-vision. A schedule of events on Public Hearing will be submitted at the September meeting.

Motion: To rescind the motion to adopt proposed changes to zoning ordinance from June 2017 by Woody Zember and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

Old Business

Ms. Salazar stated that she has spoken with Morgan Helfrich from GMB and the next step in the process is to approve the schematic plan. Ms. Helfrich is also assembling her team to come down and meet with us in the coming weeks. Mr. Finney would like to have a separate meeting to discuss the schematic plan before it is approved. Ms. Salazar said that any changes made will be at a cost to the town. There were several discussions at this time about the matter. Council set another meeting to discuss this matter on August 17th at 5:30 pm at the Onley Baptist Church.

Mr. Zember said that there has been some question as to whether the flower pot in front of the coffee house is ADA compliant. He said that he looked into the matter and he did move the pot about four inches. He added that there is a trip hazard on the sidewalk and the pot is helping to cover and secure it so he would like the pot to remain there. He added that it is legal with VDOT as well. He added that Hortco sprays the Town of Accomac for \$500.00 per year and he would like for us to remember that. He asked that Mr. Pavlik look into the possibility of getting a Welcome to Onley sign on the stretch of road coming from Locustville. Ms. Salazar said that is not a zoning matter and it would make more sense to put the same kind of sign there that she has had erected (per Council's request) at the other entrances to town. Mr. Zember agreed but does not want the money to come from his beautification budget. In the matter of the banners, we are still working on the Armed Forces banners and getting a quote for the entire project. Mr. Zember asked that Council make a motion to transfer \$7,000.00 into banners. There was much discussion about this matter and how much money is in the budget as well as how much revenue we have thus far in our fiscal year. Mr. Zember said he doesn't understand why we can't transfer the money to cover the cost of the banners. Mr. Hart agreed with Mr. Zember adding that we have 2.2 million dollars in the bank and there is no reason why we can't show appreciation to the services that defend the freedom and the soil that we are on. Ms. Dize said that when she planted the flowers herself, she had \$250.00 in her budget. She added that while she is pleased with the things that Mr. Zember and Mr. Hart have done to beautify the town, we are about to spend \$800,000.00 for a new office with another \$400,000 going to the rainy-day fund. She feels that we may need to slow down the spending and do some things in increments – everything doesn't have to be done at once. She said that just because we have money doesn't mean we have to spend it. Mr. Hart said that he feels we can find some of the banners online already made. Someone suggested one banner with 5 military emblems on each. Ms. Salazar agreed adding that is what the company is putting together for us. At this time, Ms. Salazar reminded everyone that we are in the beginning of a budget year and we want to remember

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how important that it is to stick to the budget, especially from an audit standpoint. She told Mr. Zember that he has \$7,500.00 in the Banner line item and \$2,500.00 in General Landscaping. Mr. Zember said he did not realize he had that much money in his budget and he does not wish to make a motion after all. Ms. Rillo suggested that we buy what we can with the money we allocated in the budget and buy more next year if there is a need.

Ms. Kellam asked that Council give her guidance on the definitions and the penalties within the Property Maintenance Ordinance. Mr. Pavlik asked Ms. Kellam if this ordinance will replace two other ordinances pertaining to tall grass and junk cars. Ms. Kellam said it will not – those ordinances will stand. There was much discussion about the details of this ordinance.

Ms. Kellam said that the Rainy-Day Fund policy change is complete, raising the limit to \$400,000.00 in \$50,000.00 increments beginning this fiscal year.

Motion: To adopt the new Rainy-Day Stabilization Fund Resolution by Susan Rillo and seconded by Woody Zember. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

Ms. Kellam said the Procurement Policy is still in the works.

Mr. Hart spoke in favor of making a change to the two larger Welcome to Onley signs advertising the downtown area. He has asked Ms. Salazar to look into the proposed change and also acquire some pricing to do so. Ms. Salazar said that the proposal that Council has in front of them is in the amount of \$2,723.37. She also asked that Council instruct her as to where to take the funds from in the budget. Mr. Hart suggested we use the terminology “historic downtown”. Mr. Zember again asked Mr. Pavlik to look into adding a sign by Locustville that doesn’t have to advertise the downtown. He said that we also need some flowers to go around the sign. Ms. Salazar stated that all of our signs are landscaped with mulch and flowers. There was some discussion about the use of the word historic. Council decided against using that term. Billye D. Custis asked if the sign is compliant with our zoning ordinance. Ms. Salazar stated that she did speak with Mr. Pavlik about that matter and he agreed that it meets our zoning requirements.

Motion: To make the changes to the two larger Welcome to Onley signs adding “Visit Downtown” by Matt Hart and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

New Business

Ms. Salazar states that Mr. Hart asked her to look into the matter of the Public Works contract. Ms. Salazar stated that she did go through the minutes and found that Mr. Simpson’s contract did have a two-year extension clause, however we only picked up one of those years at last year’s meeting. She explained that because of that, we now need to decide whether to pick up the remaining one-year extension of his contract that just expired or solicit RFP’s to begin the process again. Mayor Pierson said that if we send it out for bid, we need to make sure that anyone that bids meets certain requirements like possessing proper equipment.

Motion: To extend the Public Works contract with Simpson’s Lawn Care LLC for one year by Susan Rillo and seconded by Ned Finney. Roll Call Vote: Hart-no; Rillo-yes; Dize-yes; Bliss-absent; Zember-abstain; Finney-yes. MOTION PASSED

Council will discuss the CD maturing at BB&T Bank at the August 17th meeting.

Public Comments

No one signed up to speak.

John Dennis said that the fire companies that were here have plenty of equipment to cover the town. Fred Gardner said that he is against spending \$800,000.00 for the new building.

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At this time, Ms. Salazar read a letter from David and Roberta Dean. A copy will be attached to the minutes.

Mr. Pavlik stated that he has spoken with the owner of the property that the Dean's are speaking of and he and the Mayor will be taking another look at it in the coming days.

Council Comments

Mr. Hart thanked the three fire companies for attending the meeting. He feels that tonight's meeting was effective and some things were accomplished. He thanked his fellow Council Members for supporting his downtown sign. He said that he voted against the Public Works contract because he would like to see it re-bid each year and not restrict future Council's power. He added that he does feel Simpson is doing a better job than they have in the past. He agrees with Mr. Gardner that \$800,000.00 is a steep price to pay and added that he was always for restoring a historic building. He feels that the town would have been better off purchasing the old agriculture building but it is probably too late now. He also agreed with Ms. Dize that we shouldn't spend all of our money but we do need to give back to our taxpayers.

Mr. Zember thanked everyone for attending. He added that he wants to spend money on beautification to make the town pretty and to increase the value of our homes.

Ms. Dize thanked everyone for coming and the employees for what they do. She thanked Mr. Zember for doing a good job with the flowers.

Ms. Rillo reiterated how nice the town is starting to look. She added that it is important to update some of our zoning ordinances to protect the value of our property. She thanked everyone for coming.

Mr. Finney thanked the fire companies for coming and said that those three departments have been taking up the slack created by OVFD for a while now. He is worried that we still have a problem over there with people still living in the building. He thanked everyone for coming and the employees.

Adjourn/Recess

Motion: To adjourn at 8:43pm by Susan Rillo and seconded by Ned Finney. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-absent; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar
Town Manager

Jack Pierson
Mayor