

Onley Town Council Minutes of September 5, 2017

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 5th day of September, A.D., 2017:

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

Staff Present: Jamye Salazar, Town Manager
John Spivey, Chief of Police

Call to Order

Mayor Pierson called the meeting to order at 6:30pm. He stated that he is not feeling well so Vice-Mayor Finney will take over the meeting at this time.

Invocation & Pledge of Allegiance

The invocation was given by Ted Bliss and the Pledge of Allegiance was led by Ned Finney.

Adoption of Agenda

At this time, Ms. Rillo asked to add item E. SPOTS Santa Train under New Business.

Motion: To adopt the agenda with the addition by Ned Finney and seconded by Dawn Dize.

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 August 7, 2017 Public Hearing for Polling Place Change Ordinance, Ordinance to Change Council Terms & Regular Monthly Meeting 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

Before the August 17th minutes are adopted, Mr. Hart asked to add an explanation for why he voted no to the adoption of the schematic plan. He stated that is it because he does not support the building being put on a slab – not because of the cupola or clock. Ms. Salazar will make that change.

Motion: To accept the minutes of the August 17, 2017 Special Meeting with the change by Susan Rillo and Ted Bliss. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Public Comments

At this time, Mr. Finney stated that we are trying something different at the request of a citizen. The Public Comment portion of the meeting will be moved to the beginning of the meeting for this month as a trial run. He added that there will be no Public Comment at the end of the meeting.

Jan Siglin said that she has not heard anything yet so she has nothing to comment about at this time.

Billye D. Custis said that VML has always suggested that the public comments be at the end of meetings since things come up during the meeting that people want to comment about. She added that she wants

to go on record as being against an \$800,000.00 building. She said that while the flowers downtown are pretty, they are now becoming a traffic hazard.

Tom Rakowski from SPOTS stated that he will speak during the SPOTS presentation.

Royal Governor said that the OVFD Board met on August 31st to officially dissolve the company. He stated that while Accomack County Board of Supervisors made the motion, the OVFD had to do so as well. He said that there are rumors going around that he is homeless and that is not true – he is not homeless. He said that he served notices to the couple of guys that were living there and they have left. He said that no one is living at the firehouse. He does have a couple of people helping him with the liquidation phase so if you see someone at the firehouse, it is due to that. He offered the firehouse as a shelter in the case of a hurricane. Mr. Hart thanked Mr. Governor and said he is sorry that it didn't work out for them.

Mr. Finney asked the Public how they feel about the Public Comments at the beginning of the meeting. The general consensus was to have them at the end of the meeting. Mr. Bliss asked why we couldn't have them at the beginning and the end since some people leave before the end due to the lengthy meetings. Mr. Finney said that we will be here all night if we do that.

Department Reports

Police Report & Schedule

Chief Spivey said that the 2010 Ford Explorer needed a repair this month, so according to Council's instruction, he got three estimates on the repair. He said that we spent more money moving the vehicle around for evaluation than we spent on the repair. The initial quote was lower than one of the three bids and the car would have been repaired the same day. The towing costs totaled \$300.00, the diagnostic charges were about \$78.00 and the car was out for a week. The total cost of the repair was \$261.00. The estimates were from Good Year (\$261.00), Bayside Repair (\$248.00) and Kool Ford (\$298.00). The majority of Council agreed that we should continue to use Good Year to repair vehicles in emergency situations. There rates are comparable and we do not have spare vehicles to use while repairs are being made.

Chief Spivey stated that during budget talks, Council asked him to look into the purchase of more teddy bears at a better price. He presented Council with an estimate of 115 bears for \$700.35.

Motion: To purchase teddy bears in the amount of \$700.35 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

Chief Spivey said that a few months ago, Council approved the purchase of two shotgun mounts. Those mounts were not adequate and have been returned for a refund. He will continue to look for other options.

Mr. Hart asked Chief Spivey if it is policy that officers need to use the blue tooth device when talking on their phones. Chief Spivey said there is no official policy but they have been told verbally that they are to use the blue tooth. Mr. Hart asked if he has considered making it a policy. Chief Spivey said that we could make it a policy, however, he is not sure it is necessary and he believes everyone is using the blue tooth as requested. Mr. Hart disagreed adding that he sees a lot of the officers holding their phones to their ear.

In the matter of the schedule, Chief Spivey said the schedule will most likely be changed as he expects Aaron Turner will be leaving to take a position with the VMRC.

Motion: To accept the October 2017 Police Schedule by Susan Rillo and seconded by Ted Bliss. Roll

Call Vote: Hart-no; Rillo-yes; Dize-no; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Mr. Finney asked to have a discussion since Ms. Dize voted no. Ms. Dize said that she doesn't feel she needs to give a reason why, adding that some people don't vote at all on things without giving a reason.

She then said that she has spoken with Chief Spivey about the matter of three officers working on Thursdays during the day. She did not feel that his explanation of why this happens is sufficient. She said that Chief Spivey told her that's just the way it happens with the schedule that we use. She does not feel that it is a good utilization of our police department. At this time, Mr. Hart, who had previously voted yes to the motion to adopt the schedule, changed his vote to no. Chief Spivey explained that this is a layover day and cannot be helped but it allows for time off, training, vehicle maintenance and sometimes court. It also helps with accommodating holidays. Ms. Dize said that she thinks one officer should be moved to night duty rather than have three on during the day. Ms. Rillo and Mr. Finney agreed that we don't need three officers on at 7:00am but added that they understand why it may need to be that way. Mr. Finney suggested that anyone that would like to sit down with Chief Spivey and come up with a new schedule should do so. There was much discussion about this matter.

Treasurer's Report

Ms. Salazar gave her report giving a brief explanation of each report. She pointed out that the CD at BB&T was closed and moved to a CD at Suntrust Bank per Council's request at last month's meeting. Ms. Dize asked about a correction on the deposit report. Ms. Salazar explained that was to correct meals tax from one of our restaurants.

Motion: To Pay the August 2017 Payables by Ted Bliss and seconded by Dawn Dize. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Town Manager's Report

Ms. Salazar said that the Welcome to Onley sign changes have been made. The garage door repair is complete. The ditch maintenance forms were given to Ms. Kellam and she found no problems with them so they will be adapted to be used by the Town of Onley. Joel Parks is currently working 4-6 hours per day with restrictions but she hopes to be back to 8 hours beginning next week. Ms. Salazar stated that she spoke with Morgan Helfrich from GMB in the matter of the cupola and the clock on the building. Ms. Helfrich believes that in the prior proposal, the cupola was \$8,000.00 and the clock was \$10,000.00. Her recommendation is to keep both in the design and leave it as a deductive alternative. Ms. Salazar said that the next step is for Ms. Helfrich and her team to meet with us about the building. The sidewalk across from the town office has been repaired but the one on the corner is still in need of repair. She will make sure that happens. Ms. Salazar said that there has been a complaint about the flower pot on the corner in front of the coffee house. The complaint is that there is not enough room to get a wheelchair around the pot. At the suggestion of Mr. Finney, she contacted VDOT. Tyler Marsh, a VDOT representative, came to investigate. Mr. Marsh told Ms. Salazar that he, along with Mr. Hart, moved the pot to the side and he does not think it presents a problem. However, there is an issue with the town not acquiring land use permits to place the pots in that location. Ms. Salazar will look into this matter with VDOT. She added that she has requested that VDOT bring the street sweeper through town adding that there was a misunderstanding involving spraying of the grass in town. That matter has been resolved. There have been some issues with mosquito spraying but she has spoken with Mr. Watson and they should be resolved. She had a meeting with Mr. Pavlik and Rachel Kellam about the matter of people living at the firehouse but since Mr. Governor assured us earlier in the night that no one is living there, it may be a non-issue. The auditors were here earlier in the month and stated that the initial audit was good. They did find an issue with dependent health insurance not being deducted pre-tax but that matter has been corrected. They plan to attend the October meeting to present the entire audit to Council. She contacted the Dept. of Fire Programs and we will be able to apply for this year's grant if we can provide them proof of how last year's money was spent. She will continue to try to acquire that information from the OVFD. In the matter of the internet and ES Communications, they cannot tell us how many residents in town are using their service. Mr. Imhoff said that would be a privacy violation.

She did say that the residents that are using the service seem to be very pleased. We also have been very pleased with the service at the office. There were some issues with getting service to some people but ES Communications has been able to resolve them as long as you were signing up for their service. Mr. Zember asked about the possibility of putting a Welcome to Onley sign at the entrance to town coming from Locustville. The first thing we need to do is find a property owner that will allow us to erect a sign on their property. In the matter of the crosswalk at the Main Street and Coastal intersection, she spoke with Chris Isdell at VDOT and was told that there is no money to do the project at this time. Mr. Hart asked that Ms. Salazar check with VDOT and see if the town is willing to pay for a crosswalk, can we put one in ourselves. If so, she will begin getting cost estimates for such a project. There was some question about the Council terms ending in December 2018 instead of June 2018. She stated that someone from the Clerk's office will attend the July 2018 meeting and swear everyone in until December. She will take care of that when the time comes. She stated that the Facebook page has been complete for a few weeks now but she wanted Council to know that everything on the page is covered under FOIA and that the Facebook account belongs to Mark Zuckerberg/Facebook. This means that should anyone ever request something from that page, we have to be able to provide it even if Zuckerberg/Facebook ever decide to shut down. Lastly, she said that we have an urgent need for a computer system including a server and a network at the office. She asked Council for permission to solicit bids on such a project. She added that currently her and Joel are sharing a computer and it is not productive. She added that the five police officers also share one computer. She said that we are probably looking at \$10,000.00-\$12,000.00. The Byrne-Jag grant of \$3,000.00 could help with those costs. She said that the system would be ready to tie into the new building. It would also allow for tying in security and the phone system as well. Council agreed to have her solicit bids. Mr. Zember asked Ms. Salazar to have Mr. Pavlik check into the placement of a welcome sign at the Locustville entrance to town. Ms. Salazar said that the issue is finding a spot to put the sign. She added this is not a zoning matter. Mr. Hart complimented Ms. Salazar on the additions to the current Welcome to Onley signs. He thanked her for doing a nice job on executing that project. Mr. Zember thanked her and said she did a great job with her report. Mr. Finney agreed.

Zoning Administrator's Report

Due to the meeting change, Mr. Pavlik was unable to attend. He sent his apologies. In the absence of Mr. Pavlik, Ms. Salazar read his report into the minutes. A copy will be attached.

Mr. Bliss stated that Mr. Pavlik came by his house to speak with his wife about the comprehensive plan and particularly the feather flags and was very aggressive with her. Ms. Salazar said that matter has been brought to her attention and she has discussed it with Mr. Pavlik. She added that Mr. Pavlik will not come to their house again.

Planning Commission Report

Rose Pierson stated that the Council has a draft copy of the Comprehensive Plan and the proposed amendments to the zoning ordinance and the Planning Commission would like to send it to public hearing. Ms. Salazar said that Council will need to make a motion if they wish to send those items to public hearing. Ms. Dize said that she feels the Council needs to have more time to look over the information since they only received it a few days ago. The rest of Council agreed and asked Ms. Pierson to present them with copies containing the highlighted changes.

Public Works

Ms. Salazar said that they have been cutting grass, cleaning storm drains and litter pickup. He has started the crepe myrtle project and the removal of grass from the sidewalks and curbs. She said that we are running into issues with him being pulled away from projects to deal with other things within the

Town at the request of various Council Members. She said the bottom line is we have more work than one man can complete in eight hours per week. She asked that Council consider having him work two additional days at the rate of \$18.00 per hour.

Motion: To have Simpson provide a public works man an additional two days per week for a total of three per week by Ted Bliss and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Old Business

There is nothing new to report on the matter of the property at 25571 E. Main St.

Mr. Zember provided Council with pricing for 25 custom banners, five military banners and 10 sets of hardware in the amount of \$5,760.00. Mr. Zember asked Ms. Salazar to check on pricing if we purchase less banners. Ms. Salazar said that when she called today, they quoted her \$5,610.00 for what Mr. Zember just mentioned.

Motion: To purchase banners and hardware in the amount of \$5,610.00 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

New Business

At this time, Mr. Hart stepped down from the Council table to answer questions pertaining to the real estate proposal from Riptide Real Estate LLC. The proposal is that the town would give Riptide Real Estate LLC the tract of property by the agriculture building and \$34,000.00 in exchange for the property across from the town office. A copy of his proposal will be attached. He explained that before he moves forward with doing some type of park at the property located across from the town office, he would give the town the first right of refusal. Mr. Zember asked what he means by a park. Mr. Hart explained that it would be a private park attached to the Crossroads Coffee Shop. He said that he knows he will have to go through a legal process with the town to acquire a special use permit. He would like to use it to cater events like weddings, class reunions etc. He stated that he has offered it to the town before but it did not have a well or a garden in the past. Mr. Zember asked if, as a private park, it will have a sliding board or park equipment. Mr. Hart said he would have to look at the liability but he did not think it would. Mr. Finney asked if it is zoned residential. Mr. Hart stated that it is. Mr. Finney said that Mr. Hart really can't do what he's suggesting if the property is zoned residential. Mr. Hart said that is not true and asked Mr. Finney not to speculate adding that if he gets a special use permit, he can use the property to cater events. Mr. Bliss said that it is nothing personal but the Council is already going to spend the money on the building and he doesn't think the Council should start any other projects at this time. Mr. Hart disagreed stating that we haven't spent any money on the building yet – he hasn't voted for anything. He also said that he feels the town needs a park and the property that he would like to acquire in the deal is not of any use to the town. Mr. Hart said that he just wanted to give the town the first right of refusal but the if the town is not interested, he will put a gazebo there and the town cannot stop him. He said he's not here to sell the property but he feels that we do need a park. Mr. Finney asked about the assessment. Mr. Hart said that you can't rely on the assessment – it was appraised at \$20,000.00 two years ago. Ms. Rillo said she feels that we would need to have appraisals on both properties. Ms. Dize said that we will have new assessments in 2018 and she thinks they will be more in line with property value. Mr. Pierson asked Mr. Hart why he wants a package deal and would he be amiable to another solution. Mr. Hart said that the property by the agriculture building is of no use to the town. Mr. Finney said that property controls the water at the agriculture building. Mr. Hart said that he is fine if the town wants to pay for another appraisal. Mr. Finney said he thinks we are too far out of the ballpark to entertain that idea. Other Council Members agreed. Mr. Hart thanked Council for their time, stated there was no hard feelings and added that he hopes that they will support some type of

small catering event through Crossroads Coffee Shop once the time comes. Mr. Zember said that he feels the town needs a park and he thinks that would be a great location. He would also like to start a farmer's market at the train station property across the street. Mr. Bliss said that the train station is already set up for a farmer's market. We invested some money towards doing that some time ago. Ms. Siglin stated that the people that wanted to do it never showed up.

At this time, Mr. Hart returned to the Council table.

Ms. Salazar asked Council's permission to solicit RFP's for the ditch maintenance. Council agreed.

Ms. Salazar said that she will be sending the fall newsletter and she needs to advertise the date of the fall clean-up. Council asked her to wait until the October meeting and they will make a decision then.

Mayor Pierson said that unless we can get some committed volunteers to help, we should call off the Veterans Celebration. He added that we just have not had enough help. Ms. Dize said that there were very few Veterans at the last celebration that we had here in the church. After some discussion, Council decided to cancel the Veterans Celebration.

Tom Rakowski from SPOTS said that they have been informed that the rail car that has been used for Santa train is no longer available. He said that the SPOTS organization has met with Chief Spivey and are proposing that Santa come in via police car. Chief Spivey has offered the use of his trailer to be pulled behind. They are also planning to participate in the Onancock parade. SPOTS asked that the town donate \$500.00 toward costs to construct a gingerbread house for display on the trailer. Mr. Bliss said he feels we could take \$1,000.00 from the Veterans Celebration money for this project.

Motion: To donate \$1,000.00 to SPOTS for the purpose of Santa Train by Ted Bliss and seconded by Woody Zember.

Mr. Finney said his vote would be for \$600.00.

Roll Call Vote: Hart-no; Rillo-abstain; Dize-no; Bliss-yes; Zember-yes; Finney-no. MOTION FAILED

Motion: To donate \$600.00 to SPOTS for the purpose of Santa Train by Ned Finney and seconded by Dawn Dize. Roll Call Vote: Hart-no; Rillo-abstain; Dize-yes; Bliss-yes; Zember-no; Finney-yes. MOTION PASSED

Mr. Finney said that this one time only, Public Comments will be heard again since this was a bit of an experiment.

Public Comments

Billye D. Custis suggested that the town consider giving the OPD bears as Santa train gifts. Chief Spivey said that it would be a great idea but we're talking about a lot of money. Mr. Zember suggested that Chief Spivey look into something that we could pass out that would be less expensive. Chief Spivey said that he would be happy to but he might need some help with the shopping piece of it. Mr. Zember said he would be happy to look for things.

Fred Gardner asked how much Council will be spending on the clock for the new building. Mr. Finney said that we are not planning on spending anything right now. Mr. Gardner said that \$18,000.00 is ridiculous since everyone has a cell phone.

Council Comments

Mr. Bliss thanked everyone for coming. He thanked SPOTS and Chief Spivey for their work on the Santa Train project. He thanked the town employees and his fellow Council Members.

Ms. Rillo thanked everyone for coming and stated that the public input is greatly appreciated. She thanked the employees and the other Council Members. She thanked Royal Governor for coming and his help with the issues at the firehouse. Lastly, she thanked SPOTS for taking the initiative to continue the Santa Train.

Ms. Dize thanked everyone for coming. She thanked Ms. Salazar and Chief Spivey for what they do. She added that it was nothing personal when she questioned the schedule. She thanked SPOTS for helping

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with the Santa Train and added that she will be happy to help wherever she can. She thanked Council for agreeing to move the date of the meeting and added that she did pay for the ad that ran in the newspaper. She expressed concern about spending saying that she thinks we need to be a little more conservative.

Mr. Zember thanked everyone for coming. He thanked the employees and said that we have wonderful employees. He said that we have wonderful leadership that gets things done. He will address the visual problems with the flowers on the corner.

Mr. Hart thanked Mayor and Council for listening to the proposal from Riptide Real Estate LLC. He added that there are no hard feelings for their lack of interest. It is his vision that one day the town will have a park. He thanked Royal Governor for coming and added that he is sorry that things did not work out. He said that he had an incident at the coffee shop and Onancock's response time was great. That made him feel better. He said that he will not support the town office being built on a concrete slab – no matter the cost. He believes that it's not a matter if the building floods, it's a matter of when. He said that insurance companies do not cover floods and he doesn't think we will carry flood insurance or if flood insurance will even be available. He asked that Council ask for two estimates. He wants one off the ground with a ramp and the other on the concrete floor.

Mr. Finney thanked the Public for attending, the employees and his fellow Council Members.

Adjourn/Recess

Motion: To adjourn at 8:56pm by Susan Rillo and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar
Town Manager

Jack Pierson
Mayor