

VIRGINIA: At a Public Hearing for Re-Zoning Property & Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 West Main Street, on the 6th day of February 2017:

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

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

Regular Monthly Meeting

Call to Order

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

Invocation & Pledge of Allegiance

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

Adoption of Agenda

Mr. Zember asked to add a presentation from Don Imhoff/ES Communications after the presentation from the Town of Onancock as item 7B.

Motion: To adopt the agenda with the addition 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

Town Council Public Hearing for Re-Zoning Property

Call to Order the Hearing & Establishment of Quorum

Mayor Pierson called the Public Hearing to order at 6:33pm and established that there was a quorum.

Rules for Public Hearings

Ms. Salazar read the Rules for Public Participation.

Statement of Facts on Re-Zoning Property

At this time, Mr. Hart stepped down from his Council seat at the table explaining that he would be abstaining from any all discussion or decision about the matter. Mr. Bob Turner, an attorney representing Matt Hart & Riptide Real Estate LLC explained that Mr. Hart has requested that the current zoning of property located at the corner of E. Main Street & Pennsylvania Blvd. be changed from GB district to the R1 district. A copy of the application package is attached.

Planning Commission's Recommendation

Mayor Pierson stated that Planning Commission Chairman Rose Pierson is ill and in her absence, Ms. Rillo will give the Planning Commission recommendation. Ms. Rillo stated that the Planning Commission has approved the re-zoning of the property in question at the January 20th, 2017 meeting and their recommendation has been submitted to the Mayor & Town Council.

Mr. Pavlik noted that all advertising requirements were met on this matter as well.

Public Comments

No one signed up to speak. Laurice Hohlt asked for the actual dates that the advertising for this hearing ran in the newspaper. Mr. Pavlik gave her the four dates. Ms. Hohlt replied that she did not remember seeing them.

Adjourn Public Hearing

Motion: To adjourn the Public Hearing by Ted Bliss & seconded by Susan Rillo. Roll Call Vote: Hart-abstain; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Regular Monthly Meeting (cont'd)

Council Discussion/Motion on Re-Zoning Property

Mr. Bliss asked Mr. Hart what the plan is for the property in question. Mr. Hart stated that there is a contract on the property adding that the new owners will work at the hospital and plan to use it as their primary residence.

Motion: To adopt Ordinance #006-16 by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart-abstain; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Mr. Pavlik read the Ordinance into the minutes. A copy of the ordinance will be attached.

Presentation – Town of Onancock

Mayor Russell Jones of Onancock spoke about the sewer and water system that is available in the Town of Onancock and is available to the Town of Onley should they wish to utilize it. He stated that the Town of Onancock feels that it will be beneficial to Onley to hook into a \$10,000,000 system with no cost to the town. Mr. Finney asked what the next step is if we are interested. Mayor Jones said that if we are interested, we will need to contact Accomack County.

Presentation – ES Communications

Mr. Don Imhoff from Eastern Shore Communications gave a presentation on bringing better internet service to the town. A copy of his presentation is attached. There were many questions and much discussion about this issue. Mayor Pierson did not want Council to make a decision on this matter tonight. Mr. Finney disagreed adding that the town never does anything for its citizens. Mr. Zember said that he has never seen so many things tabled until a later date as this Council has done over the last few years. Mr. Hart stated that he feels this is an investment in the community and in the long run will be in the best interest of the town.

Motion: To accept the proposal and lease from Eastern Shore Communications upon review by the attorney by Matt Hart and seconded by Ted Bliss. 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 January 17, 2017 (Postponed from January 5th) Regular Monthly Meeting by Dawn Dize and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey said that there have been two protests within the Town of Onley this past month and he himself served as a mediator and both went very well. He commended Officer Long for doing such a good job adding that several residents have commented to him what a good job that Officer Long does.

Motion: To approve the Police Report by Ted Bliss and seconded by Woody Zember. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Motion: To accept the March 2017 schedule 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

Treasurer's Report

Ms. Salazar gave her monthly report.

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

Zoning Administrator's Report

Mr. Pavlik gave his report. A copy of the report will be attached to the minutes. In the matter of the cleanup of the Nicolls property, Ms. Salazar stated that she and Mr. Simpson visited the site and Mr. Simpson is willing to take the job at a cost of \$2,200.00. A copy of the quote is attached.

Motion: To accept the proposal in the amount of \$2,200.00 for the cleanup of the property as well as the addition of attorney fees and any other costs for the purpose of cleaning up the Nicolls property in question 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

Attorney's Report

Ms. Kellam stated that in the matter of edging the walkways, the town has the right to maintain them so we can proceed with edging. In the matter of investments, she said that the town can invest the money but it needs to be a conservative investment and we should use a firm that is experienced in investing public funds. Lastly, she stated that she has drafted the re-zone ordinance and worked on the Nicolls property clean-up.

Public Works

Ms. Salazar stated that they have continued with litter pickup and cleaning the storm drains. They did some snow removal at the town office. They have cleaned the ditches on Forest Drive several times this month to help with the draining problem over there. They have begun the process of cleaning Coastal Blvd. and East and West Main Street. They will continue this project into the coming month.

Planning Commission Report

There was no planning commission report.

Old Business

Mr. Finney said that the invoice for the pagers has been created but it has not been delivered to John Roache as of this date.

Mayor Pierson said that in the matter of the new town office, they have opened a discussion with a local contractor and once they have some information, they will share it with everyone. He added that George McMath has agreed to work with the town on getting the building project off the ground.

Mr. Zember added that he has worked with Mayor Pierson as well and he thinks they will be making a move very soon.

New Business

Ms. Dize said that she has spoken with Chris Isdell at VDOT and was informed that there is no plan to install sidewalks in Onley. She expressed interest in adding additional sidewalks to the south side of Coastal Blvd. She added that he said there are a lot of restrictions on adding sidewalks as well as the need to survey and possibly purchase the property. Mr. Isdell also suggested that Ms. Dize contact Branscom to see what information they can provide. Lastly, she asked Mr. Isdell for an estimated cost and he said upwards of \$100,000.00. She was hoping that there may be a grant that could cover the cost adding that Ms. Salazar mentioned the possibility of CBDG funds. Council okayed Ms. Dize to contact Branscom and proceed with the inquiry. Mr. Zember said that the town has the money to spend on beautification and we need to do so.

Mr. Finney said that he feels the town needs to appoint or hire a town manager. He asked council's opinion on this matter. Mr. Bliss said that he feels there should be some accountability to the Council and we don't have that now. Mr. Zember agreed adding that he thinks we already have someone that is qualified. Mr. Hart said that having a town manger would allow the Council to come up with ideas and have someone else to do the legwork. Ms. Rillo agreed that we need someone to make things happen. Mr. Finney asked that Ms. Kellam look into the procedure for hiring a town manager. He questioned whether or not we need to change the charter or if can do so through a resolution. Mr. Zember asked who will write the job description. Mr. Finney said he believes we already have one. Ms. Kellam stated the job description can consist of whatever Council wants.

Public Comments

Billye D. Custis asked where the job description came from. She added that there were no job descriptions when she became Mayor. She then said that she and the Council created several job descriptions but they did not create one for town manager. She suggested that they contact other towns and use theirs as a guideline.

Deborah Bliss asked whether the plan is to put sidewalks on the north or south side of Coastal. Ms. Dize said it will be the south side. In the matter of edging, Ms. Bliss asked if we have someone to do the edging. Ms. Salazar said that Mr. Simpson will do the edging along with the grass cutting.

Bennie Tatum asked who will be responsible for cutting the grass in a ridge near him on Pennsylvania Avenue. Ms. Salazar asked who owns the property and then added she will come and look at it. John Dennis stated that there's going to be a problem anyway since there are some areas that the curbing is so high, you won't be able to cut it with a riding mower.

Laurice Hohlt said that she does not think the public comment should be at the end of the meeting. She added that if something comes up or a decision is made during the meeting, once she is able to speak at the end of the meeting, it is often too late. She added that she had a question for the representatives from Onancock and now they have gone. She also said that she did not see a notice about this meeting at the post office and she would like to know how she was supposed to know about the meeting. Mayor Pierson pointed out that this meeting was advertised twice in the local newspaper. Lastly, she said that during the snow storm, there was a car with a flashing light in front of her house all night and she never

saw anyone check on the car. Chief Spivey stated that he checked on that car six times that evening and once again the next morning. He added that a deputy and a trooper also checked on the car.

Mayor Pierson asked if Council would consider moving the Public Comment section to the beginning of the meeting. Ms. Dize pointed out that everyone was allowed to speak up as they had questions throughout the meeting tonight and if someone didn't speak up that was their choice. Mr. Zember said he feels the public needs to be more involved. Billye D. Custis said that the VML suggests comments be at the end so then everyone has heard everything. Mr. Finney agreed with Ms. Dize, adding that if you wish to speak during the meeting, all you need to do is raise your hand and be recognized. Mr. Hart said that it would be nice if other residents knew what is going on. He suggested that we create a Facebook page or some avenue of social meeting. Chief Spivey said that he too believes that social media can be a great source of information for our town but we will need to have a strict policy in place as to who can post on these sites as well as what sort of information.

Deborah Bliss said that there are requirements for advertising meetings and she does not believe that Facebook meets those requirements. Mr. Hart commented that Facebook would be in addition to the other advertising – not a replacement for it. Ms. Dize said that she thought we advertised in the post office. Ms. Salazar said that we post all regular meetings on the message board at the town office and the website adding that special meetings are advertised in the banks, post offices, sometimes radio and newspaper ads are run as needed.

Council Comments

Mr. Bliss thanked everyone for coming and said that he feels we did accomplish some things tonight. Mr. Finney thanked everyone for coming as well as the employees. He added that the way he votes and the things that he says are just what he feels is best for the town and it is not meant to be taken personally.

Mr. Zember said that he feels if someone from the public has a question during a meeting, they should be allowed to speak sooner than the end of the meeting. Mayor Pierson said that we do that on most occasions but we're not going to make it so anyone can speak whenever they want and have meetings with constant interruptions.

Mr. Hart thanked everyone and stated that he is excited about the internet decision that was made tonight. He said that we need transparency and we need to get the word out to the public. He would like to see social media as a way to do that.

Ms. Rillo thanked everyone for coming. She thanked the employees and the other Council Members.

Ms. Dize said that it is nice to have the input from residents. She said she is in favor of hiring a town manager.

Adjourn

Motion: To adjourn at 9:04pm 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

Respectfully submitted by,

Jamye Salazar
Clerk/Treasurer

Jack Pierson
Mayor