

Onley Town Council Minutes of March 6, 2017

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 West Main Street, on the 6th day of March 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
Jamye Salazar, Clerk/Treasurer
John Spivey, Chief, Onley Police Dept.

Call to Order

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

Invocation & Pledge of Allegiance

The invocation was given by Susan Rillo and the Pledge of Allegiance was led by Matt Hart.

Adoption of Agenda

Mr. Finney asked to add item 7D. New Town Office under Old Business.

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

Consideration of Minutes

Ms. Dize asked to have a correction made under Public Comments. She said that the comment should state that Billye D. Custis and the Council wrote job descriptions.

Motion: To adopt the minutes of the February 6, 2017 Regular Monthly Meeting with the correction 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

Motion: To adopt the minutes of February 16, 2017 Special Meeting 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

Department Reports

Police Report & Schedule

Chief Spivey reported that Sgt. Bennett has been in the hospital and will need to be on sick leave for a while so he has made some changes to the March schedule. He stated that Officer Turner and Sgt. Bennett will be attending CIT training at the end of March adding that this will fulfill their in-service requirements. Chief Spivey stated that he has used \$200.00 from Community Funds for the purchase of teddy bears to keep in the patrol cars. He followed up from a telephone poll approving the expenditure of \$2,325.84 for the repair of the 2012 Charger. Lastly, he said that the hospital is open and his department will be making daily patrols. Mr. Bliss asked how much we have spent on repairing the 2012 Charger. Chief Spivey stated that other than this amount, there has not been a lot spent on this car. There have been some recalls but the town was not responsible for the costs. Mr. Bliss also asked if we

have mutual aid agreement with the Town of Onancock. Chief Spivey stated that we do have a mutual aid agreement with the Town of Onancock and the ACSO noting that the hospital is in the County. Mr. Hart asked Chief Spivey what the policy is on cell phone usage while on duty. Chief Spivey stated that they are allowed to use their cell phones while on duty. Mr. Hart asked for how long. Chief Spivey said that he has never addressed it. Mr. Hart said that almost every time he sees several of the officers, they are on their phone. He asked that Chief Spivey purchase a hands free device for them to use. Chief Spivey agreed to look into the matter. Lastly, Mr. Hart requested that Chief Spivey get more than one estimate for the vehicle repairs. Chief Spivey stated that since there were some warranty issues, it is important to use dealerships for the repairs. As far as any other repairs, Shore Tire & Auto is the only business in town and he does like to support town businesses. He added that we also get front of the line treatment with Shore Tire and they are also the only state contract dealer. In the matter of the hands free device, Mr. Zember stated that the town should pick up the costs of the device if it is something that we are requiring. Chief Spivey agreed.

Motion: To accept the re-revised March 2017 schedule 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

Motion: To accept the April 2017 schedule 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

Treasurer's Report

Ms. Salazar gave her monthly report. Mr. Bliss asked Ms. Salazar what documentation is required for the meetings. He said that it would be easier to have a one or two-page summary of her report. Ms. Salazar stated that while she will certainly do whatever Council wishes, the report that she provides does meet the auditor's requirements. She further added that it is important to have transparency when dealing with the finances of the town. Mr. Bliss said that he feels a lot of man hours must go into creating this report. Ms. Salazar stated that the information is entered throughout the month as the work happens and the report is basically printed for Council's review once the month is over, therefore, you are talking about minimal man hours to create the various reports. Mr. Zember asked if it will be possible to get the account balances for the last two years. Ms. Salazar stated that it is possible adding that she has all of the reports saved and hard copies as well.

Motion: To Pay the February 2017 Payables by Ned Finney 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

In the absence of Mr. Pavlik, Ms. Salazar read his report into the minutes. A copy of the report is attached.

Attorney's Report

Ms. Kellam said that she worked on the ES Communications contract and completed that. She facilitated the Nicolls clean-up with Mr. Pavlik and researched town manger information. She said that in order to hire a town manager, that person would be a town employee, so we do not have to change our charter or pass a resolution. Mr. Finney said that we want to appoint a town manager- not hire one. Ms. Kellam said that legally there is no law that says we have to advertise the position, however, in 2009 Council adopted a Personnel Policy that says all positions shall be open to all individuals but first consideration shall go to current employees. She said that if we do hire a town manager, that person should have a contract. She suggested that Council talk about specifics as far as what they want in a town manager. Mr. Finney said that he has provided everyone with a sample job description used by the Town of Onancock. He feels that will serve as a template for Council to use and make any changes that would benefit our town. Mayor Pierson asked how the Council can have someone in mind since it has not been

discussed. Mr. Finney said that he would like to appoint Ms. Salazar to the position. Mr. Hart said that he would like to discuss it more before any decisions are made.

Public Works

Ms. Salazar said that they have done the normal clean-up of the town. In the matter of the utility pole at the office, Bennie Tatum has tied off the electricity and Adam Simpson will remove it in anticipation of the new pole to be delivered. Ms. Dize asked that they clean up E. Main Street especially the leaves and grass. She asked that we request two men to catch up on some of the street cleaning. She also asked that he pay close attention to the storm drains especially the one by the church. Ada Jo Amadeo asked that Ms. Salazar send someone to her side of town adding that she has had to pick up trash over there herself for some time. Ms. Salazar said that she will send someone over there but she added that she believes that the property in question is not Town property but privately owned so she will contact the property owner and make them aware of the problem if necessary.

Planning Commission Report

Rose Pierson said that the Planning Commission submitted a recommendation to change the size of real estate signs along Route 13. They are continuing to update the Comprehensive Plan as well as working on the definition of banners and feather flags.

Old Business

Mr. Finney stated that there is a new person planning to take over as Chief of the OVFD so he has been waiting to take them the bill for the pagers. It is Mr. Finney's understanding that as of right now, Chief Davis is still in charge so he is planning to take the bill to John Roache, the President of the Board. Mr. Hart asked what the value of the pagers is. Ms. Salazar said she does not have that exact information with her but the bill is approximately \$7,200.00. Mr. Hart thinks that Council should depreciate the pagers and bill for that amount. Mr. Bliss stated that the problem is the fire company does not know where the pagers are- it's not a matter of the value of the pagers. Mr. Finney agreed and said that they signed for the pagers and agreed that if they did not keep track of our pagers, they would be responsible for reimbursing the town. Mr. Hart feels that the fire company has been through a lot over the last three years and he doesn't think we should add to their woes. Mr. Zember said that we should send them a bill every month and perhaps make a compromise on the value of the pagers.

Mr. Finney said that Officer Long put together a packet for VDOT with pictures of about 80 sidewalks in town that are in need of repair. Ms. Dize asked to speak and thanked Officer Long for his work on this matter. She said that she has not called Branscom about Coastal Blvd because there are sidewalks that are in need of repair. There was much discussion about this matter. Council asked Ms. Kellam to contact Chris Isdell at VDOT and find out who is responsible for the sidewalk repairs.

Mr. Finney presented Council with building plans that were created by GMB back in December 2015.

Motion: To pursue the construction of the building designed by GMB by Ned Finney and seconded by Susan Rillo. There was no vote taken at this time. Mayor Pierson asked that before Council proceeds with this building, they consider another option that he has been working on with local builder, Ed Weber. He said that the building that he is proposing is a little bigger than the current town office and includes the addition of a meeting room. He asked that Council let him bring in a sketch of that building before any decisions are made. Mr. Finney said he is not in favor of that- he wants to move forward with the plans we already have. **He repeated his previous motion adding that he wants to spec it inside and out.** Mr. Hart asked that we get two different bids from each contractor – one on a concrete slab and one with a crawlspace. Mr. Finney said that may not be possible and it will depend upon what the engineer thinks we need. Mr. Zember would like to follow up with the Mayor and Mr. Weber and have

another option. The Mayor said that he thinks the decision is made and we should proceed how Council wishes.

There was a vote taken at this time on Mr. Finney's Motion: Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-abstain; Finney-yes. MOTION PASSED

Mr. Finney asked Mr. Zember what his reason for abstaining is adding that you have to have a valid reason not to vote. Mr. Zember replied that he would like to move forward with another set of plans. Mr. Finney then said "then your answer should be no". Billye D. Custis said that Mr. Zember does need a legal reason to abstain from voting.

Mayor Pierson said that he will have to get a bill from Mr. Weber for the work that he has done on the building. Mr. Hart stated that we never approved the expense of meeting with Mr. Weber. Mayor Pierson said that he is allowed to spend \$500.00 without Council's approval. Mr. Hart said that he does not charge for giving estimates.

New Business

Mr. Zember proposed the possibility of placing flowers on the four corners of Main Street and Coastal Blvd. at the stoplight intersection. The flowers cannot exceed two feet per VDOT requirements and the Onley Baptist Church doesn't feel it will be a problem for them. He added that Jan Siglin has offered to advise us on the type of flowers that we can plant there. He suggested that we have Simpson take care of the flowers. Ms. Salazar said that while Mr. Simpson is happy to help wherever he can, he cannot commit to watering and tending flowers every day especially during the warm months when there is no rain. Mr. Bliss expressed concern that this project may affect our ability to have the crosswalk put in place. There was some discussion as to how to plant flowers at those locations since most of that property is concrete. Mr. Hart expressed concern about the possibility of watering and tending flowers in pots. He also would like to plant something other than flowers since they are so high maintenance. Ms. Rillo suggested purchasing planters for each business in the business district and ask them to be responsible for taking care of the plants/flowers. Mr. Zember said he does not feel that \$1,000.00 is enough for beautification and he would like to acquire three bids for this project and vote on this at the April meeting. Council agreed and also asked that Mr. Zember have a plan in place for watering and tending the flowers before we proceed. Lastly, Mr. Zember proposed the possibility of purchasing banners and street light poles for town. He has an information packet that he will leave at the town office and asked that Council stop in and look at it.

Ms. Salazar said that we need to purchase Biomist for the upcoming season. The state contract price is \$1,883.75.

Motion: To purchase two 55 gallon drums of Biomist at a cost of \$3,767.50 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

Ms. Salazar stated that we have had several complaints about chickens in town. She said that we do not have any ordinance in place pertaining to chickens. Council asked that Ms. Kellam look into what our options are and the possibility of enacting an ordinance. Ms. Kellam said that she can certainly create an ordinance but she will need some guidance from Council. Chief Spivey asked that Council also consider a revision of the dog ordinance since it is almost unenforceable.

Council set the date of the spring clean-up for April 1-9 with pick up to begin April 10.

In the matter of the town manager, Mr. Finney asked that everyone look at the job description and come back and discuss it at next month's meeting. Mr. Bliss asked if we should also look into hiring for the new position. Mr. Finney said he would like that.

Public Comments

Billye D. Custis said that in the matter of three estimates for vehicle repairs, we did deal with Shore Tire when John Kellam was Mayor but we stopped because they were always the highest estimate. She said that the town manager that we did have was \$40,000.00 per year and she was also the zoning administrator and the year that she became Mayor, the previous Council did not have the money to pay her and she was let go. In the matter of OVFD, she said that they shouldn't be in dire straits because all of the embezzled money has been paid back and they still get quite a bit from the County. She reminded Council that if they are going to proceed with the building as proposed tonight, they need to have an office for the town manager if they are planning to hire one.

Council Comments

Mr. Finney thanked Mr. Hart for what he has done for the town stating that he has helped the town to look very good. He thanked his fellow Council Members and the town employees.
Mr. Zember said he agrees that Mr. Hart has done a nice job of making the whole corner look nice which is why he would like to continue with beautification throughout the town. He would like to start using the intercom for the meetings. Ms. Salazar stated that we do not have one. He thanked everyone for coming.
Mr. Bliss thanked everyone and added that Mr. Hart has done a nice job. He anticipates a lot of discussions and a lot of meetings with the building of a new town office. He agrees that we need a town manager and hopes that we take our time and make the right decisions.
Ms. Dize congratulated Mr. Hart. She thanked Council, Ms. Salazar, Chief Spivey and Officer Long for their hard work. She added that she would like to see everyone be kinder to each other.
Ms. Rillo congratulated Mr. Hart. She thanked Council and the employees for all their hard work. She likes the idea of the police making a presence at the hospital.
Mr. Hart thanked everyone for their kind words. He was pleased to see everyone come out and support him at the grand opening.

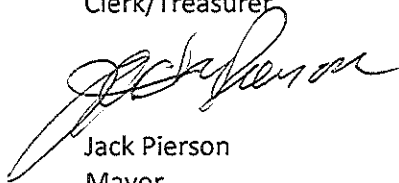
Adjourn

Motion: To adjourn at 8:47pm by Ned Finney and seconded by Ted Bliss. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,



Janye Salazar
Clerk/Treasurer



Jack Pierson
Mayor