

Onley Town Council Minutes of May 5, 2014

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 5th day of May, A.D., 2014:

Members Present: Jack Pierson, Mayor
Billy Chance
Dawn Dize
Ned Finney, Vice-Mayor
Fred Gardner
Susan Rillo
Don Strautz

Staff Present: Walter Marks, OPD Chief of Police
Jamy Salazar, Treasurer
Cela Burge, Town Attorney

Invocation/Pledge of Allegiance

The invocation was given by Don Strautz and the Pledge of Allegiance to the Flag was led by Billy Chance.

Call to Order

The Regular Monthly Town Council meeting was called to order by Mayor Pierson at 6:30pm.

Adoption of Agenda

Mayor Pierson asked that before the minutes of April 15, 2014 are accepted – a change be made reflecting the location of the meeting at the town office – not the fire house.

Motion: To adopt the agenda by Ned Finney and seconded by Don Strautz.

Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Consideration of Minutes

Motion: To approve the minutes of the April 7, 2014 Regular Monthly Council Meeting by Don Strautz and seconded by Ned Finney. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To approve the minutes of the April 15, 2014 Onley Town Office Building Committee Meeting with the above mentioned change by Ned Finney and seconded by Susan Rillo. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To approve the minutes of the April 16, 2014 Recessed Meeting/Budget Workshop by Dawn Dize and seconded by Fred Gardner. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Marks gave an overview of the monthly police report. Mr. Strautz asked if Officer Long was at training. Chief Marks stated that he was.

Motion: To approve the June 2014 Police Schedule by Ned Finney and seconded by Fred Gardner.

Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Treasurer's Report

Ms. Salazar asked for a motion to pay the payables. She gave an overview of the budget for the month of April. She pointed out that the CD at Shore Bank has been renewed per Council's request at the last meeting.

Motion: To pay the Payables by Ned Finney and seconded by Susan Rillo. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Salazar stated that as of today, Pickles Subs & Deli Sandwiches is still delinquent \$165.87 but that is significantly less than what they owed a month ago. She added that she hopes to collect that amount along with the April 2014 meals tax due May 20th. Mr. Strautz thanked Ms. Salazar and Ms. Burge for their work on this matter.

Ms. Salazar stated that there was some question at the budget workshop about the cost of County decals. She had Ms. Amadeo call the Treasurer's Office and the Commissioner of Revenue – both stated that county decals are \$27.00. She added that there were no changes made in the proposed budget reflecting an increase so nothing needs to be changed on that.

In reference to the stored paperwork in the pod, Ms. Salazar stated that Joel Parks has started the process of sorting the documents and the next step will be to scan them to a USB drive. She added that appropriate steps for destruction will also be taken per the Library of Virginia.

Mr. Strautz asked who works on the town's computer issues. Ms. Salazar stated Marvin Giddens from D&D Computing does much of it but Officer Spivey is also very knowledgeable and helps as much as possible.

Zoning Administrator's Report

Mayor Pierson stated that we still need a zoning administrator. He knows someone that may be interested but he has been unable to reach him. He asked that if anyone else knows someone qualified they have them contact the town office. Ms. Salazar stated that there have been several grass complaints and she would like permission to speak with Ms. Burge about the possibility of writing some letters. Council agreed. Mr. Strautz asked if Council was in agreement with putting an ad out in search of someone to fill this position. Council agreed and asked that Ms. Burge take a look at the ad as well as the job description. It was suggested that perhaps a new job title is required – one that encompasses enforcing all ordinances – not just zoning.

Attorney's Report

Ms. Burge gave an update on a matter that was discussed at a meeting a few months ago regarding prayer at public meetings. She stated that the Supreme Court made a decision today to reverse the previous decision to not allow prayer at public meetings. The VML is staying on top of this issue and will soon offer some guidance with this matter.

Ms. Burge stated that she has started the process of Planning Commission training. She has conducted the first of two sessions and the feedback was positive. She pointed out that the zoning administrator and the Town's planner are two different roles. She added that enforcing town ordinances (not zoning ordinances) is not the role of a zoning administrator. She wants this to be very clear when a new zoning administrator is hired because that job encompasses more than just being the zoning administrator.

Old Business

Mr. Finney stated that the building committee met and made numerous changes to the plans in an effort to cut costs. Ms. Burge asked to have a look at the changes when they are available so that she may direct the committee and Council on their next move. She added that she feels in an effort to be fair, once the changes are made, a new RFP should be issued that allows for all new bids from anyone

interested. She also suggested that Council reject the bids received and reminded Council that another pre-bid meeting will be necessary in order to issue another bid package.

Motion: To reject the bids received in order to issue another bid package by Ned Finney and seconded by Susan Rillo. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

There was no grant coordinator's report. Ms. Salazar stated that Chief Marks and Officer Spivey have been putting a list together for Byrne Jag grant purchases. That list will be presented at next month's meeting. Mr. Strautz asked Ms. Salazar to look into the possibility of a grant to purchase furnishings for the new building. Ms. Salazar stated that she has spoken with Ms. Finney about the possibility of her helping with this since she herself does not have a lot of grant experience.

Ms. Salazar stated that Council needs to decide if the proposed budget they worked on at the budget workshop is ready to go to public hearing or if they wish to meet to discuss it further. Mr. Finney stated that he would like to see some money put into the 2014-2015 budget for the purpose of acquiring a town playground but he feels that we should send the current proposed budget to public hearing and amend it later if necessary.

Motion: To send the 2014-2015 Proposed Budget (containing no tax rate changes) to Public Hearing by Ned Finney and seconded by Dawn Dize. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Council agreed to meet on May 12, 2014 at 6:30pm at the Town Office to finalize the RFP for Public Works. Mr. Finney stated that the weekly grass cutting is working out nicely. Ms. Salazar stated that the sidewalks and ditch on Pennsylvania will be sprayed later in the week. Mr. Finney stated that the ditch on Forest Drive needs to be cleaned out and there are some places in Town that VDOT should be cutting but they are not so he would like to add those places to the scope of work. Mr. Gardner asked if the work that VDOT did to address the standing grey water is making a difference. Mr. Strautz stated that there is a dip in the road but there is not as much water standing. Mr. Finney does not feel that what they did is going to solve the problem. He feels that a storm drain needs to be put in.

Chief Bill Ferguson from the Onley Volunteer Fire & Rescue Company spoke of the need for an electric stretcher. The cost of the stretcher is \$11,000.00.

Motion: To give the Onley Volunteer Fire & Rescue Company a donation in the amount of \$12,000.00 for a stretcher by Ned Finney and seconded by Fred Gardner. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

The zoning administrator vacancy was discussed earlier in the night.

Ms. Salazar stated that per Council's request at last month's meeting, she sent out RFP's to five accounting firms for the purpose of performing our 2013-2014 Audit. She received two responses. The first was a phone call from Ginsberg Nottingham & Mapp stating that they no longer perform audits and we should remove their name from our bidders list. The second was received from Robinson Farmer Cox Associates in the amount of \$7,500.00.

Motion: To accept the bid from Robinson Farmer Cox Associates for the 2013-2014 Audit in the amount of \$7,500.00 by Don Strautz and seconded by Susan Rillo. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

New Business

Ms. Salazar asked Council when they would like for Mr. Shaw to begin spraying for mosquitoes. She added that there is money in the current budget to purchase Biomist and the cost for a 55 gallon drum is \$1,883.75.

Motion: To purchase one 55 gallon drum of Biomist at a cost of \$1,883.75 by Dawn Dize and seconded by Fred Gardner. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Council wants Mr. Shaw to begin spraying immediately.

Mr. Finney would like for Council to consider the possibility of a town playground. Mr. Cowan is not willing to selling the property across from the town office but there is another lot available next to the fire house. Mr. Finney stated that he spoke with a guy in Pocomoke and he can provide us with swings and other playground equipment for about \$2,000.00-\$3,000.00 each. Ms. Burge suggested that someone look into acquiring grant money for such a project. She believes that there is some available for building handicap accessible playgrounds. Ms. Salazar or Mr. Finney will ask Kristie to look into such grants.

Public Comments

Billye D. Custis stated that when we started with the building, there was a need for a meeting space as well as storage and now storage is being reduced drastically. She also feels that the building needs two bathrooms. In reference to the playground, she feels that it is a good idea in theory but a few things need to be worked out before we really get into it. She suggested an age limit for children playing there to avoid teenagers hanging out. She stated that there is money in the budget for ditch work and she feels that if the Town is going to do ditch work, they need to consider places all over town. She suggested checking with the County to see if they may be some help.

Bruce Bonniwell is in favor taking more money away from the cost of the building and using some of it to have a clean-up like the Town once had. He would like to see items other than yard debris picked up and he feels there are companies out there that could handle that. He also expressed concern about the trees hanging over the sidewalks.

Billye D. Custis feels that June is too late for a clean-up. She suggested that the Public Works RFP require a Fall 2014 and a Spring 2015 clean-up.

Bill Ferguson gave an update on what is happening at the Fire Company. They have implemented a standard operating guideline. There is a lot of youth participation as well as some veteran involvement. The EMS Academy begins in the Fall and there are a lot of people showing interest in that. The new ambulance should be delivered next week. He thanked Council for their help with the stretcher.

Laura Belle Gordy asked that the candidates for tomorrow's election be introduced. She added that she thinks the playground is a good idea.

Bill Ferguson stated that his wife has decided to run as a write-in.

Council Comments

Ms. Rillo thanked everyone for coming and stated that she feels the playground will enhance the Town.

Mr. Gardner thanked everyone.

Ms. Dize thanked everyone.

Mr. Finney thanked Mr. Gardner for his service. He stated that he feels everyone does a good job.

Mr. Strautz stated that he appreciates everyone's concern for the town. He knows that there are some problems but they are being worked on and it's important sometime to reflect on the good and the bad.

Mr. Chance thanked everyone.

Closed Session

Motion: To go into Closed Session at 7:47pm in accordance with Section 2.1-344-A of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion or Consideration of Personnel Matters pertaining to the Police Department, specifically related to officers' performance by Don Strautz and seconded by Ned Finney. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes MOTION PASSED

Open Session & Certification of Closed Session

Motion: To return to Open Session at 8:02pm by Don Strautz and seconded by Susan Rillo.

Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-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: Pierson-yes; Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes.

Motion: To give Officer John Spivey a 3% pay increase effective immediately by Ned Finney and

seconded by Fred Gardner. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes
MOTION PASSED

Adjourn/Recess

Motion: To recess at 8:03pm until May 12, 2014 at 6:30pm by Don Strautz and seconded by Ned

Finney. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes MOTION PASSED

Jamye Salazar, Treasurer

Jack Pierson, Mayor