

Onley Town Council Minutes of July 7, 2014

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 7th day of July, A.D., 2014:

Members Present: Jack Pierson, Mayor
Ned Finney
John Dennis
Dawn Dize
Matt Hart
Susan Rillo
Don Strautz

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

Call to Order

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

Oath of Office for the Council

Donna Belote from the Accomack County Clerk's Office delivered the oath of office to Council members who had not been previously sworn in.

Invocation & Pledge of Allegiance

The invocation was given by Don Strautz and the Pledge of Allegiance was led by Ned Finney.

Appointment of Council Member to Planning Commission & Appointment to Planning Commission

Motion: To appoint Don Strautz to serve as the Council liaison to the Planning Commission by Dawn Dize and seconded by Matt Hart. Vote: Dennis=yes; Dize=yes; Hart=yes; Finney=yes; Rillo=yes; Strautz=yes. MOTION PASSED

Oath of Office for Planning Commissioners

Donna Belote from the Accomack County Clerk's Office delivered the oath of office to the Planning Commissioners in attendance.

Adoption of Agenda

Motion: To adopt the agenda by Ned Finney and seconded by Susan Rillo.

Vote: Dennis=yes; Dize=yes; Hart=yes; Finney=yes; Rillo=yes; Strautz=yes. MOTION PASSED

Consideration of Minutes

Motion: To approve the Minutes of the June 2, 2014 Public Hearing for Proposed 2014-2015 Budget & Regular Monthly Council Meeting by Ned Finney and seconded by Dawn Dize. Vote: Dennis=yes; Dize=yes; Hart=yes; Finney=yes; Rillo=yes; Strautz=yes. MOTION PASSED

Motion: To approve the Minutes of the June 16, 2014 Recessed Council Meeting by Ned Finney and seconded by Matt Hart. Vote: Dennis=yes; Dize=yes; Hart=yes; Finney=yes; Rillo=yes; Strautz=yes. MOTION PASSED

Ms. Burge stated for future reference it is a good idea to abstain from approving minutes for meetings that you were unable to attend.

Department Reports

Police Report & Schedule

Chief Marks gave the monthly police report. Mr. Dennis asked why there are often three officers working mid-week and only one on weekends. Chief Marks stated that he can make changes but this schedule has been used for the last three years. Mr. Finney asked if Ms. Salazar can poll the Council at a later date to approve the schedule once the changes have been made. Ms. Burge stated that while it has been Council's practice to approve the schedule – it is not a requirement. Mr. Strautz asked why Officer Long's ticket numbers were so low. Chief Marks explained that Officer Long was unable to finish entering his tickets into the system before the report was generated.

Motion: To accept the August 2014 schedule by Don Strautz and seconded by Matt Hart. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Treasurer's Report

Ms. Salazar pointed out that all of the bank franchise tax has been received. She asked that Council consider moving some more money from the regular checking account noting that the balance is well over \$200,000. She gave an overview of the budget and stated that there are no additional payables. Mr. Dennis had a question about one of the payables. He stated that he would like to see a report detailing how much gas and mileage is being used for each police car. Ms. Salazar stated that she has a breakdown of the gas being used on the monthly bill but the actual mileage will need to be addressed by Chief Marks. Chief Marks stated that the mileage is kept on the daily work logs. Ms. Burge stated that the standard reports required each month are given to each Council member and available to the public. She suggested that if there are additional reports that Mr. Dennis would like to see, Council will need to discuss and then decide the information that they want and in what format. Mayor Pierson asked Mr. Dennis to put together a list of new reports for Council to consider.

Motion: To Pay the June 2014 Payables by Ned Finney and seconded by Dawn Dize.

Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Salazar gave an update on the Rainy Day Fund. A copy of the update will be attached to the minutes.

Zoning Administrator's Report

Ms. Burge spoke in the absence of a zoning administrator. She stated that she has made several changes to the zoning administrator job description. She has spoken with Elaine Meil from the ANPDC about the possibility of contracting their services for zoning. She is currently waiting to hear back from her. She stated that she has answered several zoning questions this month – a sign question from the hotel, a request involving zoning allowances at the Wine Rack, setbacks at St. Peter's Church and finally a change of use question posed by Four Corners LLC. Ms. Dize asked if anyone replied to the ZA job ad in the newspaper. Ms. Salazar said there was no response. Mr. Finney suggested that Ms. Salazar consider the position. Ms. Salazar stated that while she may have the time, she feels that she would require a lot of training since her knowledge of zoning is very limited.

Attorney's Report

Ms. Burge read Ordinance 001-14 for the Motor Vehicle Code of Virginia into the minutes. A copy of this ordinance will be attached.

Motion: To adopt Ordinance 001-14 by Roll Call Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Burge asked that when a roll call vote is taken, Council answer audibly.

Ms. Burge has completed the public works contract to be signed by Mr. Simpson. Mr. Dennis asked to make a comment about the public works contract. He stated that there are several areas of grass that are being missed, the weed eating is not being done properly and there are some limbs on W. Main street that were not picked up during the clean-up. Ms. Siglin said that no trim work is being done at the train station. Ms. Salazar asked that Ms. Siglin meet Mr. Simpson and show him what he is missing. Ms. Dize stated that there are two houses on Coastal Blvd. that have limbs out but they were put out after the clean-up.

In reference to the Nicolls property, Ms. Burge spoke with Mrs. Nicolls last week and she confirmed the property has been placed for sale. She told Mrs. Nicolls that the town will now begin to proceed with the clean-up. Ms. Nicolls is still concerned about the missing pontoon boat.

Lastly, Ms. Burge stated that she has prepared a MOU with OVFD for the purpose of securing land for a recreational area. She apologized to Council if she misunderstood and incorrectly did this against their wishes. She did send a copy of the MOU to Chief Ferguson but has had no response.

Motion: To allow Ms. Burge to proceed with the MOU with OVFD by Ned Finney. There was no second at this time.

Mr. Strautz stated that according to last month's minutes, Mr. Finney asked for this to happen and there were no objections – he is unsure why this has been a surprise to some people.

Motion: To proceed with an agreement with the OVFD for the use of their property for the town playground by Don Strautz and seconded by Dawn Dize. Vote: Dennis-no; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To have Ms. Burge meet with Chief Ferguson from the OVFD to discuss the MOU for the playground. Vote: Dennis-no; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Mr. Finney asked Mr. Dennis why he is against the playground. Mr. Dennis replied that he does not feel the homework has been done yet. There are still a number of unanswered questions and he would like answers before committing the Town to this project.

Old Business

Mr. Finney stated that due to the controversy over the new building, he feels that Council should cancel plans to build. He stated that he is not in favor of canceling it since it will cost more the longer we wait but feels it is necessary to cancel it at this time since no agreements can be reached.

Motion: To not build a new Town Office by Ned Finney and seconded by Don Strautz. Vote: Dennis-no; Dize-no; Hart-no; Finney-yes; Rillo-yes; Strautz-yes.

The vote was tied so Mayor Pierson cast the deciding vote of no. MOTION FAILED

There was no zoning administrator's report.

Ms. Salazar stated that she had been told there would be a resignation on the Planning Commission leading to a vacancy. That did not happen at this time.

Ms. Burge opened the bids for garbage pickup. Waste Management's bid was \$45,819.00 per year. David Disposal's bid was \$38,172.00. A copy of the bids will be attached.

Motion: To accept the bid from Davis Disposal in the amount of \$38,172.00 per year by Ned Finney and seconded by Matt Hart. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes.

MOTION PASSED

The Nicolls property and zoning administrator vacancy were discussed earlier in the night.

New Business

Mayor Pierson opened the floor to nominations for the Vice-Mayor position.

Motion: To nominate Ned Finney to the position of Vice Mayor by Matt Hart and seconded by Dawn Dize. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To appoint Jamye Salazar to the position of Treasurer by Dawn Dize and seconded by Ned Finney. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To appoint Cela Burge to the position of Town Attorney by Dawn Dize and seconded by John Dennis. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Salazar explained that the current health insurance plan through Optima is no longer available. There is a comparable plan with a considerable rate increase or several options have been presented to us by Anthem. A copy of the rate/option sheet will be attached to the minutes.

Motion: To accept Anthem Plan/No Deductible (GIBA) for our employees by Don Strautz and seconded by Ned Finney. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To adopt the 2014-2015 Meeting Schedule by Don Strautz and seconded by Susan Rillo. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Dize asked for Council to approve spending some money on beautification. Ms. Salazar stated that there is \$200.00 in the coming budget for beautification. There was some discussion about grass in sidewalks, dirty gutters and weeding around Town. Ms. Salazar stated that she can speak with Mr. Simpson about these issues but did remind Council that he was not under contract until July 1st. Mr. Finney agreed that some money needs to be spent to beautify the Town. Ms. Dize would like to come up with a plan to present to Council. She mentioned the possibility of forming a beautification committee. Mr. Dennis stated that there are several tree limbs that need to be trimmed and some residents who need to cut their grass. Mayor Pierson stated that Ms. Salazar has a letter that she sends to residents addressing grass issues. He asked Mr. Dennis to let Ms. Salazar know the names of anyone in need of a letter. Ms. Burge mentioned that in reference to the tree limbs, the Town is unable to go on private property unless it is a driving hazard.

Public Comments

Billye D. Custis read a statement into the minutes and asked that a copy be attached to the minutes. Laura Belle Gordy stated that she has trouble hearing at these meetings. She asked that Council members speak up and speak clearly. She is in favor of a town building, although she does not think we need something so grand. She will be glad to help with beautification if needed. She is not sure that it is a good idea to partner with the OVFD about the playground until they have resolved some of their own issues.

Council Comments

Ms. Rillo stated that she voted against the building because she feels no progress is being made. She feels that if we are going to build- we need to spend the money to get what we need.

Mr. Dennis agreed that Council has been spinning their wheels over the building. He is in favor of building a simple building that meets the Town's needs. He suggested that each Council member walk the Town and have a look at what needs to be done. He added that every street has problems.

Ms. Dize stated that she has been complaining for months about the litter in Town as well as the overall appearance. She would like suggestions for how to beautify the town. She agreed that the longer we wait to build the more it's going to cost. She added that she knows mistakes have been made but everyone is human and she does feel that everyone is doing what they feel is best for the Town.

Mr. Hart stated that he is excited about embarking on his first term. He is in favor of a building. He is in favor of renovating an old building and spending no more than \$300,000.00. He would like to see a more professional setting for the town meetings. He is also in favor of a playground but he would like to see it on town owned land.

Mr. Strautz welcomed Mr. Hart & Mr. Dennis to Council. He stated that hindsight is clearer than foresight. He reminded everyone that the Town can't just go on someone's property to make changes or

clean-up. We can't even tell them to do it in most cases and even then there is a process. He commended those who have been helping with litter pick-up but added that not everyone has time to walk the town.

Mr. Finney stated that effective immediately he is resigning from the building committee. He said that T&W Block has donated 4 tons of gravel to repair the parking lot at the town office. He stated that he just learned today that Billye D. Custis came into the office complaining about matters in town and claiming to call WAVY TV. Ms. Custis stated that she will not be grilled in this meeting. She added that everyone comes here and talks about things but nothing gets done. She stated that Ms. Burge should not have created the MOU with OVFD based solely on Mr. Finney's request. Ms. Burge stated that is why she apologized earlier in the night if she acted in error. Mr. Finney asked that going forward if Ms. Custis has a problem with him, she contact him. Ms. Custis stated that Kerry Anderson suggested that someone call Ned Finney and no one did. Ms. Custis stated she will call Mr. Finney in the future. Ms. Gordy asked that Mr. Finney reconsider resigning from the building committee. Ms. Dize agreed and asked Mr. Finney to reconsider. Mr. Finney declined. Ms. Dize asked that everyone try and remember that we're all human and mistakes will be made but it's important to try and remain professional and courteous to one another.

Adjourn/Recess

Motion: To adjourn at 8:22pm by Ned Finney and seconded by Dawn Dize. Vote: Dennis-yes; Dize-yes; Hart-yes; Finney-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Respectfully Submitted,

**Jamye Salazar
Clerk/Treasurer**

**Jack Pierson
Mayor**