

Onley Town Council Minutes of August 10, 2015

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the VVA Building, 25534 East Main Street, on the 10th day of August, A.D., 2015:

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

Members Absent: Don Strautz

Staff Present: John Spivey, Chief of Police
Jamye Salazar, Treasurer
Cela Burge, Town Attorney
John Pavlik, Zoning Administrator

Call to Order

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

Invocation & Pledge of Allegiance

In the absence of Mr. Strautz, the invocation was given by Mayor Pierson and the Pledge of Allegiance was led by Susan Rillo.

Adoption of Agenda

Motion: To adopt the agenda by Ned Finney and seconded by John Dennis.

Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz-absent; Finney=yes. MOTION PASSED

Consideration of Minutes

Motion: To adopt the Minutes of the July 13, 2015 Regular Monthly Meeting by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz-absent; Finney=yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey asked Council for the authorization to spend \$11,056.45 on the in-car camera system. He added that there will be an additional \$300.00 per car installation fee for a total spent of \$12,556.45.

Motion: To purchase the in-car camera systems for the police vehicles at a cost of \$12,556.45 by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz-absent; Finney=yes. MOTION PASSED

Chief Spivey stated that the FBI National Academy has accepted Sergeant George Bennett to the First Line Supervisor's School in Richmond. Sergeant Bennett will be attending from October 5th-9th. The total cost to the town is approximately \$515.00.

Motion: To send Sergeant George Bennett to the FBI's First Line Supervisor School at a cost of \$515.00 by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz-absent; Finney=yes. MOTION PASSED

Lastly, Chief Spivey pointed out that the Department has had another banner month. This past month was record setting in traffic enforcement. There has also been an increase in calls for service and as always, residential and business checks are a priority.

Motion: To approve the September 2015 schedule by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-absent; Finney-yes. MOTION PASSED

Treasurer's Report

Ms. Salazar stated that the auditors have asked to move the 2014-2015 Audit to August 13th & 14th. They were originally coming on September 1st & 2nd. She told Council that she is prepared so the change is not significant.

In reference to the Resolution of Respect for Mr. Shaw, Ms. Salazar asked that Council consider putting this matter off for awhile until Mrs. Shaw feels that she will be able to attend; Council agreed. Ms. Salazar will remain in contact with Mrs. Shaw.

Ms. Salazar gave an overview of the budget stating that this is the first month of the new fiscal year.

Motion: To Pay the July 2015 Payables by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-absent; Finney-yes. MOTION PASSED

Zoning Administrator's Report

Mr. Pavlik read his report into the minutes. A copy of this report will be attached. In addition to his report, Mr. Pavlik mentioned that there have been a lot of feather flags popping up around town. He stated that our Zoning does not currently address them so he suggested that the Council may want to have a discussion about them.

Attorney's Report

Ms. Burge stated that she worked with Ms. Salazar to finalize the Simpson contract and that has been executed. She spoke briefly this month with Mr. Pavlik about the applicability of itinerant merchants. She will speak to the matter of the MOU with SPOTS when it is reached on the agenda. She stated that the Davis Disposal contract that is before you this evening is a renewal and not a new contract and she will also speak to that matter later in the evening. In reference to the feather signs that Mr. Pavlik spoke about earlier, she stated that if something is not in your ordinance as allowed – then it is not allowed. She suggested that this is something that the Planning Commission may want to take a look at. She is willing to come to a Planning Commission meeting to give some guidance on this matter. She stated that we can take a look at the Inoperable Vehicle Ordinance again if Council wishes but she feels that usually what isn't covered under that ordinance is covered under the Nuisance Ordinance.

Public Works

Ms. Salazar stated that Michael Scott has been hired to spray for mosquitoes. He is trying to spray on Monday and Thursday but he is not able to spray quite as early as Mr. Shaw did. Mr. Simpson and his crew have cut grass, pulled weeds and cleaned some storm drains. Ms. Dize stated that the wire grass at the beautification project is very thick and she doesn't think they have done anything there for weeks. Mr. Finney stated that plastic should have been put down and they are going to have to dig things up and put some down. Ms. Dize stated that if Mr. Simpson had done the weeding as asked, we would not have this problem. Mayor Pierson reminded Ms. Dize that there is nothing in Mr. Simpson's contract stating that he is responsible for this project. Ms. Dize asked why our man who comes one day a week can't take care of it. Mr. Finney replied that someone would have to weed several hours every day to keep out wire grass when there is no plastic under the mulch. Mr. Dennis stated two weeks ago that the ditch down the side of the railroad track by S.P. Custis' house was cut at the top but all of the grass in the middle was left. This week all of it was cut but the mowers were going too fast and, therefore, spots

are being missed. He feels that there is no reason that the strip of land at the railroad track can't be cut—a lawnmower can be put on that strip. There is very little weed eating being done as well. He concluded by saying he doesn't feel Mr. Simpson is doing a bad job but he is afraid that he doesn't realize that his employees are not doing what they are supposed to do. Mr. Finney and Ms. Dize agreed. Ms. Salazar stated that she has been telling Mr. Simpson for awhile that things are not satisfactory but she feels he may need to hear it from someone other than her. Council asked Ms. Salazar to give Mr. Simpson a copy of the minutes as well as have him put the plastic down at the beautification project.

Planning Commission Report

There was no Planning Commission report.

Old Business

Mr. Finnigan stated that SPOTS has three questions: Can they put a Farmer's Market on the property?, What is the status of the VDOT letter?, and does the town still want electric and water on the property? Ms. Burge stated that according to the lease with the property owner, Cassatt Management, and under that lease the town is prohibited from leasing or subleasing the property. At the time SPOTS was created, a MOU was done to identify what the relationship with SPOTS and the town would be. That MOU talks about the uses that are available. Based on that information, Ms. Burge feels that a Farmer's Market entity would be allowed but it cannot be leased. She further added that this and any other details as to how things will work would be at the discretion of the SPOTS Board of Directors and not the Town Council. In the matter of the letter to VDOT, Ms. Burge asked to make several changes to the wording of the letter. Council agreed to have her make the changes and Mayor Pierson shall sign it on behalf of the Council. Mr. Finnegan asked how the Council wants to handle the \$6,600.00 that was given to SPOTS. He asked if the town prefers to have the bills for the electric/irrigation project sent directly to them. Ms. Salazar explained that while the money was put in the budget, it has not officially been given to SPOTS since no motion was made to do so. She further added that she does not feel it is appropriate for the town to pay bills for SPOTS. Ms. Burge agreed. Mr. Pavlik asked about the liability for events on that property. Ms. Burge stated that the liability is the same regardless of the event. She explained that our MOU identifies that the town shall not be liable to SPOTS or any other person for liability or damages. SPOTS assumes all of the risk. Mr. Finnegan stated that SPOTS has over two million dollars in liability coverage. Chief Spivey asked Ms. Burge what is expected of the Police Department if someone chooses not to give a donation/fee for the use of the farmer's market. Ms. Burge explained that matter would be a civil issue between SPOTS and that individual. Mr. Finney asked if SPOTS was absolutely sure that this project is going to cost \$6,600.00. Mr. Finnegan stated that they are looking at about \$6,000.00. Mr. Finney asked who did the measuring for the trenching. Mr. Finnegan stated that he did. Mr. Finney suggested that a company come out and measure to confirm the figures.

Motion: To give SPOTS a donation of \$6,600.00 to be used for the irrigation/electrical project by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-abstain; Dize-yes; Dennis-yes; Strautz-absent; Finney-yes. MOTION PASSED

New Business

Ms. Burge stated that the contract that the town entered into with Davis Disposal last July had a one year term with two one year renewals. She further stated that the current proposal is \$14.14 per cart for 225 carts. This amount of \$14.14 should stay the same. The only thing that may change is the reimbursement by the town for tipping fees should there be a rate increase from \$66.00 per ton. Ms. Salazar stated that the tipping fee was increased to \$69.50 per ton on July 1, 2015. Billye D. Custis stated that she thought we still had to solicit bids every year. Ms. Burge explained that this wording in the contract makes that unnecessary if everyone is happy with the current terms.

Motion: To renew the contract with Davis Disposal for one year by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz-absent; Finney=yes. MOTION PASSED

Council chose November 2nd-6th for the put out date of the fall clean-up with pick-up to happen November 9th-13th.

Mayor Pierson asked that Council consider making some sort of change to the parking lot at the town office. He added that it is a mess – full of holes and very muddy when it rains. Ms. Salazar will contact various companies and acquire three bids for grading and crushed concrete at the town office for next month's meeting.

Ms. Salazar stated that Jim White and his family will not be able to help with the Veterans Celebration this year. She is also unsure whether or not we will be able to use the firehouse this year. She stated that last year the planning was done by Jim, Ada Jo and herself with no one else to help. Although, there is normally help the day of the parade, a lot of planning and leg work needs to happen prior to and she feels that with Mr. White no longer being able to help it is important that she has some guidance on where to go from here. Billye D. Custis suggested having a celebration at the VVA building without the parade. Ms. Salazar stated that a lot of work goes into the parade with minimal "payoff". Mr. Finney suggested a car show.

Public Comments

Billye D. Custis stated that she agrees that the cloth should have been put down at the beautification project and she feels that it's not going to work if we do it now. She stated that the storm drains are extremely blocked and whole sections of grass are being missed. She added that it is a young boy riding the mower and she feels that he is going way too fast to effectively cut the grass.

Niall Finnigan thanked Council for their support.

Council Comments

Mr. Hart stated that he thinks the downtown area needs some revitalization so he thanked SPOTS for all they do. He thanked Chief Spivey for doing a good job with the Police Department. He is happy that we renewed with Davis Disposal, and he thinks the car show is a good idea for the Veterans Celebration.

Ms. Rillo thanked everyone for coming. She complimented Chief Spivey on a job well done. She thanked Ms. Salazar, Ms. Amadeo and Ms. Burge for their help.

Ms. Dize thanked everyone.

Mr. Dennis thanked everyone for coming and asked that they come back next month.

Mr. Finney stated that this is his last comment on the new building. He said four years ago, the cost of the building was \$450,000.00 – it's now \$600,000.00. People act like the money is being thrown in the ocean and then added that since we only made \$2,800.00 in interest last year, it would have made more sense to put it in the building. He stated that last month he spoke with several Council members and they assured him that they would back his motion to spend \$600,000.00 and that didn't happen once they got in the meeting. He is disappointed that we have a \$200,000.00 lot with nothing on it. He has spent a lot of his time on this building for absolutely nothing. He stated that he has taken the initiative on many matters in this town over the last few years and would have liked a little more support than what he was given. He concluded by complimenting the Onley Police Department and Chief Spivey on consistently doing a fine job.

Adjourn/Recess

Motion: To adjourn at 8:03pm by John Dennis and seconded by Ned Finney. Roll Call Vote: Dize=yes; Rillo=yes; Finney=yes; Strautz-absent; Hart=yes; Dennis=yes. MOTION PASSED

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Respectfully submitted by,

Jamye Salazar
Treasurer

Jack Pierson
Mayor