

Onley Town Council
Regular Monthly Meeting
Minutes of October 4, 2021
Meeting

Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 4th day of October A.D., 2021:

Council Members Present: Matt Hart, Mayor
Rose Pierson, Vice-Mayor
Brian Corbin
Billye D. Custis
Bill Ferguson
Claudia Harmon
Woody Zember

Staff Present: Carl Bundick, Town Attorney
Chuck McPherson, Chief of Police, OPD
Jamye Salazar, Clerk/Treasurer
Laurie Chamberlain, Town Administrator

Call to Order

Mayor Matt Hart called the meeting to order at 6:00 p.m. He asked that all speakers adhere to Robert's Rules of Order and emphasized that anyone in the audience wishing to speak sign the guest sheet and will be limited to three minutes to speak. He also asked that Councilmembers keep their comments brief as well.

Invocation & Pledge of Allegiance

The invocation was given by Councilwoman Custis and the Pledge of Allegiance was led by Councilman Corbin.

Adoption of Agenda

Motion: To remove Item 5.A3 Discussion of Payroll Committee by Claudia Harmon and seconded by Billye D. Custis.

Mr. Corbin asked why she wanted to remove that item. Ms. Harmon explained that the committee already gave their report and recommendation at the last meeting. Mr. Corbin replied that he feels there were some things in their report and recommendation that were disturbing, and he would like to discuss it further. Ms. Harmon stated that she wished to move forward with her motion.

At this time, Mayor Hart took the following vote on the above motion: Roll Call Vote: Corbin- no; Custis-yes; Ferguson- no; Harmon – yes; Pierson – no; Zember - yes. The vote was tied, so Mayor Hart made the following vote: Hart – no. MOTION FAILED.

At this time, Mayor Hart asked to move Item 6F. Town Logo to the beginning of the meeting just after the Adoption of the Agenda.

Motion To adopt the agenda with the change by Rose Pierson and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

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New Town Logo - Presentation by Seth Matthews

Mayor Hart introduced Seth Matthews, a graphic designer, who gave a presentation on designing and producing a new town logo/sign. Council members gave their opinions on a variety of possible designs and where to display them, as well as updating and digitizing the town seal.

Department Reports

Police Report and Schedule (November 2021)

Chief McPherson presented his report including graphs indicating the increasing number of tickets for Pennsylvania Avenue for the month. He reported that we will have the police car by next Tuesday and it will be one to two months to get it marked and ready. Councilman Ferguson reported on the demonstration of the vehicle radar unit last week, saying it would be an excellent addition to the police department.

Mayor Hart initiated the discussion on recent complaints regarding the Town police. Mr. and Mrs. Evans stated there is not enough radar surveillance on their street and the police need to do their due diligence.

Discussion of Payroll Committee.

Councilman Corbin commented that it was unprofessional not to include Chief McPherson in the Committee meetings. Ms. Evans responded by saying the Chief was included in the first meeting, but he is not a member of the committee. Mr. Corbin said that he apologizes if he is mistaken about that, but he still feels that the Chief should have been included in meetings pertaining to his department.

Old Business

Committee Reports

Community Spirit Committee

Councilwoman Pierson reported that the September 11 memorial at McMath Park was a great success and thanked all those who participated. The Alzheimer's Walk is scheduled for 9:00 a.m. on October 9.

COVID Relief Committee

Ms. Salazar reported that the newsletters had been sent out with the \$75 gift cards enclosed. There are 64 cards remaining. Mayor Hart suggested that the remaining cards be given to renters in Onley on a one card per household basis via application at the Town Office and verifying one's address via a lease agreement.

Motion: To distribute the remaining Food Lion cards to renters living within the incorporated limits of Onley until they are gone by Bill Ferguson and seconded by Rose Pierson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Ms. Harmon asked that we also consider donating to the Foodbank or Lighthouse Ministries once the renters have been covered.

Ms. Pierson said that there have been 101 lives lost on the Eastern Shore from COVID-19, the Community Spirit Committee is proposing to provide and display 100 12"x18" white flags, plus flags for first responders and veterans on or about October 12.

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New Town Office Building and Public Works Committee

Mayor Hart reported that the new building plans are drafted and awaiting the engineer's stamp. Councilman Corbin reported that the groundskeeping work is not getting done, even with Dean now working at McMath Park. The Simpson workers are not checking in regularly with Jamye and not keeping appointments with Town Council members. Mayor Hart suggested the Town withdraw the contract with Simpson, which costs \$34,000 per year, and plan to hire a qualified part-time town employee. Town Attorney Carl Bundick commented that the contract specifies thirty days' notice is required. Councilman Ferguson commented that we would still need someone with equipment to hang Christmas lights, etc., so maybe wait until after the new year, or would he be willing to do that work for us on an as needed basis. **Motion: To start the process of terminating the Simpson contract and advertise for a 30-hour per week employee by Councilwoman Custis and seconded by Councilwoman Pierson. Roll Call Vote: Corbin- no; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes.** MOTION PASSED

Mr. Corbin asked to be removed from the Public Works Committee. Mayor Hart asked if anyone wished to serve on the Committee. Mr. Ferguson asked to remain, and Rodney Lang volunteered to serve.

Golf Cart Committee

Councilwoman Pierson reported that they are in the process of getting more information and she will be able to deliver a full report at next month's meeting.

Planning Commission Report. Councilwoman Custis reported that the Planning Commission continues to work on the Zoning Ordinance and the plan is to give it to Council next month.

Update on Residents' Complaints. Discussed previously under Police Report. Mayor Hart stated that we have been addressing a lot of residents' complaints over the last couple of months. He added that we are working with the town attorney to resolve the ones that can be addressed and that we are doing the best that we can to fix some things. Attorney Bundick commented that the Town ordinances allow certain animals, based on the size of the property. Ms. Custis proposed looking into the zoning ordinances. The question of speeding was discussed again, with Chief McPherson reiterating that this is hard to enforce giving our current equipment.

McMath Park Lights, LED Streetlights

Councilman Ferguson said he was disappointed in the public's treatment of the park, with trash and vandalism to memorial plaques, which will have to be replaced. Rodney Lang suggested staff clean up the park before and after weekends. Councilwoman Custis added that the play equipment was rated for 2-12 years. Mayor Hart reported the lighting contract with Jack Tarr allows 30-40 days for installation; no deposit needed. Bryan Daffin complained about the condition of things at the park. He stated that we no longer have a groundskeeper – we have a grass cutter. He also reported some vandalism of the tables and added that Mayor Hart has given him permission to repair the vandalized tables.

Charter Change Update

Attorney Bundick reported Sen. Lewis needs the revisions in hand before the State legislative session convenes in January 2022 on staggering the town council elections as soon as possible and proposed a public meeting be held on October 18 to discuss and vote on all the changes.

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New Business

Inoperable Vehicle Ordinance. Mayor Hart and Chief McPherson reported the ordinance does not specify boats, boat trailers, or any kind of trailer. Mayor Hart commented that putting a tarp on a boat is an eyesore as well. Chief McPherson suggested just talking to people about these issues. Councilwoman Harmon replied that we must follow standard operating procedure in handling each of these cases.

RFP's Front Street property. Jamye Salazar reported there had been no response to our RFP. Mayor Hart suggested Laurie Chamberlain reach out to an appraiser and obtain the cost of doing an appraisal of the lot.

RFP's Demo/Removal of Water Tank, Front Street property. There has been one response, from C. Lee Hauling on the removal of the tank and building for \$2,000.00 plus removal of fire hydrants and filling the holes with concrete at \$950.00, for a total of \$2,950.00.

Ms. Custis said that she would like Mr. Gray to check with the DEQ about the proper removal of the tank. Mayor Hart said that the liability will fall on the contractor. **Motion: To hire C. Lee Hauling for \$2,950.00 to remove the water tank and fire hydrants from Front Street property by Councilman Ferguson and seconded by Councilman Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED**

Consideration of Minutes

Ms. Custis stated that she has several corrections that she would like made to the September 9th minutes. Council advised her to meet with Ms. Salazar and they will re-visit the minutes at next month's meeting. Ms. Custis also noted that Council did not make a motion to pay the payables at the September meeting. Ms. Salazar said that was at the direction of the Council for the sake of saving time. Ms. Custis said that she worries the auditors may pick up on that. Ms. Salazar assured her that is not an audit requirement, adding that the bills are often paid before the motion is even made to avoid late payments. She feels that it is more of a procedure based on habit than necessity. Mayor Hart suggested that we stop it since it is not necessary. Mr. Bundick suggested using a consent agenda and making the payables a part of that.

Department Reports (cont'd.)

Treasurer's Report

Mayor Hart asked if anyone has any questions about the Treasurer's Report. Mr. Ferguson asked about the ARPA funds. Ms. Chamberlain is still investigating our options and hoping that they will loosen the restrictions.

Mayor's Report. Mayor Hart reported that he has dealt with various things throughout the month. He added that if anyone has specific questions, they should ask them now. He added that not much is happening with zoning at this time. Ms. Salazar reported that she received notice from the DEQ that we are now in compliance.

Attorney's Report. Carl Bundick reported that he has worked on the charter change, the inoperable vehicle ordinance, and the rules about the burial of the horse.

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Chief McPherson reported that the Dodge Charger's a/c motor shredded into the radiator and asked for \$1,300.00 to repair it per estimate from Shore Tire and Auto. It will have a two-year warranty. **Motion: To allow the Town to pay Shore Tire and Auto \$1,300.00 to repair the police car by Councilman Ferguson and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED**

Public Comments

Rodney Lang remarked that he thought COVID money should go to Town staff, and to treat these hardworking people right. Fred Gardner commented, saying Onley, love it or leave it, in addressing perennial complaints from town residents. He also requested that we start referring to our police officers as officers and not cops. He told Council that it's time to light a fire under Jim Wert in reference to the new town hall. He added that T&W Block has been here longer than anyone in this room and he wouldn't hold their feet to close to the fire. Lastly, he said the squeaky wheel gets the grease but sometimes you need to watch the squeaky wheel. John Dennis asked if the town will be reinstating vehicle decals. Mayor Hart said no. Mr. Dennis said that the County may start charging for decals. Ms. Custis asked when that decision was made since she does not remember Council discussing it. Ms. Salazar responded that she doesn't believe that it has been discussed by Council. She added that if Council wants to discontinue decals, there is official action that needs to be taken and Council needs to consider that when doing the budget. Mr. Bundick stated that the County has threatened to do that in the past, but he doesn't believe that it has ever happened. Mr. Gardner asked if COVID funds can be used to cover the costs. Ms. Salazar stated that the only COVID funds that we have now are the ARPA funds and they will not cover that at this time.

Council Comments

Ms. Pierson stated that it was a very good meeting. She thanked everyone.
Ms. Custis agreed with Ms. Pierson. She feels that a consent agenda would help to shorten the meeting.
Mr. Corbin said he feels he has said enough.
Ms. Harmon said that she is happy that the public was here tonight. She thanked everyone adding that she has been disappointed and elated about some things tonight.
Mr. Ferguson said he feels that we are accomplishing a lot. He feels that some things that are coming before the Council appear to be based on personal feelings and it's starting to feel like a vendetta. He said that his priority is public safety, and he feels that it's easy to be a Monday morning quarterback when you're not informed. Lastly, he said that if you're not happy living here than you should move.
Mr. Zember thanked everyone for coming and commenting.
Mayor Hart thanked everyone that came to the meeting to support Council tonight.
Mr. Zember said that he thinks our Council is diversified and that's a benefit to the town.

Closed Session

Motion: To go into Closed Session at 8:38pm in accordance with Section 2.2-3711(A) of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion of Daily Activity, Procedures, and other matters for the Onley Police Department by Billye D. Custis and seconded by Rose Pierson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

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Open Session and Certification of Closed Session

Motion: To return to Open Session at 9:04pm by Rose Pierson and seconded by Brian Corbin.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes.

MOTION PASSED

A roll call vote was taken 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: Hart- yes; Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. **MOTION PASSED**

Adjourn

Motion: To adjourn at 9:05pm by Rose Pierson and seconded by Bill Ferguson. **Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. **MOTION PASSED**

Respectfully submitted by:

Laurie Chamberlain, Town Administrator

Matthew Hart, Mayor