

Onley Town Council Minutes of April 13, 2015

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the VVA Building, 25534 East Main Street, on the 13th day of April, A.D., 2015:

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

Members Absent: Jack Pierson, Mayor

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

**Call to Order**

Vice-Mayor Finney called the meeting to order at 6:30pm.

**Invocation & Pledge of Allegiance**

The invocation was given by Don Strautz and the Pledge of Allegiance was led by Dawn Dize.

**Adoption of Agenda**

Ms. Rillo asked to add issues and frustrations of town's people with the Fire Department to item 8(f) under New Business.

**Motion: To adopt the agenda with the change by Don Strautz and seconded by Susan Rillo.**

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

**Consideration of Minutes**

**Motion: To adopt the Minutes of the March 9, 2015 Regular Monthly Meeting by Dawn Dize and seconded by Don Strautz. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

**Department Reports**

**Police Report & Schedule**

**Motion: To adopt the May 2015 schedule by Don Strautz and seconded by Susan Rillo. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

Chief Spivey asked Council to consider adopting the Eyewitness Identification Policy that they were provided with their monthly packet. A draft copy of this policy will be attached to the minutes.

**Motion: To adopt the Eyewitness Identification Policy by Don Strautz and seconded by Matt Hart. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

Chief Spivey asked that Council consider the request to purchase a 2015 Chevrolet Impala patrol car. This request was also provided with the monthly packet and a copy will be attached to the minutes.

**Motion: To approve the purchase of a 2015 Chevrolet Impala by Susan Rillo and seconded by Matt Hart. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

### **Treasurer's Report**

Ms. Salazar gave an overview of the budget adding that March 31<sup>st</sup> was the end of the third quarter. Mr. Dennis asked if a special authorization was needed to pay Mr. Pavlik's mileage. He added that he did not realize we were paying Mr. Pavlik mileage and did not think we had done so with previous zoning administrators. Mr. Pavlik stated that he has done some driving around town as well as his requested attendance at a meeting in Wachapreague. Ms. Salazar stated that Mr. Englehart was occasionally reimbursed for his mileage.

Ms. Salazar stated that since Council reached their goal of \$250,000.00 towards the Rainy Day Fund last quarter, she will no longer be giving a Rainy Day Fund update at the end of each quarter.

**Motion: To Pay the March 2015 Payables by Dawn Dize and seconded by Susan Rillo.**

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

### **Attorney's Report**

Ms. Burge stated that she met with Mr. Pavlik about the Rojas zoning matter and it has since been resolved. She has spent some time looking into police policies that need to be in place and has provided Chief Spivey with information pertaining to those policies. She concluded by saying that she has created the draft burn ordinance that was requested of her last month and she will speak about that when it is reached on the agenda. Mr. Finney asked if the cost of the LGA handbook that is on tonight's payables is split among the three towns that employ Ms. Burge. She stated that it has not been in the past but she will be happy to do that.

### **Zoning Administrator's Report**

Mr. Pavlik read his report into the minutes. A copy of this report will be attached.

### **Public Works**

Ms. Salazar stated that both water pumps have been drained and the electricity has been turned off at both pump houses. The Welcome to Onley sign has been removed per Council's request, the broken waste cans and pet waste stations have been removed, the gutters have been cleaned and the limbs removed from the garage and periodic litter pick-up in some problem spots have been addressed. There was a problem with trash from the Shore Lodge blowing onto Onley Road and trash from Royal Farms blowing over onto West Main Street. These problems have been addressed by Ms. Salazar with the respective businesses. Ms. Salazar stated that Mr. Simpson has suggested that the town consider having him tend to the crepe myrtles on Coastal Blvd. He has advised Ms. Salazar that they are dying and will not survive without proper care. Council asked Ms. Salazar to contact VDOT and find out who is responsible for the crepe myrtles. Mr. Finney feels that if VDOT is not going to tend the trees, the town should do so since they add to the beautification of the town. Ms. Dize agreed. Council asked Ms. Salazar to get a quote from Mr. Simpson for tending the crepe myrtles.

### **Planning Commission Report**

Ms. Siglin stated that the Planning Commission is working on the Comprehensive Plan and meeting at the train station. Mr. Strautz read a Planning Commission report into the minutes. A copy of this report will be attached.

### **Old Business**

Mr. Finney stated that Mr. McArthur contacted him and asked several questions about the new town office and then stated that he would get back to us within a few days. At this time, Mr. McArthur has not provided us with any new information and stated that we have everything that we need from him. Ms. Salazar stated that Mr. McArthur told her that we need to contact the Health Department and Bundick's

about the test well and perk test. Ms. Salazar called both agencies and was told that we need to provide more information like what we are testing for and also provide a site plan and plat survey. She added that she was trying to get some pricing to bring back to Council but cannot do so until Bundick's has more information. She did ask Mr. McArthur to contact Mr. Bundick but as this time she has not heard back from either. Ms. Burge said that her notes state that Mr. McArthur was going to provide a line item description of the scope of the project and will send a full service proposal with critical path. Ms. Siglin suggested someone contact Norman Pitt at Accomack County. Mr. Finney asked Ms. Salazar if she will do that. She replied that while she does not mind calling Mr. Pitt, she does not always feel comfortable handling some of the construction matters. She stated that she often does not have the answers to the questions being asked since she is not an authority on these issues. Mr. Strautz offered to contact Mr. Pitt.

Ms. Burge presented Council with a draft Burn Ordinance patterned after Accomack County's ordinance with the change requested at last month's meeting. Mr. Finney asked Ms. Burge to read the resolution to adopt the burn ordinance into the minutes. A copy of the resolution and ordinance will be attached to the minutes.

**Motion: To adopt the Burn Ordinance Regulating Open Burning by Susan Rillo and seconded by Dawn Dize. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=no. MOTION PASSED

#### **New Business**

Mr. Finney asked for Council's thoughts on a donation to the VVA for the use of their building. Laura Belle Gordy stated that the Woman's Club gets from \$225.00 - \$395.00 a day to use their building. Billye D. Custis suggested \$300.00 per month.

**Motion: To donate \$300.00 per month to the VVA for the use of their building as a meeting location by Dawn Dize and seconded by Don Strautz. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

Council agreed to have Mr. Shaw start spraying for mosquitoes on May 1<sup>st</sup>.

Ms. Salazar stated that there is a CD maturing at Shore Bank on April 21<sup>st</sup>. She asked that Council make that an agenda item for the recessed meeting. They agreed.

Ms. Salazar asked for Council's permission to dispose of the holiday wreaths in the garage. She added that they are falling apart and mice have been nesting in them. Council agreed to have Mr. Simpson dispose of the wreaths.

Ms. Salazar stated that while Antwone was cleaning the gutters on the garage, he noticed that the roof may need some repair. Mr. Finney will take a look at the roof and report his findings to Council.

Mr. Finney stated that the \$9,000.00 ATL Fire Grant has been received by the town. He told Council that we do not have to give this money to OVFD – we can give it to any fire department that we wish. He stated that while he does not want to “shut them out”, he is concerned with the way the OVFD is being run as well as the numerous complaints from citizens. He would like to split the grant money between Onley, Tasley and Onancock Fire Departments. He is also concerned that we have not been able to get an inventory of the pagers that the town purchased for the Department back in 2013. Ms. Rillo stated that she feels they lack professionalism and she is also concerned that the Department is being run poorly. Several Council Members expressed concern that someone at the fire house is living in a camper on the premises. Mr. Strautz stated that he will not vote on any matters pertaining to the OVFD since his wife is the President, however, he feels that someone should approach the OVFD Board and ask to be put on their agenda to discuss these issues before any rash decisions are made.

At this time, Mr. Dennis asked Dawn White if she would like to speak on this matter. Ms. White began by stating that she lives across the street from the firehouse and she and her husband were members of a volunteer fire department in Massachusetts for many years. She added that approximately 9 months ago, she and her husband began to notice a profound difference in the way the fire department is being

managed. She expressed her concern about the lack of respect for the surrounding neighbors, the overuse of apparatus, the excessive hours that are being kept and even some personality issues. She asked for Council's guidance on dealing with these issues, adding that she would like to be directed as to the first step in getting someone to listen to her grievances. Mr. Strautz stated that he feels the Board of Directors for the OVFD may not be aware of some of these issues. Mr. Strautz suggested contacting the OVFD Board to see if they are interested in holding a joint meeting to discuss the issues that are cause for concern.

**Motion: To set a meeting with the OVFD and the Onley Town Council to discuss citizen's concerns and make a decision about the ATL grant money at the next meeting by John Dennis and seconded by Susan Rillo. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

Mr. Finney will contact Mrs. Strautz to set up the meeting. Mr. Dennis would like the town attorney to be present at that meeting.

#### **Public Comments**

Billye D. Custis signed up but no longer wished to speak.

#### **Council Comments**

Mr. Strautz thanked everyone for expressing their concerns about town matters.

Mr. Hart thanked everyone and expressed his own concern for the fire department. He stated that he is disappointed with the town office update.

Mr. Dennis apologized to Ms. White for putting her on the spot tonight.

Ms. Rillo thanked everyone.

Ms. Dize thanked everyone. She stated that she will have a beautification meeting next month and may need some money.

Mr. Finney thanked everyone and stated that the Police Department is doing a great job. He has heard a comment that they could be a little friendlier.

#### **Closed Session**

**Motion: To go into Closed Session at 9:02pm 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 end of the Zoning Administrator's 90-day probationary period by Don Strautz and seconded by Matt Hart. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes. MOTION PASSED

#### **Open Session & Certification of Closed Session**

**Motion: To return to Open Session at 9:44pm by Don Strautz and seconded by Susan Rillo.**

**Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=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: Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=yes; Dennis=yes.

**Motion: To continue with Mr. Pavlik's employment as Zoning Administrator at the rate of \$18.00 per hour and to re-visit the rate of pay in six months by John Dennis and seconded by Don Strautz. Roll Call Vote:** Dize=yes; Rillo=yes; Finney=yes; Strautz=yes; Hart=no; Dennis=yes. MOTION PASSED

Onley Town Council Minutes of April 13, 2015

**Adjourn/Recess**

At 9:47pm, Mr. Finney stated that Council will recess until April 21, 2015 at 6:30pm.

Respectfully Submitted,

Jamye Salazar  
Clerk/Treasurer

Jack Pierson  
Mayor