

Onley Town Council Minutes of October 14, 2015

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the VVA Building, 25534 East Main Street, on the 14th day of October, A.D., 2015:

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

Staff Present: John Spivey, Chief of Police
Jamy 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

The invocation was given by Matt Hart and the Pledge of Allegiance was led by Ned Finney.

Adoption of Agenda

Mayor Pierson stated that Ms. Tapman from the Onley Recreation Association will not be attending the meeting tonight so that item should be removed from the agenda.

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

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

Consideration of Minutes

Motion: To adopt the Minutes of the September 14, 2015 Regular Monthly Meeting by Ned Finney and seconded by Don Strautz. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey asked Council to approve the purchase of a replacement hand held radio for Sergeant Bennett in the amount of \$500.00. He stated that the air conditioning/cooling unit on the 2009 Charger is in need of repair in the amount of \$1,361.92. He added that a replacement door has not been located and we may need to purchase a new door. He will keep Council posted on this matter. Mr. Dennis asked about the status of Officer Turner's vest. Chief Spivey stated that he has it and he is wearing it. Mr. Finney asked about the new car. Chief Spivey stated that the Chevrolet plant has been shut down four times and that has caused numerous delays but the car has been built and is currently in Canada.

Motion: To purchase the hand held radio in the amount of \$505.00 and also to repair the 2009 Charger in the amount of \$1362.91 by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Motion: To approve the November 2015 schedule by Don Strautz and seconded by Dawn Dize. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Treasurer's Report

Ms. Salazar stated that the auditors had planned to present the audit tonight but they have postponed in order to guarantee compliance with the VRS GASB requirements. She asked that Council consider moving money from the PNC checking account to a money market or a CD since the balance is almost \$300,000.00 and earning no money. She gave an overview of the budget stating that this is the end of the first quarter for our fiscal year. Mr. Dennis asked why the charge for towing the moped was charged to miscellaneous expense. Ms. Salazar and Chief Spivey stated that amount was put there temporarily until they can decide the appropriate place to charge the expense. Mr. Dennis also asked about a charge of \$86.50 to the Shore Bank credit card. Ms. Salazar stated that was the Town of Onley stickers.

Motion: To purchase a 12 month CD at Shore Bank in the amount of \$200,000.00 by Don Strautz.

There was no second to the motion.

Ms. Rillo stated that she feels that if we are going to deposit the money at Shore Bank, it would make more sense to deposit it into the current money market rather than tie it up in a CD.

Motion: To transfer \$200,000.00 from the PNC checking account to a money market at BB&T by John Dennis and seconded by Don Strautz. Roll Call Vote: Hart-no; Rillo-no; Dize-no; Dennis-yes; Strautz-yes; Finney-yes.

Ms. Rillo stated that she understands why there is concern about having so much money at Shore Bank but since it is public funds, the money is guaranteed safe by the bank. She stated that in her opinion, she would like to see the \$200,000.00 deposited into the current money market at Shore Bank so that it remains liquid should interest rates increase.

At this time, Mayor Pierson cast the tie-breaking vote – no. MOTION FAILED

Motion: To move \$200,000.00 from the PNC checking account to the Shore Bank money market account by Matt Hart and seconded by Dawn Dize. Roll Call Vote: Hart-yes; Rillo-abstain; Dize-yes; Dennis-no; Strautz-yes; Finney-yes. MOTION PASSED

Ms. Dize stated that she only voted no on the first motion to move the money to BB&T because the interest rate was much lower than Shore Bank.

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

Zoning Administrator's Report

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

Attorney's Report

Ms. Burge stated that she has worked with Mr. Pavlik on the Cozens' matter adding that there are actually two ordinance violations going on. She recommended that he also place this matter as a violation of the ordinance dealing with trash and refuse since not everything there is an inoperable vehicle.

She added that the LGA did have a model sign ordinance and she has forwarded that on to the Planning Commission for their review.

Public Works

Ms. Salazar stated that the water hose and reel has been found and returned to Ms. Siglin. She also thanked Ms. Siglin for donating some cloth to use for the beautification project. She told Council that she believes the bench has been stolen since no one knows where it is. She stated that there has been some grass cutting and weed eating done this month. Mr. Simpson did send someone to clean out the storm drains on Friday before the storm hit and sent them back on Monday after the storm. They moved some debris from the side of the road as well. Mr. Dennis complained that they did not cut along the side of the railroad track. He added that there is a bush growing up around the heating/cooling unit that

needs to be pulled up. Ms. Dize stated that she doesn't think that he did any weed eating at the beautification project. Ms. Salazar stated that she did see Mr. Simpson weed eating over there on one occasion. Mr. Dennis wants the grass cut back more at the Town of Onley sign over near St. Peter's. Ms. Dize asked if he is responsible for the care of the irises on the corner by the stoplight. Ms. Salazar stated that he is not. Mr. Hart asked to have the Town of Onley sign put back up on Market Street. Mayor Pierson stated that there is still work going on there which is the reason the sign was removed. Ms. Salazar expressed concern about the location of the sign since it was restricting visibility to people leaving the shopping center. She stated that Mr. Hall may want us to consider another location or even a different height for the sign when it is replaced.

Planning Commission Report

Scott Whitaker reported that the Planning Commission is looking at three dimensional signs, blight and density as they continue to move through the changes in zoning.

Mr. Dennis asked Mayor Pierson if he could ask Ms. Siglin about the status of the water and electric at the SPOTS building. Ms. Siglin stated that they are supposed to start trenching tomorrow. She explained that there was small delay because of the storm.

Old Business

Mayor Pierson stated that every town in our immediate area except one gives their ATL grant to their local fire company. He stated that the OVFD is manned with volunteers – people giving their time to help others. He mentioned a recent Facebook post that someone shared with him in which the volunteers were staying at the fire house due to the threat of the impending storm so they could be at the ready if an emergency arose. He added that the OVFD is also accountable to us and the state as to how this money is being spent. He feels that the entire amount of the ATL grant should be passed to the OVFD. Mr. Strautz stated that he has heard rumors of the OVFD moving to Belle Haven. Ms. Rillo added that she is worried that Chief Davis has his own agenda. He is living in the camper at the firehouse again and she doesn't understand why he feels he doesn't have to answer to anyone. Mr. Finney spoke of numerous issues that are causing concern for him at the firehouse. He is in favor of splitting the money between Tasley, Onley and Onancock. Mr. Dennis agreed.

Motion: To split the ATL grant money between Onley, Tasley and Onancock Fire Companies by Ned Finney and seconded by John Dennis.

Mr. Hart asked if we have to decide tonight. Ms. Salazar stated that we do not- they have until June 30, 2016. Mr. Strautz asked what was decided about the smoke detectors. Ms. Salazar stated that at last month's meeting, Council asked her to come back with some pricing for smoke detectors. She has that information if Council is interested. There was no response.

At this time, a vote was taken on the motion on the floor: Roll Call Vote: Hart-no; Rillo-no; Dize-yes; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

Chief Spivey stated that even though there are some issues with Chief Davis, the volunteers there are dedicated and they do a good job. He feels that they come through when the Onley Police Department needs them.

Ms. Salazar gave an update on the Veterans Day Celebration.

Mayor Pierson asked that Council set another meeting date to discuss the possibility of building a new town office and various options for doing so.

Motion: To meet at the Town Office on November 2, 2015 at 6:30 for a work session pertaining to a new town office by Don Strautz and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

New Business

Chief Spivey gave a presentation on Disaster Recovery. He asked if Council wished to implement our own Disaster Recovery plan. There was no decision made; however, the general consensus of Council seemed to be that we are covered under Accomack County's Plan.

Mr. Finney asked for Council's thoughts on the possibility of selling the Ferris mower. Council agreed to re-visit the idea in the spring.

Public Comments

Billye D. Custis stated that the \$125.00 for towing the moped needs to go to the Police Department's budget so maybe we should check with the auditors about that. She stated that the Beautification Committee has always been responsible for the irises on the corner. She said that a retired ANEC employee told her recently that the Town of Onley is on the same grid as ANEC and we will have power restored sooner than others.

Laura Belle Gordy invited everyone to the Candidates' Forum at the Woman's Club tomorrow at 2:00.

Council Comments

Mr. Finney thanked everyone for all that they do.

Mr. Strautz thanked everyone as well. He expressed concern that we are not happy with the Public Works, adding that we may want to consider adding our own Public Works Department.

Mr. Dennis agreed with Mr. Strautz, adding that he isn't saying that Simpson is doing a bad job but he does think that things are being missed.

Ms. Dize agreed about the Public Works contract, adding that if we had our own employee(s), we may have better luck getting things done. She is also concerned that the current situation presents more problems for Ms. Salazar as well.

Ms. Rillo thanked everyone and expressed her concern about the Disaster Recovery Plan.

Mr. Hart stated that he is concerned about the lack of supervision with the guys that are coming to cut grass since Mr. Simpson is not usually with them. He stated that there is also too much litter around town that should be picked up by our Public Works employees.

Closed Session

Motion: To go into Closed Session at 8:10pm 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, General Government, and Public Works Departments, specifically related to the probationary period of a police officer, the probationary period of the Zoning Administrator and the Treasurer's comp/vacation hours by Don Strautz and seconded by Dawn Dize.

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

Open Session & Certification of Closed Session

Motion: To return to Open Session at 8:43pm by Don Strautz and seconded by Matt Hart.

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

Motion: To remove Officer Joel Addison from probation by Don Strautz and seconded by Dawn Dize.

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

Motion: To remove John Pavlik from probation with a pay increase to \$25.00 per hour by Ned Finney and seconded by Dawn Dize. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=no; Strautz=yes; Finney=yes. MOTION PASSED

Motion: To have John Pavlik document his hourly service by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Adjourn/Recess

Motion: To recess at 8:48pm until November 2, 2015 by Don Strautz and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar
Treasurer

Jack Pierson
Treasurer