

Onley Town Council Minutes of October 1, 2018

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 1st day of October A.D., 2018:

Council Members Present: Dawn Dize, Interim Mayor
Ted Bliss
Ned Finney
Matt Hart
Susan Rillo
Woody Zember

Staff Present: Jamye Salazar, Town Manager
John Spivey, Chief of Police, OPD
Rachel Kellam, Attorney

Call to Order

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

Moment of silence in memory of Mayor Jack Pierson

Invocation & Pledge of Allegiance

The invocation was given by Susan Rillo and the Pledge of Allegiance was led by Ned Finney.

Adoption of Agenda

Motion: To add on the agenda under 9. New Business A-1 Beautification by Susan Rillo and seconded by Ned Finney.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Consideration of Minutes

Motion: To adopt the September 6, 2018 regular monthly meeting minutes by Ted Bliss and seconded by Susan Rillo.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Motion: To adopt the September 19, 2018 special meeting minutes by Ted Bliss and seconded by Ned Finney & Susan Rillo.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Department Reports:

Planning Commission Report

Ms. Pierson spoke on the proposed changes of the Property Maintenance Ordinance in hopes to add to the town's Zoning Ordinance. Mr. Zember stated he likes the new Ordinance and finds it very easy to follow. Ms. Kellam noted the complaint form and the flowchart is a great tool that is easy to follow for the Acting Zoning Administrator and the citizens of the town. Ms. Kellam stated since you are adding to

the ordinance that is already in effect, these additions will not need a Public Hearing. Ms. Kellam reported if the Council Members decides to adopt the Property Maintenance Ordinance Flowchart, a few minor detail changes will need to be made. Ms. Kellam stated the ordinance is not being changed; instead, the ordinance is being put into a different format; therefore, no Public Hearing is necessary. Mr. Hart asked Ms. Pierson if other towns used a similar process. Ms. Pierson responded yes, another town in Virginia, but was unable to recall the towns name. Mr. Hart said he would like to see this ordinance sent out to town residents once a year so they can understand the process. Ms. Pierson said a copy should be posted on the bulletin board in front of the town office. Ms. Dize would like it displayed at the town post office. A copy will be attached to the minutes.

Motion: To adopt the Property Maintenance Ordinance with changes by Ned Finney and seconded by Ted Bliss.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Police Report & Schedule

Chief Spivey explained to the Council the color-coded November 2018 schedule, copy attached to minutes. Chief Spivey explained the decrease summons numbers, stating Hurricane Florence caused the decrease in vehicle traffic on the highway. Chief Spivey noted with the threat of Hurricane Florence hitting this area, the town put in place a Welfare Checklist for all town residents. Two residents showed interest, and follow up checks were made on those residents. Chief Spivey stated he wants to continue the Welfare Checklist practice in the future in the event of a town emergency and hopes to be able to spread the word to residents on this process. Chief Spivey stated four officers will be out and visible during Halloween night. Mr. Finney commended the Police Department for past performance of Halloween night.

Motion: To accept the Police Department schedule for November 2018 by Ted Bliss and seconded by Susan Rillo.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Treasurer's Report

Ms. Salazar gave her report noting the reports are as of September 27, 2018; some figures are subject to change. Ms. Salazar stated there were no additional payables for the month. All financial documents attached to minutes.

Motion: To pay the payables by Susan Rillo and seconded by Ted Bliss.

Mr. Hart asked Ms. Salazar if there are any further scheduled payments to GMB. Ms. Salazar responded we are just about at the end of the contract with GMB. She noted that the new building would be discussed later on the agenda and depending on that discussion some additional expenses could be incurred. Mr. Hart asked Ms. Salazar to explain the payment to GMB for \$5,848.00. Ms. Salazar stated she has detailed bills from GMB and they are available at the town office for anyone to review. Ms. Salazar responded the bill (\$5,848.00) was for Geo Technical Services and the Administrative part of the bidding process. Ms. Dize replied it might be a good idea for Council to review the bills from GMB.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Town Manager's Report / Zoning Administrator / Public Works Report

Public Works Report

Ms. Salazar stated Hayvon continues to work on grass cutting, sidewalk work/clean-up, and keeping the flower pots watered. Ms. Salazar said she had purchased some mums for fall planting. Ms. Salazar stated Hayvon completed storm drain cleaning in preparation of Hurricane Florence. Ms. Salazar said the Police Department commented on how well the water ran off during the heavy rains earlier in the week prior to the storm. Ms. Salazar said if Council approves she will have Hayvon take down all town banners noting there is a lot of defective banners hanging. Ms. Salazar stated they will be replaced next month anyway with the holiday banners. Mr. Zember noted that the beautification committee for banners (Mr. Zember, Ms. Bliss and Mr. Hart) have a meeting scheduled for Wednesday evening. Mr. Zember asked if the banners would be replaced. Ms. Salazar responded yes, the defective banners would be replaced. Mr. Bliss asked Mr. Salazar if the town retained all drawings of the town seal for the printing of the banners. Ms. Salazar responded yes, and Councilman Zember has the original town seal drawing, and that will need to be used for printing with the new banner company. Mr. Zember noted he will return the town seal drawing to the office.

Town Manager's Report

Ms. Salazar stated she would resume with the weekly Manager's Report this week. Ms. Salazar noted that CALL hasn't picked up the donated mower up after several attempts to contact them. Ms. Salazar stated Officer Long has volunteered to oversee the clean-up process of the garage, so she would like to have it removed before the clean-up takes place. Mr. Bliss recommended contacting CALL one more time and allowing them thirty days to pick up. Mr. Zember asked if there was a motion to donate this mower. Ms. Salazar responded yes that motion was made. Ms. Salazar said a letter was sent to Accomack County stating the Town of Onley was interested in including the town decal fee onto the annual tax bill starting 2020. Ms. Salazar said she has been running the day to day office duties alone because Ms. Taylor was out of the office due to a death in the family.

Zoning Administrator Report

Ms. Salazar stated she received several elevation certificate requests from residents in the Lakewood development for the purpose acquiring flood insurance. Ms. Salazar noted that Tom Brockenbrough with Accomack County was a great help in completing these requests. Ms. Salazar said the inoperable vehicle is still on Caroline Avenue after the owner has received several notices to have it removed. The town has plans in place to have the car towed and now a second inoperable car has appeared on the same property. Ms. Salazar stated the other inoperable vehicle on Washington Street and West Main Street, thirty-day notice, will expire on October 4, 2018, she will begin the process to have this vehicle towed. Ms. Salazar met with the new business owners in town and gave her a copy of the town's feather flag ordinance. Ms. Salazar received two complaints on a property on Savage Street and Coastal Boulevard, both complaints were resolved. Ms. Salazar issued a roof permit for a property on Caroline Avenue. Ms. Salazar is currently working on permits for installation of solar panels at a residence on West Main Street. Ms. Salazar was made aware of a sinkhole on Front Street, Tyler Marsh from VDOT was notified, and he was going over to inspect the area. Ms. Salazar reports the magnolia tree branches are still in the yard on Coastal Boulevard after receiving a cleanup notice; she will have Simpson's remove this week and bill the property owner for the cleanup services. Mr. Finney asked Ms. Salazar what towing service would be used for the inoperable vehicles. Ms. Salazar responded Woody's in Onancock. Mr. Hart asked Ms. Salazar if she was able to research the property where the service station (Rojas) was within the town limits. Ms. Salazar responded Rojas Tires is in the town limits. She also noted that the property around the building had been cleaned up. Mr. Zember said he noticed they had

also filled in some potholes around the driveway. Mr. Dize inquired if there had been any interest in the Zoning Administrator position. Ms. Salazar responded there had been no interest or applicants. Mr. Bliss offered his help doing town inspections. Mr. Zember commended Ms. Salazar on the great job she is doing as the Active Zoning Administrator and all of the other roles she is completing. Mr. Hart asked Ms. Salazar for an update on the sidewalk repairs. Ms. Salazar stated she submitted paperwork to ANDPC (Claire Vaughn) and a meeting is scheduled next week to begin the process.

Attorney's Report

Ms. Kellam gave her report stating she updated the Town's Charter to reflect the changes that Council unanimously agreed to during the September 19, 2018, Special Meeting. She said once she receives the minutes from that meeting she will forward to Senator Lewis for sponsorship. Ms. Kellam completed the Rainy-Day Fund Resolution to reflect the \$400,000.00 - goal was met. Ms. Kellam reported at Council's request she looked into the OVPD pending real estate contract. Ms. Kellam stated she reviewed GMB documents regarding the bid, which will be discussed later on the agenda under Old Business. Ms. Kellam noted she reviewed the Planning Commission documents that were previously discussed (Property Maintenance Ordinance).

Old Business

Property at 25571 East Main Street / New Town Building (Bid Opened at September 6, 2018 Meeting)

Ms. Kellam opened by stating she will need to look into wording on the specs sheet and that will determine whether or not the town can discuss cost-cutting ideas with the contractor. She stated it depends on the language within the contract (i.e., or an alternate) which will determine if this will need to go out for a re-bid. Ms. Kellam noted she needs further information from GMB regarding the contractor's insurance coverage to make sure he is a responsible bidder. Ms. Salazar said she has requested that information from GMB and will forward to Ms. Kellam once she receives. Mr. Hart asked Ms. Kellam is it a requirement for the town to get at least three bids being a municipality. Mr. Hart stated it would be nice to have more bids to have something to compare. Ms. Kellam responded there is no requirement on the number of bids, and the town doesn't have to accept the current bid. Mr. Bliss recommended re-advertising the bid to include contractors in other locations (VA Beach). Ms. Salazar responded the town has a current bid on the table, that bid will need to be finalized before re-advertising. She said the town would have to follow through the process of the contract with GMB (i.e., reject the bid) before starting over again. Ms. Kellam validated Ms. Salazar statement. Mr. Bliss asked Ms. Kellam if there was a vested amount the town had in mind to spend he thought it was around \$650,000.00 (around about figure). Ms. Kellam responded that GMB gave a rough figure, but there was never an exact amount given. Ms. Salazar replied there was never a concrete figure given on the cost of the building the only exact figure was the initial amount of \$500,000.00 to begin the building process. Mr. Bliss stated he has concerns with the current bid because GMB will get approximately 30% commission off the total bid cost of the building which will increase the overall cost from 1.1 million plus the 30% commission to GMB. Mr. Finney responded GMB isn't making any additional percentages off of this contract. Mr. Bliss said he would reject the 1.1-million-dollar bid, stating that is way too much. Ms. Salazar and Ms. Kellam will research the additional 30% commission that Mr. Bliss thought was in the contract. Ms. Kellam stated the town needs answers from GMB and recommends having a special meeting scheduled immediately once that information is received. Ms. Salazar said GMB is very quick on following up and answering any questions and she fully expects to have the info tomorrow. Mr. Hart asked Ms. Salazar what the town received out of the roughly \$100,000.00 that has been paid out to

GMB. Ms. Salazar responded the town acquired a set of plans and the bid packets (Administrative Duties). Mr. Zember asked if GMB had completed all work for which they have been paid. Ms. Salazar responded GMB gives detailed monthly bills and all services are spelled out on the individual bills and all fees have been paid. Ms. Salazar stated all GMB bills/statements are available for anyone to review. Mr. Hart thanked Ms. Salazar for all of the hard work, saying he knows this process hasn't been easy. Ms. Dize asked if Council would like to schedule a meeting about the new building once Ms. Salazar and Ms. Kellam received the information needed or add to the November agenda. Mr. Zember stated he would like to have a separate meeting to allow time for discussion. Mr. Bliss said he also thinks a separate meeting is needed to get some resolution sooner than later to have something in place with the upcoming election and the possibility of new Council members. Ms. Salazar stated GMB advertised the bids in several locations around the state noting a contractor from Richmond came the day of the contractors meeting (he didn't bid). Mr. Finney recommended having a separate meeting. Ms. Kellam suggests scheduling the meeting as soon as the information is received from GMB. Mr. Bliss proposed getting a list of question compiled (by anyone) and answered by GMB before the meeting.

Rainy Day Fund (Adoption of Resolution)

Ms. Salazar stated at Council's request during the September 2018, Regular Meeting was to move the remaining \$150,000.00 into the Rainy-Day Fund. Funds will be transferred and the goal of \$400,000.00 will be met. Ms. Salazar noted a copy of the Resolution was provided in Council packets. Ms. Kellam read aloud the last paragraph of the resolution (changes). A copy will be attached to the minutes.

Motion: To accept the Resolution of the Rainy-day Fund by Ted Bliss and seconded by Matt Hart.

Roll Call Vote: Hart-yes; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Fall Clean-up(s)

Ms. Dize stated Council had decided to only pick-up leaves during the fall clean-up (three pickups). She said she had several requests to include brush as well as leaves. Mr. Bliss stated the idea of two additional clean-ups were just for leaves, but the first clean-up should consist of brush as well as leaves. Ms. Salazar noted that is not how the current contract and RFP with Simpson's reads. Ms. Salazar stated Simpson's is willing to include brush cleanup at an additional cost (a reasonable expense). Ms. Salazar asked for clarification on the cleanup, one regular pickup like in the past (yard debris/leaves), and two additional pickups of just leaves. Mr. Hart asked to have it priced out for all three pickups to include limbs and leaves. Ms. Salazar noted the pickup months would October, November, and December (avoiding holiday weeks). Mr. Finney said there needs to be at least one pickup that includes limbs and leaves when getting a price from Simpson. Mr. Zember noted the last pickup should be scheduled once everything has fallen (leaves). Ms. Salazar will set the dates of the clean-ups and will oversee the clean-up process at Council's request.

New Business

A. Christmas Tree / A. 1 Beautification

Mr. Zember stated he would like to see a large decorated Christmas tree displayed in the town this year. He noted he is open to location ideas. Ms. Rillo recommended looking into a string light cone Christmas tree, instead of having to worry about a live tree and the yearly maintenance. Mr. Bliss recommended finding a location to set up the tree before making a tree selection and stated the site would need to have electricity. Mr. Hart suggested placing the tree near the railroad tracks crosswalk which will be visible from many different directions. Mr. Zember said he would also like to smaller lighted Christmas

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trees in the four pots on the corner of Coastal and East & West Main Streets. Mr. Zember complimented Ms. Salazar on how beautiful the town is looking, and by decorating for the holidays will add to the town's appearance. Mr. Zember noted the trees for the pots would need to be a certain size due to the VDOT right-of-way requirements. There was much discussion over planting the containers, most of Council agreed the larger tree would be more noticeable. Ms. Kellam stated the town would need to check with VDOT as to the right-of-way requirements of lighted Christmas trees on the four corners. Mr. Zember noted a meeting is scheduled with Ms. Bliss this week to look over the possibilities of new banners. There was much discussion on the possibilities of getting different styles and a different supplier for the new banners. Ms. Rillo asked Ms. Salazar to research the company that Chincoteague uses stating their banners look very nice and appear to be long-lasting. Ms. Rillo asked to get new stanchions for the banners and start replacing as time permits. Ms. Salazar noted some banner hardware needs replacing because over the years it has become defective. Mr. Zember stated the more banners that are up, the better the town's looks.

Council Vacancy

Ms. Salazar stated she received two letters of interest to fill the Council vacancy. Ms. Salazar read aloud the letters in the order they were received, both letters will be attached to the minutes. Ms. Salazar noted the first letter received on September 28, 2018, by J. Lance Eller. Ms. Salazar noted the second letter received on October 1, 2018, at 1:49 pm, by Edward F. Gardner (Fred). Mr. Finney stated Mr. Eller would have been in attendance this evening, but he is stuck on the Bridge-Tunnel due to the vehicle accident/incident. Ms. Kellam read aloud the wording from the Town's Charter involving filling a Councilman vacancy (a copy will be attached to minutes). Mr. Zember asked Ms. Kellam what the time limits were to fill the vacancy. Ms. Kellam responded fifteen days from the vacancy date, and she noted today is day seven. Mr. Finney stated both candidates have served on Council previously and suggested determining the candidate by who submitted the letter of interest first. Ms. Rillo said both candidates are both qualified and she also thinks to go with the first letter of interest but wishes they could have both candidates. Mr. Hart asked Mayor Dize if she would allow the candidate in attendance to speak. Ms. Kellam responded that due to the circumstance it would be unfair because the other candidate was unable to be in attendance. Mr. Hart returned that he thinks it is fair because neither of the candidates who have put in letters of interest is running in the upcoming election. Mr. Finney stated he was going to make a motion to appoint Mr. Eller since he was first submitting his letter of interest. Mr. Hart responded that since being on Council (4 years), he has never seen Mr. Eller attend any Council meetings and Mr. Gardner has attended better than ten meetings and showed more interest in the town, stating if you don't come to meetings why should you serve.

Motion: To appoint Lance Eller to Town Council by Ned Finney and seconded by Susan Rillo.

Mr. Zember stated this is a tough decision, but one that Council has to make. Mr. Bliss noted this vacancy is only for two months.

Roll Call Vote: Hart-no; Rillo-yes; Zember-yes; Bliss-yes; Finney-yes. MOTION PASSED

Mayor Dize thanked Mr. Gardner for submitting of letter of interest to fill the vacant Council seat. Mayor Dize asked Ms. Salazar notify Mr. Eller of his appointment to the Onley Town Council.

Public Comments

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John Dennis stated he agrees the town needs a new building, but the price is too high. He said the building cost is alone million dollars and you can expect to add an additional \$300,000.00 - \$400,000.00 more to the total cost of the building. Mr. Dennis said the new building should be put on hold until the new Council comes in effect.

Billye D. Custis stated they have solar lights along her property and they show up pretty good. She said in the past she had done string light cone Christmas tree and it was costly to operate. Ms. Custis complimented the flags on Saxis (all are different/very nice) and recommended the town check and see who their distributor is.

Claudia Harmon had no comment at this time.

Fred Gardner asked if he could speak. He stated he would like to see a real fall clean-up, and stated he would like to see the contractor work for their money and help the town residents who might not have chainsaws. Mr. Gardner said he would like to see the new building size cut in half and noted he doesn't think there needs to be sitting for a hundred people when the highest amount he has ever seen at a Council meeting was sixteen. Mr. Gardner said he found out today about the vacant Council seat, he stated he should have known, but didn't think. God Bless and wishes Council the best.

Laura Belle Gordy congratulated Mayor Dize on presiding over her first Council meeting and stated she did a fantastic job.

Council Comments

Mr. Bliss stated he agrees that the new building final decision will fall on the new Council, he doesn't think the current Council can complete the process before the end of the year. Mr. Bliss stated he wants to continue to build a database of information so that when the new Council comes in, they will have that data to review to make their decision. Mr. Bliss said the banners on Chincoteague are paid for by other means other than town funds (he believes). Mr. Bliss recommends getting nominations for flags from residents who have served or have had family members serve to put up in Onley, this would be such an honor. Mr. Bliss agreed with Mr. Gardner to offer help (Simpson's) town residents with yard clean-up. Mr. Bliss thanked everyone in attendance. Mr. Bliss acknowledged the Police Department for a job well done! Mr. Bliss praised Ms. Salazar and Ms. Taylor. Mr. Bliss thanked his fellow Council Members and welcomed the new Mayor.

Mr. Finney opened by thanking all town employees. Mr. Finney acknowledged the new Mayor - excellent job tonight! He thanked all town residents for their input and being in attendance. Mr. Finney thanked Mr. Gardner for his interest in filling the vacant Council seat. Mr. Finney recommended finding a location to plant a real Christmas so the town will have it to decorate from year to year. Mr. Finney stated he hopes Council can come with a solution for the new building. He said he doesn't want to spend a million, but would like to come up with an idea since the town has money vested in the new building already.

Mr. Zember thanks everyone for coming out tonight, it is very nice to have so many residents in the audience. Mr. Zember stated it is the Council's goal to make the right decision to please the residents of the Town of Onley, so he feels if residents need assistance during the town clean-up, Council should discuss and consider this option, in the future. Mr. Zember stated he thinks everyone will be impressed

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with the new banners, and he will continue to work on ideas to spruce up the downtown area. Mr. Zember praised his fellow Council Member's for being able to change the tone of the Council meetings, stated everyone is getting along and Council is getting things accomplished. Mr. Zember thanked all Town employees. He thanked everyone for coming out tonight and God Bless Everyone.

Ms. Rillo stated she also agrees with Mr. Gardner with aiding town residents during the town clean-up, even a possibility of renting Simpson's out to help out a homeowner who might need their whole yard cleaned up at a subsidized price. Ms. Rillo said she would like to see if Simpson's has a wood chipper for better disposal of branches. Ms. Rillo thanked all town employees - all do a great job! Ms. Rillo recognized the new Interim Mayor Ms. Dize for doing a great job managing the meeting and keeping it moving. Ms. Rillo thanked all her fellow Council Members. Ms. Rillo noted that tonight's decision on the temporary Council vacancy between Lance Eller and Fred Gardner was not an easy choice, she would have preferred to appointed both candidates, but unfortunately, that can't happen. Ms. Rillo stated it is nice to see so many in attendance tonight. Ms. Rillo said she feels Council is doing a great job right now and she knows the new building will fall on the new Council, but she thinks the right decisions will be made.

Mr. Hart acknowledged Mayor Dize for conducting a very well-run meeting and stated it is great having her in that position. He noted Ms. Dize had done an excellent job for the town over the years, and no one deserves that position more than you. Mr. Hart thanked his opponent Bill Ferguson for running a positive campaign. Mr. Hart thanked all taxpayers for paying for his further education (college) under the post 911 GI Bill, which caused him to run for Council to give back to society. Mr. Hart stated he believes that the Council works and makes decisions for the best interest of the town. Mr. Hart thanked Ms. Salazar and Chief Spivey (he puts his life on the line) - keep up the good work. Mr. Hart thanked Mr. Gardner for applying for the Council position noting he has the town's best interest at heart. Mr. Hart stated his interest in the town is the reason he supported Mr. Gardner as the candidate. Mr. Hart said everyone knows his feeling on the new building and it would be hard to get the price down to where taxpayers would approve the construction of a new building. He said he would continue to promote purchasing an existing building (OVFD would have been ideal but is now under contract) is a much better option. Mr. Hart stated spending one million dollars on a new building is not in the best interest of this town. Mr. Hart noted if elected as Mayor his first priority will be Public Safety (i.e. crosswalks). Mr. Hart thanked everyone in attendance, and it is a pleasure to serve the town.

Ms. Dize opened by wishing all the candidates in the upcoming election the best of luck. Ms. Dize stated she is so proud of the current Council the way they have evolved because it didn't use to be like this. She noted it is a pleasure to serve the town and thanked everyone for their patience. Mr. Dize said a special thanks to Vice Mayor Finney who conducted meetings without complaining and to all Department Heads for running the town with very little help from the Council. Ms. Dize stated she appreciates the opportunity to fill the position of Interim Mayor. Ms. Dize thanked the Town Attorney, she has been a great help tonight. Ms. Dize thanked Mr. Gardner for his interest in the Council position noting she served on Council with him, very dedicated and hopes he will run again in the future. Ms. Dize stated again how proud she is of the Council Members.

Adjourn

Motion: To adjourn at 8:26 pm by Ted Bliss and seconded by Ned Finney.

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Roll Call Vote: Hart–yes; Rillo-yes, Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted from audio,

Melissa Taylor
Clerk

Henry Finney
Vice Mayor