

The Smithfield Town Council held its regular meeting on Tuesday, September 2nd, 2014. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor; Mrs. Denise N. Tynes, Ms. Connie Chapman, Mr. Michael Smith, Dr. Milton Cook, and Mr. Randolph Pack. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Steven Bowman, Chief of Police; Ms. Judy Winslow, Director of Tourism; Ms. Amy Musick, Smithfield Center Director; and Mr. William H. Riddick, III, Town Attorney. There were three (3) citizens present. The media was represented by Ms. Abby Proch of The Smithfield Times and Mr. Ryan Murphy of The Daily Press.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of September 2nd, 2014. If you would all stand, we will say the Pledge of Allegiance.

All present stood and recited the Pledge of Allegiance to the flag.

Mayor Williams – We will start with the Informational Section. Our Town Manager will give us the Manager's Report.

Town Manager – Thank you, Your Honor. The agenda packet was posted on the town's website on Friday. I hope everyone had a very nice holiday weekend. The August Activity Report was part of what was posted. A report from the museum was included. We have a Planning Commission meeting Tuesday, September 9th, 2014 at 7:30 p.m. Also on Tuesday at 4:00 p.m., we will have a Pinewood Heights Management Team meeting. On September 16th at 7:30 p.m. we will have a Board of Historic and Architectural Review meeting. The Board of Zoning Appeals meeting for this month has been cancelled. The Town Council Committee meetings will be on September 22nd and 23rd at 4:00 p.m. Mr. Andy Cripps, Chamber of Commerce CEO, is here this evening. I received from Mr. Cripps on Friday a very detailed benefit proposal kind of a follow-up on the conversation we had with the budget process earlier this year. I will share that with the Finance Committee this month. We will have a brief closed session tonight.

Mayor Williams – Thank you, Mr. Stephenson. We now move to the Public Comments section of our agenda. The public is invited to speak to the Town Council on

anything that they would like to. I would like to remind you that we do have a five minute window for speakers. The first person signed up is Mr. Glen Schlickemeyer.

Mr. Schlickemeyer – My name is Glen Schlickemeyer. I am here representing the Smithfield Ruritan Club. I am the chairman of the car show committee which the Ruritan's have been putting on for fourteen years. We would like your special consideration for us to continue into 2015 with the car show that we hold in the fall of each year. Later, Ms. Nan York will give a lot of details about the car show and the benefit to the community that the Ruritan's bring by putting on the car show.

Mayor Williams – Next we will hear from Ms. Nan York.

Ms. York – My name is Nan York. Good evening ladies and gentlemen. In January of this year Ms. Julie Hopkins, our 2013 club president, attended the Ruritan National Convention where she met a Ruritan member whose club sponsors a rodeo as their prime fundraiser. Ms. Hopkins became excited by the story of this rodeo success so she transferred that enthusiasm to Ms. Amy Musick. Ms. Musick took Ms. Hopkins comments to mean that the Smithfield Ruritan Club was no longer planning to hold a benefit car show during the Town and Country Days on October 2014. Knowing nothing different from the previous twelve years that the Smithfield Ruritan Club sponsored the car show the members began planning for a car show on October 2014. This event attracts people to Smithfield to shop on Main Street and engages over seventy-five local merchants who sponsor our event either by providing door prizes or purchasing naming rights for trophies that are presented to the show entrants. The beneficiaries of this event are local charities that local population utilizes to enhance their lives and the lives of their children. At the end of July 2014 we discovered that the Toys for Tots organization were given permission to hold a car show during the 2014 Town and Country Days. It turns out that they were asked in April to submit a permit application to hold the Town and Country Days Car Show after it was reported that Ms. Julie Hopkins had released the date. However, no paperwork was signed only an assumption of release on the part of Ms. Amy Musick. In any Ruritan Club in order to sponsor an event the information is presented to the Board of Directors for approval. If approval is given then the membership is asked for approval. None of these actions were taken to release the Town and Country Car Show date back to the town by the Smithfield Ruritan Club because it was never our intention to eliminate the car show from our fundraising

agenda. As soon as we were aware of this change we decided to attempt to salvage the car show in the name of the Smithfield Ruritan Club. The staff of Toys for Tots, Tourism, and the Smithfield Center was contacted as a result the following occurred by August 14th, 2014. The Smithfield Ruritan Club agreed to partner with the Toys for Tots organization by staffing the car show and naming the Toys for Tots organization as the event beneficiary after the Ruritan expenses are paid. Toys for Tots agreed to promote the event with both organizations listed on the PR materials. The Smithfield Center agreed to contact Toys for Tots to ask that they release the 2015 Town and Country Days Car Show event so that the Smithfield Ruritan Club could again for the fourteenth time sponsor the show and name its own beneficiary. The Smithfield Ruritan Club completed the permit application to hold the 2015 Town and Country Days Car, Bike, and Truck Show. Over this past weekend we became aware that the Toys for Tots organization was not asked to release the 2015 Town and Country Day date so that the Smithfield Ruritan Club could pick it back up. Instead the Toys for Tots organization was asked to submit a permit application for the 2015 Town and Country Days to sponsor a car show. There are now two permit applications for the same event submitted for review. The Smithfield Ruritan Club has been serving the Smithfield community for the past seventy-nine years. We helped string electricity throughout the County, provided uniforms for the high school band, and provided a cargo trailer for Mission of Hope. We currently provide scholarships to local graduating seniors and local college students. We currently help fund sixteen local not for profit and government agencies. Our members provide service for Adopt-A-Spot, Beer and Wine Festivals, food drives for Christian Outreach, delivery of Christmas baskets to clients of Isle of Wight Social Services, and bird feeders to Magnolia Manor. We actively participate in many of the annual events held around Main Street such as Olden Days, Town and Country Days, Christmas Parade, and the Farmer's Market. Annually, we partner with the Smithfield Rotary in local cemetery maintenance and work with them to determine the Citizen of the Year. We have re-established the Farmer of the Year Program. In essence we answer a need, build lasting relationships, care for others, give back to our community, keep involved, make use of our time and talents, put our compassion into action, and zero in on what is important which is being part of the solution. On behalf of the Smithfield Ruritan Club I ask that you look favorably upon our permit application to

conduct the 2015 Car, Bike, and Truck Show during Town and Country Days. Thank you.

Mayor Williams – You can give it to the Town Manager. Thank you, Ms. York. We appreciate your time. Are there any other public comments? Hearing none, we now move to a Briefing by Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District. He is not here tonight. I am sure you read his report that the Town Clerk sent to us.

Town Manager – His report was posted earlier today.

Mayor Williams – We now move to Council Comments. Does anyone have any comments?

Councilwoman Chapman – I have a comment in response to the situation with the Ruritan Club. I spoke briefly with Ms. Musick when we were at a conference recently. I can tell you while vouching for her professionalism and as an employee of the town that this was totally a misunderstanding. Ms. Hopkins was representing herself for the club and Ms. Musick acted accordingly in my personal opinion. I just wanted you to understand that there was no favoritism toward any group. We totally appreciate everything that the Smithfield Ruritan Club has done for the community. Ms. Musick expressed to me that she felt a little worried about it. I assured her that I thought she acted professionally in accordance with Ms. Hopkins situation she thought she was doing the right thing. Thank you.

Mayor Williams – Does any other Council member have a comment?

Councilman Pack – I just wanted to bring to the Council's attention and make the public aware that Isle of Wight County has a survey on their website asking for public input on how well they are doing and what they can do to improve. I would like to encourage everyone to give feedback to the County.

Mayor Williams – Does any other Council member have any comments? Hearing none, we move to our Consent Agenda Items. We have nine items on the consent agenda tonight. Would any Council member like to pull any item for further discussion? Hearing none, we will move to the Summary of Consent Agenda Items. These are summaries of what we discussed during the Committee meetings. We will start with Water and Sewer Committee Chair, Vice Mayor Gregory.

Vice Mayor Gregory – Water and Sewer Committee Summary. Thank you, Mr. Mayor. We have a proposal for a bypass pump replacement for the Moonefield Pump Station in the amount of \$10,223.00. This is coming from budgeted funds.

Mayor Williams – Next we have Finance Committee Chair, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. The first invoice is for Xylem for a bypass pump for Main Street in the amount of \$57,932.33. The second invoice is for Fonality in the amount of \$23,673.00 which will replace the antiquated police phone system. Next is a resolution to open a new bank account for funds from Smithfield VA Events to preserve the Windsor Castle Manor house.

Mayor Williams – Next we have Parks and Recreation Committee Chair, Ms. Connie Chapman.

Councilwoman Chapman – Parks and Recreation Committee Summary. Thank you, Mayor. We have a motion to amend the Smithfield Center policies to restrict the use of rental chairs. We had some recent damage to the flooring from chairs that were brought in. This is a policy to restrict the use of rental chairs being brought in. The next item is a motion to adopt park user fees for rental of park space.

Mayor Williams – Next we have Public Works Committee Chair, Mr. Michael Smith.

Councilman Smith – Public Works Committee Summary. Thank you, Mr. Mayor. We have a motion to award the HVAC maintenance and repairs contract to Atlantic Constructors. We interviewed about four different companies that applied. Atlantic was given the opportunity to have this contract because of their professionalism and their response time is necessary to maintain the equipment at the Reverse Osmosis Plant. They also have the qualifications to service that unit. The next item is a motion to authorize the purchase of a budgeted Public Works truck under a state contract in the amount of \$25,595.00. This is replacing a fourteen year old truck that has one hundred sixty-one thousand miles.

Mayor Williams – Now we will move to Public Buildings and Welfare Committee Chair, Dr. Milton Cook.

Councilman Dr. Cook – Public Buildings and Welfare Committee Summary. The first item is a motion to approve the annual in-service staff training day for October 9th, 2014. They have been doing that for many years now. Next is a motion to accept the

deeds for 39 Carver Avenue and 40 Carver Avenue for the Pinewood Heights Relocation Project.

Mayor Williams – On the training day the offices will be closed. Do you advertise for that Mr. Stephenson?

Town Manager – We will, yes sir.

Mayor Williams – On item C-6 a motion to award the HVAC maintenance and repairs contract that includes all buildings in the town except for the Smithfield Center. Smithfield Center has its own contract. We have items C-1 through C-9. Do I hear a motion?

Vice Mayor Gregory – I will make a motion to approve the consent agenda as presented.

C1. Accept Proposal for Pump Replacement at Moonefield Pump Station in the Amount of \$10,223.00 from Budgeted Funds.

C2. Invoices Over \$10,000 Requiring Council Authorization:

a. Xylem (Main Street Bypass Pump) \$ 57,932.33

b. Fonality (Phone System at Police Department) \$ 23,673.00

C3. Resolution to Open a New Bank Account for Funds from Smithfield VA Events to Preserve the Windsor Castle Manor House.

C4. Motion to Amend Smithfield Center Policies to Restrict the Use of Rental Chairs.

C5. Motion to Adopt Park User Fees.

C6. Motion to Award HVAC Maintenance and Repairs Contract to Atlantic Constructors.

C7. Motion to Authorize the Purchase of a Budgeted Public Works Truck under State Contract in the Amount of \$25,595.00.

C8. Motion to Approve Annual In-Service Staff Training Day, October 9th, 2014.

C9. Motion to Accept Deeds for 39 Carver Avenue and 40 Carver Avenue for the Pinewood Heights Relocation Project.

Councilwoman Chapman – Second.

Mayor Williams – A motion has been made and properly seconded. Is there further discussion? Roll call vote.

On call for the vote, seven members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We now move to the Action Section. We will go back to Finance Committee Chair, Mr. Randy Pack.

Councilman Pack – We have a Motion to Approve Invoices in the amount of \$95,316.00 for four Budgeted Patrol Vehicles for the Smithfield Police Department. These cars have been received in good shape. We were not able to get the invoice in time to put it on the consent agenda. I would like to make a motion to approve these invoices in the amount of \$95,316.00. The invoices were under budget.

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Tynes voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – The next item is a Motion to Approve the Town Council Meeting Minutes of August 5th, 2014.

Town Attorney – Mr. Mayor and members of Council I have reviewed the minutes and made minor corrections and would recommend that the minutes be approved as corrected.

Vice Mayor Gregory – So moved.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. Roll call vote.

On call for the vote, seven members were present. Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Tynes voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Next we move to New Business. Is there any new business?

Councilwoman Chapman – Thank you, Mayor. At the Windsor Castle Park Foundation Board meeting Mr. Brad Face brought some information about the Forest of 1607 Project that he had worked on with Virginia Tech. He would like to ask the Council to commit to the plan to create the forest. The cost of the plan for the project is \$14,698.00. The Department of Forest and Urban Community Forestry Grant will award \$8,966.00 which would leave a balance of \$5,732.00. It would be no cost to the town. Mr. Face will do fundraising to absorb the fee. With the planning completed the investment would be \$2,000.00 for fifteen hundred to two thousand seedlings based on how many the plan determines is needed. The reason that he needs the answer as soon as possible is so he can proceed to put twenty-five percent down. The state would control the burns of the underbrush every five to ten years. Within five years these seedlings would be about five feet tall. I just wanted to bring that up and see if anyone has any questions about it?

Councilman Dr. Cook – Is there a finalized map on this? You have told us what he wants to do. There have been several conceptual drawings that have been given to us but I did not know if there is a finalized version.

Councilwoman Chapman – I would ask for our Director of Planning, Engineering, and Public Works to comment on this. He does not have the drawing with him.

Director of Planning, Engineering, and Public Works – The area that they are considering is between Route 10 bypass and the park side of Cedar Street. It is between Cedar Street and the trail. It is the main area they are considering.

Mayor Williams – Is it in an open field?

Director of Planning, Engineering and Public Works – Yes. It is to help as a buffer.

Mayor Williams – Will they be doing anything in the woods?

Director of Planning, Engineering and Public Works – No sir.

Councilman Dr. Cook – What about the easement? Originally it had some going on the ramp up to Fairway Drive.

Director of Planning, Engineering and Public Works – They talked about that but I have not seen any details on it. The property belongs to Virginia Department of Transportation. I have not heard any results of that. Have you heard anything Ms. Chapman?

Councilwoman Chapman – No.

Director of Planning, Engineering, and Public Works – I have a feeling that the total cost really involves the plan, design, and mapping of the entire project.

Councilman Dr. Cook – Is this the same field that at one point was considered for the community garden?

Town Manager – Yes.

Mayor Williams – I want to let our Town Manager weigh in on this.

Town Manager – I was of the understanding that this was more informational at this point in that the contract would be between the Windsor Castle Park Foundation and Virginia Tech for a planning period between October and February. Once the plan was developed then it would come back to Council for your blessing at that time but not now. That was my understanding of where we were with it. The Foundation has their own tax identification number now so they can raise money and plan all day long. But before the trees are planted Town Council will need to approve it. I just did not know if it was premature for you all to take action this evening or not.

Councilwoman Chapman – I think before he starting fundraising he wanted to make sure that there were no concerns about it before he proceeded.

Town Manager – Okay that makes sense.

Councilman Pack – Is Mr. Brad Face representing Windsor Castle Park Foundation in this request?

Councilwoman Chapman – Mr. Brad Face is on the Windsor Castle Park Foundation Board but this is not necessarily a Windsor Castle Park Foundation Board project from what I understand.

Councilman Pack – Whose project is it?

Councilwoman Chapman – It is a proposal by Mr. Face on behalf of or in care of Windsor Castle Foundation Board. The Foundation would not be putting any financial backing into this program because they are getting ready to roll out their own capital campaign.

Councilman Pack – Is the Foundation in support of it?

Councilwoman Chapman – Yes.

Councilman Pack – Okay. Mr. Face may be leading the charge for the Foundation with the Foundation's backing. Is that safe to say?

Councilwoman Chapman – I would say yes.

Councilman Pack – We just spent a whole lot of time working on a master park plan. This was never brought up. It does not exist in our master park plan.

Councilwoman Chapman – It is not part of the actual plan for the playground or any of that.

Councilwoman Tynes – I think this is something that I think we should defer to Committee. It is really too much to digest tonight as far as approving it. The person or organization that is involved need to be here to answer Council questions.

Vice Mayor Gregory – I do not want to give formal approval. I do not have any objections to the concept but I would like to see a drawing where everything will be located.

Councilman Smith – They have a detailed plan here of what they want for their plan of action. We have talked about some of this. I would like to see that we entertain this idea. It tells the timeline and what they intend to do.

Councilwoman Chapman – I brought a few extra copies from the meeting. We can certainly defer it. He seemed to think that there was some urgency.

Councilman Smith – He is not here.

Councilwoman Chapman – He did not know if he needed to be. I told him that I would bring it up. We can certainly ask him to come to the next Committee meeting.

Mayor Williams – The next committee meeting is twenty-three days from now. I do not know if three weeks is going to hurt him or not. I think Council is behind the concept. I think there will be some issues if he wants to take an existing field that was at one time earmarked for something else and do something different with it. I think Council needs to weigh in on the map and location.

Councilwoman Chapman – I think that is part of the additional plan that would be drawn up which is why he was asking.

Mayor Williams – Mr. Hopkins and I were over there and they were talking about putting them around the dog park area.

Councilman Pack – There is nothing on here that could stop Mr. Face from doing this. We do not have any control. He is welcome to do a fundraising and sign the contract to move forward we are not stopping him from doing that tonight. We do not have any control over it which is okay. We spent time doing a master plan to absolutely move away from it concerns me. If the Council is in favor of this then that is great. It is

not a problem but let us adjust our master plan appropriately so that the public can weigh in. We don't need one citizen or a group of citizens marching forward with something that we have not put into our master plan yet. He can start fundraising but we need it to go back to Committee to discuss and adjust our master plan. We need to have a proper plan not just doing another project in the park that we have not thought through.

Councilman Smith – They do not have any tasks that they want to perform until October 6th so we have plenty of time to look at this.

Mayor Williams – I think he wanted to get a contract signed with them and give them a down payment. He was going to take care of that himself. I like the part about the Town of Smithfield not having to spend any money.

Councilwoman Tynes – I would like to have a copy of this proposal.

Councilwoman Chapman – Yes. This is what they had at the meeting that I attended today. I grabbed every copy that they had.

Mayor Williams – Will you get back with Mr. Face or do you want the Town Manager do it?

Councilwoman Chapman - I will ask him to come to the next meeting. I think the urgency was that he was going to be gone the week of the next Committee meetings. I think that is why the whole thing was brought up now.

Mayor Williams – The main thing is that we need a map with a little more detail. We will let the Town Manager handle that. Is there any further discussion on tree planting? Do we have any other new business?

Vice Mayor Gregory – Mr. Mayor the issue that was brought up tonight regarding the car show if we could make sure it is on the Parks and Recreation Committee agenda for September to discuss in more detail. I think Committee level is probably a more appropriate venue for that. The Town Manager mentioned Mr. Cripps is here tonight from the Chamber. Mr. Cripps gave Mr. Stephenson an informal proposal and I think the Finance Committee would be the most appropriate venue for that. Perhaps we can invite Mr. Cripps to the Finance Committee meeting.

Town Manager – Yes, absolutely.

Mayor Williams – Is there any other new business? We will move to Old Business.
Is there any old business? Now we will move into Closed Session. Thank you all for coming out tonight.

Town Attorney – We need a motion to go into a closed session for the purpose of discussing the acquisition or disposition of real property held for public purposes, briefing as to potential litigation, and briefing by legal counsel as to matters requiring legal advice.

Councilman Pack – So moved.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, seven members were present. Vice Mayor Gregory voted aye, Councilman Pack voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Council went into closed session at 8:01 p.m.

Town Council went back into regular session at 8:55 p.m.

Town Attorney – We need a motion to go back into open session.

Vice Mayor Gregory – So moved.

Councilwoman Chapman – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, seven members were present. Vice Mayor Gregory voted aye, Councilman Pack voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a discussion of the acquisition or disposition of real property held for public purposes, briefing as to potential litigation, and briefing by legal counsel as to matters requiring legal advice.

Vice Mayor Gregory – So moved.

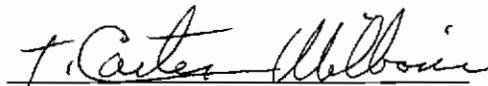
Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, seven members were present. Vice Mayor Gregory voted aye, Councilman Pack voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Is there anything else to come before Council tonight? We are adjourned.

The meeting adjourned at 8:56 p.m.



T. Carter Williams
Mayor



Peter Stephenson, AICP, ICMA-CM
Town Manager