



SMITHFIELD TOWN COUNCIL AGENDA

April 1, 2025 at 6:30 PM

220 North Church Street

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INFORMATIONAL SECTION

1. Manager's Report
2. Committee Summary Reports

D. UPCOMING MEETINGS AND ACTIVITIES

April 1 - 6:30 p.m. - Town Council Meeting
April 8 - 6:30 p.m. - Planning Commission Meeting
April 15 - 6:30 p.m. - Board of Historic and Architectural Review
April 15 - 7:30 p.m. - Board of Zoning Appeals
April 28 - 3:00 p.m. Town Council Committee Meetings
 Public Safety Committee
 Water and Sewer Committee
 Finance Committee
 Parks and Recreation Committee
 Public Works Committee
 Public Buildings and Welfare Committee

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted.

E. Comments

- A. Public Comments
- B. Council Comments

NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT. Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 356-9939 at least 24 hours prior to the meeting date so that proper arrangements may be made.

CONSENT AGENDA ITEMS

- C 1.** Resolution to Appropriate Funds from Historic Smithfield to the 2024-2025 General Fund Operating Budget for the Grace Street Streetscape

Vice Mayor Bill Harris

C 2. Invoices Over \$20,000 Requiring Council Authorization

- | | | |
|-----------|--------------------------------|--------------|
| a. | Lewis Construction of Virginia | \$ 23,000.00 |
| b. | Tri-State Utilities LLC | \$ 32,954.00 |
- Recieved since Finance Committee

ACTION SECTION

- 1.** PUBLIC HEARING: 803 South Church Street - Water Connection
Tammie Clary, Director of Planning and Community Developement
- 2.** PUBLIC HEARING: 313 Grace Street - BHAR Appeal
Tammie Clary, Director of Planning and Community Developement
- 3.** PUBLIC HEARING: Text Amendment to Article 13 of the Zoning Ordinance
Tammie Clary, Director of Planning and Community Developement
- 4.** Blighted Property - 1502 Magruder Road
Tammie Clary, Director of Planning and Community Developement
- 5.** Approval of Summary Town Council Minutes from March 4th, 2025
- 6.** **New Business**
- 7.** **Old Business**
- 8.** **Adjournment**

TOWN COUNCIL REPORT

ATTACHMENTS:

Description	Type	Upload Date
Town Manager's Report - March 2025	Activity Report	3/28/2025
Parks and Recreation Activity Report - March 2025	Activity Report	3/28/2025
Tourism Activity Report - March 2025	Activity Report	3/28/2025

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

**FROM: MICHAEL R. STALLINGS, JR. ICMA-CM
TOWN MANAGER**

SUBJECT: MONTHLY ACTIVITY REPORT – MARCH 2025

TOWN MANAGER:

(Forthcoming)

DIRECTOR OF HUMAN RESOURCES:

- Processed property/liability claims with VRSA as appropriate.
- Processed Workers Compensation claims as appropriate.
- Conduct recruiting efforts for the following positions:
 - Patrol Officer (Certified) (3) – Police Department
 - Transportation & Storm Water Manager - (Public Works & Utilities)
 - Utilities Marker – (Public Works & Utilities)
 - Utilities & Grounds Helper (Public Works & Utilities - 2)
 - Utilities Mechanic – (Public Works & Utilities)
 - Utilities Maintenance Technician (Public Works & Utilities)
- Conducted interviews for Police Officer candidates on March 10th & 11th
- Conducted interviews for Utilities & Grounds Helper I on March 11th and March 13th
- Participated in a career fair at Paul D Camp Community College in Franklin on March 26th

- Participated in a Virtual Hiring Event through Virginia Works on March 25th from 10:00 a.m. – 1:00 p.m.
- Led the Town's Safety Committee Meeting on March 13th
- Completed and submitted all documentation for Property & Liability insurance renewal.
- Continued work on Policy Review for potential changes.
- Continued work on Health Insurance & Benefits Renewal process
- Coordinated CPR training for town staff.
- Initiated the Performance Management Process for 2025.
- Continued work on FY2026 budget
- Managed any personnel-related & benefits questions/issues as appropriate.
- Participated in all scheduled staff and Council meetings.

TOWN CLERK:

- Transcribed and proofed the monthly minutes from Town Council, Planning Commission the Board of Historic and Architectural Review, and the Board of Zoning Appeals.
- Prepared March Town Council Committee Agenda and April Town Council Agenda.
- Attended scheduled Staff Meetings.
- Prepared summary reports from Town Council Committee meetings on March 24th.
- Met with Pitney Bowes representative about upgrading the Town's postage meter.
- Continue to work on organizing Town records and disposing of documents according to General Schedules of the Library of Virginia.

TREASURERS DEPARTMENT:

- Finished SAM Registration
- Completed DMV Registration and Cancellations
- Completed VDOT Survey
- Met with RDA for a discussion on their HR/Payroll modules
- Finished my suggestions for ERP provider (documentation)
- Began working on graph ideas for Town Council Committee Meetings
- Worked with Lawson on the PP Delinquent Bills
- Updated Treasurer's Handbook
- Updated procedures for VDOT Survey
- Checked all invoices that will be paid this week
- Payflow discussion (company that is replacing our current merchant for online payments)
- Continued course for TAV
- Completed Footnotes to Financial Statements for the Town Council Committee Meeting at the end of the month

- Started compiling the graphs for the Town Council Committee Meeting
 - Revenue
 - Expenses
 - Cash to Investments
 - Forecasting to Budget
- Completed the Benchmark report
- Completed the Debt Report
- Reviewed and approved all bills
- Discussion with Fran about the invoice process
- Completed another module in the TAV/Accounting course
- Started working on the annual personnel reviews
- Reviewed, again, delinquent bills
- Talked to Lawson about the RE bills that will go out next month
- Participated in 3+1 discussion on forecasting
- ½ Day Bereavement on Thursday the 13th and whole day on Friday the 14th.
- Prepared for the Town Council Committee Meeting
- Attended the Town Council Committee Meeting on Monday the 24th.
- Started the policies for collection of delinquent debt
- Reviewed the delinquent personal property list
- Reviewed the delinquent real estate list.
- Completed the test for the “Collection of Delinquent Taxes” online on Wednesday.

COMMUNITY DEVELOPMENT AND PLANNING:

Planning Commission – MARCH 11TH, 2025

Public Hearing Special Use Permit – 219 Battery Park Road – CHT Towing C/O Trevor Darling, applicant. FAVORABLY RECOMMENDED

Entrance Corridor Overlay Review – 1807 S Church Street – JVC Holdings, LLC C/O Vincent Carollo, applicant. APPROVED

Preliminary Plat, Site Plan, PC Waiver, Entrance Corridor Overlay Review – 18403 Cypress Crossing – Hutton Build C/O Michael Bryan & Joe Rust, applicants. APPROVED WITH STAFF RECOMMENDATIONS

Special Use Permit Applications under review

- A. 13458 Benns Church Blvd – Miller Oil Co., Inc., applicant
- B. 1810 S Church St – Natale & Josephine Carrollo, applicants
- C. 895 W Main St – Brown’s Enterprises, LLC, applicant
- D. TPIN: 32-01-005 – L & L Land Development, LLC, applicant (The Promontory)
- E. TPIN: 21A-01-511 – Development Logistics and Consulting (DLAC, LLC) (The Cottages at Battery)

- F. TPIN: 22-01-006C5 - Smithfield Retail Management LLC c/o Steven Barrett, applicant
- G. TPIN: 22J-01-013 – Feeman and Associates c/o Steven Gaskins
- H. TPIN: 32-01- 096A2 – Randy Royal, applicant

Subdivision and Site Plans under review

- A. TPIN:22-01-006C5 – Steven Barrett, applicant (restaurant w/drive-in)
- B. 18403 Cypress Crossing – John Lombardo, applicant (Mod Wash)
- C. Phase B, Mallory Pointe
- D. Phase C, Mallory Pointe

Subdivision and Commercial Sites Under Construction and Inspection

- A. Church Square, Phase II
- B. Cypress Creek Phase VI
- C. Washington & James – James & Washington Square
- D. 16” Water Main – Ken Turner (Mallory Point)
- E. 1305 S. Church St. TPIN: 21A-01-511C – KLS Battery Park Development Group, LLC (Retail & Restaurant)
- F. 201 Battery Park Road – Trey Gwaltney (Self Storage)
- G. Phase A Erosion & Sediment Controls – Mallory Point
- H. Phase A1, Mallory Pointe
- I. Phase A2, Mallory Pointe
- J. 204 Wimbledon Lane – Jack Bloom, applicant (Liberty Live Church)

Board of Historic & Architectural Review – MARCH 19TH, 2025

- Assorted Exterior Changes – 110 Thomas Street – Contributing – Faith and Joseph Barnes, applicants. **CONDITIONALLY APPROVED**
- Exterior Changes – 130 Main Street – Landmark – 1750 Isle of Wight County Courthouse Inc c/o David Hundley, applicant. **APPROVED.**

Board of Zoning Appeals – MARCH 19TH, 2025 (CANCELED)

Erosion & Sediment Control Program

Erosion and sediment control inspections were performed at 23 active residential construction sites throughout the Town and the required reports were submitted to Isle of Wight County for submission to the Department of Environmental Quality.

Certificate of Occupancies issued in March 2025

4 Issued

Code Enforcement Updates Across Town March 2025

- A. Notices were sent/issued for the following violations:
 - a. Inoperable Vehicle, 3 locations
 - b. Nuisance, 2 locations
 - c. RV in front yard, 1 location

- d. 12 Door hangers issued (5 Inoperable Vehicle, 4 Nuisance, 2 RV in front yard/
parked on right of way, 1 Other (Trash Cans left by street)

PUBLIC WORKS & UTILITIES:

1. Directors Report

■

Utility Staff performs the following duties monthly

- A. Miss Utility marking
- B. Read meters for billing and to transfer property owners.
- C. Water cut-offs and cut-on
- D. Check sewer pump stations daily.
- E. Install and repair street signs.
- F. Replace and repair broken water meters.
- G. Perform maintenance on town-owned buildings such as Atlantic Contractors
installing new hvac units at town hall.

2. Sewer Line Repairs and Maintenance

- A. Repaired lateral at 129 Lane Crescent.

3. Sewer Pump Station Repairs and Maintenance

- A. Weekly and daily checks on all 27 pump stations.
Performed the following scheduled maintenance at all pump stations.
 1. Cleaning of wet-well
 2. Alarm testing
 3. Sump pump cleaning
 4. Check Valve cleaning and repair.
 5. Generator check / Godwin pump check
 6. Control Panel / Flow monitor check
 7. Fence and Grounds inspection
 8. Inspected Structure
 9. Inspect and clean pumps.
 10. Level system check
 11. Test limit switches
 12. Bar screen cleaning
 13. Rain gauge cleaning
 14. Head pressure reading at 7 pump stations.
- B. Installed new pump at James St pump station.
- C. Installed new put at St. Andrews pump station.

4. **Water Line Repairs and Maintenance.**

- A. Assisted Lewis Construction at 107 and 108 Winchester Place for emergency water repair. The setter had rusted out and found a few holes that had been covered with cement. Replaced the setter and repair clamp for holes in the water line.
- B. Maintenance crew repaired water leak at 120 Barcroft. This is a galvanized water line.

5. **Well Repairs and Maintenance**

- A. All wells except 8A and 10 (at RO Plant) are off now that RO plant is running. Upgrades to well houses have been completed to keep wells in operating condition in case of an emergency. Emergency wells are flushed, sampled, and inspected once a month.

6. **Water Treatment Plant**

- A. Operate RO Plant and monitor distribution system.
- B. Daily lab analysis, monthly sampling, and reports for VDH, HRSD, DEQ and RO contractors.
- C. Performed monthly routine tasks including but not limited to:
 - 1. Daily Inspection of RO Plant and grounds.
 - 2. Monthly Tank inspections.
 - 3. Inspect and exercise plant generator monthly.
 - 4. Fill antiscalant day tank.
 - 5. Truck Inspections.
 - 6. Routine service of lime system.
 - 7. Service online fluoride and chlorine analyzers.
 - 8. Calibrate online turbidimeter and pH meter.
 - 9. Check and replace air filters.
 - 10. Test Alarms.
 - 1. Changed cartridge filters.
 - 2. Virginia Controls completed yearly generator maintenance.
 - 3. VC fixed two leaks at our sodium hypochlorite pumps.
 - 4. Town Council members came out to tour the plant.
 - 5. Roof vents sealed and repainted by contractor.

7. FOG/ Backflow/ Septic Pump Out Program

A. Implementing the FOG Program to ensure compliance by:

1. Scheduling and meeting with FSE's for routine inspections.
2. Checking FSE's for compliance in record keeping and HRFOG Certifications, trying to get more certifications for education outreach.
3. Inspections to include proper record keeping of pump outs.
4. Inspections include proper record keeping of rendered grease clean out and pick up/throw out.
5. Working with FSE's to get more employees, specifically dishwashers certified by HRFOG.
6. Working to schedule inspections around FSE's clean out/pump out schedule for pump station problem areas.
7. Sending emails/letters to schedule more inspections.
8. Working with select FSE's to schedule inspection during pump out to monitor clean out and pumping is done to compliance.
9. Attendance of the HRFOG meeting via Zoom.

B. Implementing the Cross Connection and Backflow Program to ensure compliance by:

1. Entering reports and filing reports.
2. Conducted backflow inspections for new irrigation installations.
3. Conducted backflow inspections for CO requests.
4. Following up with residents with disconnected systems and/or placed on irrigation well, making letters to inform well drillers of new ordinance change.
5. January mailers' final non-compliance notices sent.
6. Sending out failed device notices as received.
7. July mailers' non-compliance notices sent.
8. Studying to become backflow certified.
9. Providing education to residents installing frost free yard hydrants.
10. Starting 2024 January mailers.

C. Maintaining of the Septic Pump Out Program

1. Sending 2023 non-compliance notices out for the invoices that were not provided by the due date.
2. Sending pump out reminders for 2024 were sent.
3. Sending pump out letters for 2023.
4. Working with the water department to get a complete town sewer list from the water dept to fill in gaps on non-town sewer residents.

8. Miscellaneous or Construction

- A. The maintenance crew provided traffic control at 498 Moonefield Dr. for Goodrich to cut trees down.
- B. Maintenance crew worked road closure for St. Patrick's Day parade.

ENGINEERING

- 1.) Blair Brother's Contracting: The contractor repaired the sunken area over our storm drainpipe at 104 New Castle Way in the Waterford Oaks subdivision.
- 2.) Lewis Constr. replaced and repaired a damaged storm drainpipe section, backfilled and restored the riprap at 821 Smithfield Blvd.
- 3.) Smithfield Lake Dam: Field inspections continue to be held this month involving the Dam. No structural deficiencies were noted this month on the dam site. The Town's engineer and TRC Companies have recently completed a full structural inspection of the dam and have submitted a 2-year recertification application for the dam to DCR. The Town has now installed the water level sensor in the emergency outfall of the dam, and it is currently forwarding to us water level information.
- 4.) The following projects are currently under design and review:
 - a.) Battery Park Road storm pipe replacement near the Villas Subdivision. Plans have been developed to replace the existing 18" storm pipe with twin 48" x 68" elliptical pipes.
 - b.) Battery Park Road culvert outfall and ditch enhancements project which is located near Greenbriar Lane. The site plans are complete and approved.
 - c.) Cedar Street culvert outfall storm pipe extension and shoulder repair. Site plans are complete and approved. Additional drainage easement areas are being acquired.
 - d.) Lewis Constr. and the Town are currently scheduling the replacement of a section of storm water drainage cross drainpipe on Great Spring Road. This schedule will be in conjunction with the Isle of Wight County sidewalk project on Main Street.
- 5.) South Church Street to Nike Park Bike Trail Project:

Site plans are being completed and various sources of funding involving the construction of the project are now being examined.
- 6.) Meetings with VDOT representatives have been held to discuss the reconstruction of Grace Street. VDOT has now determined the corrective measures required involving the drainage concerns at the intersection of Grace & James Streets. Reconstruction of this intersection has now begun.
- 7.) The developer has requested an inspection of Cypress Creek Phase VI for the acceptance of the streets into the Towns Maintenance system. A second inspection of storm water structures, curb & gutter sections and the installed roadway surface has been completed, and a punch list has been developed. The contractor is currently making corrections to all items noted on this punch list.
- 8.) A review of the proposed engineering site plans continues regarding the Mallory Farms subdivision Phase B.
- 9.) With respect to Mallory Farms subdivision Phase A, Section 1 (a) field inspections regarding stormwater structures and storm pipe installation, sanitary sewer pipe,

manholes and the sanitary sewer pump station; along with the water main and laterals, are being performed. The contractor has now installed base asphalt as per approved site plans on Wharf Hill Drive, Wentworth Crossing, Purdie Lane & St. Luke's Lane. Contractor has continued and completed installation of the storm drainpipe from OF-3.0 to OF-3.1 (Stormwater Basins). Contractor has also installed storm drainpipe from OF-1.0 to OF-1.1 (Stormwater Basin). (b) Regarding Battery Park Road the contractor has installed underdrain right of C/L from Sta. 103 + 75 to Sta. 107 + 50. Storm structures 3-1, 4-2, 4-3 & 4-4 have now been installed. The contractor has installed the curb & gutter right of C/L Sta. 103 + 75 to Sta. 107 + 50. (c) Phase A Section 2 the contractor continued the clearing and grubbing phase of the project along with the installation of sediment basin # 3.

Parks and Recreation Activity Report for March 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
						9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM
2	3	4	5	6	7	8
9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 2:00 PM - 3:00 PM WC Grounds WC Historic Walking Tours 2:00 PM 8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM		6:30 PM - 8:00 PM SC AB Town Council 6:30 PM	2:00 PM - 9:00 PM SC MH Vendor Appreciation Dinner 6:00 PM	8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM	10:00 AM - 1:00 PM SC CD Drive Tourism Workshop 10:00 AM 8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM	9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM
9	10	11	12	13	14	15
9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 8:00 PM - 8:30 PM SC Parking Theater Shows 8:00 PM	8:30 AM - 4:00 PM SC MH Farm Bureau Meeting 9:30 AM	6:30 PM - 8:00 PM SC AB Planning Commission 6:30 PM		9:00 AM - 1:00 PM SC CD IOW Business Workshops 10:00 AM 1:00 PM - 10:00 PM SC MH Citizen of the Year 6:00 PM	10:00 AM - 6:00 PM SC MHSu IWA Gala Set 10:00 AM	9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 10:00 AM - 12:00 PM Main Street St Patrick's Day Parade 10:00 AM 10:00 AM - 11:30 PM SC MHSu IWA Gala 5:00 PM
16	17	18	19	20	21	22
9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM	9:00 AM - 9:00 PM SC MHSu GeoVirginia Conference 5:30 PM	7:00 AM - 9:00 PM SC MHSu GeoVirginia Conference 7:00 AM 11:15 AM - 12:15 PM WC MHouse Crime Line Meeting 11:15 AM	7:00 AM - 5:00 PM SC MHSu GeoVirginia Conference 7:00 AM 6:30 PM - 8:00 PM SC AB BHAR Meeting 6:30 PM	8:30 AM - 12:30 PM SC MH Smfd Women's Club 10:00 AM 11:00 AM - 12:00 PM WC MHouse Town Mgrs Mtg 11:00 AM 12:30 PM - 5:00 PM WC MHouse Smithfield Events Hiring Event 12:30 PM 3:00 PM - 5:00 PM SC MHSu Women's Club Flea Market Set 3:00 PM	8:00 AM - 4:00 PM SC MHSu Women's Club Flea Market Set 8:00 AM	7:00 AM - 3:00 PM SC MHSu Women's Club Flea Market 8:00 AM 9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM
23	24	25	26	27	28	29
9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM	3:00 PM - 6:00 PM SC AB Committee Meetings 3:00 PM 6:00 PM - 7:00 PM SC AB Schoolhouse Mtg 6:00 PM	8:00 AM - 5:00 PM SC MH Pesticide Recertification 8:30 AM 9:00 AM - 2:00 PM SC CD Sen Kiggans Community Mtg 10:00 AM	SC Tile Cleaning 10:00 AM - 12:00 PM WC MHouse Museum-6th Grade Workshop 10:00 AM	1:00 PM - 10:00 PM SC MH Smfd Youth Wrestling Banquet 5:30 PM	6:00 AM - 11:00 AM SC MH Chamber Legislative Breakfast 8:00 AM 2:00 PM - 5:00 PM WC MHouse Bendall-Bostian Elopement 2:00 PM	9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM 12:00 PM - 11:00 PM SC MH JROTC Banquet 5:30 PM
30	31					
9:00 AM - 5:00 PM LSC Baseball Fields SRA Baseball/Softball 9:00 AM						

Parks and Recreation Activity Report for March 2025



SMITHFIELD CENTER EVENTS STATISTICS & REVENUES			
Number of Events for month	19	Discounted Events for Month (town meetings, events)	9
Sales Totals for Month	\$ 15,500	Total Event Attendance for month	4600

WINDSOR CASTLE EVENTS STATISTICS & REVENUES			
Number of Events for Month	5	Discounted Events for Month (town meetings, events)	4
Sales Totals for Month	\$ 900	Total Event Attendance for month	100



Parks and Recreation Activity Report for March 2025



WINDSOR CASTLE PARK Patron Counter		
March		
Total for Month	Daily Average	Peak Day- Sat, Mar 22
4200	160	325



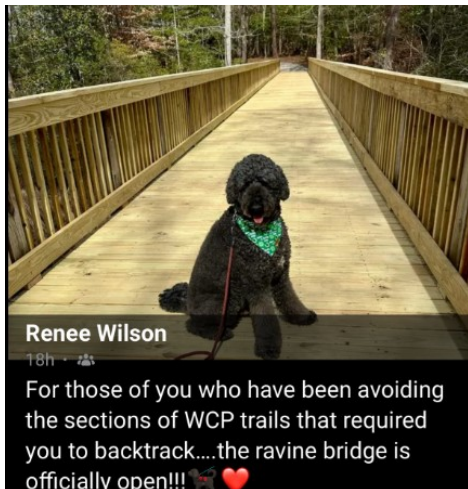
NSA Day of Caring Students

Return to Cleanup our Parks

Students from Nansemond Suffolk Academy returned to complete a day of service to their community. Lucky for us Windsor Castle Park and Clontz Park were part of their service project. At Windsor Castle Park they helped with the limb removal from the annual tree pruning our staff does each spring. At Clontz Park, they did litter pick up, which keeps trash out of our waterways.



WINDSOR CASTLE PARK Kayak Kiosk Revenue Share	
2024 TOTAL (Mar-Nov)	\$ 8,666
2023 TOTAL (Jul-Nov)	\$ 3,088



Renee Wilson

For those of you who have been avoiding the sections of WCP trails that required you to backtrack....the ravine bridge is officially open!!!

All large WC Bridges and Piers renovations are complete

Only 2 smaller bridges remain which won't cause any major detours.



Tree Identification Project by the Master Naturalists

Our Master Naturalists have done it again, another great project that adds to the outdoor education interpretation of our beautiful park. Several of the park trees along the trail now have small plaques that give the tree species and a QR code that provides even more interesting facts on the tree id.

Parks and Recreation Activity Report for March 2025



LSC Field 6 Concession Building

Ribbon Cutting

On March 6th, we celebrated the completion of the Field 6 building which will house Smithfield Packers Football concessions and board room as well as 4 additional bathrooms. Yay for no more portapotties.

LUTER SPORTS COMPLEX

March

Totals

\$ 0



Parks and Recreation Activity Report for March 2025

Special Events

March 2025

Saturday, March 15, 2025	5:30 P-9:30 P Smithfield Center Fundraiser 350 p	IOW Academy Gala
Saturday, March 15, 2025	10:30 A-1 P Main Street Parade 3000 p	St Patrick's Day Parade
Saturday, March 22, 2025	8 AM-1 PM Smithfield Center Flea Market 500 p	Women's Club Flea Market

UPCOMING in April 2025

Friday, April 4, 2025	5-7 P LSC Car Show 100 p	Ruritans Cruise In Car Show
Saturday, April 5, 2025	10 A-2:30 P Town Streets Bike Race Portion 500	YMCA Triathlon
Saturday, April 12, 2025	11 A-5 P WC Riverfront Festival 3500 p	Wine Fest
Saturday, April 26, 2025	8 P-12 P Smithfield Center Prom 200 p	Windsor Prom
Saturday, April 26, 2025	6 A-5 P Windsor Castle Park & Town, County Roads Bike Race 500 p	Tour De Cure

Smithfield/Isle of Wight Tourism Activity Report –MARCH 2025

- Tourism Full Time Staff meeting 3/3/25; 3/10/25; 3/17/25; 3/24/25.
- Tourism ALL Staff meeting 3/18/25.
- Tourism Budget Review with County Admin and Staff 3/3/25.
- Town Council 3/4/25.
- Historic Saint Luke's Church & Museum strategic planning meeting 3/4/25. HSL is undergoing a strategic planning review and update.
- Director attended VADMO (VA Association of DMO's) Executive Committee 3/5/25.
- Director and Town Manager met with CGI representative Nikki Carroll to assess banner and video program for town 3/5/25.
- Director attended County Agenda Review meeting 3/6/25.
- Meeting w/ SAIL VA 3/6/25. Smithfield will be hosting a tall ship in June 2026, as part of the SAIL VA event.
- VA250 Mobile Museum meeting 3/6/25. Mobile Museum will be at the IOW Museum for this year's upcoming Arts Festival in May.
- Combined town and county staff meeting regarding Farmers Market location needs for 2026 and beyond. Various alternatives are being explored and priced out to see what the capital needs would be.
- Farmers Market Vendor Appreciation Dinner 3/6/25.
- Continued to contract with Stephanie Kensicki (formerly of Smithfield Foods) for part-time marketing services. Would like to offer her full time employment in the next fiscal year. Several personnel meetings held throughout month with leadership.
- VTC DRIVE Tourism Workshop held at the Smithfield Center from 10 – 1 3/7/25 to brainstorm ideas and work through information related to the VTC DRIVE Tourism grant application. Excellent stakeholder attendance and participation! Grant application due 3/28/25. Tourism brainstorming session held 3/20/25.

Tourism/IOW Museum joint VA250 Thematic Driving Trail will be funded through this grant.

- VRLTA (Virginia Restaurant, Lodging and Travel Association) Government Affairs Update Calls 3/7, 14, 21, 28/25.
- Visitor Center Manager and Head Tour Guide attended the VTC Visitor Center Seminar in Harrisonburg 3/10-12/25. Excellent professional development experience!
- Director attended HSL (Historic Saint Luke's Church & Museum) Executive Committee meeting 3/10/25.
- Director and Marketing Coordinator met with website company regarding the significant update of the www.GenuineSmithfieldVa.com website 3/10/25.
- Saint Patrick's Day Parade planning meeting 3/10/25. St. Pat's Parade held 3/15/25. Excellent attendance and better retention of crowd after parade.
- 2025 Juneteenth event meeting 3/10/25. Plans are on track. Event will be held on 6/19/25.
- County Tornado Drill held 3/11/25. All staff in Visitor Center participated.
- Director attended County Pre-application meeting 3/12/25.
- Director took Lee Enterprises sales call with SVAE Festival Director for marketing services 3/12/25.
- Director and Special Event Coordinator attended Citizen of the Year Dinner honoring Wesley Brown 3/13/25.
- Tourism staff met with new owners of the Cypress Creek Golf Course 3/14/25 to talk about promoting the course and restaurant more to visitors. CCGC asked us to pause until Summer so they could be on track to handle more business adequately and appropriately.
- 2024 Tourism Annual Report completed and attached.
- Director attended and was featured speaker at the Coastal Virginia VRLTA chapter meeting at Alewerks Brewery in Williamsburg 3/19/25.
- Town Staff Meeting 3/20/25.
- Director participated in SVAE interviews for Assistant Festival Director position for SVAE. Candidates were excellent and a candidate was selected and offered

the position. She will begin in May. This is part of the SVAE Success!(ion) Planning campaign.

- Director attended Board of Supervisors meeting 3/20/25.
- Director assisted new Bedford Tourism Director, Kimberly Peterson, and staff with agritourism ideas and suggestions for success 3/21/25. Bedford Director remembered remarks delivered by Smithfield Tourism Director at an agritourism conference several years ago and reached out.
- Salty Southern Route (regional trail featuring pork and peanuts with participating localities: Smithfield/IOW; Surry; Suffolk; Franklin/Southampton; Sussex.) Group continues to work with Visit Widget to create a new website and online trail app. Meeting held 3/21/25.
- County Staff meeting 3/24/25.
- VADMO VTLI (Virginia Tourism Leadership Institute) coordination meeting 3/24/25. Next session is next month in Harrisonburg.
- Director attended Council Committees 3/24/25.
- Farmers Market Manager induced on Wednesday 3/26/25. She will be out on maternity leave for 6-8 weeks. Department has pulled together to handle her Saturday on-site duties while she is out. Sabrina will continue to handle administrative duties from home during her leave.
- Set up for Coastal Virginia Tourism Alliance blitz at the Fredericksburg Welcome Center on 3/27/25. Smithfield & IOW Tourism will be represented at the Welcome Center with the group for the next 3 months. This opportunity was paid for by CVTA.
- Smithfield Farmers Market Board meeting 3/27/25.
- Historic Saint Luke's Church & Museum Board meeting 3/27/25.
- Director attended Chamber Legislative Breakfast 3/28/25.
- Internal work continues on the VA250th efforts locally. Isle of Wight has appointed a local VA250 Committee that includes many of the historical organizations in the area. Director and Museum Director are heading up this committee and meet quarterly. VA250 Trail being created by Tourism & Museum. Next Quarterly meeting held 4/25.
- Bridge Campaign marketing grant received from VTC (Virginia Tourism Corporation) for additional marketing opportunities to combat loss of visitation

and revenue due to prolonged bridge construction. Grant approved and appropriated in July. Contracts placed in August. BILLBOARD has been at the JRB through March!

- VISITOR CENTER open throughout Month. Tourism, County and Town Facebook postings throughout month. Update website events and ***Where the Locals Go*** event promotion newsletter weekly.

TOWN COUNCIL REPORT

ATTACHMENTS:

Description	Type	Upload Date
Public Safety Committee	Committee Summary	3/28/2025
Water and Sewer Committee	Committee Summary	3/28/2025
Finance Committee	Committee Summary	3/28/2025
Parks and Recreation Committee	Committee Summary	3/28/2025
Public Works Committee	Committee Summary	3/28/2025
Public Buildings and Welfare Report - DRAFT	Committee Summary	3/28/2025

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC SAFETY COMMITTEE
MEETING HELD ON MONDAY, MARCH 24TH, 2025

The Public Safety Committee met Monday, March 24th, 2025 at 3:28 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mr. Steven G. Bowman, Mr. Bill Harris, and Mrs. Bebermeyer. Other Council members present were Ms. Valeire Butler, Mr. Darren Cutler, Mr. Jeff Brooks and Mr. Michael G. Smith, Mayor. Staff members present were Mr. Michael R. Stallings, Town Manager; Mr. William H. Riddick, III, Town Attorney; Mrs. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Ms. Ashley Rogers, Director of Human Resources; Mr. Chris Meier, Deputy Chief of Police; Mr. Mark Kluck, Planner II; Mr. Ed Heide, Director of Public Utilities and Public Works; Ms. Amy Novak, Director of Parks and Recreation; Ms. Judy Winslow, Director of Tourism; and Mr. Steve Clark, Parks and Recreation. Also, in attendance were Ms. Jessica York of the Western Tidewater Free Clinic; Mr. David Hundley and John Kline of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; Ms. Marleisa Montgomery of The Genieve Shelter; Mr. John Edwards, Mr. Tommy Gehring, Mr. Jay Bernas of HRSD. There were two (2) additional citizens. There was no media present.

Public Safety Committee Chair, Mr. Steven G. Bowman, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA

1. Operational Update for the Smithfield Police Department – February Activity Report – Deputy Chief Meier stated their February Activity Report was included in today's agenda packet and he would be glad to answer any questions as they relate to this report. There were no questions from Council. Councilman Cutler mentioned that as always great work by the Police Department on the Vape Store and other crimes that were recently solved.

The meeting was adjourned at 3:30 p.m.

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE WATER & SEWER COMMITTEE
MEETING HELD ON MONDAY, MARCH 24TH, 2025

The Water & Sewer Committee held a meeting on Monday, March 24th, 2025 at 3:30 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mr. Darren Cutler, Mrs. Mary Ellen Bebermeyer, and Mr. Steve Bowman. Other Council members present were Mayor Michael Smith, Ms. Valeire Butler, Mr. Jeff Brooks, and Vice Mayor Bill Harris. Staff members present were Mr. Michael R. Stallings, Town Manager; Mr. William H. Riddick, III; Town Attorney; Ms. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Mrs. Ashley Rogers, Director of Human Resources; Mr. Chris Meier, Deputy Chief of Police; Mr. Ed Heide, Director of Public Works; Mrs. Amy Novak, Director of Parks and Recreation; Ms. Judy Winslow, Director of Tourism; and Mr. Steve Clark, Parks and Recreation. Also, in attendance were Ms. Jessica York of the Western Tidewater Free Clinic; Mr. David Hundley and John Kline of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; Ms. Marleisa Montgomery of The Genieve Shelter; Mr. John Edwards, Mr. Tommy Gehring, Mr. Jay Bernas of HRSD. There were two (2) additional citizens. The was no media present.

Water and Sewer Committee Chair, Darren Cutler, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA

1. HRSD Presentation by Jay Bernas – Mr. Bernas, General Manager and CEO of HRSD, was present to give an overview of what HRSD has going on. HRSD is Eastern Virginia's Wastewater Treatment Utility. Many localities operate and maintain their own collection systems with pump stations and gravity sewer. HRSD owns all the large interceptor force mains and all the treatment plants. For example, they own eight large treatment plants in Southeast Virginia and six smaller plants, including the Eastern shore. They serve 1.9 million people which is 20% of all Virginian's over 5,000 square miles. They are the Nation's 14th largest wastewater utility out of approximately 17,000. They are a political subdivision and established in 1940 by the General Assembly. They serve

twenty cities and counties. In terms of financials, their expected revenue this fiscal year is \$467,000,000 million. Their 10-year Capex is \$3.9 billion. 76% of that is regulatory driven over the next 5 years. Meaning their hands are tied and are having to do projects. Mr. Bernas stated that HRSD is the most innovative in utility in the country. They have the largest research group in the country. The research group is led by Mr. Charles Bott. He is a worldwide renowned wastewater engineer. They have 23 staff members, 5 PhDs and 8 people working on getting their PhDs. They get millions of dollars in research grants from the Department of Energy, EPA, etc. Mr. Bernas mentioned their SWIFT research center that is located in Suffolk, Virginia at their Nansemond treatment plant which is where the Town of Smithfield's flow ends up going. Mr. Bernas explained SWIFT and how it has saved the region \$5 billion dollars. As you can imagine, wastewater is highly regulated. There were two main regulations that Hampton Roads was facing. One was the Clean Water Act compliance for sanitary sewer overflows and the second is the Chesapeake Bay Restoration for nutrient pollution going into the Chesapeake Bay. If no one collaborated and everyone did their own thing it would cost HRSD \$7.8 billion dollars to comply with these two regulations. What HRSD came up with was to take advantage of EPA's integrated planning framework. The judge approved their plan in February of 2022. Instead of spending \$7.8 billion they are spending \$2.8 billion because SWIFT has dual compliance benefits. It will comply with both the Clean Water Act and the Chesapeake Bay Restoration. Even though they have saved the region \$5 billion dollars they still have to spend \$2.8 billion so that is why their rates are going up. EPA realized that communities do not have unlimited funds to comply with all these environmental regulations. So, what it says is let the communities decide and prioritize what is most needed in their community. Hampton Roads came up with the SWIFT Project which is a very innovative project. They worked with all the stakeholders and got some innovative trading agreements to create this integrated framework. What is on the screen is just a pictorial of the legal agreement that they have with EPA and the Department of Justice. SWIFT is where we take our highly treated effluent and run it through an advanced water treatment system. So basically, they are taking a treatment plant and putting it next to a wastewater plant, purifying that water and pumping that into the Potomac aquifer. Doing this has so many benefits. Reducing nutrient discharges going into the bay creates a sustainable groundwater supply, reduces land subsidence and protects from saltwater contamination. Mr. Bernas stated that what he does not want Town Council to walk away with here today is that they are pumping raw sewage into the aquifer. They are not doing that. They have some of the most advanced wastewater plants and then they are adding this advanced water treatment plant. This is a multi-barrier technology. There are six technologies at this advanced water plant. This is what you would see at their SWIFT Research Center located at their Nansemond facility. The water comes out so pure out of this process they actually have to add minerals back into the water to match the geochemistry of the aquifer. In terms of nutrient reductions, again for the Chesapeake Bay TMDL, it is all about nutrient pollution. It is all about nitrogen and phosphorus. If you compare our nitrogen discharges from 2021 to 2028, we are reducing total nitrogen by over 70%. They are

reducing total phosphorus by over 50%. By doing so that generates credits. Virginia has nutrient credit exchange that they have had since 2005, and it has been very successful. Because HRSD is creating so many credits, Isle of Wight does not have to spend \$40 million dollars on these stormwater retrofits. By trading these in, HRSD is giving each county locality the credits fee. That is how the savings are generated. Mr. Bernas mentioned the significant decline of our groundwater in Eastern Virginia. When you look at the US Geological Survey there are two large paper mills. The weird circle at the mouth of the Chesapeake Bay is where a meteor hit the Bay thirty to forty million years ago. In those kinds of depression you could see over the last 100 years water levels have declined by over 200 feet because our aquifer is a confined aquifer. It does not get naturally recharged. When you think it is raining and the aquifer is being recharged that is not true. If you look at the graph on the left with no SWIFT, the little blue squares are called critical cells and that is how DEQ manages groundwater withdrawals. These critical cells mean that if water levels continue to decline, permanent damage will occur in those areas. On the graph on the right you can see with SWIFT over 75% of those critical cells get eliminated by pumping water into the aquifer. DEQ did this really interesting study to show how transmissive our aquifer is. By pumping water into the ground in Newport News, you will see that pressure increase 70 miles away within one year. That means you will see that in Northern Virginia in just one year. Mr. Bernas explained that another thing that is happening is water levels continue to decline, and it is causing us to sink. Hampton Roads is ranked tenth in the world for value of assets at risk from sea level rises because sea levels are rising, and we are sinking. The idea with SWIFT is that we can slow down or stop land subsidence. Mr. Bernas said "How do we know we are sinking?" One of the ways is through this device that US Geological Survey has installed called an extensometer. There will be five extensometers in Eastern Virginia. An extensometer is a metal rod that goes all the way down to bedrock around 2000 feet below ground. Then at the surface you have device that detects surface level movements at a submillimeter level accuracy. One of the things that HRSD is going to have is what is called superstations. The superstations will have extensometers, GPS, and satellite reflectors. The satellite data can be calibrated to extensometers and will also have the typical benchmarks. The Hampton Road area is next to the ocean, so we are in the coastal plains. There is no barrier between the fresh water and the saltwater. It is called the fresh water / saltwater interface. If you are pulling water out of the aquifer you are drawing that saltwater in. Once you have saltwater contamination into the aquifer it is potentially irreversible. Orange County has been doing this since the 70's primarily just to prevent saltwater intrusion into their aquifer. If you push water in it creates a pressure barrier and keeps the saltwater from damaging your aquifer. The other big benefit to the aquifer is economic development. The aquifer is all across Eastern Virginia, all the way to Northern Virginia, basically east of I-95. From an economic development standpoint, you are not allowed to drill an industrial well in Eastern Virginia anymore. So, now the idea is if they pump water back into the aquifer, pressurize the aquifer that opens up all the data centers. You do not have to be next to a water distribution center to get water anymore. That is part of the idea from an economic development perspective that we can

market Eastern Virginia as being water rich again. In terms of construction, the first plant will be done by 2026. It will be located in the Riverview Farm Park of Newport News, Virginia. The one in Nansemond where the Town of Smithfield's flow goes should be done by 2029. By 2029 they will have 50 million gallons of SWIFT water going into the ground. The last slide on today's presentation references one of their innovations. If you are not familiar with Anammox it is a bacteria that was discovered in 1999 and through a decade's worth of research, HRSD has patented this technology and they have the first plant in the world now doing mainstream deammonification. What that means is they save 50% of power and 80% of chemicals in the wastewater process which saves a million dollars a year at that plant in York County but more importantly it saves \$100 million in Capex and so we have this patent with DC water and a number of other patents. They are probably one of the only entities in the country other than DC Water that has patents and royalties. Again, they are one of the most innovative utilities in the country. Mr. Bernas stated that he would be happy to answer any questions. Councilman Cutler stated that he thinks it sounds like a great project. Committee thanked Mr. Bernas for coming out and briefing the Town Council and our citizens on this today.

Meeting adjourned at 3:47 p.m.

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING
HELD ON MONDAY, MARCH 24TH, 2025.

The Finance Committee held a meeting on Monday, March 24th, 2025 at 3:47 pm. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mr. Jeff Brooks, Ms. Valerie Butler, and Mr. Bill Harris. Other Council members present were Mayor Michael Smith, Mr. Darren Cutler, Mr. Steve Bowman, and Mrs. Mary Ellen Bebermeyer. Staff members present were Mr. Michael R. Stallings, Town Manager; Mr. William H. Riddick, III, Town Attorney; Ms. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Mrs. Ashley Rogers, Director of Human Resources; Mr. Chris Meier, Deputy Chief of Police; Mr. Ed Heide, Director of Public Works; Mrs. Amy Novak, Director of Parks and Recreation; Mr. Mark Kluck, Planner II; Ms. Judy Winslow, Director of Tourism; and Mr. Steve Clark, Parks and Recreation. Also, in attendance were Ms. Jessica York of the Western Tidewater Free Clinic; Mr. David Hundley and John Kline of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; Ms. Marleisa Montgomery of The Genieve Shelter; Mr. John Edwards, Mr. Tommy Gehring, Mr. Jay Bernas of HRSD. There were two (2) additional citizens. There was no media present.

Finance Committee Chair Mr. Jeff Brooks, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL AGENDA

1. Invoices Over \$20,000 Requiring Council Authorization –

a. Lewis Construction of Virginia \$23,000.00

This invoice is for progress billing for Red Point Heights water services. Committee recommends sending this invoice to Town Council for consideration at their meeting on April 1st, 2025.

B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Funding Request for FY 2025/2026

a. Western Tidewater Free Clinic – Ms. Jessica York of the Western Tidewater Free Clinic was present to give Town Council a brief overview. Ms. York thanked Town Council for the Town's support in the past. They would not be able to sustain their mission without the support of the Town of Smithfield. While only 2% of their patients live in the Town of Smithfield, she believes that the numbers that she has today are still just as impactful. Last year in 2024 the clinic served 43 Town of Smithfield residents in 269 visits. They saw 20 Town of Smithfield residents through 81 dental visits. For all of Smithfield they saw a patient population of 106 residents through 799 visits. Through these patients they received \$75,000 worth of free medication and services that valued over \$186,000. Their dental clinic was expanded in 2024, and they saw an increase of 29% in patients and 71% increase in visits. Many of their dental patients report that they are not only healthier and in less pain. They also have a restored smile and better self-confidence. Ms. York stated that the Western Tidewater Free Clinic is graciously asking the Town of Smithfield to consider their request for funding for the next fiscal year. Councilman Brooks stated that the Western Tidewater Free Clinic does a fantastic and much needed job. Ms. York explained the different methods of outreach that the clinic has to get help to the individuals that need it. Councilman Brooks stated that for clarification the clinic's funding request this year is \$11,195.00. Ms. York replied that was correct. Committee thanked Ms. York for the update.

b. Isle of Wight County Courthouse – Mr. David Hundley, Director of the Board for the historic 1750 Isle of Wight County Courthouse, was present to give any update on their organization. Also, with Mr. Hundley today was their treasurer, Mr. Jim Kline. Mr. Hundley stated that first they want to thank the Town for their support and contributions in the past to the 1750 IOW County Courthouse. It gives them great pride that the 1750 IOW County Courthouse is the symbol represented on the Town's seal. It symbolizes the beginning of our local government and the importance our building has had during the creation of Smithfield being that it was one of the first buildings built in Town. Their mission is to enhance the 1750 IOW County Courthouse and its remarkable role in the American experience. Their vision is that all who visit the 1750 IOW County Courthouse be engaged by the story of this important building as seen in

the context of American history and inspired by relevance of today's world as it is seen in the future. 2024 was a great year for the Courthouse. During the year they welcomed close to 8,500 visitors. The visitors were not only from our local community but from all over the United States and several countries around the world. Presently they have 13 docents, 11 volunteers, and 2 paid staff members. They recorded over 3,000 volunteer hours and worked closely with the visitor's center and other local groups to promote Smithfield and encourage visitors to come to our Town. They will continue to welcome, free of charge, visitors to the 1750 IOW County Courthouse. Some of the events that they participate in throughout the year are as follows: Court Day, Juneteenth Celebration, Reading of the Declaration of Independence, and Constitution Week. They participated in the Vintage Market, Ghost Walk, Mistletoe Market, and Christmas in Smithfield. They have opened their doors to many of the downtown events such as Galentines's Night, Witches Night Out and the Christmas Tree Lighting. For 2025 they will continue to work towards their mission and their vision. Mr. Hundley stated that they just finished Thursday, Friday, and today sharing the history of the courthouse with just over 100 middle school students. Back in November they had about 75 high school students from Isle of Wight County Public Schools. The students were working on their Virginia 250 project. They will continue to build strong relationships, communications and collaboration with Tourism and the visitors center. They are also working on developing strategies to increase membership. This upcoming year they will be focusing on developing programs to celebrate their 275th anniversary of the building and our country's 250th anniversary of independence coming up next year. Their commitment to preserving and maintaining the integrity of the 1750 Courthouse for our community and visitors to Smithfield is possible by their fundraising efforts, donations from community members, visitors to the courthouse, and the contributions from the County and the Town of Smithfield. These contributions make it possible to tell and keep the story alive for the remarkable building and the roll it played in the American experience. Their request for FY 2025/2026 is \$5,000. Mr. Hundley thanked Council for their consideration in supporting the 1750 Isle of Wight County Courthouse. Committee thanked Mr. Hundley and Mr. Kline for the update.

c. Friends of the Smithfield Library – Ms. Beth Haywood was present to give an update to Town Council on the proposed programs from the Friends of the Smithfield Library. She thanked the Town for all the past contributions to the organization. The new programming that they would like to do this year was included in today's agenda packet. The contributions from the Town help them to continue to offer new programs at the library and expand on existing programs. Some of the programs that they will continue to have with the support of the Town are the School Age Programming, Teen Programming and the Summer Reading Program. They will also continue to have Downtown Story walks and

Adult Programming. They are ready to move forward to the next phase of updating their children's area to provide a more spacious and welcoming space for community families. The first phase was to purchase additional shelving units. This second phase will be to purchase two new floor rugs for the children's area. These rugs will anchor new seating areas that they plan to equip with new furniture to better accommodate the large number of families that frequent this room. Next year they would like to expand with a Black History Month Program. Ms. Haywood stated that the Friends of the Smithfield Library's total funding request for FY 2025-2026 is \$3,289.00. Committee thanked Ms. Haywood for the update.

2. The Genieve Shelter – Ms. Marleisa Montgomery, Executive Director of The Genieve Shelter, was present to give an update on their organization. She thanked Town Council for their support in the past for the shelter. The Genieve Shelter has been operating for over 36 years as a domestic violence / sexual assault agency. During the fiscal year of 2024 the Genieve Shelter provided prices and supportive services to 104 families attempting to escape domestic violence in the Town of Smithfield. They also provided 1,752 nights of emergency shelter and assisted 78 clients with court advocacy support. They are in court every Monday for victims of domestic violence. They also responded to 167 hotline calls from residents of Smithfield. In the last fiscal year they opened their new safehouse. It is known as "Nora's Safehouse" which increased their bed capacity from 36 beds to 52 beds. The Genieve Shelter has responded to more calls than ever before in the last six months. Their hotline calls are increasing. The shelters stays are increasing. Ms. Montgomery explained that The Genieve Shelter will provide 90 days of emergency shelter stays for their families. Due to inflation and the unaffordable housing problems that they are seeing in all the cities all across the state of Virginia. Our families are now staying in the shelter up to 160 days. In some cases, they are still not able to get them into permanent housing. This year The Genieve Shelter is requesting \$10,000 from the Town of Smithfield to assist them with emergency shelter and services. And to help them with their therapeutic services that they provide. They recently received a major cut in their mental health services and that is why they are asking for that additional component to be added to emergency services. They are also in the process of trying to connect their clients with different housing programs that they are working with. They continue to have longer stays through emergency services because they are unable to find housing. They know they cannot continue to keep them in emergency shelters because it is designed to be a temporary program. They are facing a major crisis with the housing situation the way it is today. Ms. Montgomery stated that they need the Town's financial support more than ever before. Councilman Brooks stated that the letter states you are request \$10,000 for the upcoming fiscal year which is the same as the request from last year. Ms. Montgomery stated that she wanted to increase that amount but was trying to be

mindful of other organizations that were also requesting funding. She stated if they could get an increased contribution of \$15,000 this year that would tremendously help them. Councilman Bowman stated that it is a lot of people that you are housing over a period of time. He asked what kind of support the shelter gets from family members. Are we going through a period of time that family members are not stepping up to help or is it a dynamic where these folks are out on their own and do not have anywhere else to go. Ms. Montgomery stated that family support in many of their cases is not safe for them to reside with their family members. Years ago, they would have family members or church families that would step in but because of the nature of their business and the recent cases of violence a lot of these families have turned a blind eye. They will certainly give us a call and bring them to the door to drop them off. They are not seeing a lot of family support to take them in. The calls they are getting are really pressing on our hearts and that is what we do but they are getting sadder by the day. They get lots of calls that people are living in their cars. The Genieve Shelter covers the largest territory in the state of Virginia out of all of the domestic violence programs. They cover the entire western Tidewater area which is six rural communities. On top of increased domestic violence calls they are also getting a lot of homeless calls. Councilman Bowman stated that as someone that has worked the streets for many years as either Chief of Police or police officer he has dealt with these types of scenarios. He explained that the church he attends used to participate in providing shelter for the homeless, however due to the dangerousness and the rise in mental illness with the folks that were showing up at the churches it became a huge safety risk. He also sympathizes with the fact that when you talk about people sleeping in cars. A lot of times your reaction is what did they do to get themselves in that situation. If you really look at the root of it it's not anything they have done at all. It is a situation that they have been thrust into. Councilman Bowman suggested that if Ms. Montgomery would submit in writing an amended request for additional \$5,000 in funding from the Town he would be in support of considering that amount during the budget process. Councilman Brooks stated that he agrees with Councilman Bowman and asked for Ms. Montgomery to submit an amended request for an additional \$5,000 for consideration during the budget process. Committee thanked Ms. Montgomery for the update.

3. February Financial Statements – Ms. Ross stated that she wanted to talk about revenue that the Town generates from various sources. The graph provided in the packet has a total revenue of \$5,507,000. The majority of that amount comes from local tax revenue which is \$3,777,371.43. Local tax includes sales tax, meals tax, etc. The total amount of revenue from permits, fees and licenses is \$131,491.76. Total revenue for fines and forfeitures is \$26,306.40. Revenue from use of money and property is \$779,709.69. Miscellaneous revenues includes grants and contributions and they total \$238,180.23. State revenue that includes

the PPTRA is \$554,328.11. Ms. Ross stated that she attended a collections course given by the Treasurer's Association of Virginia last week and wanted to briefly go over what our delinquencies are. Personal Property delinquent bills were sent out and the total amount including penalty and interest is \$356,207. Real Estate delinquencies including penalty and interest are \$376,860. Ms. Ross explained that there are several things that they can do to collect these amounts, and she will present that to Council at next months meeting. After 90 days, the staff will send out another delinquent notice. One of the remedies to collecting this debt is liens against bank accounts. Currently, we do not have a policy to collect delinquent payments. Staff will be working on developing a policy to collect delinquent taxes. Total revenue collected to date is \$7,797,541 which is 52.48% of budget. Personal Property bills were due December 5th, and delinquent bills were mailed out on March 17th. The total number of bills sent out was 2,067. The total amount of delinquent bills was \$387,202. Out of all the Town's taxes Meals Tax is the Town's second largest source of revenue. Total expenses to date are \$7,243,728 which is 46% of budget. We are starting to see where the Town's revenue is increasing over our expenses. Total outstanding debt for the Town is \$3,985,078. Councilwoman Butler asked if it was correct that we do not have a policy in place to collect delinquent accounts. Ms. Ross stated that they currently follow state code for what you can and cannot do when collecting debts, but the Town does not have a policy in place for collecting delinquent accounts; however, staff is looking at all their options for collecting delinquent accounts. Councilman Cutler asked if all the delinquencies were for current year. Ms. Ross stated that she did not have that information with her today. Ms. Ross stated that moving forward she will be providing the Town Council with a list of delinquent accounts per the Town Code. The Town Manager stated that staff will work on a policy and bring it back to Town Council for approval because it will generate phone calls to Council members when they enforce the policy. Councilwoman Bebermeyer asked if the Town has a mechanism for setting up payment plans. Ms. Ross stated that we do not have one for collecting personal property. She explained that when she was in Arlington County, they used a program called Treasure's Assistance Program. This program is administered by a bank but has to be approved by the Treasurer's Office. The residents sign a note with the bank, and they owe the money to the bank. The bank in return pays us. Ms. Ross stated that she has been talking with several of the banks to find out who can administer this program. She stated that she would put more information together on this program. Councilwoman Bebermeyer stated that obviously we want the bills paid but sometimes there are circumstances that we want to work with people too. The Town Manager mentioned that the software that the Town is currently using struggles with collecting pre-payments. Once we go to the new system, we should be able to receive pre-payments. Vice Mayor Harris asked if the Town started a program to seize vehicles do we need to codify that? The Town Manager stated that it is in state code so we can do it but that is something that we

would hire an outside entity to do. It would not be a service that is handled in-house. There are several firms in the area that do that kind of work.

4. February Cash Balances/VIP Investment Update – Ms. Ross reported the VIP and usable balances is \$15 million; however, the true balance is \$20,667,000. If you look at the investment benchmark report it shows that currently all of our balances including bank balances is \$25,457,000. Some of these funds cannot be used because they are included in the designated funds group. Year-to-date the Town has received \$439,424 in interest. The compliance report that was also included in the agenda packet shows that the town is in compliance with all of our investments.

Meeting Adjourned @ 4:30 p.m.

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE PARKS AND RECREATION
COMMITTEE MEETING HELD ON MONDAY, MARCH 24TH, 2025.

The Parks and Recreation Committee held a meeting on Monday, March 24th, 2025, at 4:30 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mrs. Mary Ellen Bebermeyer, Mr. Jeffrey Brooks, and Ms. Valerie Butler. Other Council members present were Mayor Michael G. Smith, Mr. Darren Cutler, Mr. Bill Harris, and Mr. Steven G. Bowman. Staff members present were Mr. Michael Stallings, Town Manager; Mr. William H. Riddick, III, Town Attorney; Mrs. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Mrs. Ashley Rogers, Director of Human Resources; Mrs. Amy Novak, Director of Parks and Recreation; Mr. Ed Heide, Director of Public Utilities and Public Works; Mr. Chris Meier, Deputy Chief of Police; Mr. Stephen Clark, Parks and Recreation; Mr. Mark Kluck, Planner; and Mrs. Judy Winslow, Director of Tourism. Also, in attendance were Mr. David Hundley of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; Mr. John Edwards, and Mr. Tommy Gehring. There were two (2) additional citizens. There was no media present.

Parks and Recreation Committee Chair, Mrs. Mary Ellen Bebermeyer, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON COUNCIL'S AGENDA.

1. Operational Update – Ms. Novak reported that the month of March has been busy here at the Smithfield Center. Last week they had a three-day conference that brought in people from all over the state of Virginia. They ate at all of our local restaurants and stayed at our local hotels. They had four different caterers here throughout the conference. Ms. Novak stated that they ended the week with the Women's Club Market. It is their annual and biggest fundraiser that they do at the Smithfield Center. This week they have the Chamber Legislative Breakfast on Friday. She mentioned there is still time to sign up if you are interested in attending. A ribbon cutting

was held this past month on field six at the Luter Sports Complex for the new concession stand. The ravine bridge, which was the last bridge at Windsor Castle to be renovated has been completed. The Town has two small footbridges that they are going to be working on next; however, they will not cause any detours at the park. The Master Naturalist installed their signs for their tree identification project which identifies 37 species of trees in the park. It also talks about the longleaf pine project. The Town's revenue share for the kayak kiosk this year was \$8,666. That is very impressive on something that we do not have to do anything with.

2. Share the Air Campaign Update – At last month's committee meeting Councilman Bowman had requested that we get the Town Attorney to weigh in to make sure there were no potential legal issues with this that would cause the town to be involved in litigation. The Town Attorney's response was that he did not see any problems. He said they are non-enforceable and that is obvious by the way the signage is worded. Ms. Novak stated that she would like to move forward with implementing it at Windsor Castle Park and the Luter Sports Complex. Councilwoman Bebermeyer asked if there would be one sign at each park or multiply signs. Ms. Novak stated that she does not like sign clutter either, so her plan is to place one sign at each entrance of Windsor Castle Park. There are a total of five entrances, and the signage would be placed by the kiosk at each entrance. Luter Sports Complex would have two signs placed there. One will lead you to the baseball clover and the other that leads you to the football field. Ms. Winslow asked how this would affect events that are held at Windsor Castle Park such as the Wine and Brew Festival. Ms. Novak stated that, like alcohol, it would be allowed during the events where there would be areas that are designated for these activities. The consensus from Town Council was to have Ms. Novak move forward with implementation of the project.

Meeting adjourned at 4:35 p.m.

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC WORKS COMMITTEE
MEETING HELD ON MONDAY, MARCH 24TH, 2025

The Public Works Committee held a meeting on Monday, March 24th, 2025 at 4:35 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mr. Bill Harris, Mr. Jeff Brooks, and Mr. Bowman. Other Council members present were Mayor Michael G. Smith, Mr. Darren Cutler, Ms. Valerie Butler, and Mrs. Mary Ellen Bebermeyer. Staff members present were Mr. Michael R. Stallings, Jr. Town Manager; Mr. William H. Riddick, III, Town Attorney; Ms. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Ms. Ashley Rogers, Director of Human Resources; Mr. Ed Heide, Director of Public Utilities and Public Works; Mr. Chris Meier, Deputy Chief of Police; Mr. Mark Kluck, Planner II; Mr. Stephen Clark, Parks and Recreation; and Ms. Judy Winslow, Director of Tourism. Also, in attendance were Mr. David Hundley of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; Mr. John Edwards, and Mr. Tommy Gehring. There were two (2) additional citizens. There was no media present.

Public Works Committee Chair, Mr. Bill Harris, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA

1. Discussion on Grace Street Streetscape – Vice Mayor Harris stated that the last time they met they had a very brief consideration of a project to look at the streetscape on Grace Street. At that time, it was decided that we wanted a little bit more time and to receive a little bit more information. The Town Manager stated that as Mr. Harris indicated there were some additional questions brought up at the last meeting. He stated that he asked Mr. Edwards of Historic Smithfield to be here to answer any questions that might come up in today's discussion. Mr. Edwards explained that Historic Smithfield was established in 1988 when the first streetscape project was proposed. Mr. Luter proposed to contribute \$200,000 if someone else raises matching funds privately. Historic Smithfield was established with that in mind and assisting the Town with the planning of the streetscape project. Later the project was extended down Main Street to Underwood and down the hill to Commerce Street. Historic Smithfield also acquired the old

Courthouse on a request from Preservation Virginia who was getting rid of some of their property. Historic Smithfield raised another \$200,000 for that project and restored the courthouse. It has since been handed over to Mr. Hundley and Isle of Wight County. Historic Smithfield feels that Grace Street has been overlooked over the years. Main Street is in good shape and only requires ongoing maintenance. Church Street underwent a major project years later. Grace Street has had some sidewalk patching and that is about it. It is a beautiful street with beautiful homes. Historic Smithfield feels that now while VDOT is getting ready to rebuild the street from the ground up it would be a good time to look at streetscape improvements. An example of these improvements would be a sidewalk added along Grace Street from Town Hall to Mason Street. There is an opportunity to plan for the future, they do not anticipate the Town would build out a streetscape project right now, but it should have a plan for what options you have for improvements in the future. Historic Smithfield had hoped to be able to pay for the entire study to develop conceptual plans, but they did not have quite enough to fully cover it. They are hoping that they could partner with the Town to have this work done because ultimately it will be the Town's project in the future. Historic Smithfield is happy to help in this initial phase to get something on paper. They would also be happy to hold meetings with residents to get ideas from them. Bottomline, you must have something on paper to show residents what is possible when it comes to streetscape improvements to Grace Street. Councilman Cutler asked if anything in particular had been identified as needing improvements. Mr. Edwards stated that their primary focus is on the sidewalks. VDOT is putting in new curb and gutter and now is the time to determine what ties into those improvements. One of the biggest improvements to Grace Street would be adding a sidewalk between Hayden's Lane and Mason Street. Discussion has been held on where the Town might want to see planting areas to help with beautifying the entrances to possibly Town Hall and the area of Cofer Auto. Councilman Bowman stated that we are fortunate to still have folks in Town like Mr. Edwards that continues to think about the future of the Town. He thinks that it is a good idea to have this plan done for the future. Councilman Cutler asked what the boundaries were for this project. Mr. Edwards explained that the conceptual plan would go from Mason Street to the intersection of Grace and Main. In the future it will be tied into the Grange @10Main if that project is developed. Councilman Cutler also asked if Grace Street was addressed in the Town's Comprehensive Plan. The Town Manager stated that he does not know if Grace Street is addressed specifically; however, it does talk about enhancements, walkability and industrial mobility around the Town. So, this project would definitely fit that. Councilman Cutler suggested that in the event that we decide to approve this maybe we ask for it in a scalable nature. This could be something where the arteries that connect Grace Street and Main Street mirror on the other side on Cedar Street. The Town Manager stated that we can definitely take some of these principles and apply them to other locations throughout the town. The fact that this project is in the historic district the comprehensive plan does address the continual upkeep and addressing improvements in the historic district. Councilwoman Bebermeyer stated that obviously Historic Smithfield has done a lot of good work around town. It is not her place to tell them how to spend their money; however, if we already know that we want a sidewalk from Institute Street

to Mason Street or we want to beautify parking lot entrances do you really need to spend the money for someone else to tell us what we already know. Mr. Edwards stated that by having a plan and some renderings of what it could look like they can use that to help with raising money in the future to do the project. Currently there is no money for this project. Councilman Cutler asked if the plans will be created to go from plan to build or will it be really general. The Town Manager explained that these plans will be conceptual in nature and will provide some renderings so that when we go to people, whoever it is, and try to raise funds for this project they will have something to look at. Depending on the depth of the project you may still have to have engineering done. This plan is not engineering work. This is conceptual work to show what is possible. In the proposed study, is there an opportunity for Grace Street or general Smithfield residents to have input. The consultants are going to look at the area and tell us what is possible. It is then incumbent upon us once we have some idea of what is possible and what options are out there to get feedback from our residents. Residents will be able to weigh in on options to determine what direction to move forward. Vice Mayor Harris stated that there were two areas of concern previously. One being would this study commit the Town to spending more money. It is very clear that this study would not commit the Town to additional funding. It is just a plan for the future. The second concern was whether there was an opportunity for citizen input. It is clear after today's discussion that once there is something for the citizens to see then the citizen input process part will come along. The Town Manager replied that was correct. Councilwoman Bebermeyer asked why we would not want citizen input prior to the conceptual plan being done so that the consultants know what we are looking for. Mr. Edwards stated that personally you need to have a professional starting point to show what the Town's options are. The Town Manager explained that the consultant will determine what is possible. Then we can have input on what is possible and what best suits everybody's desires. The issue is if we go first and get ideas that are not possible then we look like we are not doing what the citizens have asked for. We must determine what is possible and let input mold that possibility to what fits what people want. Councilman Brooks mentioned that he is all in for this project and appreciates the clarification and the explanations on what exactly it is that we are trying to do. This item will be place on Town Council's agenda for consideration at their April 1st, 2025 meeting.

Meeting adjourned at 4:59 p.m.

March 28, 2025

TO: SMITHFIELD TOWN COUNCIL

FROM: LESLEY G. KING
TOWN CLERK

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC BUILDINGS & WELFARE
COMMITTEE MEETING HELD ON MONDAY, MARCH 24TH, 2025.

The Public Buildings and Welfare Committee held a meeting on Monday, March 24th, 2025 at 4:59 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Ms. Valerie Butler, Mr. Bill Harris, and Mr. Darren Cutler. Other Council members present were Mayor Michael Smith, Mr. Jeff Brooks, Mr. Steve Bowman, and Mrs. Mary Ellen Bebermeyer. Staff members present were Mr. Michael R. Stallings, Town Manager; Mr. William H. Riddick, III, Town Attorney; Ms. Lesley King, Town Clerk; Ms. Laura Ross, Town Treasurer; Mrs. Ashley Rogers, Director of Human Resources; Mr. Chris Meier, Deputy Chief of Police; Mr. Ed Heide, Director of Public Works; Mr. Mark Kluck, Planner II; Mr. Steve Clark, Parks and Recreation; and Ms. Judy Winslow, Director of Tourism. Also, in attendance were Mr. David Hundley of the 1750 IOW County Courthouse; Ms. Beth Haywood of the Friends of the Smithfield Library; and Mr. Tommy Gehring. There were two (2) additional citizens. There was no media present.

Public Buildings and Welfare Committee Chair, Mrs. Valerie Butler, called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON COUNCIL'S AGENDA

1. Pre-Public Hearing Discussion: 803 South Church Street – Water Connection – Mr. Kluck reported that as part of the applicants' Special Use Permit, Comprehensive Plan Amendment, and Official Zoning Map Amendment application, on April 10th, 2020, the applicants provided a phasing plan that indicated they would connect to Town water by 6/1/2022 and install driveway improvements by 6/1/2022. Since that time the applicants received additional Entrance Corridor Overlay (ECO) approvals and SUPs in 2021, that were conditionally approved under the following conditions: The pavement of the parking lot with asphalt by June of 2022, in accordance with your approved phasing plan. And secondly, Connecting to the public water system by June of 2022, in accordance with your approved phasing plan. At Town Council's Tuesday, October 2nd,

2024 meeting, Town Council granted the SUP for a waiver of parking and loading requirements, allowing a gravel parking and drive area, provided the applicants returns with an SUP request for a private structure connected to a private well. At the February 11th meeting, the Planning Commission unfavorably recommended this application to Town Council, with 2 dissenting votes that this application be denied. Town staff recommends Town Council deny this application for the private well connection, as it is in conflict with our current Town Code and current Design Standards. The applicants have received multiple SUPs and approvals contingent on them connecting to Town water. The Town Manager stated there is a public hearing scheduled on this matter at Council's upcoming meeting on April 1st. Councilman Cutler stated that he is on the Planning Commission and sat through the public hearing and discussion at the Planning Commission level. He stated that he was one of two votes against this recommendation. He would like to commend the Planning Commission for sticking to their guns and saying you agreed to do this and this was not something that was forced on you. although they did have to come into compliance because of the construction work and the rehabilitation that they did. In his opinion and in the nature of our small town character and small town values with our local businesses he thinks we should be careful that we do not put conditions on businesses that runs them out of town or out of business. Councilman Cutler stated that he did propose a compromise at that meeting to give them grace on the water connection; however, it would be on the condition that we require them to connect in the future in the event that water becomes available on their side of the street. The largest expense to this connection is bringing it from one side of South Church Street to the other. Councilman Bebermeyer stated that she understands that this all started years ago but it was her understanding that at that time they were expecting to put in the park to park trail and it was going to make it easier for this business to hook up to the Town's water. She feels this is part of the disconnect and where the though process was. The Town Manager stated that is incorrect. At the time that this was approved the bike trail was actually going down Lumar Road. The bike trail being there or not being there would not make this cheaper. If anything, it would make it more costly because you would have to bore under the bike trail. The bike trail would not have impacted this as being a condition. Councilwoman Bebermeyer stated that she will go one step further then. In the past she has spoken in favor of waiving this requirement. Part of her reasoning is this is a small business in a historic structure. She thinks we should treat those buildings a little bit different and feels this is a good use of a special use permit. It is an individual situation, and we should be glad that this building is being used in a very successful way at this point. Councilwoman Bebermeyer stated that she continues to feel that the Town should give this business some relief partly because they are a small business and we want to be friendly to small businesses but also because it is a historic building. Vice Mayor Harris says he is going to play devil's advocate as a preservationist and historian. At what point do we say enough is enough? In this case, several other special use permits were permitted to this particular owner contingent on him hooking up and honoring his first and original commitment. We have had several discussions about this since the four of us were sworn in. When do we say this is the agreement that was made and this is our zoning regulations. It is tough, but I think we need to consider all of those things before going forward. Vice Mayor Harris stated that he is very reluctant to

just vote to forgive and forgive because we end up having to fix the messes that we are making because we don't put our foot down. The Town Manager stated that the Town did make an effort to help the business by not making it an immediate requirement when they got their approval. The Town Manager stated that his concern is that this is a requirement in our design standards that they agreed to while doing their project. We have already let them out of the parking lot that they agreed to pave. We have agreed to help them with the cost by using our contractor instead of the one that they had used which already cut it in half from what they told us the cost would be. He does not want to set a precedence that if someone redevelops a building and it triggers coming into compliance with our design standards that we are going to wave that. His concern is if the Town lets one person out of the requirement how do we not do it for the next one that ask. Councilwoman Bebermeyer asked if there was ever a point before where someone said you can apply for a special use permit. The Town Manager explained the ability to apply for that special use permit did not exist. That is why it was a condition of their rezoning that they do the utility upgrades, and it was phased out so they would not have to do it initially. Councilman Cutler asked if the business in the beginning had an option to seek an alternative to where we are today. The Town Manager stated that they had a timeline in the original rezoning. The code has since been changed to allow for a special use permit. It was originally suggested that it be prior to them opening and then they were given additional time to connect. That was in an effort to help them knowing they were a new business starting up. Councilman Cutler stated that it does not appear that there was a mechanism for them to request relief at the time. It was either do it prior to opening or accept an extension conditioned on your rezoning. The Town Manager stated that the applicants could have come to the table without offering to connect. He stated that he cannot tell Town Council now whether it would have been approved or not without complying with the requirements. It was part of their rezoning application. The Town Manager stated that his only concern is if we allow this business out of this now how do we then hold the next one to the fact they have to connect because it is part of the Town's design standards. Councilman Cutler stated to Vice Mayor Harris' point to what end do we stop giving relief. He thinks to the end where we are driving businesses out of Town. This is a local small business that is owned and operated by residents of the Town. Councilwoman Butler mentioned that there was a comment made that she does not agree with. It is perceived that the Town offers SUPs to developers upfront that we did not offer to this business. She stated that the Town does not offer SUPs to developers upfront. If staff has a pre-meeting with a developer they basically go over our zoning ordinances. So, anything that deviates from that she is sure staff is not saying we can get by that because we will give you a special use permit. In this particular case, based on what the staff has shared with us, when they came to the town about opening this business they were told that because of the nature of the business it would trigger that zoning and they would have to be in compliance with the connection to water and the paving of the parking lot. There have been several businesses along South Church Street and Battery Park Road where the Town has waived the paved parking lot requirement. Just like Vice Mayor Harris has said, when do we say this is what the ordinance requires and this is what either the developer or the small business has to abide by. Councilman Cutler replied to what extent do we waive things. What they have seen historically is

special use permits that are perpetual. What we saw in this case was a conditional special use permit that was defined over time. If we are going to enforce ordinances on a small locally-owned business that we are also doing it on the development that wants five-foot setbacks contrary to our zoning. Councilman Bowman stated that he wants us be clear on a number of issues. First and foremost, when this application was filed, the applicant agreed in writing to make the water connection. The applicant signed that document as a business decision when this occurred. Just like any other person that fills out a building permit application for a water tap for water and sewer. In this case we are dealing with business people that made a business decision to connect to the Town's water. Had the town adhered and the applicant adhered to what was going on we would not be having these conversations over and over again. It has also been mentioned that if the town does this it will put this specific entity out of business. If he is not mistaken the entity that owned this business when this application was made no longer owns this business. His hope is that the new owners did their due diligence and was fully aware of what the requirements were for a business at this location. As for the building being historic it has not been designated as an historic structure in the Town. Lastly, we have a Planning Commission that is trying to do the very best they can to ensure uniformity. When you have uniformity, the average citizen has an expectation of knowing what they are going to be confronted with in any given scenario. Councilwoman Butler asked if there was any further discussion on this public hearing. Hearing none, this item will be on the Town Council's agenda as a public hearing and consideration on April 1st, 2025.

2. Pre-Public Hearing Discussion: 313 Grace Street – BHAR Appeal – Mr. Kluck reported the applicant is appealing the Board of Historic and Architectural Review's (BHAR) February 18th, 2025, decision to deny the application for the installation of twenty-one (21) rooftop mounted solar panels on their single-family dwelling at 313 Grace Street as the Board believes the solar panels are not in conformance with the Historic District Guidelines. The applicant believes she has met the criteria outlined for solar panel installation in the 2025 Historic District Design Guidelines. Therefore, the applicant has filed an appeals application, appealing the BHAR's decision. According to the appeals process, this application is forwarded to Town Council for their review and decision. Mr. Kluck cited the sections of the 2025 Historic District Design Guidelines that references solar panels. Mr. Kluck stated that the applicant and a representative from the solar company are here if you have any questions. Councilman Bowman asked if it is appropriate at this time to have the applicant here at a pre-public hearing discussion. The Town Attorney stated that it really is not. If Town Council wants to ask her fact finding questions that is fine. The Town Attorney explained that it is an appeal of the decision of the Board of Historic and Architectural Review. It is your meeting so you can ask questions if you would like to. Fact finding would not disqualify your actions. The Town Attorney stated for clarification the historic board reviewed her application and based on their reasonable consideration and the application of the guidelines denied the application. The applicant has appealed that decision and so your charge is to determine whether the Historic Board acted inappropriately. If there is something that you do not understand that they can say to help you understand then you can ask; however, now is not the time for the applicant to make their case to you. The Town Manager stated that as

a point of clarification it was a tie vote, so it automatically failed. Councilwoman Butler stated that we have new guidelines for solar panels and she is trying to get an understanding why the vote failed. Why did they feel that the applicant was not in compliance. The Town Attorney explained that if Town Council wants to know why the vote failed they need to read the minutes. Staff should not be put in a place where they are summarizing why the BHAR members voted the way they did. Councilman Bowman stated that even reading the minutes is almost irrelevant because the applicant will be here next week to present their case to Town Council as if it is a brand new case. The applicant needs to start from ground zero to make their case to Town Council. Town Council is not voting on whether BHAR was right or wrong we are voting on the case as we determine if the application is appropriate. Councilwoman Bebermeyer asked if she can read the minutes and use information that was provided by BHAR members to make her decision. For example, one of the members on BHAR is a contractor and he gave his professional opinion. Can she make her decision on this application based on his opinion. The Town Attorney stated individually you can use whatever information deemed most appropriate in order to make your decision. Like Councilman Bowman stated the applicant will present their case and Town Council will apply the guidelines and the law under the provisions of the historic district ordinance. Then you come up with a yes or no decision based on if you think it is appropriate. Vice Mayor Harris stated that now he understands the process of an appeal he would recommend we move it on to Town Council as a public hearing next week.

3. Pre-Public Hearing Discussion: Text Amendment – Article 13 of the Zoning Ordinance – Mr. Kluck reported this application was favorably recommended to Town Council by the Planning Commission. This is a proposed text amendment to Article 13 of the Zoning Ordinance to bring the definitions in alignment with the new definitions approved with Article 3.P for the Chesapeake Bay Preservation Overlay. Staff does recommend approval of the amendment. This item will be on Town Council's agenda as a public hearing and consideration at the April 1st, 2025 meeting.

4. Blighted Property – 1502 Magruder Road – The Town of Smithfield received a complaint concerning the partially burned down structure located at 1502 Magruder Road, Smithfield VA 23430 (TPIN:21A-28-007). Town staff sent a notice on January 29th, 2025 requesting an update on the cleanup and repair of the structure within thirty (30) days, in accordance with Smithfield Town Code (STC) Section 22-2.b.1. A plan was provided as requested. In accordance with Section 22-2.b.2, Town staff request that Town Council determine if the plan is acceptable. Councilman Bowman suggested that this item be moved to the Action Section of the April 1st, 2025 Town Council meeting.

B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON COUNCIL'S AGENDA

C. Discussion on The Grange @ 10Main – The Town Manager stated that included in your packet is the revised layout that was received based on Council's last discussion on

this project. It is on the agenda today for any additional questions or comments. The Town Manager stated that if this is a layout that the applicant feels that he has general support around they are prepared to move forward with working on all the documents they need to submit to move the approval process forward. They would have to come back to Town Council for a revision of proffered conditions. They have also identified that since there is a townhouse product they would be required to get a special use permit for this zoning district. The applicant will start that process, and it will go through the public hearing process at Planning Commission and Town Council level. Town Council is the only body that would have to see the amended proffered conditions. The Town Manager stated this is where we are with this proposed project and if there are any further questions or comments that you would like him to take back to the applicant he would be happy to do so. Councilwoman Bebermeyer mentioned that last time they discussed this there were some questions on the layout of the farmers market and wanted to know, since Ms. Winslow is here, if they are satisfied with the current layout. Ms. Winslow stated that they are satisfied with the current layout. Councilman Brooks asked how we approach the \$1.4 million procedurally for the farmer's market. Is that lumped in with this project or is that a separate entity. The Town Manager stated that it is technically a separate thing. The viability of the project is contingent on the farmer's market so I believe the applicant would like a renewed commitment to the \$1.4 million toward the farmer's market project. The Farmer's Market project is not specifically tied to the rezoning so it would be a separate decision Council would have to make. Vice Mayor Harris stated that he is assuming that the new proffers would include all of the things that they have discussed as well as this drawing. Yes, you have seen the suggested revised proffers previously and you would have all of those in front of you when you either make the vote to approve or not approve the revised proffers. Vice Mayor Harris stated that he would need to see the final written proffers before casting his yes vote. The Town Manager stated that you would have the final version in advance of the vote. He explained the process for approval. Town Council would have a discussion like this and there would be a public hearing. The Town Attorney explained that the application for the special use permit for the townhouses will track with the amended proffers. Councilwoman Bebermeyer asked if there were any other special use permits that go along with this plan or just the townhouses. The Town Manager stated that we know that the cottage product requires a special use permit for setbacks. He does not know what that number is at this time. That will be determined when they get further into their plans. As of today, does the Planning Commission has everything that Town Council has been given. The Town Manager stated that he does not know the answer to that. Once all the documents have been developed, they will get the full package just like they would for any other project. At that time, it will go through their normal process. Councilwoman Bebermeyer asked what the timeline was on the project. The Town Manager stated that getting the documents will be as quick as the developer's team can pull those documents together. Once we receive the documents and assuming that Planning Commission does it one meeting, which they could do it in two, it would be the normal process. Meeting the advertising requirements will determine the timeline so there is still a significant

process to get to the end. Councilwoman Butler stated that as far as our agenda goes for today if the consensus from Town Council is that we like the latest general development plan then the Town Manager will convey that to the developer so that he can start preparing the documents to resubmit their application. The Town Manger replied that was correct and explained that this whole process has taken awhile because the developer has been trying to come up with a plan that they felt Council could support. They had prior approval, but they did not want to move forward with a project that was not supported by Town Council. Councilwoman Butler asked when our conversations concerning the Farmer's Market will take place. If we decide not to move forward with the \$1.4 million will the developer move forward with the project or is it contingent upon the Farmer's Market. The Town Manager stated that he cannot answer that question. In the past the developer has said that he would not move forward but he cannot answer that for him. He stated that if the Town does not contribute to the farmers' market, he does not see this building being built. There needs to be a conversation on the \$1.4 million commitment supporting the Farmer's Market before the project is approved. This project clearly includes a farmers' market and if we are not supportive of the farmers market building that needs to be clearly stated. Councilman Bowman asked about the previous Council's approval of allocating \$1.4 million to the farmer's market. The Town Attorney explained that the allocation and commitment of that money has already been made; however, it has not yet been appropriated. That means you would need to appropriate the funds. The Town Manger stated that is the formal action that would have to make. The Town Attorney asked Vice Mayor Harris if it would be helpful to him and the rest of Town Council if you saw the written proffers before the developer goes to all the expense of creating the documents to submit to the Town. Vice Mayor Harris stated that it would be extremely important. Councilwoman Bebermeyer asked if the cost of the new farmers market would be cheaper since it does not have the roll up doors and enclosed space as first proposed. The Town Manager explained that the original commitment was up to \$1.4 million dollar amount. The contribution will be based on what the building cost is. The Town Manager stated that he will reach out to the developer and ask them to submit to us a final version of the proffered conditions. Ultimately that is what town council will be voting on. Just note that during the Planning Commission process there may be tweaks based off what they want. The final version would give you an idea of what they expect the final proffered conditions to be. Councilman Cutler stated that item number seven as it reverse to schools in the proffered conditions it mentions data to be confirmed He asked who confirms this data. Is it the school system or are we trusting somebody's hired advisor. The Town Manager explained that the developers hired advisor sends this report to the school system to review. If the school system has concerns with it they submit those comments back to the Town and we have those concerns addressed. Anything that is done like that by a third-party, hired by the developer, is reviewed by those regulatory agencies and any concerns must be addressed. When they did their impact study those were reviewed by the schools. The developer will be required to submit to the Town a revised memo for the traffic study to indicate what the new traffic demands are. The Town will get a financial analysis as well that will indicate

what the new numbers are. The Town will get updates to all of these documents as they go through the process. All documents will be reviewed by the applicable agencies. Councilman Cutler stated that after completing the tours of the Public Works facilities and the Parks and Recreation facilities it made him realize how much skin in the game our taxpayers have in our different assets around the whole Town. He also mentioned that he has now completed the Certified Planning Commission course. It was a great course. One of the things that he learned is the Suffolk Planning Commission has a straight up equation that if you put this many kids in our school, you will pay this much. The Town Attorney stated that it is illegal, and they can be sued over that. The law is so abundantly clear that you cannot do that. You cannot say that if you do not pay me this, I will not approve your project. The law changed about 10 years ago and is no longer legal. You can have a conversation with a developer, and you can bring that to their attention but you cannot say, if you do not pay me I will not approve your project. If the developer sues you, they will win. Councilman Cutler would like the Town Attorneys help in figure out a way that all of our developers are supporting our schools not just the one that puts us over the limit. The Town Attorney stated that the recent approval in Suffolk may have been a developer that knows that if they voluntarily proffer money towards schools that they will have no problem with their development getting the green light. This a conversation that needs to be held with the developers at the front end about the impact there development will have on the schools. Councilman Cutler stated that before he ever saw anything about the Promontory he received a two-inch binder that was dropped off on his doorstep. It had drawings, setbacks, what they were requesting from the Town for special use permits and why. It was really an overload of information.

Meeting adjourned at 6:31 p.m.

TOWN COUNCIL REPORT

SUBJECT:

April 1 - 6:30 p.m. - Town Council Meeting

April 8 - 6:30 p.m. - Planning Commission Meeting

April 15 - 6:30 p.m. - Board of Historic and Architectural Review

April 15 - 7:30 p.m. - Board of Zoning Appeals

April 28 - 3:00 p.m. Town Council Committee Meetings

Public Safety Committee

Water and Sewer Committee

Finance Committee

Parks and Recreation Committee

Public Works Committee

Public Buildings and Welfare Committee

TOWN COUNCIL REPORT

TOWN COUNCIL REPORT

TOWN COUNCIL REPORT

ITEM: Resolution to Appropriate Funds from Historic Smithfield to the 2024-2025 General Fund Operating Budget for the Grace Street Streetscape

FROM: Vice Mayor Bill Harris

ATTACHMENTS:

Description	Type	Upload Date
Resolution to Appropriate Funds from Historic Smithfield	Resolution	3/28/2025

Resolution

A Resolution Appropriating The Sum Of
\$25,000 From Historic Smithfield To The 2024-
25 General Fund Operating Budget

WHEREAS, Historic Smithfield has provided funding in the amount of \$25,000 towards Streetscape Planning along Grace Street, and;

WHEREAS, the Town has received a proposal from Kimley-Horn of \$30,200 to do the work, and;

WHEREAS, the Town Council wishes to proceed with having this work done, and;

WHEREAS, these funds must be appropriated into the General Fund Operating Budget to be used for this purpose.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Smithfield, Virginia as follows:

Section 1. The Following Funds are hereby appropriated:

- \$25,000 from Historic Smithfield to the 2024-25 General Fund Operating Budget.

Section 2. The Town Manager is hereby authorized and directed to execute the work order with Kimley-Horn for this work.

Section 3. This resolution shall be effective on and after its adoption.

Adopted:

TESTE:

Town Clerk

TOWN COUNCIL REPORT

SUBJECT:

\$ 23,000.00

ATTACHMENTS:

Description	Type	Upload Date
Lewis Construction of Virginia - Red Point Heights Progress billing	Invoice	3/20/2025
Lewis Construction of Virginia - Red Point Heights service lines	Invoice	3/28/2025

7716 Quaker Drive
Suffolk, VA 23437

Voice: 757-986-2273 Fax: 757-986-3536

Suzanne@lcovinc.com

INVOICE

Invoice Number: 0325-1072.249

Invoice Date: Mar 17, 2025

Page: 1

Bill To:

Town of Smithfield
P O Box 246
Smithfield, VA 23431

Ship to:

Red Point progress billing
Private side water services
Smithfield, VA 23431

Customer ID	Customer PO	Payment Terms	
Smithfield	Per Jeff/Jessie	Net 15 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
			4/1/25

Quantity	Item	Description	Unit Price	Amount
1.00		310 Jordan	2,300.00	2,300.00
1.00		314 Jordan	2,300.00	2,300.00
1.00		320 Jordan	2,300.00	2,300.00
1.00		400 Jordan	2,300.00	2,300.00
1.00		326 Bellwood	2,300.00	2,300.00
1.00		301 Edgewood	2,300.00	2,300.00
1.00		303 Edgewood	2,300.00	2,300.00
1.00		319 Edgewood	2,300.00	2,300.00
1.00		315 Edgewood	2,300.00	2,300.00
1.00		317 Edgewood	2,300.00	2,300.00
Subtotal				23,000.00
Sales Tax				
Total Invoice Amount				23,000.00
Payment/Credit Applied				
TOTAL				23,000.00

Check/Credit Memo No:

A finance charge of 1.5% per month(18% annual) on past due invoices.

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO PAGES

TO OWNER:

Town of Smithfield

PROJECT:

Red Point Private side water services

FROM CONTRACTOR:

Lewis Construction of VA

VIA ARCHITECT:

APPLICATION NO: 4

Distribution to:

☐ OWNER☐ ARCHITECT☐ CONTRACTOR

PERIOD TO: Mar-25

PROJECT NO:

CONTRACT FOR:

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Date:

State of: _____ County of: _____
Subscribed and sworn to before me this _____ day of _____

Notary Public:

My Commission expires:

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 23,000.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

1. ORIGINAL CONTRACT SUM \$ 175,000.00
2. Net change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 175,000.00
4. TOTAL COMPLETED & STORED TO \$ 82,800.00
DATE (Column G on G703)

5. RETAINAGE:

a. 0 % of Completed Work \$ 0.00
(Column D + E on G703)

b. 0 % of Stored Material \$

(Column F on G703)

Total Retainage (Lines 5a + 5b or

Total in Column I of G703)

6. TOTAL EARNED LESS RETAINAGE \$ 0.00
(Line 4 Less Line 5 Total) \$ 82,800.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 59,800.00

8. CURRENT PAYMENT DUE \$ 23,000.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 92,200.00
(Line 3 less Line 6)

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		\$0.00	\$0.00
Total approved this Month		\$0.00	\$0.00
TOTALS		\$0.00	\$0.00
NET CHANGES by Change Order		\$0.00	

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE TWO OF TWO PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4
APPLICATION DATE: 3/25

PERIOD TO: Mar 2025
PROJECT NO: Red Point Private side svcs

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL		H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)		
1	Red Point private side water services	\$175,000.00	\$59,800.00	\$23,000.00	\$0.00	\$82,800.00	47%	\$92,200.00	\$0.00
2		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
3		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
4		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
5		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
6		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
7		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
8		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
9		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
10		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
11		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
12		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
13		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
	GRAND TOTALS	\$175,000.00	\$59,800.00	\$23,000.00	\$0.00	\$82,800.00	47%	\$92,200.00	\$0.00

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

7716 Quaker Drive
Suffolk, VA 23437

Voice: 757-986-2273 Fax: 757-986-3536

Suzanne@lcovinc.com

INVOICE

Invoice Number: 0325-1072.249

Invoice Date: Mar 17, 2025

Page: 1

Bill To:

Town of Smithfield
P O Box 246
Smithfield, VA 23431

Ship to:

Red Point progress billing
Private side water services
Smithfield, VA 23431

Customer ID	Customer PO	Payment Terms	
Smithfield	Per Jeff/Jessie	Net 15 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
			4/1/25

Quantity	Item	Description	Unit Price	Amount
1.00		310 Jordan	2,300.00	2,300.00
1.00		314 Jordan	2,300.00	2,300.00
1.00		320 Jordan	2,300.00	2,300.00
1.00		400 Jordan	2,300.00	2,300.00
1.00		326 Bellwood	2,300.00	2,300.00
1.00		301 Edgewood	2,300.00	2,300.00
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Total Invoice Amount				23,000.00
Payment/Credit Applied				
TOTAL				23,000.00

Check/Credit Memo No:

A finance charge of 1.5% per month(18% annual) on past due invoices.

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO PAGES

TO OWNER:

Town of Smithfield

PROJECT:

Red Point Private side water services

FROM CONTRACTOR:

Lewis Construction of VA

VIA ARCHITECT:

APPLICATION NO: 4

Distribution to:

☐ OWNER

☐ ARCHITECT

PERIOD TO: Mar-25

☐ CONTRACTOR

PROJECT NO:

☐

CONTRACT FOR:

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Date:

State of: County of:
Subscribed and sworn to before me this day of

Notary Public:

My Commission expires:

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 23,000.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

1. ORIGINAL CONTRACT SUM \$ 175,000.00
2. Net change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 175,000.00
4. TOTAL COMPLETED & STORED TO \$ 82,800.00
DATE (Column G on G703)

5. RETAINAGE: a. 0 % of Completed Work \$ 0.00
(Column D + E on G703)

b. 0 % of Stored Material \$

(Column F on G703)

Total Retainage (Lines 5a + 5b or

Total in Column I of G703)

6. TOTAL EARNED LESS RETAINAGE \$ 0.00
(Line 4 Less Line 5 Total) \$ 82,800.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 59,800.00

8. CURRENT PAYMENT DUE \$ 23,000.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 92,200.00
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE TWO OF TWO PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

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Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4
APPLICATION DATE: 3/25

PERIOD TO: Mar 2025
PROJECT NO: Red Point Private side svcs

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL		H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)		
1	Red Point private side water services	\$175,000.00	\$59,800.00	\$23,000.00	\$0.00	\$82,800.00	47%	\$92,200.00	\$0.00
2		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
3		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
4		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
5		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
6		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
7		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
8		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
9		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
10		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
11		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
12		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
13		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
	GRAND TOTALS	\$175,000.00	\$59,800.00	\$23,000.00	\$0.00	\$82,800.00	47%	\$92,200.00	\$0.00

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

TOWN COUNCIL REPORT

ITEM: Tri-State Utilities LLC

FROM: Recieved since Finance Committee

SUBJECT:

\$ 32,954.00

ATTACHMENTS:

Description	Type	Upload Date
Tri-State Utilities LLC - Clean and TC Sewer Lines	Invoice	3/28/2025

CONTRACTOR'S APPLICATION FOR PAYMENT INVOICE

TO: Town of Smithfield

FROM: Tri-State Utilities LLC
2111 Smith Ave., Chesapeake, VA 23320

PROJECT: Smithfield Clean & TV

TSU Job# 039874

PAYMENT REQUEST NO: 1

PERIOD: 11/25/2024 to 12/29/2024

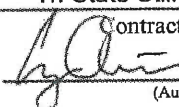
STATEMENT OF CONTRACT ACCOUNT:

1. Original Contract Amount:		\$	<u>50,450.00</u>
2. Approved Change Orders No:		\$	<u>0.00</u>
3. Adjusted Contract Amount:		\$	<u>50,450.00</u>
4. Value of Work Completed to Date:	(As per attached APPENDIX -B)	\$	<u>32,954.00</u>
5. Value of Completed Change Orders:		\$	<u>0.00</u>
6. Total Due to Date:		\$	<u>32,954.00</u>
7. Amount Retained @:	<u>0%</u>	\$	<u>0.00</u>
8. Total Less Retainage:		\$	<u>32,954.00</u>
9. Total Previously Certified (DEDUCT):		\$	<u>0.00</u>
10. VALUE OF WORK COMPLETED THIS MONTH		\$	<u>32,954.00</u>
11. Materials Removed from Stock (DEDUCT)		\$	<u>0.00</u>
12. TOTAL DUE THIS INVOICE PERIOD		\$	<u>32,954.00</u>

CERTIFICATION OF THE CONTRACTOR:

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of accomplishment under the terms of the Contract (and all authorized changes thereto) between the undersigned and Colonial Heights, relating to the above referenced project.

I also certify that payments, less applicable retention, have been made through the period covered by previous payments received from Colonial Heights, to (1) all my subcontractors and (2) for all materials and labor used in or in connection with the performance of this contract. I further certify, I have complied with Federal, State and Local tax laws, including Social Security laws and Unemployment Compensation laws and Workmen's Compensation laws insofar as applicable to the performance of this contract.

Tri-State Utilities LLC
Contractor
By: 
(Authorized Signature)
Title: Project Manager
Date: 1/23/25

Town Manager

TOWN COUNCIL REPORT

ITEM: PUBLIC HEARING: 803 South Church Street - Water Connection

FROM: Tammie Clary, Director of Planning and Community Development

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice - Special Use Permit	Public Hearing	3/19/2025
Staff Report	Public Hearing	3/19/2025
Email	Public Hearing	3/19/2025

NOTICE OF PUBLIC HEARING
THE TOWN OF SMITHFIELD TOWN COUNCIL
SPECIAL USE PERMIT

Notice is hereby given that the Town Council of the Town of Smithfield, Virginia, will hold a public hearing at the regular meeting of the Town Council in the council chambers in The Smithfield Center, 220 N. Church Street, meeting room A, Smithfield, Virginia on Tuesday, April 1st, 2025, at 6:30 p.m. to consider the application of Tim Ryan, applicant and Red Point Holdings LLC, owner, for a special use permit under the provisions of Section 82-45 of the Town Code of the Town of Smithfield, Virginia, adopted October 4th, 2005, and as amended thereafter, in order to approve a commercial structure connected to a private well.

The property which is the subject of this special use permit application is 803 S Church Street (Tax Map Parcel no. 21A-01-484), which is zoned Highway Retail Commercial (HRC) & Entrance Corridor Overlay (ECO).

Any person affected by or interested in the aforesaid application may appear at the hearing and be heard. Copies of the Town Code of the Town of Smithfield and application for this special use permit is available for inspection in the Community Development and Planning Department, 310 Institute Street, Smithfield, Virginia 23430.

TOWN OF SMITHFIELD

Lesley G. King, Clerk

Publish: Wednesday, March 12th, 2025 and Wednesday, March 19th, 2025

TOWN COUNCIL STAFF REPORT: SPECIAL USE PERMIT

PUBLIC HEARING: TUESDAY, April 1st, 2025, 6:30 PM

Applicants	Red Point Taphouse, LLC C/O John T. “Tim” Ryan 9008 Blounts Corner Rd Smithfield, VA 23430
Owners	Red Point Holdings LLC 223 S Church St Smithfield, VA 23430
Property	803 S Church St TPIN 21A-01-484 0.23 ac NE side S Church St 200’ SE S Church St & Jordan Dr
Zoning	Entrance Corridor Overlay (ECO) & Highway Retail Commercial (HRC)
Adjacent Zoning	Residential Office (RO), HRC, & ECO
Project Description	<p>As part of the applicants’ Special Use permit, Comprehensive Plan Amendment, and Official Zoning Map Amendment applications, on April 10th, 2020, the applicants provided a phasing plan that indicated they would connect to Town water by 6/1/2022 and install driveway improvements by 6/1/2022.</p> <p>The applicants then received additional ECO approvals and SUPs in 2021, that were conditionally approved under the following conditions:</p> <ul style="list-style-type: none">(a) The pavement of the parking lot with asphalt by June of 2022, in accordance with your approved phasing plan.(b) Connecting to the public water system by June of 2022, in accordance with your approved phasing plan. <p>At its Tuesday, October 2nd, 2024 Town Council meeting, Town Council granted the SUP for a waiver of parking and loading requirements, allowing a gravel parking and drive area, provided the applicants returns with an SUP request for a private structure connected to a private well.</p> <p>At the February 11th meeting, the Planning Commission unfavorably recommended this application to Town Council, with 2 dissenting votes.</p>
Recommendation	Town staff recommends Town Council deny this application for the private well connection, as it is in conflict with our current Town Code and current Design Standards. The applicants have received multiple SUPs and approvals contingent on them connecting to Town water.

Please direct inquiries to Tammie Clary at 1-(757)-365-4200 or tclary@smithfieldva.gov.

From: [Tim Ryan](#)
To: [Tammie Clary](#)
Cc: [Mark Kluck](#); [Nick Hess](#)
Subject: Re: SUP For the Parking Lot at 803 S Church
Date: Thursday, October 24, 2024 2:20:48 PM
Attachments: [image001.png](#)
[image002.png](#)
[803 S Church Town Water Exception SUP 24 October 2024.pdf](#)

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached please find the signed SUP requesting an exception from the requirement to connect to town water. Please let me know if you have any questions or concerns. Also, I would like to pay electronically. Please send a link. Thank you.

Tim Ryan

On Tue, Oct 15, 2024 at 3:33 PM Tammie Clary <tclary@smithfieldva.gov> wrote:

Good Afternoon,

As a reminder, as a condition of your approval for a gravel parking lot, the Town Council is requiring you to obtain a Special Use Permit for the well connection.

Please complete the attached application and pay the \$400 application fee, prior to November 1st.

Please let me know if you have any questions or concerns.

Thank you.

Best,

TAMMIE CLARY

Community Development & Planning Director

Town of Smithfield, Virginia

310 Institute St, Smithfield, VA 23430

1-(757)-365-4200

tcclary@smithfieldva.gov



From: Tammie Clary <tcclary@smithfieldva.gov>

Sent: Thursday, October 3, 2024 4:21 PM

To: Tim Ryan <jtryan.associates@gmail.com>

Cc: Mark Kluck <mkluck@smithfieldva.gov>; Nick Hess <Chiefhess@icloud.com>

Subject: RE: SUP For the Parking Lot at 803 S Church

Good Afternoon,

Attached please find your action letter following last night's conditional approval.

Please let me know if you have any questions or concerns.

Thank you.

Best,

TAMMIE CLARY

Community Development & Planning Director

Town of Smithfield, Virginia

310 Institute St, Smithfield, VA 23430

1-(757)-365-4200

tclary@smithfieldva.gov



From: Tim Ryan <jtryan.associates@gmail.com>

Sent: Tuesday, April 16, 2024 10:39 AM

To: Tammie Clary <tclary@smithfieldva.gov>

Cc: Mark Kluck <mkluck@smithfieldva.gov>; Nick Hess <Chiefhess@icloud.com>

Subject: Re: SUP For the Parking Lot at 803 S Church

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here is the document. I will bring a check by town hall later today. Thanks.

Tim Ryan

TOWN COUNCIL REPORT

ITEM: PUBLIC HEARING: 313 Grace Street - BHAR Appeal

FROM: Tammie Clary, Director of Planning and Community Development

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice - Appeal	Public Hearing	3/19/2025
Staff Report - 313 Grace Street	Public Hearing	3/19/2025
Attachments - 313 Grace Street	Backup Material	3/20/2025

NOTICE OF PUBLIC HEARING
TOWN COUNCIL OF THE TOWN OF SMITHFIELD
APPEAL OF BHAR DECISION TO DENY THE INSTALLATION OF A ROOFTOP SOLAR
ARRAY ON A CONTRIBUTING PARCEL

Notice is hereby given that the Town Council of the Town of Smithfield, Virginia, will at the regular meeting of the Town Council in The Smithfield Center, 220 N. Church Street, meeting room A, Smithfield, Virginia, on Tuesday, April 1st, 2025 at 6:30 p.m. to consider an appeal of a Board of Historic and Architectural Review decision regarding an application on behalf of John & Kelly Payne for the installation of a rooftop solar array on a parcel classified as contributing, pursuant to Article 3.M., Section E.16.A of the Zoning Ordinance of the Town of Smithfield, Virginia, adopted September 1, 1998, and as amended thereafter. The property which is the subject of this application is 313 Grace Street (Tax Map Parcel 21A-01-142), contains 0.25 +/- acres, and is zoned Downtown Neighborhood Residential (DN-R) and Historic Preservation Overlay (HP-O).

Any person affected by or interested in the aforesaid application may appear at the hearing and be heard. Copies of the Zoning Ordinance of the Town of Smithfield and appeal application are available for inspection at the Department of Community Development & Planning, 310 Institute Street, Smithfield, Virginia 23430.

TOWN OF SMITHFIELD, VIRGINIA

By: Lesley G. King, Clerk

Publish: Wednesday, March 12th, 2025, and Wednesday, March 19th, 2025.

PUBLIC HEARING
TOWN COUNCIL STAFF REPORT:
APPEAL OF A DECISION BY THE BOARD OF HISTORIC AND ARCHITECTURAL
REVIEW FOR A CONTRIBUTING PROPERTY

The applicant is appealing the Board of Historic & Architectural Review's (BHAR) February 18th, 2025, decision to deny the application for the installation of twenty-one (21) rooftop-mounted solar panels on the single-family dwelling at 313 Grace Street as the Board believes the solar panels are not in conformance with the Historic District Guidelines (below).

The applicant believes she has met the criteria outlined for solar panel installation in the 2025 Historic District Design Guidelines. Therefore, the applicant has filed an appeals application, appealing the BHAR's decision.

According to the appeals process, this application is forwarded to Town Council for their review and decision.

2025 Historic District Design Guidelines:

Page 76: "Should be located on the side or rear of a building where they are less visible from the right of way."

Page 98: "Should be installed in such a manner that their visual impact is minimized from the right of way. The side and rear of a building's roof is often the most appropriate setting for solar panels."

Page 123: "should be installed at the rear or sides of the building where they are not easily visible from the street."

Page 101:

12) Solar Panels

While solar panels are a relatively modern invention, they may be installed on historic buildings under certain circumstances. As a general rule, solar panels should be installed in a location not visible from the ground or the public right of way. All solar panel installations within the historic district shall be reviewed by the BHAR prior to receiving a COA.

Best Practices

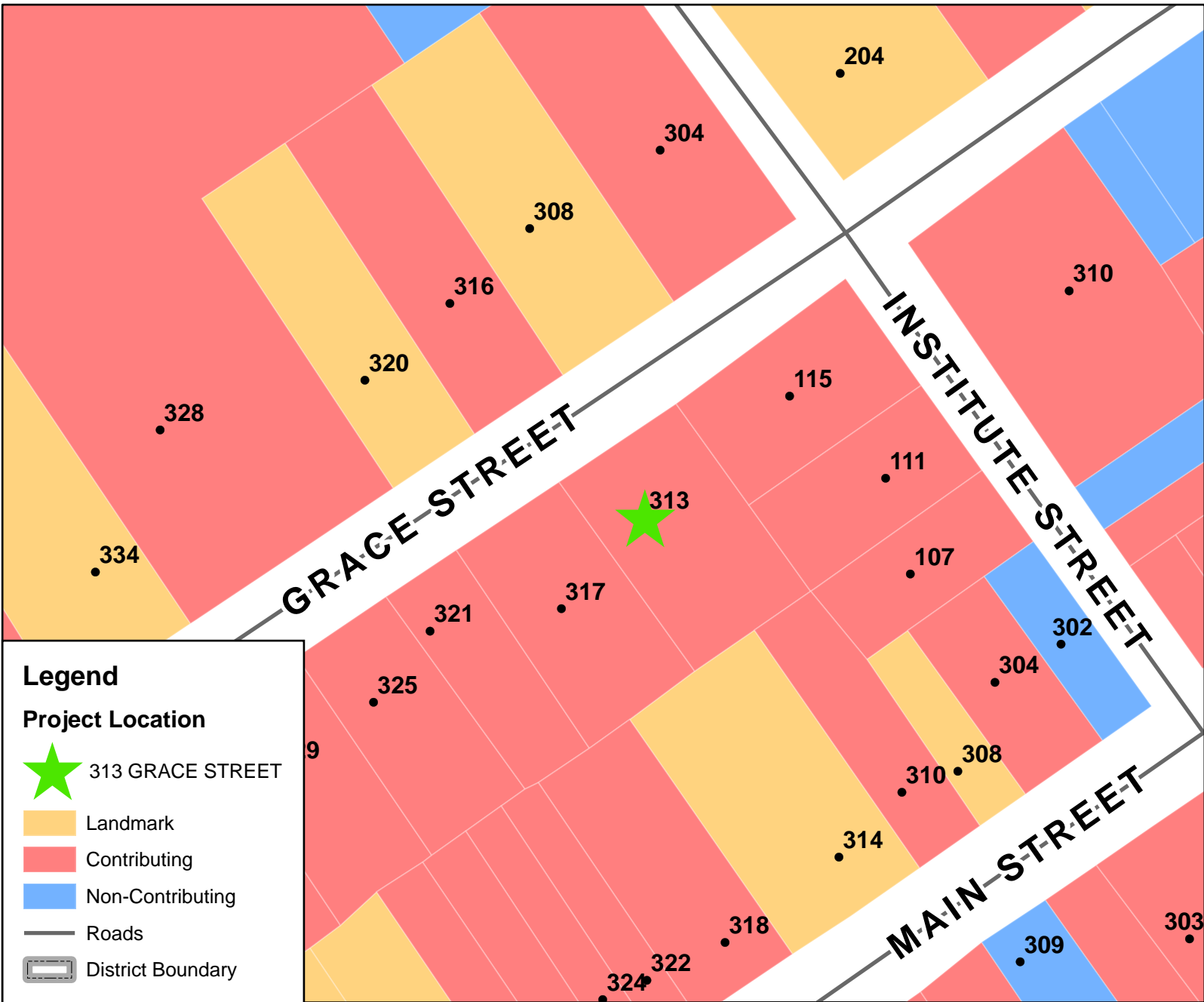
- Solar panels should have a low profile and be mounted less than or equal to six inches above the surface of the roof.
- Solar panels should be set at angles consistent with the slope of the supporting roof.
- When possible, solar panels should be hidden behind existing architectural elements such as dormers and cross gables.
- Solar panels should be arranged in an organized configuration and blend in with the surrounding features of the historic building with respect to the color of the panels, support structures, and conduits.
- Any support structures, conduits, inverters, storage units, or other hardware should be installed on the rear of the building or areas with limited visibility from the street and the public right of way.
- Solar panels should be installed in a way that allows them to be easily removed without causing permanent damage or alteration to the building or site.

Avoid

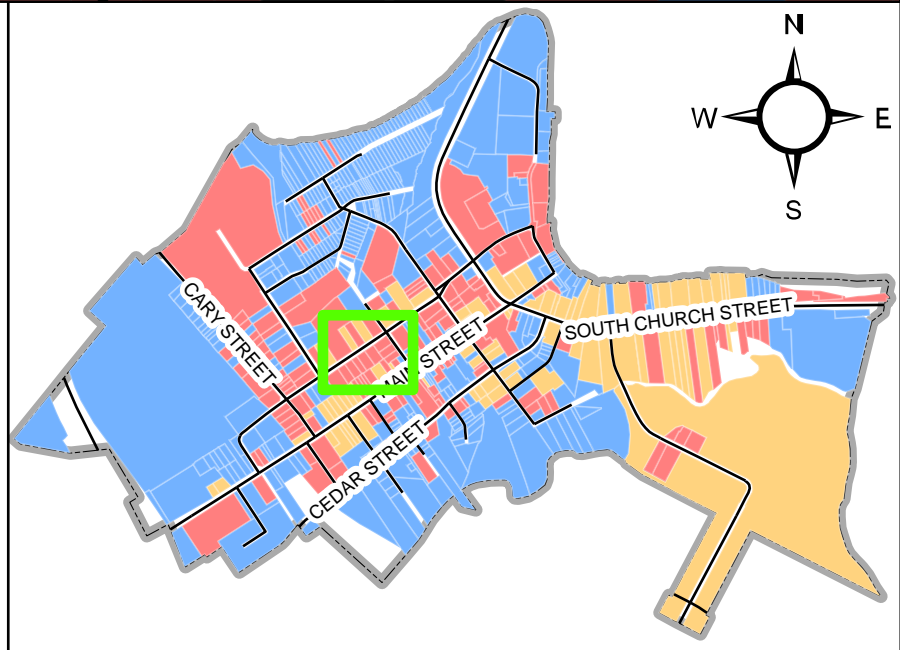
- Installing solar panels in locations that are visible from the street or public right of way such as the primary facade of a building.
- Removing historic features of a building or site when installing solar panels.
- Installing solar panels in a manner that obstructs the view of historic architectural features of a building or site.
- Erecting ground-mounted arrays.
- Installing solar panels on primary Landmark buildings. Installing on accessory structures for Landmark properties may be considered.

For inquiries, contact Tammie Clary at 1-(757)-365-4200 or tclary@smithfieldva.gov.

313 Grace Street - Contributing - Rooftop Solar Array Installation



313 Grace Street
TPIN 21A-01-142
0.25 ac S side Grace Street
205' SW of Grace St & Institute St





Above: Lighting may be integrated into the landscape to add visual variety and character to the historic district (top). A cast-iron ‘goose-neck’ light fixture that is compatible with the design of a historic commercial building (bottom).

12) Solar Panels

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Avoid

- Installing solar panels in locations that are visible from the street or public right of way such as the primary facade of a building.
- Removing historic features of a building or site when installing solar panels.
- Installing solar panels in a manner that obstructs the view of historic architectural features of a building or site.
- Erecting ground-mounted arrays.
- Installing solar panels on primary Landmark buildings. Installing on accessory structures for Landmark properties may be considered.

Northern Elevation (front)



- Western Elevation (right side)
- Proposed 19 panels on the western side of home
 - 16 panels on the side yard facing roof
 - 3 panels on the rear-facing portion of the dormer)



- Eastern Elevation (left-side)
- Proposed 2 panels on the eastern side of home on the rear-facing portion of the dormer



- Eastern Elevation (left-side)
 - *As viewed from Institute Street*
- Proposed 2 panels on the western side of home on the rear-facing portion of the dormer



AERIAL SITE VIEW



SCOPE OF WORK

INSTALLATION OF UTILITY INTERACTIVE PHOTOVOLTAIC SOLAR SYSTEM

9.03 kW DC & 6.72 kW AC PHOTOVOLTAIC SOLAR ARRAY

PV MODULES: (2I) SILFAB SOLAR SIL-430 QD

INVERTER(S): (2I) ENPHASE IQ8MC-72-M-US

ROOF TYPE: COMPOSITION SHINGLE - 1 LAYER(S)

PV MOUNTING HARDWARE: UNIRAC NXT

SHEET LIST

G-1	COVER SHEET
V-2	SITE PLAN
S-3	ROOF PLAN
S-4	STRUCTURAL DETAILS
S-5	STRUCTURAL CALCULATIONS 1
S-6	STRUCTURAL CALCULATIONS 2
E-7	ELECTRICAL DETAILS (LINE DIAGRAM)
E-8	ELECTRICAL CALCULATIONS & NOTES
E-10	ELECTRICAL LABELS & LOCATIONS

JURISDICTION CODES AND STANDARDS

GOVERNING CODES

- I. ALL WORK SHALL COMPLY WITH:
- 2020 NATIONAL ELECTRIC CODE (NEC)
- 2021 VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC)
- 2021 VIRGINIA RESIDENTIAL CODE (VRC)
- 2021 VIRGINIA STATEWIDE FIRE PREVENTION CODE (VSFPC)

2021 VIRGINIA UNIFORM STATEWIDE BUILDING CODES (USBC), 2021 VIRGINIA UNIFORM STATEWIDE CONSTRUCTION CODES (USCC), 2021 VRC, 2021 VCC

AND ALL STATE AND LOCAL BUILDING, ELECTRICAL, AND PLUMBING CODES.

SITE CLASSIFICATION NOTES, OSHA REGULATION

OCCUPANCY CLASS: SFR

CONSTRUCTION CLASS: V-B

ZONING TYPE: RESIDENTIAL

- I. A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH OSHA REGULATIONS.
2. MODULES HAVE AN ANTI-REFLECTIVE COATING TO PREVENT GLARE
3. JUNCTION BOXES UNDER PV ARRAY SHALL BE INSTALLED TO BE CONSIDERED ACCESSIBLE BY NEC 690.34

ELECTRICAL CRITERIA, NOTES

TEMPERATURE SOURCE: ASHRAE

WEATHER STATION: NEWPORT NEWS

EXTREME MIN. TEMPERATURE: -II

ASHRAE 2% HIGH TEMP: 34

- I. DRAWINGS HAVE BEEN DETAILED ACCORDING TO UL LISTING REQUIREMENTS.
2. TERMINALS AND LUGS WILL BE TIGHTENED TO MANUFACTURER TORQUE SPECIFICATIONS (WHEN PROVIDED) IN ACCORDANCE WITH NEC I10.14(D) ON ALL ELECTRICAL.
3. PV MODULE CERTIFICATIONS WILL INCLUDE ULI703, IEC61646, IEC61730.
4. CONDUIT AND WIRE SPECIFICATIONS ARE BASED ON MINIMUM CODE REQUIREMENTS AND ARE NOT MEANT TO LIMIT UP-SIZING AS REQUIRED BY FIELD CONDITIONS.
5. PROPER ACCESS AND WORKING CLEARANCE AROUND EXISTING AND PROPOSED ELECTRICAL EQUIPMENT WILL BE PROVIDED AS PER SECTION [NEC I10.26].
6. WHERE PV CABLES ON ROOFTOP WOULD OTHERWISE BE EXPOSED TO PHYSICAL DAMAGE, 3/4" EMT SHALL BE USED TO PROTECT CABLES

STRUCTURAL CRITERIA, NOTES

DESIGN LOAD STANDARD: ASCE 7-16

WIND EXPOSURE CATEGORY: C

WIND SPEED (3-SEC GUST): 116 MPH

GROUND SNOW LOAD: 10 PSF

DESIGN ROOF SNOW LOAD: 5 PSF

SEISMIC DESIGN CATEGORY: B

SEISMIC RISK FACTOR: II



ION DEVELOPER

DAVID STANLEY CONRAD

ELE, CLASS A & AES/TRADESMAN MELE

2705169798



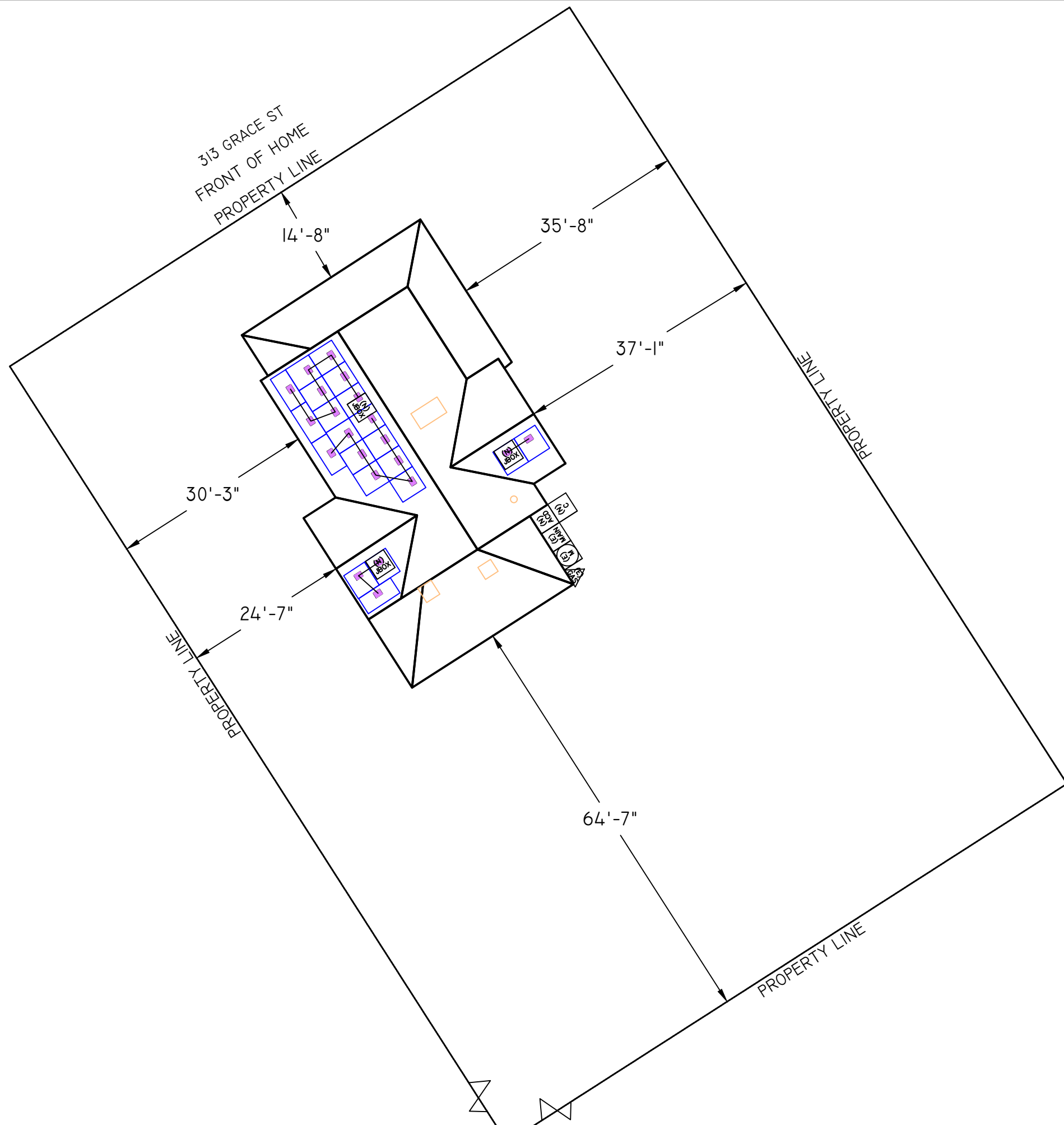
ION SOLAR

44 E 800 N

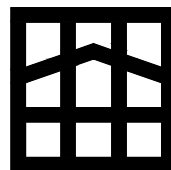
OREM, UTAH 84057

888.781.7074

PROJECT ID		00EFRZ
SITE OWNER		JOHN N PAYNE & KELLY B PAYNE
SITE ADDRESS		313 GRACE ST SMITHFIELD, VIRGINIA 23430
EQUIP.		(2I) SILFAB SOLAR SIL-430 QD (2I) ENPHASE IQ8MC-72-M-US
SYSTEM SIZE		9.03KW DC 6.72KW STC-AC, 8.266KW CEC-AC
PROJECT DESIGNER		KRIZIA ARRANZ
DATE		12-Dec-2024
SHEET NAME		COVER SHEET
SHEET #	REV	0
G-1		



ION DEVELOPER
DAVID STANLEY CONRAD
ELE, CLASS A & AES/TRADESMAN MELE
2705169798



ION SOLAR
44 E 800 N
OREM, UTAH 84057
888.781.7074

PROJECT ID	00EFRZ
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SITE OWNER

JOHN N PAYNE & KELLY B PAYNE

SITE ADDRESS	313 GRACE ST
	SMITHFIELD, VIRGINIA 23430

EQUIP.	(21) SILFAB SOLAR SIL-430 QD
	(21) ENPHASE IQ8MC-72-M-US

SYSTEM SIZE	9.03KW DC 6.72KW STC-AC, 8.266KW CEC-AC
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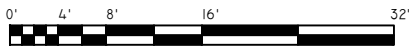
PROJECT DESIGNER	KRIZIA ARRANZ
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DATE	12-DEC-2024
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SHEET NAME SITE PLAN

SHEET #	REV
V-2	0

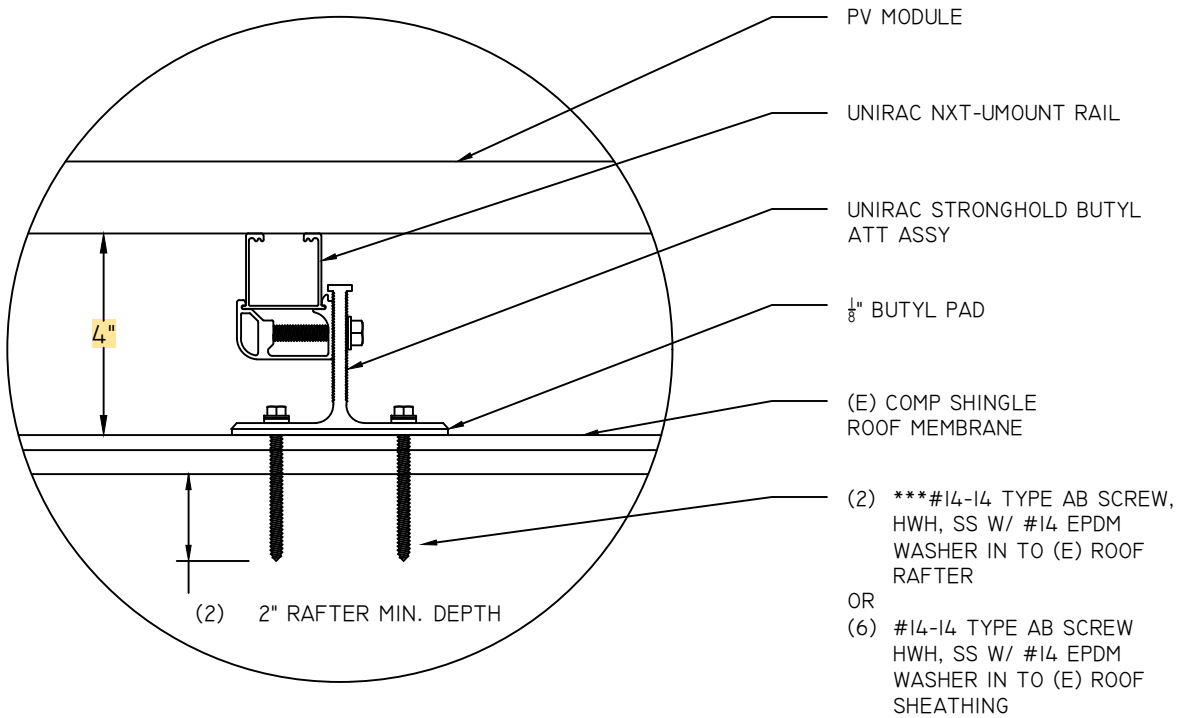
SCALE: 1/16" = 1'-0"



STRUCTURAL INSTALLATION SCHEDULE AND CRITERIA

ROOF MEMBRANE		SPAN AREA	TAG	SPAN	
ROOF TYPE:	COMPOSITION SHINGLE	RAIL - PORTRAIT - MODULE ORIENTATION			
ROOF SHEATHING TYPE:	TONGUE AND GROOVE	X- SPACING	P-X1	72 IN. O.C. MAX.*	
		X-CANTILEVER	P-X2	23 IN. MAX.	
		Y- SPACING	P-Y1	40.2 IN. MIN. - 55.9 IN. MAX.	
		Y-CANTILEVER	P-Y2	6 IN. MIN. - 13.8 IN. MAX.	
ARRAY PARAMETERS		RAIL - LANDSCAPE - MODULE ORIENTATION			
TOTAL ROOF AREA (SQ. FT.)	1894	X- SPACING	L-X1	72 IN. O.C. MAX.	
TOTAL PV MODULE AREA (SQ. FT.)	441	X-CANTILEVER	L-X2	23 IN. MAX.	
% PV MODULE ROOF COVERAGE	23.28%	Y- SPACING	L-Y1	24.9 IN. MIN. - 28.9 IN. MAX.	
		Y-CANTILEVER	L-Y2	7.9 IN. MIN. - 9.8 IN. MAX.	
PV RACKING					
RACKING:	UNIRAC NXT				
RACKING TYPE:	RAIL				
	UNIRAC STRONGHOLD BUTYL ATT KIT #14S				
STANDOFF:	MILL				
STANDOFF TYPE:	L-FOOT & BUTYL TAPE MASTIC				
FASTENER:	3" #14-14 AB SCREW				
STRUCTURAL FRAMING					
ROOF SECTION	STRUCTURE TYPE	RAFTER / TC SIZE (IN)	RAFTER / TC SPACING (IN)	STRUCTURAL UPGRADE	UPGRADE SIZE & LENGTH (FT)
RS1	VAULTED - CONVENTIONAL FRAMING	2x4	24	NONE - SINGLE PLY (1x)	NONE
RS2	VAULTED - CONVENTIONAL FRAMING	2x4	24	NONE - SINGLE PLY (1x)	NONE
RS3	VAULTED - CONVENTIONAL FRAMING	2x4	24	NONE - SINGLE PLY (1x)	NONE

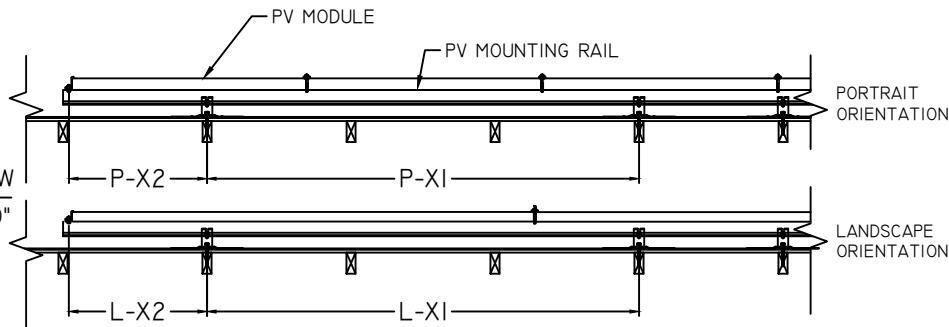
*** ONLY 2 FASTENERS REQUIRED IN TO (E) ROOF RAFTER/TOP CHORD. IF DURING INSTALLATION THE (E) RAFTER/TOP CHORD IS MISSED, CONTINUE TO DRIVE FASTENER UNTIL 2 LAND IN TO THE (E) RAFTER/TOP CHORD. IF ALL MISS, (6) IN (E) SHEATHING ONLY ARE SUFFICIENT AS LONG AS ATTACHMENTS SPAN NO GREATER THAN 24" OC.



A COMP SHINGLE - STRONGHOLD BUTYL ATT KIT - STANDOFF DETAIL
SCALE: 3" = 1'-0"

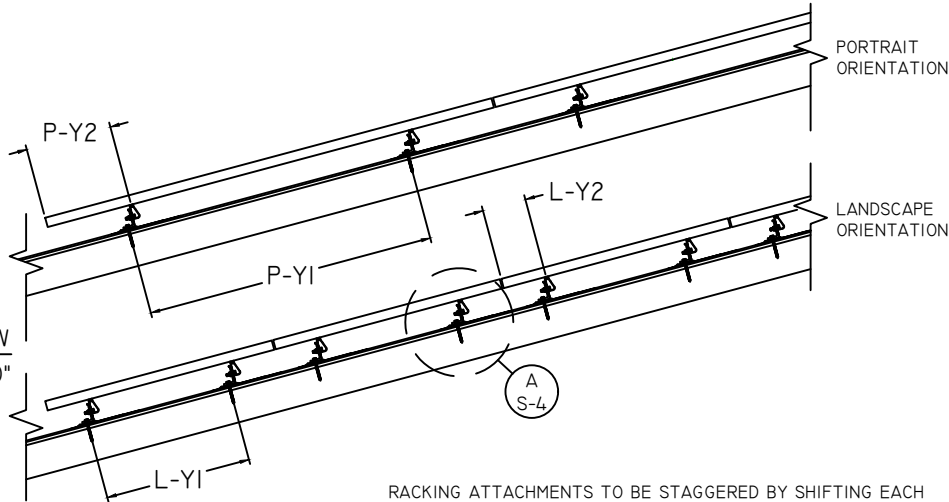
PV ARRAY DETAIL, FRONT VIEW

SCALE: 3/8" = 1'-0"

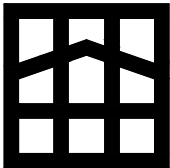


PV ARRAY DETAIL, SIDE VIEW

SCALE: 3/8" = 1'-0"



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ELE, CLASS A & AES/TRADESMAN MELE
2705169798



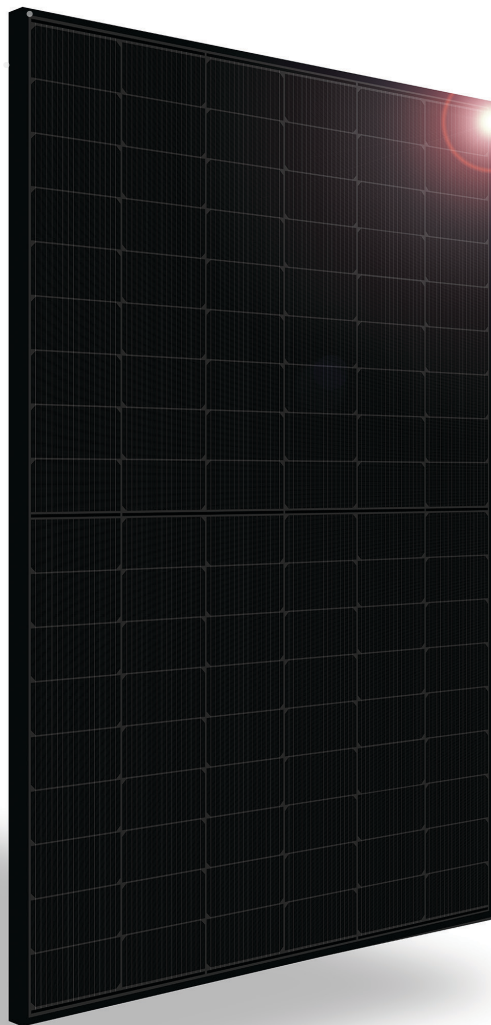
ION SOLAR
44 E 800 N
OREM, UTAH 84057
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DATE		12-Dec-2024
SHEET NAME		STRUCTURAL DETAILS
SHEET #	REV	0
S-4		

**SILFAB
PRIME NTC**

SIL-420/430 QD

SILFAB
SOLAR®



INTRODUCING NEXT-GENERATION N-TYPE CELL TECHNOLOGY

- Improved Shade Tolerance
- Improved Low-Light Performance
- Increased Performance in High Temperatures
- Enhanced Durability
- Reduced Degradation Rate
- Industry-Leading Warranty



SILFABSOLAR.COM





Final Engineered Design



Final Array Layout

John N Payne & Kelly B Payne
313 Grace St
Smithfield, Virginia 23430

December 12, 2024



System Size (DC):	9.03 kW
Panels:	(21) Silfab Solar SIL-430 QD
Inverters:	(21) Enphase IQ8MC-72-M-US
First Year Estimated Production:	11994 kWh

ION SOLAR
ionsolar.com

If you have concerns or requested changes please notify ION Solar. ION Solar will use this final engineered design for permitting and installation. This may be subject to change.



Installation Summary

Site Survey Results:

Layout / Production Change Evaluation:

Panel layout was adjusted to optimize the best production.

Roof Evaluation:

The existing roof is sufficient for the PV Solar Installation.

Structure Evaluation:

The existing structural framing is sufficient for the PV Solar Installation.

Electrical Evaluation:

The existing electrical equipment is sufficient for the PV Solar Installation. No Electrical Service Upgrade work will be completed for the project.

Homeowner Obligations Before Install:

Trim or Remove bushes in front of existing electrical service equipment and to clear room for new electrical equipment. Electrical Code requires adequate 3' x 3' x 6.5' working clearance.

Remove objects in front of existing electrical service equipment and to clear room for new electrical equipment.

Fwd: Dominion Energy | Net Metering Contingent Approval ID-211379

1 message

Kelly Payne <yummaries@icloud.com>
To: yummariesbakery@gmail.com

Tue, Dec 24, 2024 at 12:04 PM

Sent from my iPhone

Begin forwarded message:

From: NoReply Net Metering Info <noreply@netmetering.dominionenergyinfo.com>
Date: December 12, 2024 at 9:38:13 PM EST
To: netmetering@ionsolar.com, yummaries@icloud.com
Subject: Dominion Energy | Net Metering Contingent Approval ID-211379



TOWN COUNCIL REPORT

ITEM: PUBLIC HEARING: Text Amendment to Article 13 of the Zoning Ordinance

FROM: Tammie Clary, Director of Planning and Community Development

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice - Text Amendment to Zoning Ordinance	Public Hearing	3/19/2025
Staff Report - Text Amendment	Public Hearing	3/19/2025

NOTICE OF PUBLIC HEARING
TOWN COUNCIL OF THE TOWN OF SMITHFIELD
AMENDMENT & REVISION OF ZONING ORDINANCE

Notice is hereby given that the Town Council of the Town of Smithfield, Virginia will hold a public hearing at the regular meeting of the Town Council in the council chambers in The Smithfield Center, 220 N. Church Street, meeting room A, Smithfield, Virginia, on Tuesday, April 1st, 2025 at 6:30 p.m. to consider the application of the Town of Smithfield, applicant for a text amendment to the provisions of Article 13 of the Zoning Ordinance of the Town of Smithfield, Virginia, adopted September 1, 1998, and as amended thereafter, to align definitions in Article 13 with Article 3.P.

Any person affected by or interested in the aforesaid application may appear at the hearing and be heard. Copies of the current Zoning Ordinance of the Town of Smithfield, Virginia, adopted Tuesday, September 1st, 1998, and all amendments thereto, along with copies of the text amendment application, are on file and may be examined in the Community Development & Planning Department, 310 Institute St, Smithfield, VA 23430.

TOWN OF SMITHFIELD, VIRGINIA

BY: Lesley G. King, Clerk

Publish: Wednesday, March 12th, 2025, and Wednesday, March 19th, 2025.

TOWN COUNCIL STAFF REPORT: ARTICLE 13 TEXT AMENDMENT
PUBLIC HEARING

TUESDAY, APRIL 1st, 2025, 6:30 PM

This application was favorably recommended to Town Council by the Planning Commission.

This is a proposed text amendment to Article 13 of the Zoning Ordinance to bring the definitions in alignment with the new definitions approved with Article 3.P for the Chesapeake Bay Preservation Overlay:

- *Accessory structures or uses.* Any structure located on a lot or parcel not identified as a principal structure as defined herein. Accessory structures include, but are not limited to, detached garages, gazebos, free-standing decks, storage buildings or tool sheds, guest houses, and similar forms of development that are incidental and subordinate to the principal structure. Accessory uses include, but are not limited to, in-ground pools, patios, terraces, tennis courts, synthetic turf, and other impermeable landings that do not permit infiltration to groundwater. Any modification or expansion to an accessory use must be reviewed and approved using a formal exception process unless proposed within a locally designated Intensely Developed Area.
- *Agricultural lands.* Those lands used for the planting and harvesting of crops or plant growth of any kind in the open, pasture, horticulture, dairy farming, floriculture, or the raising of poultry and/or livestock.
- *Chesapeake Bay Preservation Area (CBPA).* Any land designated as such on the Chesapeake Bay Preservation Area Map adopted by the Town Council, subject to confirmation by the Town of Smithfield Zoning Administrator on a site-specific basis. A Chesapeake Bay Preservation Area shall consist of a Resource Protection Area and a Resource Management Area.
- *Construction footprint.* The area of all impervious cover created by development or redevelopment of land, including, but not limited to, buildings, roads, driveways, parking areas and sidewalks, and any other land disturbed for the construction of such improvements
- *Development.* The construction, substantial alteration, or installation of any improvement (including residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures) upon a parcel of land, or any land disturbance associated therewith.

- *Diameter at breast height (DBH)*. The diameter of a tree measured at a point four and one-half (4-1/2) feet above the existing grade, or the natural surface or contour of a site.
- *Dripline*. An imaginary perpendicular line extending downward from the outermost tips of the branches of a tree to the ground.
- *Floodplain*. All lands that would be inundated by flood water because of a storm event of a 100-year return interval.
- *Intensely Developed Areas (IDA)*. Those areas of existing development and infill sites where development is concentrated and little of the natural environment remained as of September 1990 and which is so designated on the map of Chesapeake Bay Preservation Areas adopted by the Town Council pursuant to Section 104 (D) of this Ordinance.
- *Land disturbance or land disturbing activity*. Any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including, but not limited to, clearing, grading, excavating, transporting, and filling of land. The term shall not include minor activities such as home gardening, individual home landscaping and home maintenance.
- *Noxious weeds*. As defined in Va. Code §3.2-800, any living plant, or part thereof, declared by the Board of Agriculture and Consumer Services through regulations to be detrimental to crops, surface waters, including lakes, or other desirable plants, livestock, land, or other property, or to be injurious to public health, the environment, or the economy, except when in-state production of such living plant, or part thereof, is commercially viable or such living plant is commercially propagated in Virginia. Including, but not limited to plants such as Johnson grass, kudzu, and multiflora rose.
- *Person*. An individual, fiduciary, corporation, firm, partnership, association, organization, or any other entity or combination thereof.
- *Plan of development*. For the purposes of this Ordinance, plan of development means any process for site plan review in local zoning and land development regulations designed to ensure compliance with Va. Code § 62.1-44.15:74 and with this Ordinance, prior to issuance of a building permit.
- *Resource Management Area (RMA)*. That component of a Chesapeake Bay Preservation Area not classified as a Resource Protection Area. Resource Management Areas include land types which, if improperly used or developed, have the potential for causing significant water quality degradation or for diminishing the functional value of a Resource Protection Area. Resource Management Areas shall be provided contiguous to the entire inland boundary of the Resource Protection Area.

- *Subdivision*. The division of any parcel of land into two (2) or more lots or parcels. The term shall include all changes in lot lines, the creation of new lots involving any division of an existing lot or lots and, if a new street is involved in such division, any division of a parcel of land. When appropriate to the context, the term shall also include the process of subdividing and the territory subdivided.
- *Use*. An activity on the land other than development including agriculture, horticulture, and silviculture.

Staff suggest approval.

Please direct inquiries to Tammie Clary at 1-(757)-365-4200 or tclary@smithfieldva.gov.

TOWN COUNCIL REPORT

ITEM: Blighted Property - 1502 Magruder Road

FROM: Tammie Clary, Director of Planning and Community Development

ATTACHMENTS:

Description	Type	Upload Date
Staff Report - 1502 Magruder Road	Cover Memo	3/19/2025
Plan - 1502 Magruder Road	Backup Material	3/19/2025
Ordinance - Removal or Repair Dangerous Buildings	Ordinance	3/19/2025

TOWN COUNCIL STAFF REPORT
***DECLARATION OF 1502 MAGRUDER ROAD AS A BLIGHTED PROPERTY:**
MONDAY, MARCH 24TH, 2025*

The Town of Smithfield received a complaint concerning the partially burned down structure located at 1502 Magruder Road, Smithfield VA 23430 (TPIN:21A-28-007).

Town staff sent a notice on January 29th, 2025 requesting an update on the cleanup and repair of the structure within thirty (30) days, in accordance with Smithfield Town Code (STC) Section 22-2.b.1.

A plan was provided as requested.

In accordance with Section 22-2.b.2, Town staff request that Town Council determine the Plan is acceptable.

For your convenience, a copy of the Smithfield Town Code Section 22-2 is included with this staff report.

For inquiries, contact Tammie Clary at 1-(757)-365-4200 or tclary@smithfieldva.gov.

Robert A. Small
Attorney at Law
P. O. Box 2032
Poquoson, VA 23662
Phone: (757) 746-5324
Email: rasmall@cox.net

February 28, 2025

VIA FAX: (757) 357-9933 &
VIA EMAIL: tclary@smithfieldva.gov

Ms. Tammie Clary
Community Development and Planning Director
Smithfield Community Development & Planning Department
Town of Smithfield
310 Institute Street
P. O. Box 246
Smithfield, VA 23432

IN RE: Blighted Property Notice Letter concerning 1502 Magruder Road, Smithfield,
Virginia 23430 dated January 29, 2025.
Owner's Plan to address Blighted Property submitted within thirty days of
January 29, 2025, Blighted Property Notice Letter from the Town of Smithfield.

Dear Ms. Clary:

As a follow up to our telephone conversation earlier this week in reference to the letter from you to the Estate of Len Harris concerning the fire damaged and destroyed property at 1502 Magruder Road, please be advised that I am representing Lenny Harris who currently owns and controls the property since his father's death.

The house is insured against loss by fire and Mr. Harris has been working with his insurance company since the time of the fire to get his insurance claim fully adjusted.

It is my understanding that the homeowner's insurance will cover the cleanup of the site and have funds to rebuild at the site. However, the insurance company has taken a long time to accept and adjust the claim and now wants Mr. Harris and his wife to submit to sworn statements with an attorney hired by the insurance company as part of its adjustment of the loss.

It is my understanding that the local fire department and Virginia State Police have determined the cause of the fire to have been accidental.

Mr. Harris and his wife have timely and fully cooperated with the insurance company and hope their loss adjustment ends soon, so that the insurance will fund the cleanup and the rebuilding at the property as required by the homeowner's insurance policy.

Ms. Tammie Clary
Community Development and Planning Director
Smithfield Community Development & Planning Department
Town of Smithfield
February 28, 2025
Page 2

Simply put, the plan to address the blight is to have the homeowner's insurance coverage cover the cost of the cleanup as soon as possible.

Based on our conversation, with this letter of representation, explanation, update, and plan I understand the Town of Smithfield will not move forward against the property or the property owners as indicated in your letter January 29, 2025, because we have submitted a plan to clean up the blighted property.

Mr. Harris and his wife want to be good stewards of the property and will continue to cooperate with the insurance company.

Please contact me if we need to take any further action to avoid the Town of Smithfield taking legal action.

I will update you once the sworn statement process is complete and advise of the next step for the insurance company.

It was a pleasure to speak with you, and if you need to contact me, my phone number is (757) 746-5324, and my email is: rasmall@cox.net.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Robert A. Small', written in a cursive style.

Robert A. Small

AN ORDINANCE TO AMEND AND READOPT AN ORDINANCE FOR THE REMOVAL
OR REPAIR OF DANGEROUS BUILDINGS

WHEREAS, the Town Council of the Town of Smithfield finds it to be in the best interest of the public health, safety and welfare of the citizens of the Town to provide for the removal or repair of dangerous buildings within the corporate limits of the Town; and,

WHEREAS, the Town Council, deems it in the best interest of the citizen of the Town of Smithfield to amend and readopt Chapter 22, Article 1, Section 22-2 of the Code of the Town of Smithfield, Virginia; and,

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, VIRGINIA:

1. That Chapter 22, Article 1, Section 22-2 of the Code of the Town of Smithfield, Virginia is repealed and readopted as follows:

Chapter 22-2

BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

Sec. 22-2. Removal or repair of dangerous buildings

SEE EXHIBIT "A" FOR TEXT

2. This ordinance shall take effect upon adoption.

Adopted this 6th day of April, 2021.

TOWN OF SMITHFIELD

By: T. Carter Williams
T. Carter Williams, Mayor

Attest:

Lesley G. King
Lesley G. King, Clerk

Sec. 22-2. - Removal or repair of dangerous buildings, spot blight abatement.

(a) General

- (1) The Smithfield Town Council (hereinafter referred to as "Council") from time to time may find that deteriorating properties, including the improvements and the land on which they are built, have a deleterious effect on property values and the quality of life in the areas surrounding them. This Spot Blight Abatement Ordinance is enacted to provide for the abatement of blight that threatens the health, safety, and welfare of the community.
- (2) The Town of Smithfield (hereinafter referred to as "Town") may acquire or repair any blighted property, as defined below, by exercise of the powers of eminent domain provided in Title 25 of the *Code of Virginia* and, further, shall have the power to hold, clear, repair, manage, or dispose of such property for purposes consistent with this Section. In addition, the Town may recover the costs of any repair or disposal of such property from the owner.
- (3) Blighted property shall mean and refer to any property, uninhabited, improved with buildings in excess of 256 square feet, which, by reason of dilapidation, obsolescence, absence of electricity, water, and sanitary facilities, or any combination of these or other factors, are detrimental to the health, safety, or welfare of the community. These buildings:
 1. are missing a window(s), door(s), and/or another feature that would normally protect their interior from the elements, or the interior is otherwise too easily accessible;
 2. feature noticeable overgrowth originating from the interior;
 3. have no easily attainable means of securing the interior of the building on the property from trespass; or
 4. have not had active construction and/or received a Certificate of Occupancy within one (1) year of receiving a valid zoning permit from the Town.
- (4) For the purposes of this Section, the Zoning Administrator (hereinafter referred to as "Administrator") of the Town, or their designee, shall serve as the chief executive or designee of the locality or authority.
- (5) For the purpose of this Section, the Spot Blight Abatement Plan shall hereinafter be referred to as "the Plan."

(b) Procedure

- (1) The Administrator shall make a preliminary determination that a property is blighted in accordance with this Section, and shall send notice via certified and regular mail to the owner(s) of record determined in accordance with Section 36-27.B of the *Code of Virginia*, specifying the reasons why the property is blighted. The owner or owners of record shall have thirty (30) days from the date the notice is sent in which to respond in writing with a Plan to address the blight. The thirty (30) day deadline may be extended at the Administrator's discretion.
- (2) The Administrator shall circulate the proposed Plan to the Council for their review and decision on the Plan's adequacy to cure the blight.
- (3) Upon approval of the Plan to cure blight by the Council, the owner(s) shall have ninety (90) days to complete all work approved in the Plan. The Administrator may grant extensions of time to complete work where, in his opinion, the owner has completed substantial portions of the work in compliance with the Plan.
- (4) If the owner(s) fails to respond with an abatement Plan within the thirty (30) day period, responds with a Plan that is not acceptable to the Council, or fails to complete the work approved in the Plan within the ninety (90) day period allotted to cure the blight, and has not been granted an extension of time to complete such, the Council shall declare the property as blighted and develop an abatement Plan.
- (5) Written notice to the property owner shall be sent by certified and regular mail to the last address

listed for the owner on the Town's assessment records for the property, together with a copy of the Plan approved by the Council.

- (6) The Town shall carry out the approved Plan to repair or acquire and dispose of the property in accordance with the approved Plan, the provisions of this Section, and applicable law. The Town shall have a lien on all property so repaired under an approved Plan to recover the cost of improvements made by the Town to bring the blighted property into compliance with applicable codes and ordinances, and disposal, if any. The lien authorized by this Section shall be filed in the Isle of Wight County Circuit Court and shall be subordinate to any prior liens of record. The Town may recover its costs of repair from the owner of record of the property when the repairs were made at such time as the property is sold or disposed of by such owner. If the property is acquired by the Town through eminent domain, the cost of repair may be recovered when the Town sells or disposes of the property. In either case, the costs of repair shall be recovered from the proceeds of any such sale.
- (7) The provisions of this Section shall be cumulative and shall be in addition to any remedies for spot blight abatement that may be authorized by law.

TOWN COUNCIL REPORT

ATTACHMENTS:

Description	Type	Upload Date
DRAFT Summary Minutes from March 4th, 2025	Minutes	3/28/2025

The Smithfield Town Council held its regular meeting on Tuesday, March 4th, 2025. The meeting was called to order at 6:30 p.m.

Members present:

Michael Smith – Mayor
Bill Harris – Vice Mayor
Valerie Butler
Jeff Brooks
Steven G. Bowman
Mary Ellen Bebermeyer
Darren Cutler

Staff present:

Michael Stallings – Town Manager
William H. Riddick, III – Town Attorney
Tammie Clary – Community Development & Planning Director
Mark Kluck - Planner
Judy Winslow – Director of Tourism
Laura Ross – Treasurer
Chris Meier – Deputy Chief, Smithfield Police Department
Nadya Jaudzimas – Administrative Assistant

Press:

Citizens: 18

Mayor Smith welcomed all attendees to the meeting and asked all present to stand for the Pledge of Allegiance.

Manager's Report:

The Town Manager reported that the previous month's activity and summary reports were contained in the information packet provided and he would answer any questions the Town Council had.

Presentations:

Recognition of Randy Pack, Jim Collins, and Raynard Gibbs Service to the Town of Smithfield

Mayor Smith recognized Randy Pack for his 12 years of service on the Smithfield Town Council and Planning Commission. He thanked Jim Collins and Raynard Gibbs for their willingness to serve the Town of Smithfield on the Town Council, both having been on the Council for 1 year.

Public Comments:

Lawrence Pitts stated that Mr. Luter was a benefactor to the Town of Smithfield, and he had looked to him when he was doing work in the Town. He noted that in the park a marker had been placed identifying people who had helped with the park. He said that he felt that the markers were unnecessary and did nothing for the park. He related that he would like to see them removed and the Town should direct their employees to remove any that they saw. Mr. Pitts stated that the park was more focused on animals and nature, and people visiting the park should use it in the same way.

Elden Ross of 106 Montpelier Way in Smithfield reported that he had some safety concerns he wanted to bring to the Council's attention. He related that the placement of the sign for Cypress Creek Dentistry posed a significant safety hazard for motorists coming out of Smithfield Boulevard onto South Church Street. He stated that drivers turning left were having pull up past the line delineating where the intersection started in order to see past the sign, which then would cause drivers turning right onto Church Street to move up to have a better sight line as well. Mr. Ross said that his second concern was with the traffic light at the intersection of Route 10 and Turner Drive near Smithfield High School. He related his experience with drivers getting stuck in the intersection when the light turned red as they were attempting to turn left onto Turner Drive which created a traffic hazard. He observed that it would be hard to change but would like to see it addressed. Mr. Ross reported that the dumpster behind the Papa John's Pizza establishment was emptied very early in the morning and it was very loud, adding that if there could be an adjustment to the time then it would be appreciated. He noted that the noise on South Church Street at night had also become extremely loud.

Councilman Brooks confirmed the exact location of the sign that Mr. Ross referenced.

Bob Hines of 216 Washington Street in Smithfield read directly from an article published in the Smithfield Times dated September 14th, 1988 written by John Edwards and titled "Luter Fears Growth as Sewer Line's Result." He then read from the editorial titled "Into the Abyss" published in the Smithfield Times on October 12, 1988. He related the information in the two to the current state of the Town.

Council Comments:

Vice Mayor Harris reported that he and Councilwoman Bebermeyer had held a meet-and-greet at the Blackwater Library in Smithfield the prior evening, and had spoken with a number of citizens. He observed that many people had thanked them at the end of the meeting for allowing them the opportunity to share their ideas and concerns with the Council directly. He said that the statements made by the citizens had impressed upon him that they had placed a great deal of trust in the members of the Town Council. He noted that the Council needed to take care and consider all aspects of issues before reaching judgement. Vice Mayor Harris stated that though this was only the third meeting of the new Council, they had been inundated with major issue after major issue. He added that as a result, they had hurried a bit too much here and there to address issues so that they could move on. He recommended that the Council slow down and recognize that accuracy was more important than expediency. He continued that slowing down would give more time for the Council to investigate, question, debate, and communicate with the Town's citizens and receive their input. Vice Mayor Harris related that his statement was not a complaint, and all of the new

Council members were not troubled by the amount of work or issues. He reported that the new Council members wanted to reach solid consensus and make positive decisions. He said that the Council could do a better job reaching positive results by slowing down, doing a better job completing their due diligence, creating the opportunity to share with each other, and using the feedback received from the people who elected them to their positions. He concluded with “excellence over speed.”

Councilwoman Bebermeyer reported that their meet-and-greet had been advertised on the Town’s website, the library’s website, some social media posts, and the Community Calendar section of the Smithfield Times. She stated that they had a good turnout with 17 or 18 people coming to meet with them, and thanked the citizens that had attended. She said that the concerns and feedback shared with the Council members had been very helpful, and they would be hosting more events of that nature. She invited all of the Council members to join her at the events if they wanted and were able to attend. Councilwoman Bebermeyer stated that future events would be held at different times and days of the week in order to allow citizens with assorted circumstances to be able to meet with the Council.

Consent Agenda:

C1. Resolution to Appropriate Funds from Historic Smithfield into the General Funds Operating Budget for Proposed Scope of Work for Grace Street Streetscape

Vice Mayor Harris requested that the item be moved from the Consent Agenda to the Action section to allow for additional discussion.

C3. Invoices Over \$20,000 Requiring Council Authorization:

a. Lewis Construction of Virginia, Inc. - Sewer Lateral Repairs at 328 Grace Street	\$ 25,537.50
b. Kimley Horn Associates - Pinewood Heights	\$ 55,474.74
c. Robinson, Farmer, Cox Associates, PLLC	\$ 42,200.00
d. Athens Building Corp - Windsor Castle Park Boardwalk Restoration Project	\$ 26,041.05

Councilman Brooks made a motion to approve the consent agenda as presented. Councilman Cutler seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilwoman Butler voted aye, Councilwoman Bebermeyer voted aye, Councilman Brooks voted aye, Councilman Cutler voted aye, Councilman Bowman voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed unanimously.

Action Section:

Additional Discussion of Item C1: Resolution to Appropriate Funds from Historic Smithfield into the General Funds Operating Budget for Proposed Scope of Work for Grace Street Streetscape

Vice Mayor Harris stated that he had asked to move the item for many reasons, to include the topic of slowing down that he had covered during Council Comments. He said that there were a number of aspects to the action that many of the Town Council members would like to have more information regarding. He reported that he was a Fiscal Conservative, and he thought that they needed to be very careful before authorizing the spending of money, or its acceptance, and closer examine the project. He said that when the plan offered by Kimley-Horn was reviewed, there were many things included that were specific and technical that he felt needed further explanation. Vice Mayor Harris reported that at the meet-and-greet held the prior evening, there had been members of the public who had asked for clarity and an explanation before moving forward, particularly when it involved the expenditure of funds. He stated that it was his hope that the action that the Council would take for the item was to table it and move it to the next Committee Meetings so that an in-depth study could be completed.

Councilman Brooks reported that they had learned about the resolution the prior week. He said that it looked really good on paper; however, there were many questions that he had as a result and he wanted them to take their time in its consideration. He stated that he appreciated everything that Historic Smithfield had offered, but he would like to delve into it more, as some of the other Council members had wanted to do as well. He made a motion to table the subject until the next Committee Meeting.

Councilman Cutler seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Vice Mayor Harris voted aye, Councilman Brooks voted aye, Councilman Bowman voted aye, Councilwoman Butler voted aye, Councilwoman Bebermeyer voted aye, Councilman Cutler voted aye, and Mayor Smith voted aye. The motion passed unanimously.

Public Hearing: Text Amendment Article 3.D.C of the Zoning Ordinance

Tammie Clary, Community Development & Planning Director, reported that the applicant was seeking a text amendment to the Downtown Neighborhood Residential (DNR) Zoning District. She noted that the text amendment would include a waiver of maximum density as an additional special use permit item. She updated that the action would allow the applicant to apply for a new site plan at Washington and James Street. She gave the reminder that if the project had come forth prior to the recordation of the final plat, then it would have been a by-right use at 10 units. She reported that the application was favorably recommended to Town Council at the January 14th Planning Commission meeting having only received one nay vote.

Mayor Smith reported that the matter was subject to a public hearing, and there had been no sign-ups to speak. He asked if there was anyone present who wished to speak.

Vincent Carollo, applicant, stated that they had come before the Council a few weeks prior and expressed his appreciation at being moved to the beginning of the agenda for the evening. He explained that they had purchased the property in question from Mr. Luter, and it was now encompassed by Clay Street, James Street, and Washington Street. He said that with the inclusion

of the improvements made to the property they had come up with the concept for James Street Parc with 10 units. He said that they had felt that the DNR Zoning that the property was classified under currently was a little contradictory in its verbiage. He continued that it was important to edit the text amendment in order for them to be able to start their project. Mr. Carollo introduced John Hopke with Hopke Associates. He related that they had presented conceptual renderings for the project, which had prompted some questions by the Planning Commission. He said that they had answered the questions to the best of their ability, and acknowledged that there were some questions asked that they could not answer accurately at that time. He thanked the Council for their communication that had allowed them to get to the point that they were at. He said that he was happy to be a small part of the vision of the future for Smithfield, thanked them for their time, and offered to answer any questions.

John Hopke stated that they had brought a brief presentation along with them. He outlined that their objective for the evening was to seek a text amendment for an additional Special Use Permit (SUP) condition to the DNR Zoning to allow for an infill planned residential development with density greater than 5 units per acre, so as to be compatible with the established density and scale of the existing neighborhood. He added that the intent of the ordinance was to continue new development in the character of the existing neighborhood. Mr. Hopke reported that the 5 unit per acre maximum made it impossible to replicate the existing historic residential fabric, character, and scale. He pointed out that they had provided a conceptual plan and images to demonstrate how a higher density would allow for development that was complementary to the scale and density of the existing historic neighborhood, per the stated goals of the DNR ordinance and the Town's Architectural Design Guidelines. He observed that there had been some confusion regarding SUPs and what exactly they were. He emphasized that an SUP was not a special exception of variance granted for the benefit of a developer, and quoted it as "a process used by a municipality to encourage, but still regulate, land use in a zoning district by making it subject to a special review and criteria detailed in the Zoning Ordinance." Mr. Hopke defined the term "downzoning" as the term for overlaying a low maximum density on a high-density neighborhood. He reported that downzoning required developers to target a more affluent market, in order to cover the same land acquisition and development costs, which often contributed to gentrification. He stated that he did not think that gentrification was not something that the Town wanted to promote through its Zoning Ordinance. He related that what they were proposing would fix the issue of the ordinance being in conflict with itself. Mr. Hopke reported that text amendments were not an extreme remedy and zoning ordinances were written with the anticipation of amendment over time to better suit the needs of changing communities. He reported that they had prepared a conceptual rendering video that showed that they could develop at that density and be consistent with architecture, character, and scale of the existing neighborhood.

The Town Manager clarified that the Council would only be acting on the text amendment currently, and would not be voting in relation to the specific development.

Councilman Cutler asked if they had resolved the questions regarding the square footage since their last meeting.

Mr. Carollo stated that they had not, as it was still too early in the process to have specific numbers. He recalled that the range that they had given was between 1500 and 2500 square feet.

Mr. Hopke added that the question was perfect for when they were applying for the SUP.

The Town Manager noted that they needed to conclude the public hearing before entering into too much discussion.

Mayor Smith asked if there was anyone else present who wished to speak on the matter.

Bob Hines of 216 Washington Street in Smithfield asked to address the statement of keeping the project within the character of the neighborhood. He said that he did not have a problem with a project at the location; however, two-story duplexes was not in the character of the Historic District and certainly not at that location of Washington Street, James Street, and Cary Street. He stated that the concept would make the area look cluttered. He added that the easement for the trees went all the way to Clay Street, and some of the proposed houses were located within that easement.

Mayor Smith reiterated that the public hearing was addressing the text amendment only.

Councilwoman Bebermeyer and Councilman Cutler stated that the public hearing needed to be closed.

Mayor Smith closed the public hearing, and asked the Council for their comments.

Councilman Cutler asked where the information for the density in the surrounding neighborhood that had been included on a slide displayed had been obtained.

Mr. Hopke reported that the Town Planning Staff had provided it.

Councilman Cutler asked why Town-funded resources were being used for research that would support the developers project. He said that it should be the developer's research to do.

The Town Manager reported that it was incumbent upon staff to evaluate what the existing densities were. He said that since it had already been done, and it had been requested to be provided, so Town Staff obliged. He observed that it had been requested by the Council to be compiled, and at that point it became a public document.

Councilman Cutler said that he did not recall asking for that information.

The Town Manager stated that the work had been completed ahead of time so that the question could be answered if it arose.

Councilman Cutler reiterated that it was the developer's question to answer.

Vice Mayor Harris asked if the same analysis had been done on Clay Street, James Street, and Grace Street. He noted that those very important parts of Downtown Historic Smithfield had been left out of the analysis and they represented the areas that they would like most replicated by downtown development.

The Town Manager stated that they had not done further analysis.

Mayor Smith said that since the public hearing had been closed he wanted to know what the will of the Council was on the vote.

Councilman Cutler reported that during the campaign process for the most recent the election reigning in and managing growth had been the primary focus of the residents of the Town of Smithfield. He recognized that Mr. Carollo himself was a citizen of the Town, and had done great work. He expressed appreciation that they had come out to make the presentation. Councilman Cutler stated that he thought that it was time that the Town Council stood up to developers and required them to adhere to the zoning guidelines without asking them to be rewritten. He stated that he understood that it was a text amendment and they were common;

however, if the Town really wanted to build 10 homes per acre in the Historic District then someone should make a motion to make a change to the zoning. He noted that he would not necessarily be in support of such a change, but it would be the correct way to deal with infill building. He summarized that the developer had purchased the land that was approved for an amount already exceeding the Town's limit, 8 units versus the written 5 units per acre, which he felt was more matching the character of the Town. He stated that he had driven through the areas provided to support the density requested, but it was not as clear-cut since some houses had been omitted. He added that without a counter analysis of what the rest of the density of downtown having been provided, he did not think that it was a fair representation to convey justification for the project. Councilman Cutler made a motion to deny the text amendment.

Councilwoman Bebermeyer seconded the motion.

Mayor Smith asked if there was any further discussion from the Council.

Councilwoman Butler recognized that there had been much discussion about the project previously. She recalled back to Councilman Cutler's question regarding Town Staff completing research in support of a developer and said that she did not believe that Mrs. Clary had started the work with that as the focus. She stated that she had several conversation with Mrs. Clary to better understand the density in the Historic District. She pointed out that the ordinance was written in 1998, and all of the communities were already developed. She noted that this was one reason that she had wondered how the Planning Staff or Town Council or Planning Commission at that time had come up with the number of 5 units per acre. Councilwoman Butler continued that she felt that a good discussion was held regarding density in the DNR districts during the joint meeting held between the Town Council and the Planning Commission on February 25th. She added that she did not look at the use of SUPs as giving preferential treatment to a developer, though it appeared that some of the Council felt that it looked that way. She reported that it was not her job to say how much money a developer made as that was the nature of their business, and she was more concerned they got a quality product for the community. She stated that she did not see this as a new project because it had already been approved under the previous owner, Mr. Luter. She continued that if Mr. Carollo wanted to build the plan that had already been approved, then he could do so; however, she felt that what Mr. Carollo was proposing was a better project. Councilwoman Butler said she did not know if the issue was that there was too much discussion about the text amendment and should they have more in-depth conversation once the actual application package was completed if the text amendment was approved.

Councilman Cutler said that he agreed with most of what Councilwoman Butler was saying, but he felt that what they were seeing presented was a cherry-picking of density in portions of the Historic District that matched the desired development. He agreed that Mr. Carollo's price point, if he were able to stay at it, was great, but could be built in 8 homes just as well as 10 homes.

Councilwoman Butler stated that it sounded as though the Council wanted to prevent even making the text amendment. She related that if that happened, then Mr. Carollo would not even have the opportunity to submit a package for review so that they would know exactly what the proposed development would entail.

Mayor Smith asked Mrs. Clary if she could explain what exactly the text amendment would do, and clarify that they were not currently voting on Mr. Carollo's specific project.

Mrs. Clary clarified that in order for the applicant to put forth an application for the revised site plan, they would need to have the text amendment in place. She noted that the text amendment would not be only for Mr. Carollo's use but would be available for use by any developer or applicant that wanted to pursue development in the DNR. She reported that the text amendment would provide a mechanism for a waiver of maximum density so that they would be able to exceed the 5 units per net developable acre restriction that was currently in place.

Mayor Smith asked if any Council members had questions specifically about the text amendment.

Councilwoman Bebermeyer asked for confirmation that if the text amendment passed then it would allow developers to request to have more than 5 units per acre, and in that sense they would then be encouraging higher density.

Mrs. Clary stated that the text amendment would provide the opportunity for developer's to apply for the waiver.

Councilman Cutler noted that in relation to the text amendment, and what they had seen with growth in the Town, the sentiment was "go big, and scale back." He interpreted that the change would not limit to 10 homes per acre but did say that a waiver could be made for anything. He gave the hypothetical situation of a different applicant coming before them and requesting 12 homes per acre. He said that if any Council member felt that the limit should be 10 homes per acre, then they should initiate changing the zoning requirements in the entire district. He reiterated that the applicant already had 8 homes approved and he did not think the request had merit or that the Town should change their zoning at the request of the developer.

Mayor Smith confirmed that if the text amendment was passed the application would need to then go back to the Planning Commission.

Mrs. Clary explained that if the text amendment passed, the applicant would then be applying for a SUP and would then be subject to a public hearing before the Planning Commission with their issuing a recommendation to the Town Council. She continued that then the SUP application would come before the Town Council for a public hearing with the Council issuing a decision at that time.

Mayor Smith confirmed with Mrs. Clary that the text amendment would allow the applicant to apply for what they hoped to have.

Councilman Cutler stated that it was not just allowing them to apply, but was allowing any future applicants to apply for any waiver of density whether it was 10 homes per acre or 25 homes per acre. He speculated that this opened the door to a developer seeing an open 1 or 1.2 acre of land in the Historic District and think that because it had been approved prior it would also be approved for them. He said that the result would be growth in excess of what the people who had written the zoning in 1998 had done in order to preserve the Town.

Mayor Smith asked the Town Manager or Mrs. Clary to explain that the text amendment was tied specifically to Mr. Carollo's project and did not carry on to another project.

The Town Manager stated that if the text amendment was approved anyone could apply for the waiver; however, the Town Council was not required to approve it. He reported that by-right someone could apply for the waiver, but it did not mean automatic approval. He added that the Council had the authority to deny an application if they did not think it was appropriate. He

notified the Council that if they changed the amount of units to 10 by-right, then an applicant could have 9 units on a property because it was within the by-right limit. He countered that with an SUP, the Council would have to approve any number of units requested over the limit of 5. He reported that the Council had all legal authority to say no if they felt that the application was not appropriate, regardless of previous decisions.

Councilman Bowman recalled that he had made the comment that this type of text amendment was just another tool in the toolbox when the Council was considering The Cottages project previously. He continued that it enabled Planning and Zoning to evaluate the application, and then send it to the Planning Commission who were professional advisors to the Council. Councilman Bowman repeated the earlier statement that the zoning was written in 1998, adding that things change over time, good, bad, or other. He reported that there was no guarantee whatsoever that voting for the text amendment meant that he would vote for approval of their project. He reasoned that by approving the text amendment and allowing the application to be reviewed by the Planning Commission, the Council would then be able to consider the project as a whole. He related that he understood the concern about growth in the Town, but he did not think that approving a text amendment that would allow them to simply apply was the wrong thing to do. Councilman Bowman stated that there was a misconception that needed to be clarified. He recognized that he had voted and cast the deciding vote that allowed the Grange to occur, if it came to fruition. He explained that he had done so because he felt that it was the right thing to do in the right location. He stated that the other developments were advancing with most approved prior to this Council's review. He related that he had nothing to do with zoning in 1975, and all that the Council could do was the best they could with what they had to work with. Councilman Bowman stated that he was a proponent of due process, and he believed that to circumvent the capability of someone to be heard was a violation to an extent. He emphasized that the applicant had a right to be heard.

Councilman Bowman made a substitute motion approve the text amendment of Article 3.D.C of the Zoning Ordinance. Councilwoman Butler seconded the motion.

Mayor Smith asked if there was any discussion regarding the substitute motion.

Councilman Cutler said that the citizens were very knowledgeable, did understand the zoning ordinances, and understood the decisions that the Council made. He said he would not besmirch the intelligence of the electorate, adding that the citizens were very informed about the issues and the growth that was happening in Town.

Vice Mayor Harris said that the issue was a difficult one for him to consider. He noted that Mr. Carollo was a well-liked developer and member of the community and it was a project that he could embrace. He continued that if he removed the personality of the applicant and the conceptual renderings of the project and looked at the issue from the aspect of the legislative change being considered, then he had difficulty endorsing the decision. He stated that he did not believe that zoning regulations that were already in place should be amended. Vice Mayor Harris continued that he thought points made by Councilwoman Butler and Councilman Bowman had been good, but if they took a vote on the issue tonight, he would have to vote against the amendment because he felt it was a really bad precedent to set. He added that it was the Council's job to listen to what the citizen's were telling them. Vice Mayor Harris reported that as a Town Council member, and

as a historian, he felt that that it was his responsibility to make sure that Historic District stayed like it was. He reiterated that he was against tampering with existing legislation for a single issue.

Councilwoman Butler questioned what the purpose of the joint meeting had been on Tuesday night. She stated that she felt that it had been a good discussion, and she came away from the meeting with positive feelings about it. She recalled that there was a discussion centered around setting precedents, as another Council member had been approached by a citizen who wanted to buy and develop a different lot in downtown. She recalled that Charles Bryant and Dr. Pope had explained that SUPs were not setting precedence but allowed a developer to make a request, but didn't necessarily mean that they would have to allow it if it was not in the vision for the Historic District. Councilwoman Butler reported that each individual project had to stand on its own merit and every project was not the same. She noted that there were other examples of duplexes in the Historic District. She related that she could be misunderstanding the issue, or maybe she was just a little bit more flexible in her thinking where developers were concerned. She observed that Mr. Carollo's plan had more units than Mr. Luter's, but the units were also smaller. She stated that she wanted to give the applicant, and any other applicant thereafter, to have the chance to have their project reviewed if they wanted to build in Smithfield.

Councilman Cutler said that he thought that Councilwoman Butler made some good points; however, he felt that they served the people and not developers. He said that when they didn't listen to the citizens of Smithfield then the Council was doing them a disservice. He recognized that Mr. Carollo was a citizen as well as a private developer, which he felt took priority over that in this instance. He said that it was important that they listened to the messages sent by the citizens of the Town.

Councilwoman Butler said that she did not want to give the perception to the members of the Council or the citizens to think that she didn't want to listen to them. She noted that the issues were complex for the Council and asked Councilman Cutler if he really thought that the citizens really understood SUPs when they were requested. She related that in the joint meeting with the Planning Commission the Council had questions that they had received clarification on, adding that she would never question what a citizen knew, but some of the topics they were dealing with were complex. She reported that she had lived in Smithfield her entire life and, besides Mayor Smith, no one had seen the level of growth in the Town that she had seen. She stated that if a quality developer brought a project for review then it deserved to be heard, and that was what planning was.

Councilman Cutler stated that Mr. Carollo had been heard three times, and many of the citizens present at the meeting were present every month. He added that the citizens were at least as informed as the Council members.

Mayor Smith called for the vote regarding the substitute motion to approve the text amendment. Seven members were on call for the vote. Councilwoman Butler voted aye, Vice Mayor Harris voted nay, Councilman Cutler voted nay, Councilwoman Bebermeyer voted nay, Councilman Brooks voted nay, Councilman Bowman voted aye, and Mayor Smith abstained. The motion failed by majority nay vote 2/4.

Mayor Smith called for the vote regarding the original motion to deny the text amendment. Seven members were on call for the vote. Vice Mayor Harris voted aye, Councilman Brooks voted

aye, Councilwoman Bebermeyer voted aye, Councilman Bowman voted nay, Councilwoman Butler voted nay, Councilman Cutler voted aye, and Mayor Smith abstained. The motion passed by majority vote of 4/2.

Public Hearing: Text Amendment - Article 2.W.2a of the Zoning Ordinance

Mrs. Clary reported that the proposed Text Amendment to Article 2.W.2.a. of the Zoning Ordinance to bring the publication requirements in line with State Code.

Mayor Smith asked if there were any questions. He opened the public hearing and asked if anyone wished to speak. Hearing and seeing none he closed the public hearing.

Councilman Bowman made a motion to approve the text amendment as presented. Councilwoman Bebermeyer seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilman Brooks voted aye, Councilwoman Bebermeyer voted aye, Councilman Bowman voted aye, Vice Mayor Harris voted aye, Councilman Cutler voted aye, Councilwoman Butler voted aye, and Mayor Smith abstained. The motion passed.

Public Hearing: Text Amendment Article 2.K of the Zoning Ordinance

Mrs. Clary stated that the proposed Text Amendment to Article 2.K of the Zoning Ordinance was in order to bring the annexation language in line with State Code.

Mayor Smith opened the public hearing and asked if anyone wished to speak. Hearing and seeing none he closed the public hearing.

Councilman Bowman made a motion to approve the text amendment as presented. Councilman Brooks seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilman Cutler voted aye, Councilwoman Butler voted aye, Councilman Brooks voted aye, Councilwoman Bebermeyer voted aye, Vice Mayor Harris voted aye, Councilman Bowman voted aye, and Mayor Smith abstained. The motion passed.

Public Hearing: Text Amendment - Article 10.E.12 of the Zoning Ordinance

Mrs. Clary reported that the proposed Text Amendment to Article 10.E.12. of the Zoning Ordinance to allow for internally illuminated logos on signs.

Mayor Smith opened the public hearing and asked if anyone wished to speak. Hearing and seeing none he closed the public hearing.

Councilman Brooks made a motion to approve the text amendment as presented. Vice Mayor Harris seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilman Bowman voted aye, Vice Mayor Harris voted aye, Councilwoman Butler voted aye, Councilman Brooks voted aye, Councilman Cutler voted aye, Councilwoman Bebermeyer voted aye, and Mayor Smith abstained. The motion passed.

Ordinance to Partially Exempt Real Estate Taxation for the Proposed Rehabilitated Properties Known as Jersey Park Apartments and Woods Edge Apartments, Located in Smithfield Virginia by Local Classification of Designation from Full Assessment of Taxes

Councilwoman Butler asked if the Council would like to have additional discussion regarding the tax abatement since it had been included in the action section.

Mayor Smith asked the Town Manager to summarize what the action was in relation to.

The Town Manager reported that the Jersey Park and Woods Edge Apartment complexes were both in the process of being acquired by a new owner. He said that as a part of the acquisition, there were plans to undertake massive renovations, equivalent to \$8.4 million at Jersey Park and \$6.3 million at Woods Edge. He said that as part of their financing package through the Department of Housing and Urban Development (HUD) and other financiers, they had requested that the Town consider a partial tax abatement. He explained that this meant for the next 15 years they would be taxed at their current value, which was \$3.2 million at Jersey Park and \$2.3 million at Woods Edge. The Town Manager continued that as the improvements were completed, the increased value taxes that resulted would be abated by the Town. He reported that the abatement would allow the owners to put additional funds into the project and help them to secure their financing.

Vice Mayor Harris reported that the issue had been tabled previously because he had raised concern and wanted time to study more about abatement. He related that he was completely satisfied with his understanding of the subject, and felt that they could move forward now. He made a motion to approve the abatement as proposed.

Councilwoman Bebermeyer seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilwoman Butler voted aye, Councilman Bowman voted aye, Councilman Brooks voted aye, Councilwoman Bebermeyer voted aye, Vice Mayor Harris voted aye, Councilman Cutler voted aye, and Mayor Smith abstained. The motion passed.

Approval of Town Council Summary Minutes from February 4th, 2025

The Town Attorney said that he had reviewed the minutes and recommended that they be approved as presented.

Councilman Bowman made the motion to approve the summary minutes as presented. Vice Mayor Harris seconded the motion.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilman Cutler voted aye, Vice Mayor Harris voted aye, Councilman Bowman voted aye, Councilwoman Butler voted aye, Councilman Brooks voted aye, Councilwoman Bebermeyer voted aye, and Mayor Smith voted aye. The motion passed unanimously.

Appoint a Nominating Committee to fill the Expiring Term of Faye Seeley and the Unexpired Term of Greg Brown on the Board of Zoning Appeals

Mayor Smith appointed Councilwoman Bebermeyer and Councilman Cutler to the Board of Zoning Appeals nominating committee.

The Town Attorney gave the reminder that the Board of Zoning Appeals was a board that the Council recommended someone to the Circuit Court for approval, and then the process went through the court order process.

New Business:

There was no New Business discussed.

Old Business:

Additional Discussion Regarding the Smithfield Recreation Association's (SRA) Debt to the Town

Councilman Bowman recapped that the Council had heard from a representative of SRA about a month prior and he had made a motion to abate their debt to the Town. He observed that the motion, in a different form, failed. He said that as a result he would like to make a motion to further amend the lease agreement with the SRA to reduce and restate the balance due in lump sum payments of \$60,000 to be paid in four annual payments of \$15,000 and to authorize the Town Manager and Town Attorney to prepare and execute the Amendment.

Councilman Brooks seconded the motion.

Councilman Cutler confirmed that the action would forgive some debt, but would not give a cash payout.

The Town Attorney reported that the lease itself stated that it was deemed additional rent in lump sum, and it effectively was a reduction of the lump sum rent that was required in the second amendment of the lease.

Councilman Cutler summarized that the Town would forgive \$15,000 annually for four years.

Vice Mayor Harris reported that this was a good precedent to set. He pointed out that any other group that found themselves in a similar situation could come before Town Council and present their case.

Mayor Smith called for the vote. Seven members were on call for the vote. Councilman Cutler voted aye, Councilman Bowman voted aye, Councilwoman Butler voted nay, Councilman Brooks voted aye, Vice Mayor Harris voted aye, Councilwoman Bebermeyer voted nay, and Mayor Smith voted aye. The motion passed by majority 5/2.

Councilman Cutler addressed Councilwoman Butler and stated that he would like to work with the Smithfield Packers organization to facilitate reduced usage cost for the fields in a similar manner, as well as any other youth group in Town.

The meeting adjourned at 7:56 pm.