

The Smithfield Town Council held its regular meeting on Tuesday, July 5th, 2022. The meeting was called to order at 6:30 p.m.

Members present:

T. Carter Williams – Mayor
Michael Smith – Vice Mayor
Beth Haywood
Valerie Butler
Renee Rountree
Randy Pack
Wayne Hall

Members absent: None

Staff present:

William H. Riddick, III – Town Attorney
Lesley King – Town Clerk
Alonzo Howell – Chief for the Smithfield Police Department
Ellen Minga – Town Treasurer
Tammie Clary – Community Development & Planning Director
Amy Novak – Director of Parks and Recreation
Judy Winslow – Director of Tourism
Jack Reed – Director of Public Works and Utility
Chris Meier – Deputy Chief for the Smithfield Police Department
Ashley Rogers – Director of Human Resources
Charles Bryan – Chairman, Planning Commission
Jeff Brooks – Board member, Board of Zoning Appeals

Press: Stephen Faleski – The Smithfield Times

Citizens: 5

Mayor Williams welcomed everyone to the meeting. All stood to recite the Pledge of Allegiance.

Manager's Report:

Mayor Williams reported that the Town Manager was not present at the meeting this evening due to being out of town.

Public Comments:

Mayor Williams explained that the public was invited to speak to Council on any matter, except scheduled public hearings. He stated that if a response was required that they should speak with the Town Clerk. He asked that speakers state their name and address, adding that comments were limited to five (5) minutes per person. He reported that there were no members of the public signed up to speak at the meeting.

Briefing by Mr. Randy Keaton, Isle of Wight County Board of Supervisors

Administrator Keaton stated that his update would include issues that pertain to the Town and its citizens. He reported that at the last meeting, the Board approved three vehicle grant agreements for emergency responders. He explained that this included the Carrollton Fire Department receiving a ladder truck, Smithfield Fire Department's ladder truck is on order, and two additional medic units for the Isle of Wight Volunteer Rescue Squad. Administrator Keaton reported that the Board had a public hearing for a Conditional Use Permit for the Booster Station for the Hardy waterline. He added that this waterline would go through the Town to serve Hardy Elementary School and capacity to feed the Thomas Park, Tormentor Creek, and Days Point water systems. He continued that this provided room for growth and installation of a new water tank at Hardy Elementary and added that the County would be buying water from the Town at that site.

Administrator Keaton reported that the Wren's Mill Refuse and Recycling Center would be closed down for about 6 months for refurbishment due to damage caused by consistent flooding. He continued that there would be plenty of prior notice leading up to the closing, and there would be information on alternative places to go.

Mayor Williams asked if there would be signage with the information up at the center.

Administrator Keaton confirmed that there would be signs with additional information. He added that it was unfortunate to have to close the station, but there was no way around having to proceed in this way.

Mayor Williams asked if the refurbished Wren's Mill Center would have the same amenities as the station at Jones Creek.

Administrator Keaton reported that it would have the same amenities with the addition of two compactors, taking construction debris, a widened entrance, and the entire site being raised to alleviate the flooding issues.

Mayor Williams inquired about the cost of the refurbishment.

Administrator Keaton reported that it would cost \$862,000.00, which did not include the new containers or compactors which were purchased about a year ago.

Mayor Williams asked what would be happening with recycling at the Wren's Mill Station.

Administrator Keaton stated that the County was currently transitioning to taking less types of "recyclable" items, but accepting items that were more marketable. He continued that at the moment the marketable recyclable items included cardboard, steel cans, and aluminum cans. He added that the rest of the materials go to the Wheelabrator Waste Energy Plant and were not really being recycled. Administrator Keaton stated that there is a large market for cardboard, and there would an informational campaign with the citizens to educate them on what was able to be reasonably recycled.

Council Comments:

Councilwoman Rountree reported that there had been a sizeable wedding held at the Manor House this weekend and she had received many compliments on the Town and the people in it.

Councilman Hall stated that as Chair of the Parks Committee he appreciated her recognition.

Councilwoman Rountree reported to Amy Novak, Director of Parks and Recreation, that the staff had everything at the site looking beautiful.

Consent Agenda:

Mayor Williams inquired if the Council Members would like to pull any of the items for further discussion.

Councilman Pack asked if Item C6, Motion to Adopt Appropriation Resolution to Carry Forward Funds and Restricted Funds Appropriated in FY 2021/2022, could be pulled from the agenda for additional discussion.

- C1. **Motion to Approve the Amendments to the Emergency Communications Center (ECC) Memorandum of Understanding**
- C2. **Resolution to Adopt the Updated Hampton Roads Hazard Mitigation Plan**
- C3. **Motion to Approve Street Closure Request for Smithfield Foods' Nascar Event Friday, August 12, 2022**
- C4. **Motion to Approve Street Closure Request for the Autumn Vintage Market Saturday, September 24, 2022**
- C5. **Motion to Authorize the Purchase a Variable Frequency Drive (VFD) for the RO Booster Pump**
- C7. **Motion to Adopt Appropriation Resolution for FY 2022/2023, Effective July 1st, 2022**
- C8. **Resolution to Renew Line of Credit with Farmers Bank for \$1,000,000**
- C9. **Invoices Over \$10,000 Requiring Council Authorization:**
 - a. Central Square Technologies (PD software) \$ 26,699.48
 - b. Prism Contractors & Engineers (work @ Riverview Avenue) \$ 17,169.00
 - c. Prism Contractors & Engineers (manhole Rehabs FY 21-22) \$ 13,078.00
 - d. Blair Brothers, Inc. (Intersection Improvement Project) \$ 79,256.28
 - e. Kimley Horn Associates (Intersection Improvement Project) \$ 13,923.68
 - f. Kimley Horn Associates (RO Water Treatment Plant – Phase 1) \$ 11,092.83
 - g. Musco Lighting. (Phase 2 – Lighting @ Sports Complex – Approved w/ARPA Funds) \$ 25,145.00**Additional Invoice Received since Finance Committee**
 - h. Prism Contractors & Engineers (additional manhole Rehabs FY 21-22)\$ 40,377.25
- C10. **Motion to Approve Amendment to the Historic Preservation Overlay (HPO) District Map & Property Inventory**
- C11. **Motion to Accept Deed from Gwaltney Realty Company**

Councilman Pack made the motion to approve the consent agenda as presented with the exception of Item C6. Councilman Hall seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilwoman Rountree voted aye, Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Vice Mayor Smith voted aye, and Mayor Williams voted aye. The motion passed.

Additional Discussion of C6. Motion to Adopt Appropriation Resolution to Carry Forward Funds and Restricted Funds Appropriated in FY 2021/2022

Councilman Pack reported that the appropriation resolutions had just been given to the Council members and asked the Town Attorney if he would explain further.

The Town Attorney recommended that Ellen Minga, Treasurer, speak about them as she had more information.

Mrs. Minga apologized that the resolutions had been given late in the process, and reported the practice of Town Staff waiting as late as they can in the fiscal year to see what additional bills filter through. She reminded members of the Council that there were still opportunities in the next few weeks that some additional bills would come through. She continued that one of the resolutions was for appropriation to carry forward funds for projects not completed during the 2022 fiscal year. Mrs. Minga stated that as a result it meant the funds would need to be appropriated for the 2023 fiscal year. She explained further that the other resolution to appropriate restricted funds was singled out to address unfinished American Rescue Plan Act (ARPA) projects. She reminded the Council that the Town had received its first round of ARPA funds on June 30th, 2021, and did not have the money when working on the 2022 budget. She added that the Town should be receiving the second part of the funds shortly. Mrs. Minga informed the Council that they had been presented projects which they had approved, but the funding had not been appropriated. She recapped that Item C6 on the Consent agenda was the carrying forward of approved but unfinished ARPA projects, and Item C7 on the Consent agenda was the appropriation of funding for those ARPA projects.

Mayor Williams reiterated that the Council would be signing off on the ARPA projects for FY 2022 to make them complete.

Mrs. Minga stated this was correct, adding that it would allow the funds to roll over to next year and ensure that everything was appropriated for projects under ARPA last year. She reiterated that these projects had already been approved by the Council.

Councilman Pack made a motion to adopt the Appropriation Resolution to carry forward funds and restricted funds appropriated in FY2021/2022. Vice Mayor Smith seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilman Pack voted aye, Councilwoman Rountree voted aye, Councilman Hall voted aye, Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilwoman Haywood voted aye, and Mayor Williams voted aye. The motion passed.

PUBLIC HEARING: Special Use Permit – 1100 South Church Street

Tammie Clary, Community Development & Planning Director, reported that the applicant received a favorable recommendation from the Planning Commission (at its Tuesday, June 14th, 2022) Meeting for Special Use Permit (SUP) for a retail sales establishment with no exterior or store-front displays pursuant to Smithfield Zoning Ordinance (SZO) Article 3.G.C.1. The proposed use would be for the retail sales of bagels, (arriving daily from NC), eliminating the need for an industrial-style kitchen. She added that there would be no structural or exterior changes as the building is already being used by the applicant as an office. She reported that the applicant expects to hire one (1) full-time manager and two (2) part-time employees and expects twenty-five (25) to thirty-five (35) patrons per day for days of operation (Wednesday through Sunday). The proposed use will be take-out only with no dine-in option. The applicant has also proposed to increase the amount of parking from six (6) spaces to eleven (11) spaces, with a dedicated as a handicapped parking space. Mrs. Clary reported that the applicant is aware additional requirements from the

Department of Health may also be required for operation. She stated that positives of the application included that it provides additional retail sales options in the South Church Street corridor and negatives were that this is not a by-right use in the Residential Office District and does require a SUP.

Mayor Williams inquired if there were any questions from the members of Council, and hearing none declared the public hearing open. He asked if there were any members of the public who would like to come forward to speak for or against the application. Seeing and hearing none, Mayor Williams closed the public hearing.

Councilman Pack informed the Council that the Planning Commission reviewed the application last month and were unanimous on their favorable recommendation to the Town Council.

Danny Hughes, applicant, was present to speak about the application. He reported that the idea was a concept at this time as there were logistics that needed to be worked out. He added that he was trying to see if the idea was feasible and felt that it would be a positive addition to the Town. He continued that he was working on how to get the bagels to Smithfield, but wanted to have the SUP completed if it should all come together.

Councilman Hall made a motion to approve the application as presented. Councilman Pack seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Vice Mayor Smith voted aye, Councilman Hall voted aye, Councilwoman Rountree voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. The motion passed.

PUBLIC HEARING: Amendment to Comprehensive Plan

Mrs. Clary reported that at the guidance of the Planning Commission at its Tuesday, May 10th, 2022 meeting, Town staff have provided a final draft version of the Comprehensive Plan, updated by the consultants (Summit Design and Engineering). She informed the Council that following the staff report there were comments received from VDOT (received on May 12th, 2022), and Staff proposed comments/edits, all of which have been incorporated into the final draft version. She reviewed that the Planning Commission favorably recommended this draft of the Comprehensive Plan to Town Council for review and approval at its Tuesday, June 14th, 2022 Planning Commission meeting.

Mayor Williams inquired if there were any questions from the members of Council, and hearing none declared the public hearing open. He asked if there were any members of the public who would like to come forward to speak for or against the application. Seeing and hearing none, Mayor Williams closed the public hearing.

Mayor Williams recognized that Charles Bryan, Chairman of the Planning Commission, was present at the meeting. He added that he would like to thank the Planning Commission members and Mrs. Clary for their work for the past 18 months on updating the Comprehensive Plan.

Councilman Pack reported that in the 18 months mentioned the Planning Commission held several public work sessions and public hearings. He added that the Commission had worked

closely with the public to provide a document that the members unanimously approved and felt would be accepted by the Town Council. He stated that the Commission was proud of the work put in and the resulting document, adding that it presented a clear direction for the Town moving forward. He reported that the ideas presented in the visioning workshop two years ago were included in the document.

Vice Mayor Smith made a motion to approve the amendment to the Comprehensive Plan, and stated that he would also like to recognize the hard work of the Planning Commission. Councilwoman Rountree seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilman Pack voted aye, Vice Mayor Smith voted aye, Councilwoman Rountree voted aye, Councilwoman Butler voted aye, Councilman Hall voted aye, Councilwoman Haywood voted aye, and Mayor Williams voted aye. The motion passed.

PUBLIC HEARING: Amendment & Revision of Zoning Ordinance

Mrs. Clary reported that at the guidance of the Planning Commission at its Tuesday, May 10th, 2022 meeting, Town staff have provided a blue-lined and red-lined version of Article 3.J2 PMUD, Planned Mixed-Use Development District, which was originally the “Planned Corporate Office and Research District” (PCOR). This zoning designation is not assigned to any parcel located within Town limits and is not actively being pursued as a potential zoning designation. In conjunction with the Comprehensive Plan Update, the proposed red-lined SZO Article is a new zoning district which would incorporate residential, commercial, and light industrial uses, as one planned development. This new district would incorporate a variety of by-right uses, while still maintaining certain proposed uses as Special Use Permits (SUP) only. This zoning designation also provides for Planning Commission waivers, giving the Planning Commission flexibility in the development process. The new Article 3.J2 will feature the similar Net Developable Acre calculations and Open Space requirements that are in other zoning districts. Additionally, because of the nature of a PMUD, Pre-application conferences will be required. The Planning Commission favorably recommended this draft of the PMUD to Town Council for review and approval at its Tuesday, June 14th, 2022 Planning Commission meeting.

Mayor Williams inquired if there were any questions from the members of Council, and hearing none declared the public hearing open. He asked if there were any members of the public who would like to come forward to speak for or against the application. Seeing and hearing none, Mayor Williams closed the public hearing.

Councilman Pack reported that the Planning Commission had debated the PMUD modification for roughly 6 months. He extended credit to Dr. Tom Pope, member of the Planning Commission, who studied the document extensively. He reported that there had been much work completed in their effort to present a mixed-use option for the Town. He continued that this was a well thought out document and reported that the Commission had voted unanimously to present to Town Council with a favorable recommendation.

The Town Attorney reported to the Council that whoever makes the motion would need to include the repeal of the Planned Corporate Office and Research (PCOR) District and the adoption of the Planned Mixed Use Development (PMUD) District.

Councilman Hall made the motion to repeal the PCOR and adopt the PMUD. Councilwoman Rountree seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilwoman Rountree voted aye, Councilwoman Haywood voted aye, Councilman Hall voted aye, Councilwoman Butler voted aye, Councilman Pack voted aye, Vice Mayor Smith voted aye, and Mayor Williams voted aye. The motion passed.

Motion to Approve the Town Council Summary Minutes of June 7th, 2022:

The Town Attorney recommended approval of the minutes as presented.

Vice Mayor Smith made the motion to approve as presented. Councilman Hall seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilwoman Rountree voted aye, Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Haywood voted aye, Vice Mayor Smith voted aye, Councilwoman Butler voted aye, and Mayor Williams voted aye. The motion passed.

New Business:

Updated Personnel Policies for Consideration

Ashley Rogers, Director of Human Resources, reported that included in their informational packets were ten personnel policies, most in regard to compensation, for their review. She added that of these policies two would be new to the Town: a Red-Circle policy that details the steps that should be taken if an employee's salary exceeded the maximum of their range and a Pay Additives policy that provides enhanced pay for specific and additional skills, certifications, or additional assignments. She continued that most of the additives have been approved and were in place, but this formalizes their application. Mrs. Rogers continued that the most significant changes were to the On-Call and Annual Leave policies. She explained the changes to the On-Call policy provide for six more hours of compensation in a work-week for those on-call who's movement is restricted, as well as minimum of hours guaranteed to employees called-in. She reported that the largest change to the Annual Leave policy provides sixteen more hours in accrued leave during the first two years of their employment and an extra two hours per month for employees that work in twelve-hour shifts. She added that the change in accruals will assist in the recruitment and retention of employees in all departments.

Councilman Hall asked for confirmation of the personnel policy regarding comp time quoting it as saying, "The Town remains that it will not offer comp time for overtime."

Mrs. Rogers stated that this was correct, and Councilman Hall stated that he will address it at a later time.

Councilman Hall made the motion to approve as presented. Councilman Pack seconded the motion.

Mayor Williams called for the vote. On call for the vote, seven members were present. Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilwoman Haywood voted aye, Councilman Pack voted aye, Councilman Hall voted aye, Councilwoman Rountree voted aye, and Mayor Williams voted aye. The motion passed.

Old Business:

There was no Old Business discussed.

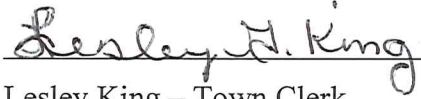
Closed Session:

No closed session was held.

The meeting was adjourned at 7:06 p.m.



T. Carter Williams - Mayor



Lesley King – Town Clerk