

The Smithfield Town Council held its regular meeting on Tuesday, September 3rd, 2019. The meeting was called to order at 6:30 p.m.

Members present:

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

Staff members present:

Brian S. Thrower – Town Manager
Alonzo Howell – Chief of Police
Ellen Minga – Town Treasurer
Lesley King – Town Clerk
Ashley Rogers – Human Resource Director
William H. Riddick, III – Town Attorney

There were five (5) citizens present. The media was represented by Mr. Frederic Lee of the Smithfield Times.

Mayor Williams welcomed everyone to the meeting and everyone stood and recited the Pledge of Allegiance to the Flag.

Informational Section: Manager's Report

Mr. Brian Thrower included his August Activity Report in the agenda packet.

Public Comments:

The public is invited to speak to Council on any matters except public hearings. Comments are limited to five minutes per person. Any required response from the town will be provided through the contact information provided on the signup sheets.

Ms. Betty Clark informed the Town Council that Attorney Diamonstein did not say what Preserve Smithfield wanted him to say as implied at the August Town Council meeting. All attorneys expect to be paid for their counsel and expertise. Preserve Smithfield is only looking for the truth and legal means for enforcement. She also stated that it has been implied that other experts were paid to say what Preserve Smithfield wanted them to say. This is not true. Preserve Smithfield has not paid any experts. The experts volunteered their time and expertise freely. They were very interested in the history of this town. She stated that the Town Council made a huge mistake in voting to change the town's ordinances. She is concerned that this mistake may come back on them one day.

Mrs. Carolyn Torre addressed the votes from the August meeting. She was glad the Council voted to save Pierceville from demolition. She was concerned that not supporting the maintenance ordinances would be a problem in the future. She asked the Town Council to not turn their back on the ordinances. She asked everyone to read ordinances from other localities

and enforce maintenance ordinances. She explained that she would hate to see the town set an example that does not follow what Dillion's Law provides. She felt the vote by Council to rescind the decision of the Board of Historic and Architectural Review was a mistake.

Briefing by Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Grice reported that the county passed a resolution to partner with Paul D. Camp Community College in a job shadowing internship program. He thought the town may want to consider this also. He reported that September is National Preparedness Month which is timely due to Hurricane Dorian approaching. He further explained that the SPSA (trash and waste management) has authorized that a Citizen Advisory be formed from non-governmental interested citizens. He asked if anyone was interested in participating to let him know. The committee will be advising on landfill and environmental issues that will have long term implications. The county had a public hearing on rezoning and another on upgrading county policies to comply with state code. They also conveyed a roadway by Benn's Church to VDOT. This item was tabled to amend a couple of source documents and deeds. The county will be having a retreat and will meet locally. The Board is interested in a joint governmental meeting sometime in the near future. Consolidation of services has been discussed and led to consolidation of information systems support. He feels more consolidated issues should be considered to save taxpayer dollars or improve services without incurring duplicate costs. He welcomes town input on any state legislative issues. The county will be holding a developer/builder/sub-contractor open forum to discuss ongoing issues, areas needing improvement, and how to change the perception that the county is not business friendly. The county will engage a consultant to help develop a 'best practices' approach to zoning, plan approval, inspections, and other related practices. The meeting is open to the public and will be held at the Smithfield Center on October 3rd, 2019. The Blackwater project is still a work in progress and may be operational by early 2020. He explained that the county's financial situation is substantially better than it was four years ago.

Council Comments:

Councilman Pack wanted to apologize to the Council members and the public for his informal appearance and tardiness. He was running late and apologized.

Councilwoman Tynes wanted to address Councilman Pack. She read the August meeting minutes and appreciated his remarks supporting the public elections in regards to signage.

Mayor Williams stated that he has been trying to put together a roadside trash pickup. He has three clubs interested with three streets included. He is looking for a Chairperson. Please let him know if anyone knows anyone who would like to Chair the project.

Councilwoman Butler thanked Chief Howell and the Smithfield Police Department for participating in the Jersey Park Community Day on Saturday. There was a lot of interaction between the young people and the officers. She appreciated their participation.

Consent Agenda Section:

Mayor Williams asked if any Council member would like to pull any of the consent agenda items for further discussion. Hearing none, no items were pulled.

C1. Autumn Vintage Market – Request to Close Street. Councilwoman Tynes explained that this is an annual event. There have been no changes from previous years. It affects the 100, 200, and 300 block. Signage will be posted ahead of the event.

C2. Bacon, Bourbon, and Beach Music Festival – Request to Close Street, Fishing Pier, and Trail. Councilwoman Tynes explained that this is an annual event for the last several years. There are no changes. The fishing pier will closed for several days for safety issues.

C3. Invoices Over \$10,000.00 – Request to Approve.

a. Lewis Construction	\$24,557.00
b. Farmers Service Co.	\$15,678.00
c. Mannington Commercial	\$10,998.79

Councilman Pack explained that the Lewis Construction invoice is for a gate valve that had been previously approved. The Farmers Service invoice is for two mowers that the town had budgeted for the Public Works Department. New flooring was installed at the Smithfield Center by Mannington Commercial. This was also a budgeted item. He recommended the three invoices for approval.

C4. Purchase Orders – Request to Approve.

a. Smith and Turf Irrigation	\$10,364.00
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Councilman Pack stated this is for an aerator for the Joseph W. Luter, Jr. Sports Complex. It was a budgeted item. He is recommending approval of this purchase order.

C5. Benn’s Church Boulevard Intersection Improvement Project – Request to Submit Improvements to VDOT.

Councilwoman Haywood explained that this plan will help to extend the turn lanes in the east and west bound direction. The intersection will be milled, overlaid, and restriped.

C6. Parking Lot Leases – Request to Execute.

Councilwoman Butler stated this is a request from the Town Manager to renew a couple of parking lot leases for ten years. The lots are currently owned by Woodrow Crook and Robert Redlin. These are private properties that the town currently uses for public parking. She explained that the town has budgeted \$60,000.00 to pave the parking lot and install lighting.

A motion was made by Councilman Pack to approve the consent agenda items and seconded by Vice Mayor Smith. Mayor Williams called for the vote.

On call for the vote, seven members were present. Councilwoman Tynes 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. There were no votes against the motion. The motion passed.

Action Section:

Public Hearing – Real Estate Tax Rate Increase.

Mr. Bill Riddick, Town Attorney, explained this is a result from the adoption of the budget in June. The budget included a proposed tax rate of nineteen cents per hundred. It had previously been sixteen cents per hundred. As a result of the assessments, there is usually an increase in revenue and public notice is required. It is then decided whether or not to keep the increase in the revenue based on the increase in assessments. The budget has already been

adopted. It includes a revenue stream based on nineteen cents per hundred. The public hearing sets the tax rate.

Mayor Williams declared the public hearing open and asked if anyone wanted to speak for or against the tax increase. Hearing none, he closed the public hearing.

Real Estate Tax Rate Increase – Request to Approve.

Councilman Pack made the motion to approve the real estate tax rate increase as presented. Vice Mayor Smith seconded the motion. Mayor Williams called for the vote.

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

Public Hearing – Amendments to the Smithfield Zoning Ordinance – Event Facilities.

Mr. John Settle, Director of Community Development and Planning, explained that this will allow for event facilities use within the town's zoning ordinance. Staff developed standards for parking and signage, and also defined the use in Article 13. Town staff has evaluated and re-evaluated the ordinance's compliance with the Religious Land Use and Institutionalized Persons Act. It says that anywhere there is a social hall use, church uses have to be permissible also. The amendment also resolves "entangled uses" such as social halls and country clubs. Staff split the use codes in half and created the "civic, fraternal, and/or social organizational halls" use and the "boating, country and/or hunt clubs" use and defined both. Churches have been relabeled "churches and places of worship." Staff has taken conference centers, as a use, out of the ordinance in nomenclature only. Staff replaced conference centers in all three zoning districts where they were present with the "events facilities use" because conference centers are encompassed in it. Planning Commission reviewed the text amendment in July and recommended two changes – one for parking and one for noise. Those changes were made. At the August meeting, the Planning Commission recommended a favorable report to the Town Council for the proposed ordinance amendment. Staff has received a notable volume of citizen and business owner support for the text amendment both verbally and in writing.

Councilman Pack informed Council that the Planning Commission did a thorough review of this and made two recommended changes which were included. The Planning Commission unanimously reached a favorable recommendation for Town Council approval.

Mayor Williams declared the public hearing open and asked if anyone would like to speak for or against the recommended amendment changes. Hearing none, he closed the public hearing.

Smithfield Zoning Ordinance - Request to Amend – Events Facilities.

Councilman Butler made a motion to approve the proposed amendment to the Smithfield Zoning Ordinances. Councilman Pack seconded the motion. Mayor Williams asked for the vote.

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

Motion to Approve the Town Council Meeting Minutes of August 6th, 2019.

Mr. Bill Riddick, Town Attorney, made minor revisions and corrections to the minutes and recommends they be approved as revised and corrected. Councilman Pack made the motion to approve the minutes. Councilman Hall seconded the motion. Mayor Williams called for the vote.

On call for the vote, seven members were present. Vice Mayor Smith voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Councilwoman Tynes abstained, Councilman Hall voted aye, and Mayor Williams voted aye. There was one abstention. The motion passed.

The Town Attorney explained to Council that he met with Lesley King, Town Clerk, and Angel Brown who transcribes the minutes. It was decided that, effective immediately, all minutes will be done in summary format. Audio minutes are retained by the Town Clerk.

Motion to Appoint the Nominating Committee's Recommendation to Fill the Unexpired Term of Chris Torre (1-31-21) on the Board of Historic and Architectural Review.

Mayor Williams had appointed Councilman Pack and Councilman Hall. They recommended Mr. Justin S. Hornbeck. He lives on S. Mason Street and has an extensive background. He has a lot of interest in wanting to serve on the BHAR. He volunteers with other organizations for the county and the town. Currently, he is employed with Aerospace Corporation in Hampton and has been there quite some time. He will be an asset to the BHAR. Councilman Hall made the motion to approve Mr. Hornbeck for appointment to the BHAR. Councilman Pack seconded the motion. Mayor Williams called for the vote.

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

Mayor Williams thanked Mr. Chris Torre for serving on the BHAR. He did a lot of homework and brought a lot to the Board with his knowledge.

New Business – None

Old Business - None

The meeting was adjourned at 7:08 p.m.



Mr. T. Carter Williams
Mayor



Mrs. Lesley King
Town Clerk