

The Smithfield Town Council held its regular meeting on Tuesday, September 4<sup>th</sup>, 2018. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Michael Smith, Mrs. Denise Tynes, Mr. Randy Pack, Ms. Valerie Butler, Mr. Wayne Hall, and Ms. Beth Haywood. Staff members present were Mr. Brian S. Thrower, Town Manager; Mrs. Lesley King, Town Clerk; Mr. William G. Saunders IV, Director of Planning, Engineering and Public Works; Ms. Ellen Minga, Town Treasurer; Mr. Alonzo Howell, Smithfield Police Chief, Mr. William H. Riddick, III, Town Attorney; Ms. Judy Winslow, Director of Tourism; Mr. Bill Davidson, Planning Commission member; Mr. Matthew Rogers, Deputy Chief of Police, and Mr. Donald Brady, Mr. Josh Powell, Mr. Bryan Miller, Mr. Chris Meier; officers of the Smithfield Police Department. There were approximately nine (9) citizens present. The media was represented by Ms. Diana McFarland of the Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of September 4<sup>th</sup>, 2018. It is now 7:30 p.m. Please stand for the Pledge.

*All present stood and recited the Pledge of Allegiance to the Flag.*

Mayor Williams – We will start off tonight with the Informational Section. The first item is the Manager's Report with Mr. Brian Thrower.

Town Manager – Honorable Mayor and Council, the Activity Report is in your packet. I will be glad to answer any questions if anyone has any.

Mayor Williams – All of our meetings are scheduled as they usually are. Nothing has been moved so we are in good shape. At this time, Councilwoman Tynes will make a presentation.

Councilwoman Tynes – Ladies and gentlemen, last month the Smithfield Police Department did a Lip Sync Challenge. We are going to watch the video now. Once this is over, I have something else I would like to say.

*Everyone present watched the Lip Sync Challenge video.*

Councilwoman Tynes – Would Mr. Tyler Shultz and Mr. Jarod Levine please come forward. On behalf of the Town of Smithfield, we would like to thank you for the work you did with the Smithfield Police Department in producing their Lip Sync Challenge video. Our police officers, town staff, Town Council, and the citizens of our community enjoyed participating in the video. The video produced by you both is

exceptional and is a testament to the excellent work you do. Again, we thank you for your time and effort. We would like to express our sincere gratitude to you both for your work on this project. We have a letter here for you signed by the Mayor and myself. Thank you very much. We appreciate everything. It was a very hot day and you all did an excellent job. I would also like to thank Chief Howell, Deputy Chief Rogers, and the wonderful men in blue. We are so proud of our officers. I have said this before and I will say it again; if anyone sees our officers out having a meal, please pick up their tab. It would be really nice. They are out there every day putting their lives on the line for us. I say all the time how I can go to sleep in Smithfield knowing they are out there protecting me. I have never had any problems in my community with anyone trying to break in or killing someone because our officers are there. They are seen in our communities. Thank you gentlemen.

Mayor Williams – We will now move to Public Comments. The public is invited to speak to Council on any matter except for scheduled public hearings. We have one public hearing tonight. Comments are limited to five minutes per person please. Any required response from the town will be provided in writing following the meeting if you so desire. Please state your name and address as you come forward. Do we have anyone who would like to come up for public comments? Hearing none, we will move to a Briefing by Mr. Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Grice – Good evening, Town Council. The joke tonight is that my laptop went down along with my printer this afternoon so I am going to demonstrate, at 72 years old, what high tech can do for an old man. I have a little computer here and I am going to try to read my presentation from it. We will see how successful I can be. At the August 3<sup>rd</sup> Board of Supervisors' work session, we heard from fire and EMS staff with an open discussion on how these services for the county are organized, currently being managed and funded, and how we need to move forward to insure that the county residents get the best services that the county can afford to operate. It is clearly understood how important our volunteer program is to the county and its ongoing success. As such, the county will shortly organize and establish a Fire/EMS Commission to facilitate the continued success of the joint volunteer and full-time organization providing outstanding service to our community. The entire meeting is

available on video on the county website. I encourage you, as an interested citizen, to take the time to view it. It is an open, very transparent discussion of exactly what we are doing for EMS and fire in our community. It is important that you know what we are doing with your tax dollars. On August 16<sup>th</sup>, the Board of Supervisors held their regular meeting. Items of importance included an update on our county Fair. It is the 25<sup>th</sup> anniversary of the Fair. It promises to be the best yet. We have recently had some road improvements done. We widened the road for access to the Fair grounds to make it easier for entry and exit. The Fair starts on September 13<sup>th</sup> and ends on the 16<sup>th</sup>. Please do not miss it. I think you would be disappointed if you do. VDOT and the county transportation department have confirmed that they are going to make every effort to minimize the impact of road work on the turn lane on Turner Drive this fall for morning and afternoon school traffic. We also had a second solar farm application that has been approved. The question now becomes how many is enough and how is the screening of these projects to be managed? Smithfield residents will have an opportunity to address this issue plus more on September 22<sup>nd</sup>. We will, once again, solicit citizen input as the new county Comprehensive Plan continues to be developed. Please mark your calendars for the 27<sup>th</sup> for either the 3:30 p.m. or the 6:30 p.m. meeting at the Smithfield Center. If you want to have your voice heard, please attend. Based upon citizen input and a petition signed by forty-two adjacent homeowners, the application for a forty-four unit residential project called Kemps Village was denied. After the denial, they withdrew their rezoning request. Ever conscience of the county's compliance with the Chesapeake Preservation ordinances, as this can impact our stormwater status; we are now monitoring exception applications. In the whole year of 2018, there were only two applications submitted and approved. It is a very acceptable number and it generated a phenomenal amount of revenue for the county. Each application cost \$35.00 so we received \$70.00 worth of revenue. The Virginia Association of Counties has awarded Isle of Wight the Best Small County Achievement Award for its implementation of a program using GIS to improve the efficiency of necessary erosion and sedimentation control inspections. The program saves not only time and money; but keeps some of the staff out of the field by being able to review it online. This Thursday evening promises to be exciting. We are going to have a special Board meeting addressing the new invocation procedures to comply with the 4<sup>th</sup> Circuit Courts ruling on the Lund vs.

Rowan County case. During citizen comments, the Board was told by one person that the Board members were fools to believe in God. Sorry; but I think that I speak for my fellow Board members that we feel differently. Under our Constitution, like that speaker, we have the right to believe in the God of our choosing and a court ruling cannot change that. While the procedure will change to comply with the court decision, the Board will continue an invocation practice. Additionally, the Board will be discussing the processes we will be going through to fill the County Attorney's position which was vacated by Mr. Popovich effective August 31<sup>st</sup>. Sadly, Ms. Wendy Hu, the Director of Budget and Finance, has been stolen from us by the City of Portsmouth. It is hard to blame them because she is that good. We had stolen her from Chesapeake. An active search for both positions is currently underway. Lastly, we are pleased to report that the county has received two EMS medical units, otherwise known as ambulances, earlier than originally expected. They are in service now. Are there any questions or concerns that I can answer? Hearing none, I would like to invite you to our Board meetings. You may want to appoint somebody to attend our meetings and give an update on the town. Thank you.

Mayor Williams – Thank you, Mr. Grice. We appreciate your updates. We will now move to Council Comments. Does any Council member have a comment?

Councilwoman Tynes – Yes, thank you Mayor Williams. I have a couple of comments this evening. We had a new officer sworn in this morning; Officer Christopher Williams. Please welcome him if you see him out and about. The next item involves Albert Burckard, Thomas Finderson, Lanelle Johnson, and Patricia Hunter. They had a successful event for the town. They got together with the Jersey Park and Woods Edge communities and decided a summer program for the youth. The program was to feed them lunch every day. They started on June 18<sup>th</sup> and finished on August 31<sup>st</sup>. It was successful and they had children over every day for lunch. They would have anywhere from twenty to thirty kids a day. Our officers assisted them as well along with other organizations in the community to help feed these children. Like I said, these are things that happen in the community that sometimes we do not hear about. It is happening right here in Smithfield; successful things. That program ended on Friday. The fire department came out and did the water hose with the kids so they could get wet. They enjoyed it as well as some of the adults. On Saturday, the same community had their

annual Community Day. This is when all of the residents come out and I would like to thank Mr. Wooten. He organized it and lives in the community as well as some of his Masonic brothers. It was also successful. It was a family friendly event. It was alcohol and drug free. I attended the event on Saturday. It lasted from 1:00 p.m. until 6:00 p.m. They had a bounce house for the children and lots of food and those types of things. These are some of the positive things that are going on in this community. We do not always hear about them but we need to hear about them. They said that they would like their community to be recognized like the other citizens in the town for doing positive things. Thank you.

Mayor Williams - Does any other Council member have any comments?

Vice Mayor Smith – This Saturday we have the Diabetes Awareness Clinic starting at 9:00 a.m. The whole day will be filled with awareness about diabetes. Smithfield Foods is one of the sponsors. The Christmas Store is also a sponsor. They are really excited about it. It is a fun day awareness of diabetes taking place at Smithfield Foods. They will have a walk, booths and vendors coming in. Please come out and join us. Diabetes is a disease and you have to make a lifestyle change. I think this will be helpful to a lot of people so please come out.

Mayor Williams – It is very important information. Thank you for sharing that with us. We will now move to our consent agenda. Would any Council member like to pull any item for further discussion? Hearing none, we will start with our Consent Agenda Summaries with our Police Committee Chair, Mrs. Denise Tynes.

Councilwoman Tynes – Police Committee Summary. The first item is a resolution to approve the traffic assistance request for the “Safe House Half Marathon and 5K” on Saturday, September 8<sup>th</sup>, 2018. Next, we have a resolution to approve the street closure request for the Autumn Vintage Market along Main Street on Saturday, September 29<sup>th</sup>, 2018. Item C3 is a resolution to approve the street closure request of Jericho Road for the annual Bacon, Bourbon, and Beach Music Festival on Saturday, October 6<sup>th</sup>, 2018. The next item is approval for the street closure request for the Smithfield Foods event on Thursday, September 20<sup>th</sup>, 2018 from 11:00 a.m. until 7:00 p.m. Item C5 is a motion to authorize the Town Manager to purchase Recon Robotics Tactical Throwbot equipment with grant funds. This is for the police department. If you are not familiar with this item, it is a little robot that can go into buildings and under cars like they show in

movies sometimes. We are moving on up into the 21<sup>st</sup> century. The last item for the Police Committee is a motion to approve the Emergency Communications Center MOU. This is something that we do with the county.

Mayor Williams – We will now move to our Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. We have four invoices this evening in excess of \$10,000.00 requiring Council's authorization. The first two we discussed at the committee meeting. They are to RAD Sports for their progress payment of \$188,579.27. The Project Manager, Mr. Brian Camden, has recommended approval of that. It leaves about \$250,000.00, roughly, left on that project. The next item is to the Western Tidewater Free Clinic. This is their annual contribution from the town. It is for \$40,700.00. I am hoping that our Town Treasurer, Ms. Minga, can explain the next invoice. I was not sure what that one was for.

Town Treasurer – This invoice is to Tyler Technologies for \$10,241.88 which is a progress payment in regards to the kickoff on the tax and revenue collection part of the new Munis system.

Councilman Pack – Thank you. Since the committee meeting, we received one additional invoice to Superior for \$23,307.23. It is an annual bill for the police department's Records Management software. We are recommending approval of all four of these this evening.

Mayor Williams – We will now move to our Parks and Recreation Committee Chairman, Mr. Wayne Hall.

Councilman Hall – Parks and Recreation Committee Summary. Thank you, Mr. Mayor. Item C8 is a resolution to approve the Riverfront Trail closure on Saturday October 6<sup>th</sup>, 2018 and the fishing pier closure on Wednesday, October 3<sup>rd</sup>, 2018 through Saturday October 6<sup>th</sup>, 2018 for the annual Bacon, Bourbon, and Beach Music Festival. Item C9 is a motion to approve the Windsor Castle Park project application of Purple Mailbox of Hope by the Relay for Life organization. Thank you.

Mayor Williams – Now, we will move to our Public Works Committee Chair, Ms. Beth Haywood.

Councilwoman Haywood – Public Works Committee Summary. We have a motion to renew the HVAC contract with Atlantic Constructors for one additional year. The town has been happy with them so we would like to renew their contract.

Mayor Williams – Our last item is by our Public Buildings and Welfare Committee Chair, Ms. Valerie Butler.

Councilwoman Butler – Public Buildings and Welfare Committee Summary. Thank you, Mr. Mayor. Item C11 is a motion to accept the deed for 37 Jamestown Avenue as part of the Pinewood Heights Relocation project. Thank you.

Mayor Williams – I read up on the purple mailbox. We talked about various locations where it could go. What did we end up deciding?

Councilman Hall – My understanding was that it would be up at the main parking lot area near the dog park.

Town Attorney – Regarding the motion to accept the deed for 37 Jamestown Avenue, we need for that to be effective August 7<sup>th</sup>, 2018. It is called 'Nunc pro tunc' which is a Latin term which means now for then. We have already bought that property and had to close on it before tonight's meeting. The resolution needs to be effective as of August 7<sup>th</sup>, 2018.

Vice Mayor Smith – I would like to make a motion to approve all of the consent agenda items with the amended recommendation for Item C11 to be effective August 7<sup>th</sup>, 2018.

C1. Resolution to Approve the Traffic Assistance Request for the "Safe House Half Marathon and 5K" on Saturday, September 8<sup>th</sup>, 2018.

C2. Resolution to Approve the Street Closure Request for the Autumn Vintage Market along Main Street on Saturday, September 29<sup>th</sup>, 2018.

C3. Resolution to Approve the Street Closure Request of Jericho Road for the Annual Bacon, Bourbon, and Beach Music Festival on Saturday, October 6<sup>th</sup>, 2018.

C4. Resolution to Approve the Street Closure Request for the Smithfield Foods Event on Thursday, September 20<sup>th</sup>, 2018 from 11:00 a.m. until 7:00 p.m.

C5. Motion to Authorize the Town Manager to Purchase Recon Robotics Tactical Throwbot Equipment with Grant Funds.

C6. Motion to Approve the Emergency Communications Center Memorandum of Understanding (MOU).

C7. Invoices Over \$10,000.00 Requiring Council Authorization:

a. RAD Sports	\$188,579.27
b. Western Tidewater Free Clinic	\$ 40,700.00
c. Tyler Technologies	\$ 10,241.88
d. Superion	\$ 23,307.23

C8. Resolution to Approve the Riverfront Trail Closure on Saturday, October 6th, 2018 and the Fishing Pier Closure on Wednesday, October 3<sup>rd</sup>, 2018 through Saturday, October 6<sup>th</sup>, 2018 for the Annual Bacon, Bourbon, and Beach Music Festival.

C9. Motion to Approve the Windsor Castle Park Project Application – Purple Mailbox of Hope by Relay for Life.

C10. Motion to Renew HVAC Contract with Atlantic Constructors for One Additional Year.

C11. Motion to Accept the Deed for 37 Jamestown Avenue as part of the Pinewood Heights Relocation Project. (August 7<sup>th</sup>, 2018)

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

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

Mayor Williams – With this closure for the park for the Bacon, Bourbon, and Beach Music Festival and all the festivals that happen in the park, I would like to commend Mrs. Gina Ippolito for all the work she does and her staff. It is a lot of volunteer hours. Which year is this one?

Ms. Ippolito – It is the 5<sup>th</sup> year for the Bacon, Bourbon, and Beach Music Festival. It is the 7<sup>th</sup> year for the Wine and Brew Fest. Total, this will be our 17<sup>th</sup> event. After the last festival, we had given \$836,000.00 back to the community organizations. With the Wine Fest next spring, we estimate that we will hit the one million dollar mark.

Mayor Williams – Thank you so much. You all do a lot of work; but I know Mrs. Ippolito does since she moved into the caretaker's house. I see you up there a lot in the early mornings. Moving on, our next item is a Motion to Approve the Town Council Meeting Minutes of August 7<sup>th</sup>, 2018.

Town Attorney – Mr. Mayor and members of Council, I have made one minor revision and would recommend the minutes be adopted as revised.

Vice Mayor Smith – So moved.

Councilman Pack – Second.

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

On call for the vote, seven members were present. Councilwoman Haywood voted aye, Councilwoman Butler voted aye, Councilman Hall voted aye, Councilman Pack 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 – Our next item is a Motion to Appoint a Town Council Member to Serve as the Town's Representative at the Virginia Municipal League Conference in the Mayor's Absence. I will be in Colorado at that time. It will be the first meeting that I have missed. I would like to ask Councilwoman Tynes to take that position while she is at the VML Conference.

Councilwoman Tynes – I guess I do not have a choice; do I? Let me explain that. I think all of the new members on Council will be attending. I will be in attendance also. The session that I will represent the Mayor for is sort of similar to a court session. It is where the policies that they send to the General Assembly are made. For a new person to come in there, you can get lost because they are all over the place. They break us up according to towns, cities, and a few counties. You have to really listen because it is hard to know what is going on. We have about an hour to get things done. It is why I say I really do not have a choice because I would not want to put a new Council member in there when they have never done it.

Mayor Williams – Thank you. I know you will do a good job. Our next item is Old Business. Is there any old business to discuss? Hearing none, we will move to a Closed Session.

Town Attorney – We need a motion to go into closed session for the purpose of discussing legal matters requiring legal advice pursuant to Section 2.2-3711A-7 of the Code of Virginia.

Councilman Hall – So moved.

Councilman Pack – Second.

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

On call for the vote, seven members were present. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood 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.

*Town Council went into closed session at 8:06 p.m.*

*Town Council went back into open session at 8:48 p.m.*

Mayor Williams – We need a motion to go back into open session.

Councilman Hall – So moved.

Councilwoman Tynes – Second.

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

On call for the vote, seven members were present. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood 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.

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a consultation with legal counsel as to actual matters requiring legal advice pursuant to 2.2-3711A-7 of the Code of Virginia.

Councilwoman Tynes – So moved.

Councilman Hall – Second.

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

On call for the vote, seven members were present. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood

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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 – Is there anything else to come before Council tonight?

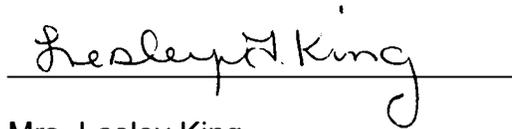
Councilwoman Tynes – Ms. Haywood and I attended the Rescue Squad session last week on Stop the Bleed.

Mayor Williams – We are adjourned.

The meeting was adjourned at 8:49 p.m.



Mr. T. Carter Williams  
Mayor



Mrs. Lesley King  
Town Clerk