

The Smithfield Town Council held its regular meeting on Tuesday, October 6th, 2020. The meeting was called to order at 6:30 p.m.

Members present:

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

Staff members present:

Michael Stallings - Town Manager
Lesley King – Town Clerk
Ellen Minga – Town Treasurer
William H. Riddick, III – Town Attorney
Alonzo Howell – Chief of Police
John Settle – Community Development & Planning Director
Ashley Rogers – Human Resource Director
Amy Novak – Director of Parks and Recreation
Judy Winslow – Director of Tourism
Chris Meier – Deputy Chief of Police
Charles Bryan – Vice Chairman of the Planning Commission

There were approximately ten (10) citizens present. The media was represented the Smithfield Times.

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

Manager's Report:

Michael Stallings reported that the September Activity Report was included in the packets. The Town received a thank you note from Western Tidewater Free Clinic for the Town's recent donation.

Mayor Williams reminded everyone that the Town Council would meet on Monday, November 2nd, 2020 instead of the usual Tuesday due to Election Day.

Upcoming Meetings and Activities:

- October 6th - 6:30 p.m. – Town Council Meeting
- October 12th - Town Office will be Closed in Observance of Columbus Day
- October 13th - 6:30 p.m. – Planning Commission
- October 20th - 6:30 p.m. – Board of Historic and Architectural Review
- October 26th - 3:00 p.m. – Town Council Committee Meetings (Consecutive)
 - Public Safety Committee
 - Water and Sewer Committee
 - Finance Committee

October 27th - 3:00 p.m. – Town Council Committee Meetings (Consecutive)

Parks and Recreation Committee

Public Works Committee

Public Buildings and Welfare Committee

Public Comments:

The public is invited to speak to Council on any matter, except scheduled public hearings. There will be a separate sign-up sheet for public hearings. For public comments, please use the appropriate sign-up sheet and include your preferred method of contact. Comments are limited to five (5) minutes per person. Any required response from the Town will be provided in writing following the meeting.

Mr. Tommy Gehring of 215 Cary Street thanked the Smithfield Police Department for controlling the speeders on Cary Street. He also thanked the Town for the drainage improvements in his yard. He explained that with the recent heavy rains that it had flooded again. He lost one of his vehicles. He asked for information regarding the frequency of cleaning out the ditch by the subcontractor who does that for the Town. The drainage pipe needs to be cleaned regularly.

Mr. Derek Boone spoke about the Town's youth. He stated that he would like to see more lights for the football field at the sports complex. He explained that the baseball fields have a lot of lighting and he believes the football field should have more lighting also. He would like for the youth to have more opportunities to play sports of all kinds. He asked for more police involvement with the youth to build a bond and have a positive relationship with the youth.

Mayor Williams asked Mr. Boone how often he planned to use the football field at the sports complex? Mr. Boone explained that they cannot do too much this year. The field is not big enough for practice since there are five teams. There is also nowhere for the cheerleaders to practice. More will be planned with football in the spring due to COVID. Boys and girls basketball limits the amount of gym time for other sports also.

Mr. Erik Cypress addressed the Council on what is needed for the youth. He is involved with a non-profit group who raises funds to help the families and communities with sports. He stated that Smithfield lacks activities for kids to do outside of sports. There is nowhere for the kids to go to learn a trade. There are no Boys or Girls Clubs. He explained that he tells his kids to go out and not to get into trouble but there is nothing for them to do. He would like to give them good plans, skills and training so it will come out better in the end.

Caitlyn Leavens, with the YMCA, explained that the YMCA is very supportive of the youth. Every month the YMCA has been dealing with varying COVID restrictions. Plenty of kids have been in the gym playing basketball. Karate is also being offered and swim lessons have also resumed. There is one-on-one instruction due to the restrictions. It looks different and feels different; but it is still what the YMCA does for the community. Youth and team memberships are up by 20% since March. Some people think that the YMCA is not an option for them due to fees. The YMCA is for all people. They do not turn away anyone for their inability to pay. As of the end of September, they have given out just under \$80,000.00 in scholarships. The YMCA will absolutely show up and meet everyone's needs.

There were no other signups for public comments.

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

Supervisor Grice reported the Isle of Wight County Board of Supervisors have held five meetings since September 1st. Public meetings were held regarding the disposition of the Confederate memorial monument at the courthouse. Local governments are now responsible for decisions regarding the disposition of war memorials. Another meeting was held to discuss the replacement of Hardy Elementary School and Westside Elementary School. A public meeting was held regarding the issuance of the first of two bonds for the school projects as well as restructuring old debt. He explained that both schools will require around \$57,000,000.00. The county will be raising real estate taxes at the rate of .04 beginning in 2022. There was no public opposition to increasing real estate taxes. The Board of Supervisors also approved leases for hunt clubs, a used car operation on Route 17, made revisions to update the subdivision ordinances, and authorized the transfer of approximately seven acres of recently purchased land adjacent to Hardy Elementary to be used for new construction for Hardy Elementary. The Board approved a Confederate Memorial Monument Task Force to provide recommendations on the monument's disposition. Updates were received from the Broadband Task Force. They authorized replenishment of the school's reserve maintenance fund for \$250,000.00 and authorized just over \$540,000.00 for the schools to use CARES Act Funds to purchase individual desks for students to achieve the required social distancing in classrooms. The Board has heard of alternative sourcing for water for Hardy Elementary School and the associated costs. One of the sources is the Town of Smithfield water. The Board appointed eight members to the Confederate Memorial Monument Task Force, accepted \$1.3 million in grant money for Next Generation 911 programs, and reviewed upgrades to the county tax code to be in compliance with state regulations. The Isle of Wight Chamber of Commerce has initiated CARES Act funded gift card program supporting local businesses. Citizens will be able to purchase \$40.00 gift certificates, at five per household, to be used exclusively in county and Town businesses. The cost of each gift certificate will only cost the purchaser \$20.00. Membership in the Chamber of Commerce is not required.

Vice Mayor Smith explained that he had spoken to Supervisor McCarty on several occasions about the planning and zoning process. Supervisor Grice explained that planning, zoning, permitting and inspections will now be consolidated into a Community Development Department. There will be one person administering the department. The county is looking into how the restructuring will take place and how it will operate. Vice Mayor Smith explained that there seems to be confusion about what each department is responsible for. It has taken six to seven weeks to get an agricultural waiver which is unacceptable. Supervisor Grice explained that they are trying to streamline the entire process to make it comprehensive instead of one item at a time. Vice Mayor Smith thanked Supervisor Grice for working on updating the process.

Resolution of Appreciation for Main Street Baptist Church:

Deferred until November 2nd, 2020 Town Council meeting.

Presentation: Gift Card Program through CARES Act Funding by Judy Winslow and Chris Morello:

Judy Winslow explained that the gift card program is similar to Mecklenburg County's program. The concept is simple and will stimulate the economy with CARES Act money. Gift

certificates will be offered to the public for local businesses. One half of the gift certificate would be paid for by the purchaser. The other half of the gift certificate would be paid for by CARES Act funding. The county is housing all of the CARES Act money but this would be the Town's portion of the money. Ms. Winslow and Mr. Morello explained the program to the county last week and will visit Windsor to explain it next week. She is excited about the program because it is immediate economic stimulus into the pockets of local businesses. The value of the gift certificate is \$40.00. The buyer pays \$20.00 and the CARES Act funding pays \$20.00. The program will be done online. The program benefits everyone. It encourages citizens to stop shopping on Amazon and start shopping local. It also allows local citizens to double their investment in local businesses with far greater buying power. Local citizens also become part of the solution for the local economy. It is a highly visible and positive utilization of the CARES Act money. It increases local sales taxes. It increases stability and sustainability of local businesses especially at this important time of year for them. It is a win/win for everyone.

Mr. Chris Morello explained that \$100,000.00 will be given for the program. There will be an additional \$5,000.00 for processing fees. The portion for the Town of Smithfield would be \$23,000.00. The Chamber of Commerce would keep the funds in a separate account and administer the program. There will need to be marketing done relatively quickly. They also need to determine a sales date for downloading the gift certificates. It will take place within a two week period and pays the businesses the face value amount. He is looking at the Black Friday time frame to implement the program. There will be a limit of gift certificate purchases per household. The gift certificates will be sold online; but there will also be a sales day at the Chamber of Commerce for those that do not have computer access. The buyer of the gift certificates will purchase for a specific business. Within the two week time frame, each business will know exactly how much they have made from gift certificate sales and will receive their check.

Mrs. Winslow stated that the Board of Supervisors will be voting on the program at their October meeting. If approved, everything can be put into motion. Marketing will be crucial in the success of the program. She hopes to make the information available to the public by November 9th, 2020.

Councilwoman Butler asked if the Town could only issue gift certificates for \$23,000.00 which is the Town portion of the CARES Act money. Mrs. Winslow explained that the total is \$105,000.00 for Isle of Wight County, Smithfield, and Windsor. The money will be utilized for all localities.

The Town Manager explained that the Town would be approving that \$23,861.00 of CARES Act money would be used for the gift certificate program.

Councilman Hall asked if businesses could opt out of the program. Mrs. Winslow explained that businesses will have to opt in. The program will be offered to all businesses but they would have to opt in to be part of it. There will be a list on the website of participating businesses.

Councilwoman Haywood asked what the time frame was for using the gift card. Mrs. Winslow explained that they can be used within a year from the purchase date. Councilman Pack

explained that he does not think there can be a time limit on gift cards. Mrs. Winslow stated that she would research it.

Councilman Pack asked what action Council needs to take. The Town Manager explained that there would need to be a motion to authorize the use of \$23,861.00 of CARES Act funds for the gift certificate program. It could be voted on in the Action Section of the agenda.

Mayor Williams introduced Miss Annika Eng. She updates the Council on information from Smithfield High School. He explained that she has started an application for the Naval Academy and is waiting to hear from them.

Miss Eng reported that Smithfield High School began the school year virtually on Mondays, Tuesdays and Thursdays. The CTE classes all met in person. In person classes, on and A and B schedule, will begin on October 26th, 2020. Additionally, the high school has gone through extensive renovations. The library, nurse, and guidance counselor offices have been renovated. She congratulated Hunter Manly for winning the position of National Leadership Representative for the National Senior Beta Club. There were at least thirty applicants and it was an extensive interview process. Winter sports will start conditioning soon. Everyone is excited for things to be getting back to normal.

Council Comments:

Mayor Williams stated that there is a blighted area on South Church Street which is the old Tastee Freeze building. The Town ordinance does not allow the Council to get anyone to fix it or tear it down. He has received numerous phone calls and had a meeting with the neighborhood citizens. He would like to have Council begin the process of updating the ordinance to allow for some control over this type of property. It has been vacant for a long time.

Chairman Pack stated that the Planning Commission could work on the ordinance and make a recommendation to Town Council.

Councilwoman Rountree stated that she attended the county Broadband Task Force meeting on September 28th. Per the Board of Supervisors, the business of the Task Force will be to develop a survey tool to gather data on current service gaps, develop priorities for how service should expand throughout the county, and recommend locations for placement of hotspots. The committee will remain in place for nine to twelve months.

Mayor Williams asked if any Council member wanted to pull any agenda items for further discussion. No items were pulled.

Consent Agenda:

C1. Motion to Partner with Enterprise Fleet Management for Vehicle Lease Program.

Councilwoman Rountree explained that the Town Treasurer and the Town Manager are both in favor of this program.

C2. Invoices Over \$10,000.00 Requiring Council Authorization:

a. Draper Aden Associates	\$ 23,320.00
b. Draper Aden Associates	\$ 10,204.25
c. Western Tidewater Free Clinic	\$ 40,560.00
d. A. C. Shultes of Maryland	\$ 48,583.00
e. Tyler Technologies	\$ 10,162.59
f. Smithfield Volunteer Fire Department	\$ 45,827.00

- g. Lewis Construction \$150,000.00
- h. WACO, Inc. \$ 10,554.00

Councilman Pack stated that the Draper Aden Associates' invoices are for the Smithfield Lake Dam alternative analysis and for a manhole inspection and rehab. The Western Tidewater Free Clinic is the Town's annual contribution. Rehabbing of Well #8 to A. C. Shultes for \$48,583.00. Additional invoices received since the Finance Committee meeting includes Tyler Technologies for software for management, pass-thru fire funds and a budgeted contribution to SVFD, Lewis Construction for water and sewer materials for the Grace Street project, and WACO, Inc. for asbestos removal for Pinewood Heights for 25 Jamestown Avenue.

C3. Appropriation Resolution for FY 2019/2020 and FY 2020/2021 for CARES Act Funding Reimbursement.

Councilman Pack explained that the resolution is for CARES Act Funding reimbursement.

C4. Motion to Move the November 3rd, 2020 Town Council Meeting to Monday, November 2nd, 2020 due to the Election Day Holiday.

Councilman Pack explained that it is necessary to change the meeting due to Election Day.

C5. Motion to Amend Sections 1.32.4, 1.33.1 and 1.36.1 of the Town's Procurement Policy Manual to Match State Code.

Councilman Pack stated that the Town partnered with the county for procurement. Changes need to be made to follow state code.

C6. Motion to Approve the Demonstration Area Conceptual Site Plan for the Longleaf Pine Project in Windsor Castle Park.

Councilman Hall explained that Henry McBurney, Master Naturalist, gave a detailed presentation at the committee meeting on the site plans.

C7. Motion to Approve the Proposal from Blair Brothers, Inc. for Street Maintenance on Lane Crescent and Installation of ADA Ramp and Sidewalk at the Intersection of South Church Street and Battery Park Road.

Councilwoman Haywood stated the motion as it reads.

Councilman Pack made a motion to approve the consent agenda items as presented. 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, Vice Mayor Smith voted aye, Councilman Hall voted aye, Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Councilwoman Rountree voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Public Hearing: Refinance 2017 Note to a General Obligation Bond for Various Capital Projects:

The Town Treasurer reported that this item was discussed last month. The public hearing is for refinancing the existing 2017 Note with Farmers Bank for an amount not to exceed \$4,205,000.00. The purpose is to eliminate the necessity of an interest rate reset or balloon payment in 2027 and to take advantage of the current interest rate environment. Numerous

projects were funded with this Note including the sports complex, Clontz Park Boat Ramp, Windsor Castle Park improvements, and waterline improvements. The par value of the new Note is \$4,176,000.00 with a fixed interest rate of 1.676%. The previous rate with Farmers Bank was 1.9%. The maturity date will be October 1st, 2032 with optional redemption in whole or in part at par plus accrued interest without penalties on or after October 1st, 2027.

Mayor Williams opened the public hearing. He asked if anyone would like to speak for or against the refinance. Hearing none, he closed the public hearing.

Councilman Pack made a motion to approve the refinancing of the 2017 Note for various capital projects, adopt the resolution provided, and to authorize Town staff to do everything necessary to complete the issuance of the bond. Vice Mayor Smith seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

Motion to Approve the Town Council Meeting Summary Minutes of September 1st and 11th, 2020:

The Town Attorney reviewed both sets of minutes and recommended they be adopted as presented. Vice Mayor Smith made a motion to approve the minutes. Councilman Pack seconded the motion. Mayor Williams called for the vote.

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

New Business:

Allocate CARES Act Funding for Gift Card Program:

Councilman Pack stated that, due to time constraints, Town Council should discuss the program. Normally, Town Council does not vote on items when they are first discussed. He explained that a couple of radio stations do the gift card program also. He stated that it is a good opportunity to get cash back into the community. It helps everyone.

Councilwoman Rountree explained that she had heard of the program through VML and forwarded it to Judy Winslow. She stated that it is good for economic stimulus.

Councilman Hall stated that it is sound and makes sense. He agrees that a decision needs to be made so the program can move forward. It will benefit the community and the citizens.

Councilman Pack explained that \$100,000.00 is allocated. The percentage for the Town is just under 24% at \$23,861.00. The Town Council is being asked to approve the Town portion of the funds to be allocated for the program.

Councilwoman Rountree stated that the likelihood of more than \$23,861.00 being spent in the Town is very high.

Councilwoman Haywood agreed that getting the advertising out right away was important.

Chairman Pack stated that the program is designed to promote local businesses. He asked if some of the corporate owned stores would be able to participate. Mrs. Winslow explained that Mecklenburg County has not allowed chain stores to participate. They have only allowed locally owned grocery stores to participate.

The Town Manager stated that after the last round of public safety and payroll expenses the Town has submitted the Town still has more than \$600,000.00 available in CARES Act funding. It does not have a significant impact on the funds available to the Town.

Chairman Pack made a motion to allocate \$23,861.00 from the Town of Smithfield's portion of the CARES Act funds to the gift certificate program. Councilman Hall seconded the motion. With no further discussion, 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. There were no votes against the motion. The motion passed.

Old Business:

There was no old business.

Closed Session:

The Town Attorney stated that the Council needed a motion to go into closed session for the purpose of discussing negotiations of a contract pursuant to 2.2-3711.A-29 of the Code of Virginia.

Vice Mayor Smith made a motion to go into closed session. Councilman Pack 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 Rountree 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.

The Town Council went into closed session at 7:46 p.m.

The Town Council returned to open session at 7:57 p.m.

The Town Attorney stated that a motion was needed to go back into open session.

Councilman Pack made a motion to return to open session and Vice Mayor Smith seconded. Mayor Williams called for the vote.

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

The Town Attorney stated that a motion was needed that during the closed session there was only a discussion of contract negotiations pursuant to 2.2-3711.A-29 of the Code of Virginia.

Councilman Pack made the motion and Vice Mayor Smith seconded. Mayor Williams called for the vote.

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

aye, Councilman Hall voted aye, Vice Mayor Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Motion for Termination of Recycling Pickup:

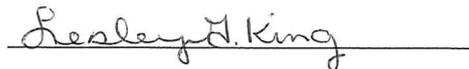
Councilman Pack made a motion to approve the amendment as written and allow Town staff to enter into an amended contract with Bay Disposal for termination of the recycling program. Councilman Hall seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

The meeting was adjourned at 7:59 p.m.



T. Carter Williams - Mayor



Lesley King - Town Clerk