

The Smithfield Town Council held its regular meeting on Monday, November 1st, 2021.
The meeting was called to order at 6:30 p.m.

Members present:

T. Carter Williams – Mayor
Randy Pack
Beth Haywood
Valerie Butler
Renee Rountree (arrived late)

Members absent:

Michael Smith – Vice Mayor
Wayne Hall

Staff present:

Michael Stallings – Town Manager
Lesley King – Town Clerk
Ellen Minga – Town Treasurer
Alonzo Howell – Chief of Police
Chris Meier – Deputy Chief of Police
Eric Phillips – Smithfield Police Department
Samuel Johnson – Smithfield Police Department
Bryan Miller – Smithfield Police Department
Christopher McGough – Smithfield Police Department
Randall Gillespie – Smithfield Police Department
Charles Bryan – Planning Commission Member
Tammie Clary – Community Development & Planning Director
Jack Reed – Director of Public Works & Utilities
Amy Novak – Director of Parks and Recreation
Judy Winslow – Director of Tourism

Press: There was no media representation

Citizens: 8

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

Swear-In Smithfield's Newest Police Officer, Randall W. Gillespie:

Chief Howell welcomed the new officer, Randall Gillespie. Officer Gillespie comes to the Town of Smithfield from the City of Norfolk. He worked there in the City of Norfolk in various capacities of their Police Department for 26 years. He retired from the City of Norfolk and chose Smithfield to continue his professionalism. The Town Clerk, Lesley King, performed the swearing in. Chief Howell presented Officer Gillespie with his Smithfield Police Department badge and explained the meaning of the badge. Public trust is vital for the officers and the citizens of the Town of Smithfield.

Chief Howell explained that two members of the Norfolk Police Department have come to the Smithfield Police Department. Their positions were Captain and Lieutenant and that speaks volumes to him. Tonight, with Officer Gillispie is his wife and sister. Officer Gillispie is the first recipient to receive the sign on bonus that the Town recently enacted.

Chief Howell also stated that he would like to take this opportunity to recognize another one of our officers, Officer Chris McGough. The Police Department recently enacted a career enhancement program, Senior Police Officer. Officer McGough is the second recipient of the Smithfield Police Department to receive the Senior Police Officer recognition. He has been employed with the Smithfield Police Department since December 2016. He is a field training officer and a general instructor. Officer McGough is also a crime prevention specialist. He is one of the officers responsible for the department regaining our certification as a certified crime prevention community. On October 14th the Department's packet did go before the Department of Criminal Justice Service review board and received a favorable review.

Manager's Report:

The Town Manager stated that included in the packet was activities from the previous month. He stated that if there are any questions, he would be glad to answer them. He mentioned that there are a couple of items that are under new business tonight for Council's consideration.

Upcoming Meetings and Activities:

November 1st - 6:30 p.m. - Town Council Meeting

November 2nd - Town Administrative Offices Closed in Observance of Election Day

November 3rd - 5:30 p.m. - Planning Commission Work Session – Comprehensive Plan

November 9th - 6:30 p.m. – Planning Commission

November 11th – Town Administrative Offices Closed in Observance of Veteran's Day

November 16th - 6:30 p.m. – Board of Historic and Architectural Review

November 16th - 7:30 p.m. – Board of Zoning Appeals

November 22nd - 3:00 p.m. - Town Council Committee Meetings (Consecutive)

Public Safety Committee

Water and Sewer Committee

Finance Committee

Parks and Recreation Committee

Public Works Committee

Public Buildings and Welfare Committee

November 24th – Town Administrative Offices will close at noon for the Thanksgiving Holiday

November 25th & 26th – Town Administrative Offices will remain closed for the Thanksgiving Holiday

Public Comments:

Mayor Williams explained that the public was invited to speak to Council on any matter, except scheduled public hearings. There is a separate signup 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.

There were no public comments.

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

Mr. Grice was not in attendance.

Council Comments:

Councilwoman Haywood stated that she would like to start the month of November with a little bit of gratitude. She mentioned that she is grateful for the other council members that she has the pleasure to serve along side of. She is grateful for the Town Manager who is open to listening to the public and reaching out to the different departments to uplift our workers. She stated that she has a lot of gratitude for this nice Town that we live in and would like to thank all the Town's employees that dedicate their time making this Town what it is.

Mayor Williams stated that on the Wednesday prior to the Thanksgiving Holiday we have been giving our employees a half a day off and he would like to recommend giving our employees the whole day off, this year, on Wednesday, November 24th.

Councilwoman Haywood stated that she thinks that is a great idea.

Mayor Williams stated that with no other comments the consensus from Town Council is to allow Town employees to have the whole day off on Wednesday, November 24th, prior to the Thanksgiving Holiday.

Consent Agenda:

Mayor Williams asked if any Council member would like to pull any item for further discussion. No items were pulled.

C1. Resolution to Close a Portion of Main Street for the Annual Pig Drop Event on New Year's Eve

Councilman Pack stated that this event is put on by Wharf Hill Brewing Company. He stated that he attended the event two years ago and it was a wonderful event. The street will be closed for a few hours so that the Town can drop our own pig here in Smithfield. Public Safety Committee recommends approval.

C2. Motion to Approve Proposal for 3rd Party Inspection Services for the Wilson Road Water Storage Tank Rehabilitation Project

Councilwoman Butler stated that a presentation was presented at our Water and Sewer Committee and the proposal was recommended for approval.

C3. Invoices Over \$10,000 Requiring Council Authorization:

a. Lewis Construction of Virginia (Grace Street Utility Project)	\$182,846.98
b. Isle of Wight County – E911 True Up for FY 2020-2021	\$113,914.62
c. Blair Brothers, Inc. (intersection Improvement Project)	\$ 35,202.73
d. PC Liquidations – (Phones for new phone system)	\$ 11,484.00
e. Core & Main (Budgeted – 100 Water Meters)	\$ 24,230.00
f. IPC Technologies, Inc. (equipment for new phone system)	\$ 22,348.60
g. Blair Brothers, Inc. (milling & paving of Jersey Park neighborhood)	\$198,705.30
h. Smith Turf & Irrigation (Equipment for Parks & Rec	\$ 13,975.00
<u>Additional Invoice received since Finance Committee</u>	
i. Blair Brothers, Inc. (Clontz Park – parking lot paving)	\$ 91,025.00

Councilman Pack explained the invoices over \$10,000.00 requiring Council authorization. Finance Committee recommends all invoices for approval.

C4. Resolutions to Authorize the Town Treasurer to Close the Business Super Now Account, SNAP Account, and the Windsor Castle Account from the Town's General Fund

Councilman Pack explained that these accounts were opened for specific projects that are no longer needed. It is recommended that all three (3) accounts be closed.

C5. Resolution to Authorize the Town Treasurer to Merge the Capital Escrow Account with the Special Project Account in the General Fund

Councilman Pack stated this is more housekeeping to close accounts that are no longer needed.

C6. Motion to Approve the Use of ARPA Funds in the Amount of \$800,000 for the North Church Street/Hardy Elementary School Water Line Extension

Finance Committee recommends approval.

C7. Motion to Approve Proposal for Winchester Place Pipe Replacement from Blair Brothers, Inc.

Councilwoman Haywood explained that this pipe has collapsed and needs to be replaced. Public Works Committee recommends approval.

C8. Motion to Approve the Proposed Policy for Guidance on Street Lights and Subdivision Street Light Requirements

Councilwoman Butler explained that Council had an in-depth discussion with staff on the new guidelines that we are proposing for streetlights. Public Buildings and Welfare Committee recommends approval.

Councilman Pack made a motion to approve the consent agenda items as presented.

Councilwoman Butler seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

PUBLIC HEARING: Special Use Permit – 223 Washington Street and 240 James Street

The Community Development & Planning Director, Tammie Clary, reported this application originally appeared as a Public Hearing item at the August 10th, 2021 Planning Commission meeting. This application package also appeared as a Discussion Item for the Board of Historic and Architecture Review, at its Tuesday, August 17th, 2021 meeting.

The applicant is seeking an Special Use Permit (SUP) to facilitate the construction of four duplex residential dwellings located on TPIN: 21A-01-184A, on the corner parcel of Washington Street and James Street, in accordance with Smithfield Zoning Ordinance (SZO) Article 3.D.C.3. which permits duplex residential dwellings (one (1) dwelling per subdivided lot), as a use permitted by an SUP, in the Downtown Residential District (DNR).

As part of the same project, the applicant plans on constructing four (4) single family detached dwellings, which is a by-right use through SZO Article 3.D.B.1. And, the construction of thirteen (13) parking spaces for the Veteran of Foreign Wars building located at 233

Washington Street, which is also permitted by right through SZO Article 3.D.B.2. This parking lot will connect Washington Street to Clay Avenue.

Finally, the proposed project contains the extension of Clay Avenue, connecting to it James Street. Along Clay Avenue the applicants will connect a six-inch (6") water main to the existing four-inch (4") water main. And, connect an eight-inch (8") sanitary sewer main to the existing eight-inch (8") sanitary sewer main. A new fire hydrant will also be added to the site on Clay Avenue.

The applicants are aware that they might have to go to the Board of Zoning Appeals for approval of a Special Yard Exception for the approximate sixteen-foot (16') front yard setback encroachment for Lot 1.

In order to ensure the continued preservation of the two large trees on the property, the applicants have proposed a fifty-foot (50') tree preservation easement that will be dedicated to the Town of Smithfield.

At it's Tuesday, October 12th, 2021 meeting, the Planning Commission favorably recommended this Special Use Permit Application to the Town Council for review and decision under the following conditions:

- A. The Declaration of Covenants and Restrictions include the following: 1. The appearance of the exteriors of the single-family dwellings and duplex residential dwellings will be consistent and in conformance with the current version of the Historic District Guidelines.
- B. The restriction of further re-subdivision of the three lots 5, 7, and 8.
- C. The creation and dedication of a preservation easement to the Town of Smithfield, for the two specimen trees adjacent to the three lots facing James Street, Lots 5, 7, and 8.

Mayor Williams asked if Council members had any questions.

Councilwoman Haywood asked if there are any concerns or if this is common going from a six-inch pipe to a four-inch pipe.

Mr. Jack Reed, Director of Public Works, and Utilities, replied that it is common, and they do not foresee any issues from reducing the pipe from six inches to four inches.

Mayor Williams opened the public hearing for anyone who wanted to speak for or against the application. Hearing none, he closed the public hearing for consideration by Town Council.

Councilman Pack stated that before we consider this will you, Mayor Williams, be voting on this Special Use Permit.

Mayor Williams stated that he would not be voting on this item due to a conflict of interest.

Councilman Pack stated that without Mayor William's vote Council does not have a quorum to act on this item. He has contacted Councilwoman Rountree who had forgotten that the meeting had been moved to Monday, November 1st, due to Election Day on November 2nd. He suggested holding off a bit to see if Councilwoman Rountree can get here.

Mayor Williams postponed the presentation by Kimley Horn on the Special Use Permit to give Councilwoman Rountree time to get here.

Mayor Williams thanked Councilwoman Rountree for making it for the public hearing presentation by Kimley Horn.

Mr. Jamie Weist of Kimley Horn Associates explained that his firm is working with Mr. Luter who wants to develop the property. The property is around 2 acres right on the corner of Washington and James Street. There is an existing right of way that extends Clay Street already through the property to James Street. At one time the Town was planning to extend this right-of-way; however, it was cost prohibited due to the necessary infrastructure needed to do so. There is now an opportunity to have this roadway and utilities extended at the cost of the developer. Bid prices for this extension came in at approximately \$700,000. This is an almost three quarters of a million-dollar investment in infrastructure and right-of-way that will become the property and ownership of the Town of Smithfield following construction and approval by Town staff. This property would be subdivided into six different parcels. Four parcels will have single family dwellings which are allowed by right. There are two parcels that they would like to put duplexes on. There would be two duplex buildings for a total of four units. Initially they could have fitted a couple more single family dwellings in; however at the request of the Town and Mr. Luter they would like to preserve the large trees on James Street. The Planning Commission specified a 50' tree preservation easement along James Street that would be dedicated to the Town. It would prohibit the lots from being further subdivided and built on. It would also preserve the trees as long as they continue to live. The property ownership would be the developers; however, the easement would protect the trees along James Street. The only other layout change made was putting the duplexes cattie corner to each other so that one is on the corner of Washington and James, facing James. The other is along Clay Street, facing Clay. They would be of different colors and styles so that they do not look like row housing when driving down the street. Included in the packet was a rendering of the style of duplex that will be constructed on the two lots. The construction will be high quality Hardie board planking on the outside with asphalt shingles and brick foundation and brick chimneys to match the aesthetic nature of the area. These were recommendations from when they went before the Historic and Architectural Review Board. The price points for these are around \$450,000 to \$550,000 each. They will have very high-quality interiors and exteriors. They will also be landscaped very nicely. Mr. Weist also showed Town Council some of the single-family styles for the other four lots, even though they can be built by right. They have already purchased the plans for these homes so they are the actual homes that will be built. They will conform to the Historical and Architectural Review Boards requirements.

Councilwoman Butler expressed concern that Clay Street, as it is now, is not really a two lane road. She envisions there being some type of traffic problem from North Mason Street where you enter Clay Street to where the fence is now prior to the new construction.

Councilman Pack stated that he knows exactly what Councilwoman Butler is saying because he has been down there as well. He explained that if there was no on street parking then it would be a two-way street; however, then you create another issue from the residents that have parked on the road forever because of limited parking elsewhere. He feels the roadway extension is needed for emergency access if nothing else. Another suggestion would be to make the street one way to continue to allow on street parking.

The Town Manager stated that we can monitor the traffic once the extension has been complete and then determine what option is best to help with traffic flow.

Councilman Pack stated that the overall project was looked at pretty hard by the Planning Commission. It was tabled at one meeting to get further input. He likes the fact that the large trees are being saved and we have but some mechanisms in place to keep it from being further subdivided down the road after it is sold to the next buyer. Planning Commission was also in favor of the revised duplexes. The first ones that they saw were not as attractive as these in their opinion. After considerable consideration Planning Commission did give a favorable recommendation. Councilman Pack mentioned that the property immediately behind the VFW property was another lot that was included in the sale. This lot became very small with only about 300 or 400 square feet of buildable space. As a condition of the sale what ever the square footage was on that property the Town has assigned a dollar value per square foot based on the purchased price. The Town reduced the purchase price by that amount and kept the property for the Town. This small lot sits with the VFW property owned by the Town. Councilman Pack stated that what Council would be voting on tonight is the special use permit to allow the two duplexes. The four single family dwellings are there by right.

Councilwoman Rountree made a motion to approve the special use permit to allow the two duplexes with the three conditions recommended by the Planning Commission as follows:

- A. The Declaration of Covenants and Restrictions include the following: 1. The appearance of the exteriors of the single-family dwellings and duplex residential dwellings will be consistent and in conformance with the current version of the Historic District Guidelines.
- B. The restriction of further re-subdivision of the three lots 5, 7, and 8.
- C. The creation and dedication of a preservation easement to the Town of Smithfield, for the two specimen trees adjacent to the three lots facing James Street, Lots 5, 7, and 8.

Councilman Pack seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

Motion to Approve the Town Council Summary October 5th, 2021:

The Town Attorney was absent so the minutes from the October 5th, 2021, meeting were deferred to the December Town Council meeting.

New Business:

Motion to Authorize the use of the American Rescue Plan Act Funds (ARPA) to Purchase COVID Supplies:

The Town Manager explained that at the end of September the Town cut off the use of CARES funds so we could do our final accounting and make a final submittal for reimbursement to Isle of Wight County. This will allow the Town to totally focus on the American Rescue Plan Act Funds (ARPA). The Town was using CARES funds to purchase supplies related to COVID. Staff has been allocating our ARPA funds before we use them so that we know where they are

going. The Town Manager stated he is recommending Council allocate \$50,000 of ARPA funds towards the purchase of COVID related supplies. These items include mask, cleaning supplies, gloves, etc. The Town Manager stated that the town has until the end of 2026 to use all the ARPA funds so this \$50,000 may not cover all our COVID supplies until 2026, but it will at least get us going. We will know further down the road whether we will need to allocate additional funds to COVID supplies.

Councilman Pack made a motion to authorize the use of the American Rescue Plan Act Funds (ARPA) to purchase COVID supplies in the amount of \$50,000. Councilwoman Haywood seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

Resolution Supporting Small Business Saturday:

The Town Manager stated this resolution would recognize the Saturday after Thanksgiving as Small Business Saturday. It is an effort to help get people shopping at their local small businesses.

Councilman Pack made a motion to adopt a resolution in support of Small Business Saturday. Councilwoman Haywood seconded the motion. With no further discussion, Mayor Williams called for the vote.

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

Old Business:

There was no old business.

Closed Session:

The Town Manager stated that we need a motion to go into closed session pursuant to Section 2.2-3711 A(3) of the Code of Virginia for the discussion on the potential acquisition / disposition of real property.

Councilman Pack made motion to go into closed session and Councilwoman Rountree seconded the motion. Mayor Williams called for the vote.

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

The Town Council went into closed session at 7:25 p.m.

The Town Council returned to open session at 7:36 p.m.

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

Councilwoman Rountree made the motion to come back into open session and Council woman Haywood seconded the motion. Mayor Williams called for the vote.

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

The Town Manager stated that a motion was needed that during closed session there was only a discussion on the acquisition/disposition of real property pursuant to 2.2-3711 A(3) of the Code of Virginia.

Councilman Pack made a motion and Councilwoman Haywood seconded the motion. Mayor Williams called for the vote.

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

With no further business, the meeting was adjourned at 7:36 p.m.



T. Carter Williams - Mayor



Lesley King - Town Clerk