

The Smithfield Town Council held its regular meeting on Tuesday, July 7<sup>th</sup>, 2015. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor; Ms. Connie Chapman, Dr. Milton Cook, Mr. Michael Smith, Mr. Randolph Pack, and Mrs. Denise Tynes. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Ellen Minga, Town Treasurer; Mr. Steven Bowman, Chief of Police; Mr. William H. Riddick, III, Town Attorney; Mrs. Lesley King, Town Clerk; Ms. Amy Musick, Smithfield Center Director; and Mr. Will Wooley, Police Officer. There five (5) citizens present. The media was represented by Ms. Diana McFarland of The Smithfield Times.

*Prior to the regular Town Council meeting a closed session was held at 6:30 p.m.*

Town Attorney – Mr. Mayor, we need a motion to go into closed session for the purpose of discussing personnel matters specifically for evaluations of the Town Manager, Town Clerk, Town Attorney, and Town Treasurer pursuant to Section 2.2-3711.A.1 Code of Virginia.

Councilman Pack – So moved.

Councilwoman Chapman – Second.

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

On call for the vote, seven members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory 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 6:30 p.m.*

*Town Council came out of closed session at 7:15 p.m.*

Town Attorney – Mr. Mayor and members of Council, we need a motion that during the closed session there was only a discussion of personnel matters pursuant to 2.2-3711.A.1 Code of Virginia.

Vice Mayor Gregory – So moved.

Councilwoman Chapman – Second.

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

On call for the vote, seven members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman

voted aye, Vice Mayor Gregory voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of July 7<sup>th</sup>, 2015. It is now 7:30 p.m. We will open the regular meeting with the Pledge of Allegiance.

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

Mayor Williams – We will start with the Informational Section with our Manager's Report from Mr. Peter Stephenson.

Town Manager – Thank you, Your Honor. Welcome everyone. I hope everyone had an enjoyable Independence Day holiday weekend. Regarding the meeting schedule for July please note that we have almost a full array of meetings. We do not have a Planning Commission meeting scheduled. We had no items for next week. We have a Pinewood Heights Management Team meeting at 4:00 p.m. on July 14<sup>th</sup>. We have a Board of Historic and Architectural Review on July 21<sup>st</sup> at 6:30 p.m. The Board of Zoning Appeals will meet on July 21<sup>st</sup> at 7:30 p.m. The Town Council Committee meetings are on July 27<sup>th</sup> and 28<sup>th</sup> beginning at 4:00 p.m. We have a few housekeeping items on the agenda this evening as we have entered the new fiscal year from July 1<sup>st</sup>, 2015 to June 30<sup>th</sup>, 2016. I would like to introduce our newest police officer, Mr. William Wooley. He graduated recently from the Hampton Roads Criminal Justice Training Academy. Councilwoman Tynes and Chief Bowman were able to attend. We are very happy to have him on our staff. He is here tonight with his fiancée Ms. Courtney Latimer. They are getting married on October 24<sup>th</sup>, 2015. Welcome and congratulations. We also have a few awards on display on the signup table this evening. I mentioned them in the E-newsletter that is distributed internally to Town Council, appointed and elected officials, and staff. The Coastal Virginia Magazine announced awards recently. Windsor Castle Park won a Southside Gold Award as the Best Place to Hike and Walk as well as Southside Gold Award as the Best Place to Picnic. The Town of Smithfield won a Southside Bronze as the Best Family Friendly Attraction as well as Southside Silver for Best Place to Take Out of Towners. There were quite a few local businesses that were on the list that won recognitions as well. We congratulate all of our award winners. We also have the Membrane Plant of the Year Award. Unless you are in water treatment you may not know what a membrane plant is. It is from the Southeast Desalting

Association for a small system for less than five million gallons a day. Our plant manager, Mr. Jack Reed, received it on June 16<sup>th</sup>, 2015 while attending a training conference in Florida. We did better than James City Service Authority. He was very proud of that. Thank you.

Mayor Williams – We now move to Public Comments. The public is invited to speak on any matter. You have five minutes. Our first speaker is Mr. Jerry Hackney, Deputy Chief of the Smithfield Volunteer Fire Department.

Deputy Chief Hackney – I had the opportunity to talk to Councilwoman Chapman regarding the parking in front of Wharf Hill Brewing Company down to Commerce Street. There were some concerns in regards to how vehicles are parked and whether or not that would prohibit or inhibit us getting down there to do our work should there be a fire or emergency. We took Councilwoman Chapman in the cab of the ladder truck. It is our largest piece of equipment and the most difficult to maneuver. I outlined the kind of difficulties that we would face if the cars are parked diagonally. When I say that, I want to be clear that if they are parked parallel it does not necessarily alleviate the problem either. It just makes it a little bit smaller. I explained the stance of the ladder truck with the outriggers down. There are two jacks that come out of either side of the truck to stabilize the vehicle so we can move the ladder off to the left or right and operate the unit. The width of the stance is almost twenty-one feet. If cars are parked on the road even parallel we are not going to be able to put our jacks down appropriately should we need to use the ladder truck to access the roof or upper floors of any of those buildings. I say with caution that it really does not matter to us but it would matter in the event of an emergency. I explained that to access the building we would stop short or just past the building so that we can access two sides of it. We would want to get to the first corner or the second corner of the building to be able to really function with the ladder if we needed to use it. If there are cars parked there diagonally then they are going to get crunched. If we have to use the ladder and put the outriggers down the cars will end up underneath the outrigger. It is a big if but it is a possibility. It will not stop us from doing our job but it will cause more damage than we would prefer to have.

Councilwoman Tynes – I understand what you are saying. You took your truck there to do the measurement on Wharf Hill. Have you ever done the same thing further up Main Street? I have had the problem myself right in front of the tourism. The street

sort of comes in because you have vehicles parked on both sides. The one, two and three hundred blocks seem a little wider. I have had times where a truck and trailer just about side swiped me because it is very narrow there. I am thinking that you would probably have the same problem in that section of Main Street. It is not just a problem on Wharf Hill with the parking. It is parking up and down Main Street. I think we need to address it.

Deputy Chief Hackney – You are absolutely right. There is no argument there. It is clearly not just a problem on Wharf Hill. Some of the side streets off of Main Street clearly have a problem. We could run into the exact same problem on Mason Street. There are also sections of Main Street where it could be problematic. Main Street is a little more forgiving but there are certainly other places.

Councilman Dr. Cook – I would like to clarify. There would still be a problem if the cars were parallel parked on Wharf Hill.

Deputy Chief Hackney – Yes, even if they are parallel parked. We still do not have enough room to put the outriggers out. It would lessen the likelihood because if they are parallel parked, unless they are bumper to bumper, it gives us a few feet. The jack plate is eighteen inches. We can drop the jack down between the front and back bumper of a car that is parallel parked. Cars that are diagonally parked it is really not going to be any getting around without scratching a car. We could potentially get around cars if they were parallel parked.

Mayor Williams – Are there any other questions for Deputy Chief Hackney? We thank you for coming out. We appreciate you doing that.

Councilwoman Tynes – I just wanted to say thanks to the Smithfield Fire Department during the storm the other night there was a home in Gatling Pointe that had a fire. I was proud to see that the local media had chosen Smithfield Fire Department to have the cameras. I would like to thank you and your staff for the excellent job that you did. I know the whole house was considered a loss but at least you tried. Thank you.

Councilwoman Chapman – We had our excursion yesterday. We talked about being up above so that they could reach the roof. He told me about the house in Gatling Pointe. We actually were able to look at it. The homeowner was there. I just wanted to point something out that I did not know that our fire department did. They should be

commended. When we walked into the home there was really nice Mahogany furniture covered in tarps and plastic. A lot of people do not know that they do that to protect as much of the homeowner's belongings as possible. If it is safe to do so before they start extinguishing the fire. The homeowner praised the fact that it was done. I just wanted to commend them for all that they do. A lot of people would not take the time to do that. Thank you.

Mayor Williams – The next person for public comments is Mr. Lee Duncan.

Mr. Duncan – My name is Lee Duncan. I would like to follow up with the Deputy Chief's comments. I wanted to say thank you to the fire department as well. They responded to a circuit that blew in one of our air handlers which consequently blew smoke into the dining room. The fire department responded quickly. They were very professional. They did not break a single thing. They brought in things that looked very scary but they were very careful with them. I really appreciate the way they handled themselves. I am here to discuss Wharf Hill. It is certainly a concern to me that the building be safe and accessible to the fire trucks. I am not sure if he knows but at the back of the building it is accessible from Church Street. It is only nine feet to the roof line because we are cut into a hill side. We are also cut into a hill side on the church side which is about sixteen to eighteen feet. Having a ladder truck is certainly helpful on the front end but you could also access the building from the side by the church and from behind the building. The issue with angled parking versus parallel parking I have had the opportunity to meet with the Town Council on two occasions. I have had the opportunity to meet with town staff, Town Attorney, and the Town Manager. It is so refreshing to be able to live in a town where you do have full access to the people that make decisions. Everyone here is working as hard as they can for the town. They have an open mind. It is not a personal thing. It is just business. Just like the website says you guys are open to input from the community. It is a wonderful thing. I put it to our customers at Wharf Hill Brewing Company via our Facebook page. The situation is there has been parallel parking initiatives put in place have been set aside but they are coming back. I asked what the patrons desired. I received feedback that included making it one way with angled parking. Other comments said angled parking. There was no one that wanted parallel parking. Parallel parking on a hill side as steep as Wharf Hill at night in a community that is unaccustomed to parallel parking on hills

anywhere around here is difficult. I know that in San Francisco they could do it. The overwhelming response on the Facebook page was to do angled parking. If you park your car against the curb it is going to stay there. You go in straight and back out straight. You do not have to worry about stick shifts or putting your parking brake on. It is why Wharf Hill has been parking angled for the last century. If you look at the old photographs from the 1970's or before they have angled parking. There have been no issues to my knowledge in the last century when it comes to parking on Wharf Hill in an angled manner. I understand that the fire issue is real. If you ask people from the coastal plain to park parallel on a regular basis on a steep hill at night with a beer in their system there will be a lot of calls. We are a brewery. There will be a lot of accidents. It can be prevented if we do not require parallel parking as the only option on the steepest part of the hill. At the bottom of the hill it is angled which is wonderful but it is not as steep. All of the assistance that the town has provided with a parking lot at the bottom with seven or eight spots. They have made two hour parking on Wharf Hill which has freed us up during the daytime. Luter Drive you are able to park on both sides which has relieved the parking issue for Smithfield Foods. I would like to mention that the Town Council has been behind us all the way. It does not mean that the Town Council is perfect in every way. I believe that the mandated parallel parking requirement is not the best solution. If you can let the lines go away then the town will not be saying that you have to park parallel or park angled. It is how it has always been. Let them park in a common sense way that is comfortable for them. If you wanted to make it compact to reduce the sticking out of vehicles into the street I understand that completely. If you want to make the first two spots at the top of the hill parallel so when people come around the corner there is not a car sticking out then I understand that completely. The overwhelming response and request by customers is to please allow it to be angled parking. They feel comfortable parking on this hill angled versus parallel. I have a petition dated July 25<sup>th</sup>, 2015. The following list of patrons of Wharf Hill Brewing Company located at Wharf Hill, Main Street, in the Historic District of Smithfield, are petitioning for an unmarked parking designation along the length of Wharf Hill, as it has been for the past two centuries. We prefer the option of angled parking instead of mandated parallel parking on Smithfield's steepest hill. Unmarked angled parking is ideal for Wharf Hill, whereas mandated parallel is less safe, more challenging, and

reduces the number of potential parking spaces. Thank you for your time, service, and consideration. If you do not have a sense of humor life is not very much fun so I made all of the lines angled for your benefit. There are two hundred plus signatures on the petition. None of the signatures, to my knowledge, are people with conflicts of interest such as Council. I just want to say thank you so much for the hard work that you have all put in to help us be successful as a business and contribute to the town. We are having a great time. Councilman Pack, Town Attorney, Councilwoman Chapman, Councilman Dr. Cook, Town Manager, and everybody are there supporting us. Vice Mayor Gregory makes wonderful speeches. I even get to see Councilman Smith who is my greatest foe.

Mayor Williams – Thank you, Mr. Duncan. We appreciate you. Are there any other public comments to be made? Hearing none, we will move to Council Comments.

Councilwoman Tynes – I would like to thank Ms. Judy Winslow and her staff for their hard work that they do weekly. The Farmer's Market has quite a few people attending it. All of the awards that we received that the Town Manager reviewed earlier are due to the Tourism. I would like to commend her and her staff for the job that they are doing to bring the recognition to Smithfield. I would like to thank Ms. Amy Musick for doing a great job with the recognition at Windsor Castle Park and the Smithfield Center by bringing people who would like to have events here. I think it is remarkable what they have done for the Town of Smithfield. Thank you.

Vice Mayor Gregory – I have had three different citizens reach out to me and sent letters to the editor. They have paid attention to things at the County meetings. The topic which keeps coming up is the town purchasing water from the County. It has been mentioned on many occasions that it would be best for all involved including the town residents. I just wanted to state for the record tonight that there are some very good reasons why we continue to run our own water system not the least of which is cost to our residents and water customers. Our water rate is \$5.68 per thousand gallons. The County's water rate is \$8.84. If a sixty to seventy percent increase in cost to our residents is in their best interest I would like to entertain that conversation to figure out how that would be. There is misinformation out there. As the Water and Sewer Committee Chairman I feel that we need to continue to get good information out there to

the people. They need to understand why we do what we do. Our job is to look out for the town residents to best of our ability. We are going to continue to do that.

Mayor Williams – Thank you very much, Vice Mayor Gregory. It is one of the reasons that we have the Reverse Osmosis Plant.

Councilwoman Chapman – I see that tonight we have a proclamation for “National Night Out.” I had the opportunity last week to meet with Mr. Beach of the Smithfield Police Department to talk about “National Night Out.” We originally were planning to have the event at the Smithfield Center. Since that time it has actually been changed to take place at Main Street Baptist Church across from the old Little’s Supermarket. We would like to invite all Council members to attend. I do not know any details yet because they will have another follow up meeting this week. It will be like events in the past with static displays. It will be inside in their family center. They will actually have vehicles and police dogs outside for patrons. It will be the first Tuesday in August prior to the Town Council meeting.

Mayor Williams – Thank you, Ms. Chapman. We have Ms. Amy Musick here tonight. She is the Director of the Smithfield Center and Parks and Recreation for the Windsor Castle Park. She has gone above and beyond her duties as she now has a national certification for parks and recreation. Our Town Manager gave a statement to the newspaper explaining that. I just wanted to publicly acknowledge and have on the record a thank you to her for doing an excellent job. We are very proud of you. Hearing no other Council comments we will move to a Proclamation – “National Night Out.”

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on Tuesday, August 4<sup>th</sup>, 2015 called “National Night Out”; and

WHEREAS, the “32<sup>th</sup> Annual National Night Out” provides a unique opportunity for Smithfield, Virginia to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Smithfield Community Crime Prevention (S.C.C.P.) Team and the Business and Neighborhood Watch programs play vital roles in assisting the Smithfield Police Department through joint crime, drug and violence prevention efforts in Smithfield and is supporting “National Night Out 2015” locally; and

WHEREAS, it is essential that all citizens of Smithfield, Virginia be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Smithfield: and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program;

NOW, THEREFORE WE, THE SMITHFIELD TOWN COUNCIL MEMBERS, do hereby call upon the citizens of Smithfield to join the Smithfield Police Department, the S.C.C.P. Team, and in supporting the “32<sup>th</sup> Annual National Night Out” as “NATIONAL NIGHT OUT” in Smithfield, Virginia. Also, on that night those in attendance at “National Night Out” are welcome to wear their shorts and T-Shirts to the Town Council meeting as we did last year. We will move to the Consent Agenda Items. We have a Summary of Consent Agenda Items. Would any Council member like to pull any of these items? Hearing none, we move now to Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. We have two invoices which are over \$10,000.00 which require Council authorization. The first is to Atlantic Communications in the amount of \$21,913.00 for the outfitting of our police vehicles with new accessories. The second one is one I always enjoy doing. It is the annual contribution to the Smithfield Volunteer Fire Department for \$13,000.00. This is a stipend that helps offset some of the expenses of the volunteers who drive their personal vehicles to fire calls. I would like to make a motion that we approve both of the invoices this evening. The next item is a motion to adopt the appropriation resolution to carry forward funds and restricted funds appropriated in fiscal year 2014/2015. This is some money from last year’s budget moving to this year’s budget. We move that we adopt this appropriation resolution. The last item is a motion to adopt the appropriation resolution for funds for fiscal year 2015/2016 effective July 1<sup>st</sup>, 2015. At our continued Town Council meeting we adopted our budget. This is a motion to adopt an appropriation resolution for such funds.

Mayor Williams – Thank you, Mr. Pack. We now move to Parks and Recreation Committee Chair, Ms. Connie Chapman.

Councilwoman Chapman – Parks and Recreation Committee Summary. Thank you, Mayor. We have item C-4 which is a motion to approve a project application for oyster beds at Windsor Castle Park. At our committee meeting Kelly Davis of the

Chesapeake Bay Foundation informed us about it. It is an oyster restoration program otherwise known as oyster gardening. The program consists of volunteers agreeing to grow oysters for one year and then return them to the Chesapeake Bay Foundation. At that time the foundation puts them out into the bay.

Mayor Williams – Now we move to Public Buildings and Welfare Committee Chairman, Dr. Milton Cook.

Councilman Dr. Cook – Public Buildings and Welfare Summary. We are at a point in our plan for the renovations of the former Rescue Squad building to transition it to a police evidence storage building. We need to execute a contract for architectural services to renovate it. The motion is to authorize the Town manager to execute the contract.

Councilman Smith – I would like to make a motion to approve the consent agenda items.

C1. Invoices Over \$10,000 Requiring Council Authorization:

- |                                    |             |
|------------------------------------|-------------|
| a. Atlantic Communications         | \$21,913.00 |
| b. Smithfield Volunteer Fire Dept. | \$13,000.00 |

C2. Motion to Adopt Appropriation Resolution to Carry Forward Funds and Restricted Funds Appropriated in Fiscal Year 2014/2015.

C3. Motion to Adopt Appropriation Resolution for Funds for Fiscal Year 2015/2016, Effective July 1<sup>st</sup>, 2015.

C4. Motion to Approve Project Application for Oyster Beds at Windsor Castle Park.

C5. Motion to Authorize the Town Manager to Execute a Contract for Architectural Services for Renovations of Former Rescue Squad Buildings with Moseley Architects.

Councilwoman Chapman – 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. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We will now move to the Action Section. We will have consideration from Councilman Pack.

Councilman Pack – Thank you, Mayor. We have a Resolution to Renew the Line of Credit with Farmers Bank. I am on one of the Boards for Farmers Bank so I have asked Councilman Dr. Cook to handle this item tonight so there is no conflict. I will not be voting on this.

Councilman Dr. Cook – We have a revolving line of credit with Farmers Bank. We are at a point where we need to renew it. We need a resolution to renew the line of credit. We have never actually used this line of credit. I would like to make a motion to approve the resolution to renew the line of credit with Farmers Bank.

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilman Dr. Cook voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, Councilman Pack abstained, and Mayor Williams voted aye. There were no votes against the motion. There was one abstention. The motion passed.

Mayor Williams – Our next item is Additional Invoice Over \$10,000 Requiring Council Consideration, USBancorp \$84,150.83. We will have consideration by our Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – We have an additional invoice which requires Council authorization. It is a payment on the VML/ VACo loan for the Reversed Osmosis Plant and the South Church Street water line for \$84,150.83. I would like to make a motion to approve this loan payment.

Councilman Dr. Cook – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

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

Mayor Williams – We now move to a Motion to Authorize the Town Manager to Issue a Request for Proposals for Franchise Agreement of Old Cypress Creek Right-of-Way. We will have consideration by the Public Building and Welfare Committee Chairman, Dr. Milton Cook.

Councilman Dr. Cook – Currently there is a Franchise Agreement for the old Cypress Creek right-of-way going across Cypress Creek where the old road was. It is time for it to be renewed. We need a motion for request for proposals for the Franchise Agreement. I would like to make a motion to authorize the Town Manager to issue a request for proposals for the Franchise Agreement of Old Cypress Creek right-of-way.

Councilman Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilwoman Tynes voted aye, Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilman Pack abstained, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. There was one abstention. The motion passed.

Mayor Williams – Our next item is a Motion to Accept Nominating Committee's Recommendation to the Circuit Court to Fill the Expired Term of the Board of Zoning Appeals. We will have consideration by Vice Mayor Gregory.

Vice Mayor Gregory – Thank you. Mayor, Councilwoman Tynes, and I met to have a conversation. We reached out to Ms. Faye Seeley. In light of some potential turnover on the Board of Zoning Appeals I talked to Ms. Seeley personally. She is willing to serve an additional term. I would like to make a motion to recommend Ms. Seeley to the Circuit Court to continue for one additional term.

Councilwoman Tynes – Second.

Mayor Williams – We now move to a Motion to Approve the Town Council Meeting Minutes of June 2<sup>nd</sup> and the Town Council Continued Meeting Minutes of June 22<sup>nd</sup>, 2015.

Town Attorney – Mayor and Council members, I recommend the minutes be approved as presented.

Councilwoman Tynes – So moved.

Councilman Dr. Cook – Second.

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

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

Mayor Williams – We now move to a Motion to Approve the Town Manager's Annual Employment Contract.

Councilwoman Tynes – Mayor, I would like to make a motion to approve the annual employment contract for our Town Manager, Mr. Peter Stephenson.

Councilman Pack – 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. Councilman Pack voted aye, Councilwoman Tynes voted aye, Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Now we move to New Business. Does any Council member have any new business?

Councilman Dr. Cook – The old Tastee Freeze building on South Church Street has been idle for a long time. It is my understanding that they are no longer working to renovate it. It needs to be closed up. It is open and various people could get in there. I think we need to reach out to him to see if he will at least close it up. I am not saying he has to finish the renovations because I do not think that is happening. It needs to be closed up.

Councilwoman Tynes – He has a for sale sign on it. I understand what you are saying.

Councilman Dr. Cook – You know how long things can stay on the market with commercial real estate. It is a big safety issue.

Town Manager – When I returned from vacation I noticed over the weekend that the owner and his wife were attempting to board up the one side that was open to the

elements completely. It is a very low budget personal effort but they did appear to be securing the building on Sunday. We will follow up on it. There is an active building permit issued by Isle of Wight County which has not expired. Technically, according to the County it is a work in progress. There is really nothing that the town can do unless there is an accumulation of debris. We did ensure that the dumpster was removed from the back of the property. Otherwise it is really up to the building official. It was the word that we received. We have written a letter anyway to the property owner. I did see some activity on Sunday. I was pleased to see that.

Councilman Dr. Cook – There are two windows open and a hole in the back. How long is the permit good for?

Town Manager – I will find out. We can report back at the next Committee meeting.

Mayor Williams – I saw them working on it too. I do not see where they did anything but they were doing something. I have another update as well. If you look north of the Cypress Creek Bridge and northeast of the Smithfield Station you will see a gazebo sitting on what used to be a pier. It is almost falling into the water. The Town Manager, Mr. Reish, and I have been working with the Virginia Marine Resources Commission on it. I have even talked to Mr. Ron Pack about it. We talked to Mr. Bobby Livengood about it. We are working on getting something done. We are trying to find out what our liability is or what our role would be. I am getting a lot of comments about it. A lot of people are talking about it especially boaters.

Councilwoman Tynes – Is it privately owned?

Councilman Pack – Yes.

Mayor Williams – If anybody says anything tell them we are on top of it with the Virginia Marine Resources Commission. We are doing the best we can. The other issue is the leaking sewage on North Church Street at the top of the hill. It is the house sitting just before you get to Smithfield Packing's parking lot. We are also working with the Health Department on that. It has been going on now for about a year and a half.

Town Manager – He has until July 10<sup>th</sup> with the Health Department. If no action is taken then the Health Department will take action.

Councilwoman Tynes – Is anyone living there?

Mayor Williams – Yes. The sewage is leaking down the hill across the sidewalk and down the guttering into the Pagan. We are getting a lot of phone calls about it mostly from people who work at the packing plant. Is there any other new business? We now move to Old Business?

Councilman Dr. Cook – I think we need to put to rest the Wharf Hill parking issue. It has been brought up every month. It is my understanding that the Town Manager can take care of it by the Town Code. Is that correct?

Town Attorney – That is correct.

Councilman Dr. Cook – I think we need to let the Town Manager work it out and not be meddling in his affairs. It is my understanding that Council members are trying to intervene.

Mayor Williams – We turned it over to the Town Manager two meetings ago. I agree that the Town Manager needs to handle it.

Town Manager – I will do so according to the Town Code. It gives me the ability to address the situation.

Mayor Williams – Is there any other old business? Thank you all for coming out tonight. This meeting is adjourned.

The meeting adjourned at 8:13 p.m.

  
Mr. T. Carter Williams  
Mayor

  
Peter Stephenson, AICP, ICMA-CM  
Town Manager