

October 14, 2019

The regular monthly meeting was held on Monday, October 14, 2019 in the Council Chambers on Dunne Ave. The meeting started at 7:00 pm.

Present: Mayor Wayne Marshall; Council: Frank Russell, Sam Welch, John Parks, Dan Matthews, Julie Nash; Public Works Director Danny Siegert; Police Chief Greer; and Clerk Letitia Greer. Officer Cobb arrived at 7:03. Absent: Savona.

Visitors: Ellen Johnson, Doreen Simmons, Donna Phillips, Connie Burford, Warren Phillips, Connie Taylor, Marilyn Wohlrab

Mayor Marshall opened the meeting and Councilman Welch led the Invocation and Pledge of Allegiance.

Mayor Marshall thanked everyone for coming to the meeting and recognized the visitors who wanted to speak.

C Burford, candidate for District 4 for the Accomack County School Board, introduced herself and stated that she had been working with the school system, outside of the school board, for nineteen years trying to help parents of special education children and teachers who felt they had been wronged. She wants to continue doing that as an elected official. She asked for everyone's support and stated she would answer any questions.

E Johnson of ESRM stated that representatives from ES Tourism Commission came to the Golden Spike Railway Festival and handed out "50 Days to Explore the Shore" brochures. This is a scavenger hunt they are sponsoring October 1, 2019 thru November 19, 2019. She also stated they spoke highly of the festival and can't wait for next year.

D Simmons stated that she is from the area and currently lives in Hopeton. She and her family would like to renovate the hotel in town to include offices downstairs and small apartments upstairs. She read from an email (attached) she sent to Mayor Marshall in September.

Councilman Russell stated they could not hook into the sewage system currently and asked what type of residents would the apartments be marketed to. D Simmons stated they were hoping to rent to professionals. F Russell stated that he was aware of teachers needing rentals. Mayor Marshall asked D Simmons to keep in touch with the town, including Public Works Director Siegert, as they moved forward with their plans.

D Phillips, Parksley resident and Floral Express owner, stated she has heard positive comments regarding the DMV Select in the town office. She witnessed an especially busy morning there and shared that the employees did a good job of taking care of the customers.

D Phillips stated that some festival attendees had parked in front of her back doors, causing difficulty in loading her vans. She stated that she had been cussed and threatened as well. Councilman Russell apologized and stated he was surprised by the high attendance at the festival and would keep that in mind for next year. D Phillips stated that the alley is frequently blocked by delivery vehicles, including FedEx and UPS.

D Phillips asked if the town could look into making the alley one way once the construction fence for the new library was erected; there really isn't enough room for two vehicles to meet. She also asked if speed bumps were a possibility. Police Chief Greer suggested making the alley open for deliveries only, no through traffic. D Phillips asked for confirmation of walls being erected to block Dollar General and prevent traffic from driving through the alley; part of the plans for the CDBG funds are marked to beautify two walkways connecting downtown to the library. No council members were aware of the walls.

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W Phillips of Jaxon's Hardware stated the he did not attend the festival, but had heard all positive comments regarding the festival. W Phillips stated he was going to find out about how things operate around here. He stated "we" had a conversation a few months back regarding the town purchasing gas and diesel outside of Parksley and not purchasing from Drummond's. He stated that Mayor Marshall told him the town was purchasing gasoline through a state contract and it was saving the town approximately \$.50 per gallon. W Phillips stated that he spoke to a few council members who did not know anything about the program; he is here to find out about the program.

Mayor Marshall called on Clerk Greer to speak. W Phillips stated "no, I have a Freedom of Information request here, and I'm going to leave that here. You can't operate this town like it's a personal business. You can spend your money anywhere you want to, but. It's not the business thing to do." Mayor Marshall tried to explain the program. W Phillip interrupted.

W Phillips stated he had seen Mayor Marshall suggest on Facebook that people could go online and buy guns and things no longer available from Wal-Mart, things available in Parksley. He stated it looks bad. Mayor Marshall stated he had spent plenty of money with W Phillips and he did not suggest people not buy things from Parksley; he cannot help how people interpret it. Mayor Marshall stated his personal life is not the concern of W Phillips. W Phillips left.

Clerk Greer stated she would check the minutes, but did not recall any conversation at a meeting regarding using Drummond's; prior to the town using Mansfield, employees almost exclusively filled the town vehicles with fuel located at the compound, delivered by Pep-Up.

Mayor Marshall stated the town is using Mansfield to save money for the town, roughly \$.50/gallon; it's a lot of money. Chief Greer stated that the contract is based on the average cost across all state agencies that are in the program. Chief Greer stated he had conversations in the past with W Phillips regarding why the town did not purchase fuel at Drummond's; Drummond's business hours prevent them from being able to buy there. Mayor Marshall stated he had asked Drummond's a few times in the past to install a card reader at the pump.

M Wohlrab of Violet's shared comments she had received on the festival. She stated that some people had expressed frustration that the food was spread out and there were no nearby picnic tables. Councilwoman Nash stated that she had asked for picnic tables, but they weren't there; she stated that the food vendors were spread out to bring people to the north end of the parking lot so the inside vendors would have more exposure. M Wohlrab stated that some attendees suggested benches or tables in front of the bands for people to sit.

M Wohlrab received positive comments on the music; some wanted more upbeat music from the Christian band. Councilwoman Nash agreed.

M Wohlrab asked if some vendors didn't show, there were some empty spaces. Councilwoman Nash confirmed and stated they had paid. Councilwoman Nash explained that the vendors were assigned spaces to fill the sidewalk areas first and keep vendors away from the zipline. M Wohlrab thought the spaces in front of the stores should be overflow once the town square was filled. Councilwoman Nash explained that the storefronts were filled first and the storeowner had provided good feedback regarding the increase they had in foot traffic during the festival. M Wohlrab was pleased with the festival overall.

F Russell stated he had just received the bills and had not had a chance to review them. He stated he had provided a receipt noted as *missing on the bills*, Clerk Greer stated she had received it, but had already printed the bills. Councilwoman Nash stated she would bring the other missing bill for EBay festival expenses.

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Councilman Russell asked why we are going to Exmore for car repairs, referring to a bill from Adam's Auto Repair. Mayor Marshall clarified that it was for work that had been done before incorrectly and there were additional repairs performed on the car while it was there. Councilman Russell asked why we were taking it there. Mayor Marshall stated it was there initially for warranty work and he found a few more issues. Councilman Russell stated he didn't understand why we were taking it there when we can get the work done in town. Police Chief Greer stated that nobody in town would repair the heater core. Councilman Russell asked why there was a \$1700 bill the previous month. Chief Greer stated that it was because the mechanic would not release the car since it was not safe to drive. Councilman Russell asked if we could please try to keep the money in town. Chief Greer stated we are trying. Councilman Russell stated to keep it in town; anybody could fix the manifold, anybody could fix the front end, it's not rocket science. Chief Greer stated that he had taken it there because nobody in town would fix the heater core. Councilman Russell stated that he understood, please try to keep the money in town, that's over \$2000 spent to nobody in town.

*Councilman Parks made the motion to approve the bills and previous months minutes as submitted. Motion was 2nd by Councilman Matthews. Ayes - Russell, Welch, Parks, Matthews, Welch, Nash. No - none. Motion passed unanimously.*

#### Unfinished Business

Councilman Parks stated that the hydrant committee (Councilman Russell and Councilman Parks) reviewed the bids submitted for the fire hydrants. They chose Beauchamp Construction and would be contacting them.

Clerk Greer stated that the VDOT Transportation Alternatives Grant application for the downtown area had been submitted; the application deadline was October 1. She stated that ANPDC was not able to submit the application for the Safe Routes to School grant because the Metompkin Elementary School principal had not submitted her letter of support in time, this was a requirement for the SRTS grant. Clerk Greer stated that it would be months before a decision is made on the downtown grant application.

Regarding the proposed Council Code of Ethics, Councilman Matthews researched the clause allowing the council to remove a member by unanimous vote; the Code of Virginia does not allow that. To remove an elected official, a petition must be submitted to have a special election for that seat. A judge would have to approve of the removal of an appointed official. Councilman Matthews stated that censure is an option, but that is dependent on the governing body. Councilman Matthews stated that clause 1 of the proposed code of ethics is redundant and can be removed. Councilman Matthews stated that the council would need to define highest moral principles. Councilman Matthews suggested removing the penalty clause.

#### Council Reports

Councilman Russell provided updates on the festival. Councilman Russell explained that the carnival rides that were originally booked were unavailable due to a death; they were able to book water slides that didn't require water, and would not use them again. Councilman Russell stated that new PA system worked well.

Councilman Russell shared that they had not ordered porta potties since the public restrooms were open, but would book them for next year; the public restrooms were out of order for part of the day.

Councilman Russell thanked the volunteers who worked the festival and stated they were still short handed. He would like to send letters to the volunteers, he has a list. He would also like to send letters to those who volunteered before the festival with various tasks, including building stages. Councilman Russell stated he would write the letters and would like them sent on letterhead. Councilwoman Nash would like thank you letters sent to the festival sponsors as well.

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Councilman Russell stated that he and Councilwoman Nash had organized the festival for the last two years and stated that he felt it would be fairly easy for someone else to take over moving forward if anyone were interested. He asked that everyone think about it.

D Phillips stated that Karrie Phillips sent her thanks for allowing her to have a free space at the festival and she was able to raise enough money to fund 350 meals for the local food bank.

Councilman Russell asked for an update and any thoughts on a water tower inspection. He stated we need to work on that.

Councilman Russell stated the town had a sewage meeting with the health department. He stated that our sewage system is not performing to standards and it is nobody's fault. He stated that we could not hook up any new businesses until we get it producing proper numbers. Councilman Russell stated it needs to job 1 to get the sewage system squared away.

Mayor Marshall pointed out that he, Councilwoman Nash, and Clerk Greer had attended the meeting and the health department representatives spoke highly of Public Works Director Siegert; they felt the issues stem from the system being set up wrong, the town is not doing anything wrong. The system needs to be replaced. Mayor Marshall stated the town had accepted a \$10,000 settlement from the company that installed the system. Councilman Welch stated the settlement was agreed to after the system was modified. Councilman Russell stated he spoke to his friend who runs the sewage treatment plant for the hospital; even though this is not his bailiwick, he would be happy to come down here and help out. Councilman Russell stated there are a couple people he knows that are willing to help us.

Mayor Marshall stated that the health department would like us to reach out to the former engineer of the current system, Rob Mangrum, and have a follow up conference call. Mayor Marshall stated the meeting was informative and helpful. Councilwoman Nash stated that new businesses are not allowed to hook up. Mayor Marshall stated that we had been mistaken in thinking that anyone occupying a building already on the town's sewage system would be okay to use the town's sewage system; we learned at the meeting that any change in use would require health department approval before using the town's sewage system.

Councilman Russell explained that the health department had approved of the system when it was installed and allowed time for the town to come into compliance with results of the required testing; the town has not been able to consistently comply with the requirements. Mayor Marshall stated that the health department wants the daily sewage flow to stay at or under half of the system's full capacity. Currently, we have occasional days that are over that limit and suspect there is a leak in the system; the health department has suggested using a camera to see if the town can identify and fix whatever leaks may be causing the spikes in volume.

Councilman Russell stated that the town used to do random drug testing consistently for employees and council members and that had not been done in a long time; he thinks maybe we should go back to it, maybe not. Mayor Marshall stated it was a good idea. Councilman Russell stated it, if nothing else, it would cover us on our insurance if there's ever a problem. Clerk Greer stated that she had researched the subject for Mayor Marshall previously; she stated she thought it was from VML and stated that it was problematic to subject clerical and administrative staff to random drug testing since there was little likelihood of people in those positions being injured. Councilman Russell said the town used to do that on a semi-regular basis.

Mayor Marshall stated he would like a random drug testing policy in place for all employees and council. Councilman Russell agreed. Councilman Matthews stated that if there is a policy in place, it should be for everyone. Councilman Matthews suggested mirroring Accomack County's policy on random drug testing. Councilman Matthews will write up a policy to be voted on at the next meeting.

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Councilman Russell thinks the council should be paid per meeting instead of receiving one big check at the end of the year. He stated that for the state, you are out if you miss three meetings. He stated that the council could overlook someone missing meetings for a sick parent or child. He would like to start getting paid by the number of meetings shown up for. Mayor Marshall agreed. Councilman Russell stated the council had overlooked things in the past when an employee was ill and kept paying them. Mayor Marshall stated it would be being compensated for performance. Councilman Russell asked why someone should get the same amount of money for showing up and not showing up. Councilwoman Nash stated that if a council member could not make a certain percentage of meetings, maybe that person should step down so someone else could be appointed. Councilman Russell stated he wasn't beating anybody up, it didn't matter if it waited until January. Councilman Matthews asked if it should be instituted in the middle of a fiscal year. Mayor Marshall stated it should start in January. Clerk Greer asked if it should start with election/appointment instead of in the middle of a term. Councilman Russell stated that, in the past, someone had six months left and had gone without showing up for six consecutive meetings so the council should do what it wants, it is a possibility that someone could do that. Councilwoman Nash stated she agreed with Councilman Matthews, that it should start with the fiscal year, in January. Councilman Matthews stated the fiscal year starts in July, maybe make the change with checks issued in 2020.

Councilman Matthews stated that agreed with it, but is concerned that, if someone is not able to complete their term and it is early in a term, we may need to hold a special election instead of being allowed to appoint someone to fill the vacant seat. Councilman Russell stated that he believes it is a new law.

Councilman Russell stated that he has a three ring binder he would leave with the town including all of the things to do and not to do for a festival in case someone else wants to host an event.

Councilman Russell stated that he was keeping records. According to the numbers he received today, \$4070 should be \$5550, they are missing a \$1480 deposit, it may be in a different account. He kept meticulous records on how much he put in and asked Clerk Greer to look into it. Clerk Greer stated she would need more information. Councilman Russell stated he would get that for her.

Councilman Welch had no updates.

Councilman Parks had no more updates.

Councilwoman Nash spoke regarding Old Fashioned Christmas. She would like to purchase a large Christmas tree for town. She wants to do a lighting in the mini-park the same night as Old Fashioned Christmas. She wants an artificial tree that can be used again; they are currently 40% off so she can get a 15 or 17 ft tree for just over \$500. Public Works Director Siegert suggested that Jaxon's may be able to get us a better deal. Councilwoman Nash will get prices from Jaxon's and Floral Express. Mayor Marshall stated the town has a real tree that he picked up from Hebron. Councilman Parks stated we bought it for a Christmas Tree Lighting. Public Works Director Siegert stated the town's tree is a White Pine, a classic Christmas tree.

Mayor Marshall thanked Mr. & Mrs. McCorkle for their fall decorations in the mini-park for the fall; he stated they did the work and it looks great.

Councilman Matthews had no updates.

Councilman Parks asked for an update about Trunk or Treat. Councilwoman Nash stated that Brittany and Debbie Russell are handling that. Clerk Greer asked if the town or the Greater Parksley Association would be funding the cash prizes. Councilman Russell stated that the GPA is no longer, but the money is still there. Clerk Greer stated the costume contest was advertised with

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cash prizes. Councilwoman Nash stated she had ribbons. Councilman Matthews stated that a few people handing out candy could judge the costumes as the kids came through the line or have a few judges walk around.

Police Chief Greer had no updates.

Public Works Director Siegert had no updates. Mayor Marshall thanked Public Works Director Siegert for his department's work on beautifying the town for the festival; he stated everything looked nice.

M Wohlrab asked for an attendance estimate for the festival. Councilwoman Nash stated it is hard to estimate because of a large influx of attendees in the early afternoon. Councilwoman Nash stated she estimated double last year, so 2,000 for this year, but she is not sure. Councilman Russell stated the newspaper lady estimated 4,000.

Councilman Russell stated he would like to send the newspaper a thank you letter for their event coverage.

M Wohlrab asked how the food vendors did. Councilwoman Nash stated one had told her that it was his best day all year. She stated she received incredible feedback from the vendors.

Councilman Matthews asked if we could have the final numbers for receipts and expenditures by the next council meeting. Councilwoman Nash stated she had them. Clerk Greer stated that she should, but wanted to make sure she had all of the bills.

Clerk Greer stated requested a new cash register for the office; she has been unable to locate the part needed to fix it. Clerk Greer stated she had found a few for \$80-\$100.

M Wohlrab asked how the zipline was received. Councilwoman Nash stated the intent of the zipline was to draw attendees and it did that; the intent was not to sell enough tickets to pay for it. Councilwoman Nash stated we would not have the zipline next year; she stated Councilman Matthews' wife had a great idea for the festival next year and she may set the theme around it; she wants a different theme every year.

Public Works Director Siegert stated the castle in the park is in structural distress; the support beams are rotten. Mayor Marshall stated that he had received several messages regarding the state of the castle. Public Works Director Siegert said he may be able to find something smaller for around \$12,000. Councilman Russell asked if the castle could be repaired. Public Works Director Siegert stated it would cost \$8,000 to replace the slide; he suggested making the repairs necessary to use if for another year or two and then replace it.

Councilwoman Nash asked if the funds that had not been used for the festival could be used to replace the castle. Councilman Welch stated that the council would have to decide.

#### New Business

*Councilman Matthews made the motion to purchase a new cash register for the town office. Motion was 2nd by Councilwoman Nash. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

*Councilman Matthews made the motion to fund the materials necessary for the Boy Scouts to repair the castle at the park. Motion was 2nd by Councilman Russell. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

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*Councilman Matthews made the motion to make the alley behind Dunne from Bennett to Adelaide one way and for deliveries only. Motion was 2nd by Councilman Parks. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

*Councilman Matthews made the motion to adopt Ordinance 19-6 Authorizing the Pumping and Hauling of Sewage under Certain Circumstances. Motion was 2nd by Councilman Russell. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

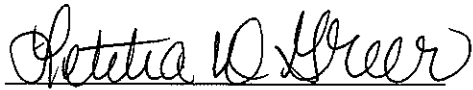
*Councilman Parks made the motion to award the bid for the fire hydrant repairs and replacements referenced in RFP 1901 to Beauchamp Construction. Motion was 2nd by Councilman Russell. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

Councilman Russell reminded everyone there is a CDBG meeting October 17, 2019 at 5:30.

Councilman Russell reminded everyone that the groundbreaking for the library is October 23, 2019 at 10 am.

*Councilman Matthews made the motion to adjourn. Motion was 2nd by Councilman Russell. Ayes - Matthews, Nash, Russell, Parks, and Russell. No - none. Motion passed unanimously.*

Meeting adjourned at 8:42.



Clerk



Mayor