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The regular monthly meeting was held on Monday, August 12, 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; Public Works Director Danny Siegert; Police Chief Greer; and Clerk Letitia Greer. Councilwoman Nash sat in the gallery. Absent: Vince Savona.

Visitors: Jerry McCorkle, Ellen Johnson, Beth McHenry, Ernie Swisher, Warren Phillips, Betty Farley, Julie Nash, Tim Valentine, Rick Bull, Janice Hart, Marilynn Wohlrab, Michael Shreves.

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

Mayor Marshall recognized the visitors who wanted to speak.

Resident J McCorkle asked about grass ordinance enforcement, stating that the house located across the street from him went approximately a month without being cut. He stated the \$100 fee for the town cutting the grass was a savings if a resident normally paid \$30/week. Public Works Director Siegert stated that he had spoken to the owner, whose mower had not been working. He clarified that the town currently charges \$250 to cut grass to bring the property owner back into compliance.

Ellen Johnson, President of Eastern Shore Railroad Museum, stated that the borrowed 1920 Diplomat had been sold and the new owners planned to move the railcar in September or October of this year. She also stated that the owner of the Philadelphia Star railcar currently located in Cape Charles is considering moving that car to Parksley.

Ernie Swisher, President of the local Lion's Club stated that his organization was looking into opening a handicap park and stated they are looking for land in Parksley. Councilman Welch asked how much land they were looking for. Beth McHenry stated they were not sure yet.

B Farley stated there had been a yard sale in the area between the Latino restaurant and the train station this past weekend. She asked if the person holding the yard sale owned the land. Mayor Marshall stated that he believed it was Donna Parks and they owned the land.

Jaxon's owner J Hart stated that she would like the restrooms located behind the police station opened to the public, at least during business hours. Mayor Marshall stated that historically there had been issues with theft and vandalism. Councilman Russell agreed with Hart that they need to be open.

Councilman Russell stated he had been in the Club Car and watched groups of people come in specifically to use their restrooms and not purchase anything. He stated that it is not fair to the business owners. Mayor Marshall asked who would be responsible for cleaning the restrooms. Many towns contract out public restroom cleaning.

Councilman Matthews stated he preferred to have people ask for the key at the farmer's market or the town office instead of leaving it open during the day. Public Works Director Siegert suggested having J Stauffer of Taste of Eden open the restrooms when he opens at 10 am and close them when he closes at 5 pm. PWD Siegert stated he would speak with Jeff Tuesday.

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M Wohlrab of Violet's Specialties presented the new 2019 festival t-shirts. She stated that businesses could still have their advertisements added to the shirts. The fees are the same as last year, either \$50 or \$150, depending on the size. The shirts will be for sale at the festival. M Wohlrab asked about vendor tables for in-town businesses, Councilman Russell stated they would not be charged for their tables and she should contact Councilwoman Nash.

M Wohlrab asked for a grant update. Councilman Matthews stated that the decision had been made and Governor Northam would be making the announcement at a later date.

Mayor Marshall asked for approval of July's minutes and bills. Resident J Nash stated that she had signed up to speak. Mayor Marshall replied that she had not listed a subject on the participation form so he did not realize she wanted to speak.

Resident J Nash stated that an officer had come banging down her door on a Friday night at 12:30 to give her a ticket for not using her blinker. It upset her mother so much she got sick, she was asleep on the couch when she heard the banging on her door. She stated this was not the first time she had been harassed by that officer.

Mayor Marshall stated that he had provided her with the proper channels. Resident J Nash stated that she had gone through the proper channels. Mayor Marshall countered that she had not come back to him after speaking with Police Chief Greer as he had instructed her to. Mayor Marshall stated that he wouldn't allow town officers to be bashed. Resident J Nash stated that she was not using his name. She asked if that meant he would not allow her to speak to the members of the council as a concerned citizen. He clarified that he would not allow her to bash employees of the town. She stated that she was not going to bash anyone, that she was only stating facts. She stated she was a citizen of the town and was being harassed; she wanted it brought to light in front of the whole town. Mayor Marshall told her to continue. Several attendees who did not identify themselves stated they wanted to hear it.

Mayor Marshall stated that he had never called on those who had signed the participation form if they did not complete the subject field of the form. He apologized for the misunderstanding.

Resident J Nash stated that this was not the first time she had been harassed this way; she spoke to the officer's supervisor as instructed. Chief Greer told her that he would not have done that himself, that he didn't know about it until the next morning. J Nash stated that the officer had pulled her over earlier and had given her a warning. She stated that the officer told her to have a better attitude the next time he pulled her over. J Nash stated that a mass text was sent to council members and staff by Mayor Marshall about fifteen minutes after she got home; the message was about certain council members thought they were above the law and could get out of tickets by calling other council members. She asked the council if she had called either of them, no one responded. J Nash stated that she was not asking to get out of the ticket, she had spoken to a lawyer and would deal with the ticket in court. She clarified that she was not speaking regarding the tickets; she was addressing the way she was treated, the way she was threatened, and the way the officer came banging down her door at 12:30 am.

J Nash addressed the mayor and stated that she did not like how he had put the text out publicly without getting her side of the story first. She stated that, as a member of the council, she thought he should've gotten her side of the story after hearing the officer's side and before sending out the text. She stated that she did not think she was

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above the law. J Nash stated that she did not like that an officer had the right to come banging down her door to deliver a ticket because of his rage and male ego. She stated the officer was mad and she was not sure what she could've done differently; she stated she was not rude, did not raise her voice, and did not curse; she had complied with the officer's requests. J Nash stated the officer was harassing her, that this was the fourth ticket he had given her, that the last two were thrown out and, hopefully, these two would be dismissed as well.

J Nash stated that she did not want to live in a town where an officer is allowed to bully and abuse his power. She doesn't want this to happen again, she wants to stop being harassed. J Nash stated that she loves the town of Parksley and has done a lot to promote the town. J Nash stated that he had made others feel like criminals as well, including Max and Diann Bendix.

J Nash stated that Chief Greer was polite when she spoke to him regarding the incident and stated he wouldn't have handled it that way; she was upset that Mayor Marshall had not stopped the officer from going to her residence when the officer called him. J Nash stated that the mayor had explained that officers have to have the right to go to residences in case someone is running from the law. She feels that the officer abused that right by coming to her house because of failing to use a blinker. J Nash stated the officer had thirty days to change the warning to a ticket, but came to her house because he was so angry, had such a big ego, and is such a bully. She stated that he could've waited until the next day to deliver the tickets or he could've mailed them.

Chief Greer stated that three statements, including the officer's and J Nash's, had been turned over to an outside agency for another police chief to review. He stated that he would respond once he heard from the other chief and asked if that was fair. J Nash agreed.

Mayor Marshall stated that he did not send out a public text message regarding J Nash. J Nash stated that she felt it was regarding her because of the timing of the text. Mayor Marshall stated there were other issues in town with council members thinking they did not have to adhere to laws and ordinance.

Councilman Matthews confirmed with Mayor Marshall that the only recipients of the text were employees and council members. Councilman Matthews stated that the message was not for public consumption; the only reason the message was public was because Councilwoman Nash had brought it up. Councilwoman Nash stated that Mayor Marshall should've gotten her side prior to sending the text, she had tried calling him and he did not answer the phone.

J Nash stated she was concerned for her safety, she is concerned that she will be mistreated because this is escalating; she had first been pulled over for not having a front tag and now she has been pulled over for not using a blinker that she did not have to use. J Nash stated the officer could've given her the ticket the next day instead of coming to her home at 12:30 am.

Councilman Matthews stated that he was not irritated with anyone; the only reason the text from Mayor Marshall was public was because someone told other people about it. Councilman Matthews also stated that his disagreement with someone about one thing does not mean he is on anyone's side.

Councilman Russell stated that Councilwoman Nash had not broken any law and should not have been pulled over. He also stated that he supports the police in general. Councilman Russell stated that the officer had thirty days to get the ticket to Councilwoman Nash and common sense should've come into play. Councilman Russell stated that

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Mayor Marshall should've used rationale and told the officer to deliver the ticket the next day. Mayor Marshall stated that he does not tell the police what to do, it is not his place. Councilman Russell stated that somebody needed to micromanage the police because this is the fourth ticket she has received in less than six months.

Councilman Russell shared that he had previously brought up to council that the new police officers are not user-friendly, they are not approaching people warmly and welcomingly; they are writing people tickets and pulling people over for minutia. Councilman Russell stated that people do not have to come to Parksley like they do other towns on the highway, Parksley cannot survive if people quit coming; he has had a lot of people tell him they have quit coming.

W Phillips of Jaxon's Hardware stated that W Fowler asked him what was going on in Parksley; someone told him that one of their customers had to pay a \$105 fine for a tag light citation and people don't have that kind of money. He stated that all the other Parksley business owners would agree that the streets are empty because of they don't want to be harassed; it has to stop.

W Phillips asked why we need to have two officers on sometimes and none on at other times; they work when they want to work just to make time. He asked who does the schedule. Chief Greer stated that he makes the schedule and asked why W Phillips had not brought it to his attention during their multiple conversations. W Phillips stated he had spoken to Mayor Marshall about the heavy-handed police force, it was hurting his business. W Phillips stated it needed to change immediately.

Councilman Russell stated he had mentioned that several months ago. W Phillips stated it was out of hand and needs to stop tonight.

Chief Greer stated there was \$12,000 in the budget for fines. W Phillips stated the private sector would cut costs. Chief Greer stated that the officers are scheduled 43 hours per week.

Mayor Marshall asked the attendees what they would like the police department to do. J Nash stated that the town should get rid of the bully, it would save the town money. She stated the town had spent money on his training and he should go apply somewhere else.

W Phillips stated the police should protect lives and property of citizens. He thinks that's a good start; nobody is checking the doors of the businesses. Chief Greer stated that the police had stopped checking the doors before he came to Parksley. Mayor Marshall asked Chief Greer if the police could start doing door checks again, Chief Greer agreed.

Club Car owner T Valentine stated that the police should only give warnings for tail lights and tag lights, not tickets. He stated that he forgets to get his car inspected and his customers have reminded him in the past.

Councilman Russell stated that the police were supposed to be giving warnings for anything that is not serious, but he was not sure if that was happening. He had not checked to see if that was happening.

Mayor Marshall stated that the new officers are trained to do their job.

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Councilman Russell stated that the town does not expect the police department to generate \$12,000 in fines, it is just a projection. Councilman Matthews concurred.

Councilman Russell stated that he had received more complaints, including a lady who was asked by a Parksley police officer if she had been drinking; her grandkids were in the car. Councilman Russell stated people should be given warnings, not tickets, for tag lights; he instructed police to not approach vehicles with their hand on their gun.

W Phillips asked about the grant money Chief Greer had mentioned earlier, stating that it sounded like the police department received money according to the number of tickets written. Chief Greer stated the DMV grant he was referencing provided money to pay overtime to officers; he stated that many times when two officers were working, one was working grant hours that would be reimbursed. Chief Greer stated the town keeps the fine money and the grant is not based on fines. Chief Greer explained that an officer working grant hours could not be scheduled to work at the same time.

Resident R Bull stated that three officers could not cover the town full time and asked if two officers had to be on duty at the same time to cover the town and work grant hours. Chief Greer stated that the officers only worked grant on Friday and Saturday nights if they were scheduled off.

Resident J Nash asked if one of the officers who came to her house were working grant. Chief Greer stated that both officers were scheduled to work, neither was working grant.

Michael Shreves stated that he had observed the police Durango roll through a stop sign that afternoon. He stated that a year ago, he had taken some pictures of the firehouse and was approached by an officer in the Durango. He stated that he felt threatened when the officer followed him. M Shreves stated that he had observed the officer in the white patrol car gun the vehicle and believed and questioned who was more dangerous, the officer or the speeding car.

Inaudible chatter.

R Bull stated the grass at the house across the street from him had been non-compliant with the grass ordinance, but the town had taken care of it. He stated he had ridden around town and commended the council for doing a good job.

R Bull suggested the council go into executive session to dismiss or discipline employees according to state code under FOIA. R Bull suggested there had been a failure in communication; police officers should not contact the mayor unless there was an emergency in town, it should go through the chain of command. R Bull suggested the mayor's text probably could have waited until morning; and that it had become public, he had seen it, whether it was intended to or not.

R Bull stated that there were more trailer trucks in the residential parts of town recently. He asked if there was an ordinance. The council confirmed there was an ordinance.

Mayor Marshall asked if anyone else wanted to speak, no one responded.

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

Unfinished Business

Mayor Marshall stated that he and Clerk Greer had met with Attorney Dix regarding several things, including the fire hydrants. Clerk Greer stated that Attorney Dix had called her earlier that day regarding the hydrants and she would get the advertisement put in the paper.

Councilman Matthews stated he had a few questions regarding removing town equipment from town. Councilman Russell suggested an ordinance. Mayor Marshall and Councilman Welch suggested a formal policy with a form. Councilman Matthews stated he would write it up to present at the next council meeting.

Council Reports

Councilman Russell asked if the seats in the mini-park would be ready for the festival. Public Works Director Siegert stated they would be.

Councilman Russell stated that the holes in the parking lot were getting worse. If someone would get the material to fix them, he would help. Councilman Russell stated he would contact a few contractors for pricing to fix.

Councilman Russell stated that he had sprayed the tennis court with weed killer and he would line the tennis court once the contractor fixed the surface. Mayor Marshall agreed to contact the asphalt contractor again regarding fixing it.

Councilman Russell stated that he and Dr. Nash had raised over \$5,000 towards the festival through raffle tickets, car show registrations, donations, and vendor fees. Councilman Russell stated that he had contacted Dollar General for a donation and would contact Taylor Bank.

Councilman Russell stated that Councilman Matthews was working on a letter to Dollar General to expand their store in town to a Dollar General Plus.

Councilman Welch had no updates at this time.

Councilman Parks asked Supervisor P Muhly who is responsible for fixing and maintaining the railroad crossings. P Muhly it is the responsibility of the railroad. P Muhly said he addresses the disrepair of the crossings at their monthly meetings.

Councilman Matthews stated he had attended a Canonie meeting and stated it was an eye-opener. He suggested others attend to learn about the current state of the railroad. He stated that the repairs were expensive and there is no source of continuing revenue for the railroad. P Muhly stated that the railroad is responsible for 68 crossings between Accomack and Northampton counties; he suggested reading the newspaper article that summarized the meeting.

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Councilman Russell stated that Richard Lewis requested they open the railroad south to Parksley and guaranteed them some business; the business is not enough to cover the expense. Councilman Russell said they have some property they are trying to sell and may be able to open the tracks south of Hallwood to Parksley once some property is sold.

Police Chief Greer had no updates.

Public Works Director Siegert stated he had received a quote from Pep-Up and there was a significant cost savings to switch propane suppliers. He had not yet contacted Amerigas about picking up their tanks.

Public Works Director Siegert stated he received a quote from Davis Disposal to assume responsibility for residential garbage collection, the cost would be \$67,683 annually for three years. Commercial trash would be higher.

Clerk Greer stated the office had completed 1016 DMV transactions in the month of June. The new copier has been installed and is working well.

New Business

Councilman Russell stated the championship ball team would be presented with a key to the town at the upcoming festival.

Councilman Russell has contacted Barney at Bullfeathers regarding installing the new PA system. He asked for confirmation on how much the town had agreed to spend. Clerk Greer stated she would check the minutes. Councilman Russell stated the project would be complete before the festival.

Councilman Matthews stated that regular ordinances could be approved at regular meetings, zoning ordinances require public hearings.

Councilman Russell asked if the ordinance regarding inoperable motor and maritime vehicles addresses trailers; there is a trailer at the new library site. Mayor Marshall stated that is not a trailer, it is just a storage container. Councilman Matthews stated there is an ordinance allowing exceptions for active construction. Councilman Russell confirmed with the council that the same ordinance requires maritime vehicles to have current registration and be on trailers.

Councilman Russell asked when the town would hold the hearing for the new zoning ordinances. Councilman Matthews stated that the council is allowed to vote on the new zoning ordinances the same night as the public hearing for those ordinances; he suggested holding the public hearing at 6:30 the same night as the regular council meeting.

Councilman Matthews stated he is working on language to clarify the definition of trailers.

Mayor Marshall stated that he did not handle himself well at the beginning of the meeting and apologized.

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Councilman Parks made the motion to go into Executive Session for personnel matters. Motion was 2nd by Councilman Matthews. Ayes - Russell, Parks, Matthews. No - Welch. Motion passed.

WHEREAS, the Parksley Town Council has convened an Executive Session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A) of the code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Parksley Town Council hereby certifies that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the Executive Session to which this certification resolution applies, and only such public business matters as were identified in the motion convening the Executive Session were heard, discussed or considered by the Town Council.

Councilman Matthews made the motion to go back into regular session. Motion was 2nd by Councilman Parks. Ayes - Russell, Parks, Welch, Matthews. No - none. Motion passed unanimously.

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

Meeting adjourned at 9:15.



Clerk



Mayor