

TOWN COUNCIL
MEETING
JANUARY 6, 2014
7:00 PM

Mayor Greer-Present
Vice-Mayor Lewis-Present
Councilman Ward-Present
Councilman Massey-Absent
Councilman Doughty-Present
Councilman Heaster-Present
Councilman Metz-Present

STAFF PRESENT: Robert Duer, Ethel Parks, Chief DiMartino, Officer Zieger, Officer Marshall, Taylor Dukes.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Greer. Mayor Greer established a quorum.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Mayor Greer.

APPROVAL OF MINUTES

MINUTES OF REGULAR COUNCIL MEETING ON DECEMBER 2, 2013:

Councilman Metz made the Motion to approve the Minutes of the regular Council meeting of December 2, 2013. The Motion was seconded by Vice-Mayor Lewis. The Motion was passed unanimously.

CITIZEN COMMENT (LIMIT OF 3MINUTES PER SPEAKER):

Ken Dufty thanked the Public Works Department for the great job they did decorating the Town for Christmas. He also thanked the Police Department for making sure residents and businesses feel safe and secure. Mr. Dufty noted that they appreciate working with Mr. Duer.

Stevon Sample said that he has put his newspaper on hold and that he has recently added a Print Shop and Photo Gallery to his home business.

STATUS REPORT – ROBERT G. DUER:

Mr. Duer thanked the citizens for providing the employees' holiday luncheon. He thanked the public works employees for their diligence and hard work to repair a water main break yesterday on Grayson Avenue. Mr. Duer noted that even with the lack of the necessary tools and lighting they were able to get the job done.

Mr. Duer announced that our new hires, Lynn Sherwood and Marc Marshall continue to do well, Daniel Bell is our newest officer and Walt McHan started last Friday in maintenance, water and sewer.

Mr. Duer noted that the Holiday Decorating Contest winners were William and Pat Atkinson, first place; George and Norma Lewis, second place; Pauline Doughty, third place and Exmore Diner was the winner for Exmore businesses.

Mr. Duer reported that the Town Office is now open from 9:00am -5:00pm in an effort to better meet the citizens' needs. H noted that the drive-thru window has reopened as well. We are taking bids to tear down the wall at the north end of the lobby and putting up a wall at the south end of the lobby to make an office for Taylor. He said that we are also assessing the cost for a roof on the Town Hall. Mr. Duer informed the Mayor and Council that we are now using ADP, a payroll service and they every two weeks. He said that we can now offer employees direct deposit. The new VRS regulations have forced us to go to a bi-weekly payroll. He reported that two new businesses have opened in Town; Eastern Shore Beauty Academy and 360 Art Gallery. Mr. Duer said that the business license renewals are due by March 1st. The new garbage cans are in and will soon be distributed to residents. He thanked Chief DiMartino for blocking the street on the day of the Santa Train so the children could cross safely. He congratulated Officer Marshall on commending letter he received. Mr. Duer reported that we had a 75% turnover last year. He said that there are fifteen

positions and eleven employees left employment. He pledges to improve the morale here over the next few months. Mr. Duer stated that he would like to publicly thank Ethel, Kathy, Taylor, Angelo, Jason, Adam, Johnny, Mike, Joe, Ed and Albert for sticking it out.

CLOSED SESSION: PERSONNEL MATTERS – DISCUSSION OF THE PROMOTION OF ONE POLICE OFFICER AND THE POSITION OF DUTIES OF ONE ADMINISTRATIVE EMPLOYEE:

Councilman Metz: “I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1), discuss the position of duties of one administrative employee, the promotion of one police officer and other police matters. The Motion was seconded by Vice-Mayor Lewis. The Motion was passed unanimously. The Mayor, Council and Mr. Duer convened to Closed Session.

CERTIFICATION OF CLOSED SESSION:

Vice-Mayor Lewis read the “Certification of Closed Meeting” as follows:

WHEREAS, the Council of the Town of Exmore has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of Section §2.2-3712(D) of the Virginia Freedom of Information Act; and

WHEREAS, Section §2.2-3712(D) of the *Code of Virginia* requires a certification by this Council that such a closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Town of Exmore hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully EXEMPTED FROM OPEN MEETING REQUIREMENTS BY Virginia law were discussed and (ii) only such business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered.

The “Certification of Closed Meeting” was seconded by Councilman Heaster and was approved by a unanimous vote.

Vice-Mayor Lewis made the Motion to promote Adam Zieger to Sergeant. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

Vice-Mayor Lewis made the Motion to promote Taylor Dukes to Zoning Administrator. The Motion was seconded by Councilman Ward. The Motion was passed unanimously. Mr. Duer noted that the stipend increase is \$1,800.

OLD BUSINESS:

CENTER CHEVROLET PROPERTY –TAYLOR DUKES:

Mr. Dukes reported that the asbestos has been removed from the old Center Chevrolet Building and it is ready for demolition.

NEW BUSINESS:

DISCUSS THE CLOSING OF THE PARK FROM DUSK TO DAWN:

Mr. Duer noted that the Town has been asked to close the Park from dusk to dawn for safety reasons. He said that the Police Department has noticed that the Park is not being used wisely after dark. We will need to purchase signs notifying the public of the dark to dawn closure. Mayor Greer suggested a street light to shine on the swings, stating that there is already a pole there. Vice-mayor Lewis made the Motion to close the Park from dusk to dawn. The Motion was seconded by Councilman Metz. The Motion was passed unanimously.

Vice-Mayor Lewis made the Motion to have an additional street light installed at the Park. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

DISCUSS THE PURCHASE OF AN ADDITIONAL TRASH TRUCK:

Mr. Dukes noted that our trash truck was down last week due to aging hydraulic lines but has since been repaired. He said that the trash truck has had numerous issues in the past and he has been looking at newer trucks. Mr. Dukes reported that he has found a 2006 Sterling trash truck in Manassas, Virginia for \$67,900. He said a new truck is \$125,000. He noted that this truck is in good shape with low miles and they will put the tipper attachment on it and deliver it to us for that price.

After brief discussion, the Mayor and Council agreed to table the discussion until Mr. Dukes can go to Manassas to look at the truck and report back to the Town Manager and Council.

ADOPT SHALLOW WELL ORDINANCE:

Mr. Duer reported that he has had several requests from citizens to be able to have shallow wells for agricultural use. He said that most towns have this ordinance and it would be good for Exmore as well. After some discussion, Vice-Mayor Lewis made the Motion to adopt the Shallow Well Ordinance No. 201. The Motion was seconded by Councilman Metz. The Motion was passed unanimously.

ADOPT SOLID WASTE ORDINANCE:

Mr. Duer explained that the Solid Waste Ordinance No. 202 details the storage, collection and removal of solid waste. There was little discussion. Vice-Mayor Lewis made the Motion to adopt the Solid Waste Ordinance No. 202. The Motion was seconded by Councilman Heaster. The Motion was passed unanimously.

Mr. Duer addressed the Mayor and Council regarding Town decals. He said that they were not budgeted but we need to purchase them. He said the cost is approximately \$2,000. Councilman Metz made the Motion to purchase the Town decals. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

DISSOLUTION OF PLANNING COMMISSION AND ZONING APPEALS BOARD AND REAPPOINTMENT OF SUCH:

Mayor Greer made a recommendation to dissolve the Planning Commission and Zoning Appeals Board. And reappoint the members after receiving direction from the Town Attorney. Vice-Mayor Lewis made the Motion to dissolve the Planning Commission. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

Councilman Metz made the Motion to dissolve the Board of Zoning Appeals. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

TOWN FINANCIAL REPORT:

Mr. Duer reported that as of December 31st, the Town's cash bank balance was \$526,808 and our CD's were \$388,206, which gave us a total cash amount of \$915,014 which is an increase from the previous month. He noted that our liabilities are \$933,276 with assets of \$3,379,053. He stated that our balance sheet is looking good. Mr. Duer noted that we have collected approximately 81% of the Real Estate taxes billed and approximately 67% of the Personal Property taxes billed. Mr. Duer noted that water sales are \$36,200 above last year at this time, wastewater is \$15,911 above last year this time and trash sales are \$11,427 above last year this time. He said our gross profit is \$133,953 more than last year to date. On the expenditure side, Public Works has spent \$65,000 less than last year this time and the Police Department has spent \$50,000 less than last year this time. The General Fund is down \$111,395 from last year. The net income this year so far is \$431,770 compared to last year was \$179,279 for a difference of \$252,500 increase from last year. Mr. Duer noted that a lot of the savings is in salaries. He commended the Police Department for being well managed. Mr. Duer noted that our total income is \$82,000 ahead of the budget.

POLICE REPORT – CHIEF DIMARTINO:

Chief DiMartino reported that his officers are doing very well and are very productive. He stated that there were no major problems reported through the holidays. The new cars should be delivered any day. He said that due to turnover in officers the ticket numbers have suffered a little. Officer Dan Bell is certified and ready to go and Officer Marc Marshall is doing very well. Chief DiMartino said that vehicle repairs are down and fuel costs are down. He noted that he and Sgt. Zieger do what they can do to take care of the cars. Mr. Duer added that Onancock funded their Police Department at 85% from the General Fund last year and Onley funded their Police Department at 69% from the General Fund last year. He said that the Exmore Police Department was funded by only 13% of the

Towns' General Fund last year and may hit 15% this year. Chief DiMartino noted that Officer Marshall has had several arrests from his traffic stops including drug arrests and a DUI. Sgt Campbell found a large amount of marijuana on a subject from Connecticut yesterday. It was brought to Chief DiMartino's attention that there are several street lights out. Chief DiMartino said he has a list to turn in to the office. Taylor Dukes informed them that it is better to have a list than to call ANEC for just one or two street lights out because they charge us a service call to come out and fix them.

PUBLIC WORKS REPORT – TAYLOR DUKES:

Mr. Duer informed the Mayor and Council that Mr. Dukes will be giving the Utilities report for Mike Johnson because Mr. Johnson is sick.

Taylor Dukes reported that as of December 31st, we have pumped close to 69 million gallons of water which puts us over our permitted amount by 9 million gallons. Mr. Dukes noted that we have taken down all the Christmas lights and decorations and have started serving the mowers and weed eaters to get ready for spring.

CITIZEN COMMENTS (LIMIT OF 3 MINUTES PER SPEAKER):

G. W. Adkins congratulated the employees who stuck it out with the Town until Robert came on board. And thanked Robert for being here.

Lois Spotten encouraged everyone to attend the Neighborhood Watch meeting on Thursday night.

SCHEDULED CLOSINGS & COUNCIL MEETINGS:

NEIGHBORHOOD WATCH MEETING – JANUARY 9, 2014 6:30pm

REGULAR TOWN COUNCIL MEETING – FEBRUARY 3, 2014 7:00pm

ADJOURNMENT:

Vice-Mayor Lewis made the Motion to adjourn. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

Douglas Greer, Mayor

Ethel Parks, Town Clerk