

January 25, 2016

**KILMARNOCK TOWN COUNCIL  
Monday January 25, 2016  
Town Hall  
Kilmarnock, VA**

**Regular Meeting Minutes**

**1. Call to Order:**

Mayor Umphlett called the Regular Meeting to order at 7:00 pm with the following Councilmembers present:

Mae P. Umphlett, Mayor  
Rebecca T. Nunn, Vice-Mayor  
Mr. Keith Butler  
Betsy Crowther

Mr. Emerson Gravatt  
Dr. Curtis H. Smith  
Capt. Michael Sutherland

**Staff Present:**

Tom Saunders, Town Mgr.  
Susan Cockrell, Deputy Town Mgr.  
Marshall Sebra, Zoning Adm/Planning Director  
Paul C. Stamm, Jr., Town Attorney  
Joan Kent, Minutes Clerk  
Michael S. Bedell, Chief of Police

Mayor Umphlett welcomed Kilmarnock residents, business owners, and guests. Mayor Umphlett led the recital of the Pledge of Allegiance.

Town Manager Saunders administered the Oath of Office to newest member Betsy Crowther who took her seat with Council.

**2. Acceptance and Approval of the Agenda**

**ACTION: Councilmember Smith made a motion to accept the January 25, 2016 Town Council meeting agenda as presented, seconded by Vice-Mayor Nunn; and carried unanimously.**

**3. Approve, Correct, or Amend the Minutes of the December 21, 2015 Town Council Meeting**

**ACTION: Vice-Mayor Nunn made a motion to approve the November 25, 2015 Town Council**

**meeting minutes as presented , seconded by Councilmember Gravatt; and carried unanimously.**

#### **4. Public Comments**

Mayor Umphlett invited members of the public to speak on any matter with the exception of scheduled public hearings and to limit their comments to three minutes per person.

There were no public comments.

#### **5. Public Hearing:**

A hearing was held to solicit public input on a proposed ordinance authorizing participation in the Virginia Investment Pool (VIP) as a depository vehicle for the Town's fund balances.

##### **A. Description of Proposed Ordinance**

Town Manager Saunders read a brief description of the proposed ordinance.

B. Mayor Umphlett opened the public hearing.

C. Mayor Umphlett asked for public comment.

There were no comments from the public.

D. Mayor Umphlett asked for staff comments.

Town Manager Saunders recommended that the ordinance be adopted.

E. Mayor Umphlett closed the public hearing.

F. Mayor Umphlett asked for Council discussion and/or action.

**ACTION: Vice-Mayor Nunn made the motion to adopt the ordinance authorizing the Town to participate in the Virginia Investment Pool as a depository vehicle for fund balances, seconded Councilmember Smith; and carried unanimously.**

**6. Planning Commission Report:** Councilmember Smith, Liaison

The Planning Commission presented Council with recommended guidelines for the restriction or prohibition of temporary structures, such as food trailers, within the Steptoe's Overlay District. Chair Towner was praised for doing most of the work. Zoning Administrator/Planning Director Sebra stated that he felt that the guidelines presented were best for the short term. As things progressed and the park was completed, a long term approach would be examined. A copy of the Planning Commission's 2015 Annual Report was included in each Councilmember's packet.

**7. Committee Reports:**

A. Police/Public Safety Committee: Councilmember Gravatt, Chair

- 1) Report from January, 2016 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

- 2) Committee Recommendations to Council

Recommend that Council authorize the advertisement for a public hearing regarding the adoption of an ordinance as allowed under 15.1-864 of the Virginia Code for the Town to regulate or prohibit the discharge of firearms in streets or other public places.

**ACTION: Councilmember Gravatt made the motion to authorize advertisement for a public hearing regarding the adoption of a proposed ordinance to regulate or prohibit the discharge of firearms in streets or other public places, seconded by Councilmember Sutherland; and carried unanimously.**

B. Economic Development Committee: Councilmember Gravatt, Chair

- 1) Report from, January 2016 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

- 2) Recommendations made to Council.

There were no recommendations made to Council.

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3) Deputy Town Manager Cockrell gave a presentation on the branding website, "Virginia River Realm", which was now 98% complete.

C. Streets/Sidewalks/Playground Committee: Councilmember Butler, Chair

1) Report from January, 2016 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

2) Recommendations made to Council

There were no recommendations made to Council.

D. Water and Sewer: Councilmember Sutherland, Chair

1) Report from January, 2016 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

There were no recommendations made to Council.

E. Administration/ Finance Committee: Vice-Mayor Nunn, Chair

1) Report from January, 2016 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

Councilmember Crowther was added to the Committee.

2) Committee Recommendations to Council

a. Recommend that Council approve the disbursements from December 22, 2015 through January 18, 2016 in the amount of \$169,782.26.

**ACTION: Vice-Mayor Nunn made a motion to approve the disbursements from December 22, 2015 to January 18, 2016 in the amount of \$169,782.26, seconded by Councilmember Smith; and carried unanimously.**

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b. Recommend that Council authorize the cleanup of the property at 301 James B. Jones Hwy and apply the costs as a lien to the property if necessary.

**ACTION: Vice-Mayor Nunn made a motion to authorize the cleanup of the property at 301 James B. Jones Hwy and apply the costs as a lien to the property if necessary, seconded by Councilmember Crowther; and carried unanimously.**

## 8. Old Business

There was no discussion under old business.

## 9. New Business

There was no discussion under new business.

## 10. Comments

### A. Public Comments

Mr. Steve Bonner of Kilmarnock VA inquired as to why Council skipped over the portion of the agenda that concerned Mr. Ed Davis's business property and asked if it was because Mr. Davis was seated in the audience. Mr. Bonner referred to the items recommended for further study such as "junkyard status and feral cat colonies" under Administration/Finance Committee meeting notes.

Mr. Ed Davis wanted to know why a member of Council or Town staff did not come to him about the cats on his business property prior to putting it on paper. Mr. Davis stated that he was tired of being "picked on".

Mayor Umphlett explained that when a complaint comes in, it must be discussed during the appropriate committee meeting.

Mr. Bonner stated that people give their time and money to feed the cats on the Davis property.

Councilmember Butler stated that there was concern over whether or not the cats were vaccinated since there were children at McDonalds. Mr. Butler said that some of the cats were coming out of the drainage ditches.

Mr. Davis stated that he was not taking up for the cats and noted that he was tired of seeing things in writing concerning his properties before anyone ever approached him.

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Mr. Bonner replied that the Animal Welfare League could have answered the question about vaccines if just asked but he was more curious as to why it was skipped over when the Committee Report was given.

Town Manager Saunders advised Mr. Davis that anything discussed in the Committee meetings must be put in the Committee's minutes for that meeting due to the Freedom of Information Act.

B. Town Attorney- Paul C. Stamm, Jr.

There were no comments.

C. Mayor- Mae P. Umphlett

The Mayor welcomed newest Councilmember Crowther.

D. Council

Vice-Mayor Nunn and Councilmember Gravatt both made positive comments on the renovated property belonging to Mr. Ed Davis located on Route 200, Irvington Road.

Councilmember Smith inquired about the status of the towers and the Robert O. Norris Bridge. Mr. Smith noted that over 18,000 cars go over the bridge during a course of a day. The bridge was last inspected in 2008 and failed at that time.

Town Manager Saunders advised that the towers had been temporarily stopped and a meeting with VDOT was being held on February 11<sup>th</sup> at Mount Olive. Mr. Saunders stated that VDOT's 5 year plan for improvements on Route 3 stopped at the bridge.

E. Town Manager – Tom Saunders

Town Manager Saunders praised Town staff and Virginia Dominion Power for working throughout the snow storm.

## 11. Adjournment

**ACTION: Vice-Mayor Nunn made a motion to adjourn, seconded by Councilmember Gravatt; and carried unanimously.**

Meeting adjourned at 7:50 pm

Prepared by:

January 25, 2016

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Joan N. Kent

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Mae P. Umphlett, Mayor

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Cindy Balderson, Clerk