

March 18, 2013

**KILMARNOCK TOWN COUNCIL
Monday, March 18, 2013
Town Hall
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order:

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

Raymond C. Booth, Jr., Mayor
Emerson Gravatt, Vice-Mayor
Shawn Donahue
Rebecca T. Nunn

William L. Smith
Howard Straughan
Mae P. Umphlett

Staff Present:

Tom Saunders, Town Mgr.
Paul C. Stamm, Jr., Town Attorney
Cindy Balderson, Town Clerk
Joan Kent, Minutes Clerk
Michael S. Bedell, Chief of Police

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

2. Acceptance and Approval of Agenda

ACTION: Councilmember Straughan made a motion to accept the March 18, 2013 Town Council meeting agenda as presented, seconded by Councilmember Nunn;

DISCUSSION:

Councilmember Smith noted that the second public comment section should be number 9 on the agenda and not number 13.

The motion was amended to include the above.

Mayor Booth called for the vote which was unanimous.

3. Approve, Correct, or Amend the Minutes of February 25, 2013 Town Council meeting

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Councilmember Smith stated that he was omitted in the Closed Session vote in the Admin/Finance Meeting notes and that his vote was in the affirmative. Mr. Smith corrected a statement on page 10 of the Town Council Meeting Minutes which should have read that the “proposed property that the Town was purchasing did not have a certified appraisal”.

ACTION: Councilmember Straughan made a motion to accept the February 25, 2013 Town Council meeting minutes as amended, seconded by Councilmember Nunn; and carried unanimously.

4. First Public Comments and Presentations:

Mayor Booth 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.

A. Public Comments

There were no public comments.

B. Presentations

Town Manager Saunders presented Kilmarnock Volunteer Fire Department Member Ed Davis with the 2013 Fireman tags.

5. Planning Commission Report: Shawn Donahue, Council Liaison

Councilmember Donahue reported that the Planning Commission discussed the development of Town property at Tech Park and the need for sidewalk extensions at priority locations within Town. Their recommendations to Council were to propose \$100,000 for FY14 to move forward with a development and marketing plan for undeveloped property in Tech Park and to propose \$250,000 for FY 14 and project \$100,000 each year thereafter for sidewalk extension in high priority areas.

6. Committee Reports:

A. Water/Sewer Committee: Councilmember Nunn, Chair

1) Report from March, 2013

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

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2) Committee Recommendations to Council

There were no recommendations made to Council.

B. Streets/ Sidewalks/ Playground Committee: Councilmember Donahue, Chair

1) Report from March, 2013 meeting.

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

2) Recommendations to Council

There were no recommendations made to Council.

C. Police/Public Safety Committee: Councilmember Donahue, Chair

1) Report from March, 2013 meeting.

There was no meeting held.

2) Recommendations made to Council

There were no recommendations made to Council.

D. Emergency Preparedness Committee: Councilmember Umphlett, Chair

1) Report from March, 2013 meeting.

There was no meeting held.

2) Recommendations to Council

There were no recommendations made to Council.

E. Town Centre Committee: Councilmember Straughan, Chair

1) Report from March, 2013 Meeting

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

2) Committee Recommendations to Council.

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There were no recommendations made to Council.

F. Economic Development Committee: Vice-Mayor Gravatt, Chair

1) Report from March, 2013 meeting.

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

2) Committee Recommendations to Council

Recommend that Town Council give approval for Staff to contact a site engineering firm to develop a site plan for new acreage at Tech Park regarding infrastructure and parcels.

ACTION: Vice-Mayor Gravatt made a motion for Staff to contact a site engineering firm to develop a site plan for new acreage at Tech Park regarding infrastructure and parcels, seconded by Councilmember Straughan;

DISCUSSION:

Councilmember Donahue felt that before anything else was done at Tech Park, Council needed to fulfill their agreement with existing businesses regarding the placement of a marquis at the entrance.

Councilmember Gravatt amended his motion to add the placement of the marquis at the entrance to Tech Park in the site plan.

Mayor Booth called for the vote which was unanimous.

G. Administration/Finance Committee: Councilmember Smith, Chair

1) Report from March, 2013 meeting.

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

2) Committee Recommendations to Council

a. Recommend that Council approve the disbursements from February 26 through March 18, 2013 totaling \$128,001.68

ACTION: Councilmember Smith made a motion to approve the disbursements from February

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26, 2013 to March 18, 2013 in the amount of \$128,001.68, seconded by Councilmember Nunn;

DISCUSSION:

Councilmember Donahue questioned two disbursements for MGL Printing Solutions in the amounts of \$200 each.

Mayor Booth called for the vote which was unanimous.

b. Recommend that Council adopt a resolution supporting Local Government Education Week April 1st through 7th, 2013

ACTION: Councilmember Smith made the motion to adopt a resolution supporting Local Government Education Week April 1st through 7th, 2013, seconded by Councilmember Donahue; and carried unanimously.

c. Recommend that Council approve that any correspondence submitted on official Town of Kilmarnock letterhead be handled through the Town Office in order to comply with Public Records Act.

ACTION: Councilmember Smith made the motion that any correspondence submitted on official Town of Kilmarnock letterhead be handled through the Town Office, seconded by Councilmember Nunn; and carried unanimously.

d. Recommend that Council schedule a public "Budget Work Session" for Monday, April 22nd at 5 pm at Town Hall.

ACTION: Councilmember Smith made the motion to schedule a public "Budget Work Session" for Monday, April 22 at 5 pm at Town Hall, seconded by Councilmember Straughan; and carried unanimously.

7. Old Business

There was no discussion under Old Business.

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8. New Business

There was no discussion under New Business.

9. Comments

A. Second Public Comments

Mr. Bob Wille of Dixie Avenue, Kilmarnock VA addressed Council regarding his and other Town residents' disapproval of the purchase of the Bay Trust building on Main Street as the proposed Town Hall. Of the 50 people he polled, the majority was against it for multiple reasons and threatened to vote differently at the next election if Councilmembers proceeded with the purchase.

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

Town Attorney Stamm had no comments.

C. Mayor- Raymond C. Booth, Jr.

Mayor Booth had no comment.

D. Council

Councilmember Nunn commented on Councils' decision to purchase the Bay Trust building. Prior to doing so, she said that all Councilmembers gave the Town Centre Committee authority to negotiate the purchase. Mrs. Nunn said that Real Estate negotiations had to be done in closed session and the purchase of the Bay Trust building was the least expensive option available. Mrs. Nunn added that UVA study group had recommended that the Town Centre be in the Steptoe's District. Mrs. Nunn said that the parking at that location was adequate. Mrs. Nunn stated that the citizens' taxes would not go up as a result of the purchase. Mrs. Nunn commented negatively regarding a petition circulated by the Mayor.

Councilmember Umphlett commented that she was referred to in a recent letter sent out by the Mayor as part of the Nunn slate. Mrs. Umphlett wanted it to be known that she made her own decisions and was not influenced by others. She tried to do what was best for the Town.

Councilmember Donahue commented that citizens felt that Council was not open regarding the acquisition of the new Town Centre adding that he understood where they were coming from. Mr. Donahue agreed that when making a purchase it had to be done quietly but said that the public should have been made aware that the Town was serious about proceeding with acquiring a Town Hall. Mr.

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Donahue stated that the Town residents felt differently about the acquisition than the businesses did however both felt left out.

Several Councilmembers commented that the Town had 10 million dollars in reserves and was well off even though it was not all cash.

Mayor Booth commented that even though the assets were 10 million a lot of it was in the Water/Sewer Department which couldn't be liquidated. Mayor Booth had a figure of 6.3 million in liquid cash reserves with a minimum of \$800,000 which had to be kept on hand. Mayor Booth's figures were that the Town had 5.5 million in liquid cash reserves of which 2 million was used to pay down the debt. If the Bay Trust Building was purchased, the liquid reserve would be somewhere around 2 or 3 million dollars. Mayor Booth gave a run down on the Bay Trust building purchase including closing cost, if any, renovations, and etc. which he thought would meet the million dollar mark. Mayor Booth noted his opposition to the purchase of the property. His findings were that a majority of businesses and citizens were against it as well. Mayor Booth felt there should have been some exchange between Council and citizens prior to the purchase.

Councilmember Straughan advised that discussions of purchasing a Town Hall had been going on for over the past ten years. Mr. Straughan stated that the citizens have had every opportunity to make their views known. Mr. Straughan has not had any citizen make any objections to him regarding the purchase of a Town Hall. Mr. Straughan stated that they took what they thought was in the long term, best interest for the Town which was the Bay Trust building for many reasons but mostly because the cost was going to be less than a half million dollars. Mr. Straughan was totally in support of the purchase.

Councilmember Smith stated that he wouldn't purchase a house for \$730,000 without having an appraisal done and he would not spend the Town's money without having an appraisal done. Mr. Smith said that the \$850,000 had to come from somewhere within the budget because the \$350,000 sale of the current Town Hall property might not happen until three to ten years from now.

E. Town Manager – Tom Saunders

Town Manager Saunders had no comments.

10. Adjournment

ACTION: Councilmember Smith made a motion to adjourn, seconded by Councilmember Straughan; and carried unanimously.

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Meeting adjourned at 7:58 pm

Prepared by:

Joan N. Kent

Raymond C Booth, Jr., Mayor

Cindy Balderson, Clerk

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