

October 19, 2015

**KILMARNOCK TOWN COUNCIL  
Monday, October 19, 2015  
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. Emerson Gravatt

Dr. Curtis H. Smith  
Capt. Michael Sutherland

Absent:

Maj. Chris Allen  
Mr. Keith Butler

Staff Present:

Tom Saunders, Town Mgr.  
Susan Cockrell, Deputy Town Mgr.  
Paul C. Stamm, Jr., Town Attorney  
Cindy Balderson, Town Clerk  
Marshall Sebra, Zoning Adm/Planning Director  
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.

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

**ACTION: Vice-Mayor Nunn made a motion to accept the October 19, 2015 Town Council meeting agenda as presented, seconded by Councilmember Smith; and carried unanimously.**

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

**ACTION: Councilmember Smith made a motion to approve the September 21, 2015 Town Council meeting minutes as presented, seconded by Councilmember Sutherland 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 soliciting public input regarding an application submitted by ICN Enterprises, LLC to rezone 139 South Main Street listed on the tax map as 23A-13-8-4 from R-2 to C-1.

##### **A. Staff Report:**

Zoning Administrator/Planning Director Sebra provided Council with a brief description of the subject property to be rezoned as well as the intended use which was to have a coffee shop and office space. Mr. Sebra included in each Councilmember's packet a staff report, a copy of the application, a location map, and a copy of the R-2 and C-1 code ordinance. Mr. Sebra finalized by saying that it was the recommendation of the Planning Commission for Council to approve the rezoning application.

B. Mayor Umphlett opened the public hearing.

C. Mayor Umphlett asked for public comments.

There were no comments.

D. Mayor Umphlett asked for staff comments.

Town Manager Saunders supported the rezoning request noting that the area of the subject property was eventually going to be commercial anyway.

E. Mayor Umphlett closed the public hearing.

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

**ACTION: Vice-Mayor Nunn made a motion to grant the rezoning request for subject property 139 South Main Street from R-2 to C-1, seconded by Councilmember Gravatt; and carried unanimously.**

**6. Planning Commission Report:** Councilmember Allen, Council Liaison

There was no meeting held in the month of October.

**7. Committee Reports:**

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

- 1) Report from October, 2015 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

B. Economic Development Committee: Councilmember Gravatt, Chair

- 1) Report from October, 2015 meeting.

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

- 2) Recommendations made to Council.

Recommend that Council sponsor Northern Neck Artisan Trail for the amount of \$350 and the Virginia Oyster Trail for the amount of \$500.

**ACTION: Councilmember Gravatt made the motion to sponsor Northern Neck Artisan Trail in the amount of \$350 and the Virginia Oyster Trail for the amount of \$500, seconded by Councilmember Sutherland; and carried unanimously.**

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

- 1) Report from October, 2015 meeting given by Councilmember Sutherland.

October 19, 2015

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 October, 2015 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 October, 2015 meeting given by Councilmember Smith.

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

2) Committee Recommendations to Council

a. Recommend that Council approve the Resolution of Appreciation for retiring Planning Commission Members Lindsay Gardner and Joan Gravatt.

**ACTION: Councilmember Smith made the motion to approve the Resolutions of Appreciation for retiring Planning Commission Members Lindsay Gardner and Joan Gravatt, seconded by Councilmember Gravatt; and carried unanimously.**

b. Recommend that Council approve a Resolution of Appreciation for the family of Donnie Walker for his service on the Kilmarnock Board of Zoning Appeals.

**ACTION: Councilmember Smith made the motion to approve the Resolution of Appreciation for the family of Donnie Walker for his service on the Kilmarnock Board of Zoning Appeals, seconded by Vice-Mayor Nunn; and carried unanimously.**

October 19, 2015

c. Recommend that Council appoint Les Spivey and John Raymond to the vacant seats on the Kilmarnock Planning Commission.

**ACTION: Councilmember Smith made the motion to appoint Les Spivey to serve on the Kilmarnock Planning Commission for a term that expires September 2019, seconded by Councilmember Gravatt; and carried unanimously.**

**ACTION: Councilmember Smith made the motion to appoint John Raymond to serve on the Kilmarnock Planning Commission for a term to expire September 2019, seconded by Councilmember Sutherland; and carried unanimously.**

d. Recommend that Council approve the disbursements from September 22, 2015 to October 19, 2015 in the amount of \$159,325.52

**ACTION: Councilmember Smith made a motion to approve the disbursements from September 22, 2015 to October 19, 2015 in the amount of \$159,325.52, seconded by Vice-Mayor Nunn; and carried unanimously.**

Town Manager Saunders read each Resolution and made the presentations to the appropriate persons.

## **8. Old Business**

There was no discussion regarding old business.

## **9. New Business**

There was no discussion regarding new business.

## **10. Comments**

### **A. Public Comments**

There were no public comments.

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

October 19, 2015

There were no comments.

C. Mayor- Mae P. Umphlett

There were no comments.

D. Council

An unidentified individual from the audience asked Council why they didn't follow the recommendation of the Planning Commission to place Mrs. Bernice McElroy in one of the vacated seats.

Councilmember Smith gave a brief synopsis of how the process went in regards to choosing Mr. Spivey and Mr. Raymond.

Vice-Mayor Nunn advised that she spoke to Mrs. McElroy and asked her if she would be interested in serving on the Board of Zoning Appeals since there was a vacancy.

E. Town Manager – Tom Saunders

Town Manager Saunders congratulated Zoning Administrator/Planning Director Sebra on obtaining a \$200,000 grant from the U.S. Fish and Wildlife Foundation to radiate three streams in Town to reduce sediment and correct erosion. Mr. Saunders reminded Council that Kandy for Kids would be held on October 31<sup>st</sup> from 4 to 6 and that Election Day was November 3<sup>rd</sup>. Mr. Saunders announced the passing of former Town attorney, Buddy Clark.

## 11. Adjournment

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

Meeting adjourned at 7:34 pm

Prepared by:

---

Joan N. Kent

---

Mae P. Umphlett, Mayor

---

Cindy Balderson, Clerk