

## January 10, 2023 Council Meeting Minutes

This meeting was available on Zoom.

Mayor McPhaul asked everyone to rise for the Pledge of Allegiance.

Councilman Bernstorf led the prayer.

Mayor McPhaul called the meeting to order at 6:30 p.m. with all members of Council present. Town Attorney Richard Matthews was absent, and Attorney Jason Dunn was present.

### **Adopt Agenda:**

On a motion by Councilman Cox, seconded by Councilman Bernstorf and carried the proposed agenda was approved as presented.

### **Election of Council President:**

Councilman K. Jones nominated Councilman Cox for Council President. This nomination was seconded by Councilman Bernstorf and carried.

### **Appointment of Treasurer - Amanda Morman:**

On a motion by Councilman Bernstorf, seconded by Councilman K. Jones and carried Amanda Morman was reappointed as Treasurer.

### **Appointment of Clerk of Council - Raven Sims:**

On a motion by Councilman T. Jones, seconded by Council President Cox and carried Raven Sims was reappointed as Clerk of Council.

### **Appointment of Town Attorney - Richard Matthews:**

On a motion by Council President Cox, seconded by Councilman K. Jones and carried Richard Matthews was reappointed as the Town Attorney.

### **Appointment of Zoning Administrator - Lee Copeland:**

On a motion by Council President Cox, seconded by Councilman K. Jones and carried Lee Copeland was reappointed as the Zoning Administrator.

### **Committee Appointments:**

- A. **Health & Safety** - On a motion by Council President Cox, seconded by Councilman K. Jones and carried Councilman T. Jones was appointed to Health & Safety.
- B. **Finance** - On a motion by Councilman K. Jones, seconded by Council President Cox and carried Councilman Bernstorf was appointed to Finance.
- C. **Memorial & Beautification** - On a motion by Council President Cox, seconded by Councilman K. Jones and carried Councilwoman Norris was appointed to Memorial/Beautification.

- D. **Public Property** – On a motion by Councilman K. Jones, seconded by Councilman T. Jones and carried Council President Cox was appointed to Public Property.
- E. **Streets** – On a motion by Council President Cox, seconded by Councilman T. Jones and carried Councilman K. Jones was appointed to Streets.

**Presenters:**

- A. **Waverly Volunteer Fire Department** – Lieutenant Chad Sims with Waverly Fire came to Council with a quote to ask for any assistance if possible to purchase new rescue equipment (e-hydraulic tools) for their new truck they got recently.
- B. **Mr. Sheldon** – Mayor McPhaul introduced the owner of Hampton Roads Winery Mr. David Sheldon whom is interested in opening a Brewery in the Town of Waverly in the Old Fleetwood buildings on W. Main St. The Town of Waverly received notice on December 27, 2022 that the state had approved the grant paperwork and would be awarded \$300,000 to match the Town's \$300,000 to loan for the purposes of getting the brewery up and running.

**Citizen's Wishing to Appear:**

- A. **Jesse Hellyer** – President of Sussex County Chamber of Commerce stated they ended 2022 with 68 active members, as of today's date there are 71 members. The Town of Waverly houses 31 of the 71 members of the Chamber. On March 23, 2023 the Chamber is hosting a dinner at the 4-H Center to recognize businesses in Sussex County that are members of the Chamber that have been in operation over 50 years. The Chamber is again this year planning to host a Cinco de Mayo event and Oktoberfest event. Mr. Hellyer stated the Chamber will be helping with National Night Out in August and Mingle on Main.

**Clerk's Report:**

- A. **Reading/Approval of December 13, 2022 Council Meeting Minutes** – On a motion by Council President Cox, seconded by Councilman K. Jones and carried the reading of the December 13, 2022 meeting minutes were dispensed with as they are a matter of public record and previously provided to council and were approved as presented.

**Treasurer's Report:**

- A. **Treasurer's Report** – Mrs. Morman gave a brief update on the status of the general operating fund as of December 30, 2022. Mrs. Morman also reminded the public that town taxes are due January 31, 2023 and if you need to set up payment arrangements to come by Town Hall before that date. On a motion by Councilman Bernstorff, seconded by Council President Cox and carried the Treasurer's Report was accepted as presented.
- B. **Bills Paid and Presented for Payment** – On a motion by Councilman Bernstorff, seconded by Councilman K. Jones and carried the Bills Paid and Presented for Payment were approved as presented.

### **Sussex Service Authority Report:**

Mr. Diehl had previously advised there was no report and that he would not be in attendance.

### **Planning Commission Report:**

Mr. Moss advised he had no report at this time.

### **Zoning Administrator:**

Mayor McPhaul advised that Mr. Copeland comes in to Town about once per week and is available as needed.

### **Mayor's Report:**

Mayor McPhaul advised she had no report.

### **Departmental Reports:**

- A. **Police** – Sheriff Giles stated he had no report, but wanted to remind everyone if you see something please say something/report it. Nothing can be done to correct the issues if no one is reporting the issues.
  
- B. **Public Works** – Howard Jones stated he did not have a report. Mayor McPhaul stated that Public Works has taken down trailers on Pleasant Spring Ave, Oak St. and Maple St. in the November to December time frame. Mr. Jones stated that Public Works has taken down at least 10 homes in the past year.

### **Standing Committee Reports:**

- A. **Health & Safety** – Councilman T. Jones advised he would like to find someone to hold CPR classes.
  
- B. **Finance** – Councilman Bernstorff advised the overall savings to the Town's expenses in regards to police services since the Sheriff's Department took over is astounding and therefore was one of the best decisions made.
  
- C. **Memorial/Beautification** – Councilwoman Norris advised she had no report at this time.
  
- D. **Public Property** – Council President Cox stated that he and the Mayor have been in contact with a consulting firm regarding storm water management and the possibility of receiving grant money to help with funding.
  
- E. **Streets** – Councilman Jones presented Council with a handout of the items he has been working on since the last meeting. This included streetlights that are still out and the handicap ramp being blocked on W. Main at Maifeld Ave. when anyone parks at the current end of the no parking zone. Councilman K. Jones commended Sheriff Giles for the Litter pickup program he runs and how great the streets look. Councilman K. Jones also extended an open invitation to anyone who would like to join the Streets committee and volunteer their time to helping keep Waverly clean and safe. He will also be taking note of street signs that need replacing due to damages.

## Old Business:

- A. **Carpenter Museum** - Mayor McPhaul stated that the museum has been closed for a number of years and all of the original members listed on the Articles of Incorporation and the Bylaws have since passed. There are 2 active Board members that oversee things in regard to the museum currently, and have decided to turn the museum over to the Town. Attorney Jason Dunn stated he is working on getting paperwork drawn up to have the corporation dissolved and giving the assets of the museum to the Town.
- B. **Update to Town Code** - Mr. Matthews was absent - nothing new to report.

## New Business:

- A. **Roof Repair Quotes** - Mayor McPhaul advised there are 4 quotes to have the roof replaced on the Town Hall side of the building. Council President Cox motioned to award the roofing contract to Row-Mic Construction, this motion was seconded by Councilman Bernstorf. On a roll call vote with Council President Cox voting "aye", Councilman K. Jones voting "aye", Councilwoman Norris abstaining her vote, Councilman T. Jones voting "aye", and Councilman Bernstorf voting "aye". Council President Cox's motion passed.
- B. **Industrial Revitalization Fund Grant** - Mayor McPhaul asked Attorney Jason Dunn to give an update. Mr. Dunn advised there was a \$300,000 matching grant awarded to the Town of Waverly and a committee was hand-picked to oversee the grant to beautify the building and area for the brewery, this grant is part of a loan that will be paid back to the Town with interest and be available to future business prospects and current owners. He advised the first meeting of the committee was held earlier today and there is a call scheduled with the state the first part of February. He also stated there are documents and some title work to be completed to get things started.
- C. **Jeff Sadler Proposal** - Mayor McPhaul presented Council with 2 proposals for work from Jeff Sadler with Complete Community Economics. On a motion by Council President Cox, seconded by Councilman K. Jones and carried the proposal for Waverly Downtown Revitalization was accepted as presented. On a motion by Council President Cox, seconded by Councilman K. Jones and carried the proposal for USDA/RD Rural Business Development Grant Application was accepted as presented.
- D. **Waste Management Rates** - Mayor McPhaul addressed the need to set a date for a Public Hearing to increase the trash rate in order to recoup the Town for the increase from Waste Management billings.
- E. **Cemetery** - Mayor McPhaul advised that we may need to increase the price of spaces to deter people from other areas from purchasing just because it's inexpensive compared to other local area cemeteries. We may also look at restructuring how spaces are purchased, currently there is no minimum. If we were to restructure it may require a minimum of 2 spaces be purchased at a time. We are going to be focusing on keeping the cemetery clean and presentable.

**Public Comment:**

Alfred Futrell thanked Howard Jones and the Public Works staff for the care they took in cleaning up the cemetery at First Baptist Church.

**Closed Session:**

Council President Cox moved that council go into closed session at 7:46 p.m. under Section 2.2-3711(A)(6) of the Code of Virginia to discuss Investment of Public Funds and other legal matters and to include the Mayor, Council, Attorney Dunn and Jesse Hellyer. This was seconded by Councilman K. Jones and carried on a roll call vote with all members of council present and voting in the affirmative.

**Rise and Certify Closed Session:**

Council rose from Closed Session at 8:33 p.m.

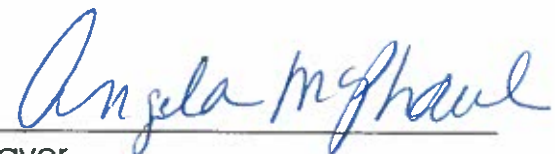
Council President Cox moved that Council certify the Closed Session under Section 2.2-3712(d) that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under this chapter and only such business matters as were identified in the motion by which the Closed Session was convened were heard, discussed or considered in the meeting by the public body. This motion was seconded by Councilman Bernstorf and carried on a roll call vote with all members of council being present and voting in the affirmative.

**Closed Session Report:**

There was no report.

As there was no further business to come before council the meeting was recessed at 8:34 p.m. on a motion by Council President Cox, seconded by Councilman K. Jones.

  
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Clerk of Council

  
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Mayor