

February 16, 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 6:35 p.m. with four members of council present. Councilman K. Jones was absent. Town Attorney Richard Matthews was also present.

Adopt Agenda:

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

Recess Council Meeting and Call Public Hearing to Order:

On a motion by Councilman Bernstorf, seconded by Council President Cox and carried the Council Meeting was recessed and the Public Hearing was called to order.

Trash Rate Increase:

Mayor McPhaul stated that with Waste Management raising their trash collection rate for the Town that unfortunately we need to increase the rate by \$2 that is billed to our customers. This increase will take the current rate for residential in town customers \$10, and residential out of town customers \$15 per month. This increase will take effect on March 1, 2023.

There were no comments or questions from the Council members.

Waverly resident Calvin Taylor did inquire as to when the last rate increase was, and he was informed that the rate has been the same for at least 7 years.

As there was no other Public Comment it was motioned by Councilman T. Jones, seconded by Council President Cox and carried to adjourn the Public Hearing and Reconvene the Town Council Meeting.

Presenters:

There were no presenters.

Citizen's Wishing to Appear:

- A. **Calvin Taylor** - asked as to why there is a Town and County tax and if anything could be done to eliminate the County tax for those that live within the town limits. Mr. Matthews advised that in order to eliminate the County tax the Town would have to secede from the County and then services would not be available to town residents.

Clerk's Report:

- A. **Reading/Approval of January 10, 2023 Council Meeting Minutes** - On a motion by Councilman T. Jones, seconded by Council President Cox and carried the reading of the January 10, 2023 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 was absent, but Mayor McPhaul asked the Clerk to go over the Treasurer's Report. There was a brief update given on the status of the general operating fund as of February 1, 2023. It was also noted the auditors will be back onsite in March to complete the audit process. On a motion by Council President Cox, seconded by Councilman T. Jones and carried the Treasurer's Report was accepted as presented.
- B. **Bills Paid and Presented for Payment** – On a motion by Councilman Bernstorf, seconded by Council President Cox and carried the Bills Paid and Presented for Payment were approved as presented.

Sussex Service Authority Report:

Mr. McPhaul, Waverly Representative on the Sussex Service Authority Board, stated they are still awaiting funding to make the repairs for the Bank St. Pump Station. He is hoping to have additional information by the end of April. The project on E. Main St. for Mr. Brinkley is moving along, Mr. Brinkley has started the process to have the line run to the main sewer line, we are hopeful to have the project completed by early April. They are still working on a lateral line policy to address who is responsible for repairs at a certain point. The next scheduled meeting is on Tuesday, February 21, 2023 at 7:00 p.m. at Sussex Service Authority office.

Planning Commission Report:

Chairman Moss was present and advised he had no report at this time.

Zoning Administrator:

Mayor McPhaul advised that Tiasha and Mr. Copeland have been working together on getting violation letters sent.

Mayor's Report:

Mayor McPhaul stated that we are accepting applications for the Veteran Hometown Flags until March 15, 2023, the cost per flag is \$175.00. Mayor McPhaul advised to please be sure to provide a good quality photo. The Chamber of Commerce is hosting a dinner at the 4-H Center on March 23, 2023 celebrating businesses that have been in operation for over 50 years and are members of the Chamber. On April 29, 2023 the Town is hosting our annual 5K benefiting the James House. Currently we have about \$2000 in sponsorships. The Town is proud to announce the Miss Sussex County Pageant for ages 4-18 to be held on July 15, 2023 at Sussex Central High School.

Departmental Reports:

- A. **Police** – Sheriff Giles was not present, but Mayor McPhaul noted how busy she has noticed the deputies have been recently.
- B. **Public Works** – Howard Jones presented information in regards to the cost of supplies needed to have public works do the work at the park related to the sewer pump station. It is a third of the quoted price by a contractor.

Standing Committee Reports:

- A. **Health & Safety** – Councilman T. Jones stated he is still working on coordinating to have a CPR class for those who may be interested. Mayor McPhaul added that the statewide burn ban is in effect as of February 15 and runs through April 30.

- B. **Finance** – Councilman Bernstorf commented on the significant savings the town has sustained since having the Sheriff’s Department take over the Waverly Police Department back in 2021. The Town went from spending over \$700,000 to roughly \$480,000 per year for police services.
- C. **Memorial/Beautification** – Councilwoman Norris noted that the Mayor and Tiasha have done a great job cleaning up the cemetery and have put out vases recently to help cut down on the clutter. Also this will help cut down on the amount of time Public Works spends in the cemetery cutting grass and weed eating. Also Councilwoman Norris presented an idea to adopt a pole where seasonally citizens would pay a fee to adopt and decorate a pole for a specific purpose or holiday. Then once the best pole is determined the proceeds could be donated to a local charity.
- D. **Public Property** – Council President Cox stated there are ideas being presented in regards to the drainage study / stormwater management and the possibility of having a retention pond in the Town to help ease outflow after heavy rains.
- E. **Streets** – Councilman K. Jones was absent. Council President Cox mentioned he has been in contact with Councilman K. Jones regarding the W Main St railroad crossing getting rough again and Councilman K. Jones is making contact with the Railroad representative to get the issue resolved.

Old Business:

- A. **Waste Management Trash Rate Increase** – On a motion by Council President Cox, seconded by Councilman T. Jones and carried it was approved to increase the trash rate to \$10.00 for in town and \$15.00 for out of town customers.
- B. **Carpenter Museum** – Mayor McPhaul stated she and Attorney Dunn met with 2 members of the Board for the Carpenter Museum on February 14 and they have agreed to turn the Museum over to the Town. The next scheduled meeting will be held on March 21 to have paperwork signed.
- C. **Industrial Revitalization Fund Grant** – Mayor McPhaul stated the committee assigned to the brewery project met on February 14 and contracts are being drawn up. The state has advised that their portion of the \$300,000 needs to only go to the commercial side of getting the brewery operational. Then the Town’s \$300,000 will go to the residential side as Mr. Sheldon wants apartments on the second floor. Mr. Sheldon has recently met with an architect and a contractor and things are starting to progress forward.
- D. **Cemetery** – Mayor McPhaul stated that she and Tiasha have spent numerous hours in the cemetery cleaning up and consolidating the items on the graves. Public works has pruned the trees and taken down the white stands that were near the road.
- E. **Update to Town Code** – Attorney Matthews noted that Municipal Code Corporation has been acquired by another code company and things are starting to move forward as he spoke to someone last week.

New Business:

- A. **Paving the Park** – Mayor McPhaul advised there are two proposals for paving at the park. Proposal A for \$19,800 is to pave the entrance at the park and the entry way at the community garden. Proposal B for \$21,900 is to pave the parking area at the tennis courts. On a motion by Council President Cox, seconded by Councilman T. Jones and carried Council approved Proposal A and tabled Proposal B for a future time from Worden Paving.

- B. Park Bathroom Sewer** – On a motion by Council President Cox, seconded by Councilman T. Jones and carried it was approved to give the Mayor authority to spend up to \$12,000 in materials and have Public Works complete the sewer project at the park in order to tie into the sewer system.
- C. Investment of Water Sale Funds** – Attorney Matthews advised that the State oversees the investment of funds that are invested with VML in the Virginia Investment Pool (VIP) fund. There is no risk to the investor, it is transparent and non-partisan. The return is higher to invest this way because it is a part of a large fund as opposed to letting the money just draw interest in the bank. On a motion by Council President Cox, seconded by Councilman Bernstorff. On a roll call vote with Council President Cox voting “aye”, Councilman Bernstorff voting “aye”, Councilwoman Norris voting “aye”, and Councilman T. Jones voting “aye”, Councilman K. Jones was absent, Council President Cox’s motion passed to invest \$1.9 million in the State VIP fund.
- D. Employee Resignation Acceptance** – On a motion by Council President Cox, seconded by Councilman Bernstorff and carried the resignation of Public Works employee Maurice Williams was accepted.

Closed Session:

Council President Cox moved that council go into closed session at 7:22 p.m. under Section 2.2-3711(A)(6) of the Code of Virginia to discuss Investment of Public Funds and legal matters and to include in this session the Mayor, Council, and the Town Attorney. This was seconded by Councilman Bernstorff and carried on a roll call vote with four members of Council present and voting in the affirmative with Councilman K. Jones being absent.

Rise and Certify Closed Session:

Council rose from Closed Session at 8:05 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 T. Jones and carried on a roll call vote with four members of Council being present and voting in the affirmative with Councilman K. Jones being absent.

Closed Session Report:

There was no report.

As there was no further business to come before council the meeting was recessed at 8:06 p.m. on a motion by Councilman Bernstorff, seconded by Council President Cox and carried.


Clerk of Council


Mayor