



Town of Port Royal

Established 1744

“Behold Us Rising”

**Town of Port Royal
Council Minutes
Public Hearings
November 15, 2016**

MEMBERS PRESENT: Mayor Jim Heimbach, Vice-Mayor Della Mills, Bill Henderson, Phyllis Sue Carpenter, Monica Chenault, J P Wilkerson, and Gladys Fortune.

MEMBERS ABSENT: None.

OTHERS PRESENT: Town Clerk Terri Harrison, Interim town Manager Steve Crosby

AUDIENCE: Chris Flora, Ed Minter, Alex Long, and Sharon Farmer.

The Mayor called the meeting to order at 7:00 p.m.

PUBLIC HEARING

PROPOSED RESOLUTION TO AMEND THE TOWN CHARTER: At 7:00 p.m., Mayor Heimbach opened the Public Hearing on the proposed Resolution to amend the Town Charter as follows:

1. Paragraph 3.1.C: In 1998 and every two years thereafter, on the dates specified by general law for municipal elections, all members of the council shall be elected for terms of two years each. The persons so elected shall qualify and take office on ~~July~~ January 1 following their election, and they shall continue to serve until their successors are duly elected, qualify and assume office.
2. Paragraph 3.2: Mayor. At its first meeting in ~~July~~ January of every ~~even-numbered~~ odd-numbered year, the council, by majority vote, shall select from its membership one member to serve as mayor. The mayor shall preside at meetings of the council and shall be recognized as head of the Town government for ceremonial purposes and by the governor for the purposes of military law. He shall have the same powers and duties as other members of the council with a vote, but no veto powers.
3. Vice mayor. At its first meeting in ~~July~~ January of every ~~even-numbered~~ odd-numbered year, the council, by majority vote, shall select from its membership one member to serve as vice mayor. The vice mayor shall preside over meetings of the council in the absence of the mayor.

Mayor Heimbach called for comments from citizens. Hearing no comments from the citizens, Mayor Heimbach called for a second time for comments/discussion from the citizens. After a third call for comments, and hearing none, Mayor Heimbach closed the Public Hearing on the proposed resolution to amend the Town Charter.

COUNCIL MEETING

Mayor Heimbach opened the regular Town Council meeting at 7:05 p.m.

ANNOUNCEMENTS/AGENDA ADDITIONS AND REVISIONS

Mayor Heimbach advised Council that, based on recommendation of the Town Attorney, the first two items under new Business, (1. Motion to Repeal Property Maintenance Ordinance and 2. Motion to adopt Virginia State Property Maintenance Code) will be deleted from the Agenda. Also under new Business "Motion to Appoint Kevin Wightman as Port Royal Zoning Administrator" shall be discussion of this appointment.

Mayor Heimbach also reviewed with Council some pending invoices to be paid.

- Printing & Public Advertisement \$440.00
- Public Utilities Department for a clogged water meter \$141.10
- Repair of two water leaks \$813.42
- Set up for billing of the Town water accounts \$3,660.39.

Monica Chenault requested that a Closed Session to discuss Town Employees be added to the agenda.

J P Wilkerson applauded all who were involved in the Veteran's Memorial Dedication. Mayor Heimbach prepared a Resolution for their good works. Council approved the Resolution.

PUBLIC COMMENT

Ed Minter, King George resident, addressed Council with his intent to purchase the commercial property owned by C L Flora, Inc. (The old service station). He shared with Council his desire to restore the property to fashion an "Old Service Station"; he said that he would provide State Inspection, which would require him adding on additional space, and mechanical repairs. Mr. Minter questioned Council if they had any objections to his Business Plan. He stated that the Council's ruling would determine if he were to proceed with the purchase of the property from Chris Flora. Town Manager Steve Crosby strongly recommended that the Council defer from making a definitive decision at this point. The Town Manager instructed the Town Clerk to give Mr. Minter a Zoning Application and suggested he first fill out the Permit Application, and the Town Officials would review his application and respond to him in a timely manner.

STATE OF THE TOWN REPORT

Mr. Crosby, Interim Town Manager, reviewed with the Council the work he presently is working on and offered to answer any pending questions Council may have. J P Wilkerson questioned where the Town stands with regard to business licenses, auto decals and water. Steve Crosby stated that the water system has been his Number 1 priority, however the other items will be addressed in the Jan, Feb, March time frame.

CONSENT AGENDA

The minutes for the October 18 Town Council meeting, October financials, and invoices for services from Jean Kelly, Town Attorney, and Steve Crosby, Interim Town Manager, were reviewed.

Upon motion by Mr. Henderson, with a second by Ms. Fortune, Council voted to approve the Consent Agenda. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

OLD BUSINESS

Resolution on Request for Amendment of the Town Charter:

Council Member-elect Alex Long, who had arrived too late to participate in the Public Hearing, was given the opportunity to comment. He stated that the Town might consider staggering the terms council members serve, and also reducing the number of Council members to five.

Monica Chenault questioned Item 1. Paragraph 3. 1 C where it states "In 1998....." She has an issue with the year. After some discussion, it was agreed to amend the resolution to request that

the effective year be changed from 1998 to 2018. The discussion on the resolution came to a close.

Upon motion by Ms. Mills, with a second by Mrs. Carpenter, Council voted to adopt the Resolution to request the General Assembly to amend the Town Charter to bring the date on which newly elected town councils take office and elect the Mayors and Vice Mayor into alignment with November elections. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

RESOLUTION

TO REQUEST THE GENERAL ASSEMBLY TO AMEND THE TOWN CHARTER TO BRING THE DATE ON WHICH NEWLY ELECTED TOWN COUNCILS TAKE OFFICE AND ELECT THE MAYOR AND VICE MAYOR INTO ALIGNMENT WITH NOVEMBER ELECTIONS

WHEREAS, The current Charter of the Town of Port Royal dates from 1997, when Town elections were held in May; and

WHEREAS, the current Charter mandates that Town Council members shall take office on July 1 following the election; and

WHEREAS, the current Charter further mandates that the Town Council shall select its mayor and vice mayor at the first Council meeting in July following the election; and

WHEREAS, elections are now held in November rather than in May;

WHEREAS, a properly advertised Public Hearing was held to provide for public comment regarding this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Port Royal Town Council on this the 15th day of November, 2016, that the Town requests the General Assembly to amend the Port Royal Town Charter as follows:

1. Paragraph 3.1.C: In ~~1998~~ 2018 and every two years thereafter, on the dates specified by general law for municipal elections, all members of the council shall be elected for terms of two years each. The persons so elected shall qualify and take office on ~~July 4~~ January 1 following their election, and they shall continue to serve until their successors are duly elected, qualify and assume office.
2. Paragraph 3.2: Mayor. At its first meeting in ~~July~~ January of every ~~even-numbered~~ odd-numbered year, the council, by majority vote, shall select from its membership one member to serve as mayor. The mayor shall preside at meetings of the council and shall be recognized as head of the Town government for ceremonial purposes and by the governor for the purposes of military law. He shall have the same powers and duties as other members of the council with a vote, but no veto powers.
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James T. Heimbach, Mayor

Date

ATTESTED: _____
M. Therese Harrison, Town Clerk

Water Application & Deposit Report:

Mayor Heimbach reported that the County has shared with him via e-mail that they have received 93 applications, of which 82 are active and 11 are suspended accounts as provided for by the Town Ordinance. There are 7 business accounts and 75 residential accounts. Mayor Heimbach stated the County will begin billing in December for November water usage. He noted that the Town Clerk will send bills for October water usage and he has requested the County to share the names and addresses of registered water customers, which is more complete than the Town's existing records. Reports monthly will be requested from the County for the Town Council Meetings.

Festival Committee Update:

Monica Chenault reported on the Veteran's Memorial Dedication. The event was well attended with 100 plus people. Monica reported that the stage is on permanent loan to the Town from Stafford County and is presently stored in Vivian Motley's garage. It is made of particle board, and needs to be kept dry. She stated that the stage is very heavy and will require paid staff to move it and set it up in the future. Monica thanked Phyllis Sue Carpenter for handling the refreshments. Bill Henderson stated, "It was a proud day for Port Royal and a proud day for America".

Planning Commission Report:

Monica Chenault reported that the Planning Commission meeting met last month and a full quorum was seated. Also in attendance were the Interim Town Manager, Steve Crosby, Town Clerk, Terri Harrison, and the Town Building Official, Kevin Wightman. There presently are 6 members serving: Monica Chenault, Chairman, Rick Chenault, Robert Bryan, Cleo Coleman, Charles McGuire, Thomas Golden. There is a vacancy to be filled on the Planning Commission if anyone knows of someone wishing to serve. The Commission at their last meeting decided to begin work on creating a R3 Zoning, which would allow for townhouses. The Commission meets on the 4th Monday of each month in the Town Chambers at 7:00 pm.

Maintenance Specialist:

The Council entertained a rather lengthy discussion on the Town Maintenance Specialist. JP Wilkerson stated that he still has to speak to one of the applicants. JP requested that the job description be revised to include the pay rate of \$175.00 per month salary and \$15.00 per hour for jobs outside the scope of work outlined on the maintenance specialist job description. The Council discussed requesting from the applicants proof of insurance on their vehicle, copy of their vehicle registration, and a background check. It was finally decided that since this position is to be filled by an independent contractor rather than a Town employee, information about insurance and vehicle registration is not required. Mr. Wilkerson was given authority to select the independent contractor for the position.

Water Line to back of the Town Hall:

Bill Henderson stated the only hold up now is determining where the cut-off is to the Town Hall. Jim Heimbach stated he will ask the County Public Utilities department if they had located this during their efforts to locate water meters and get back to Bill Henderson.

Streetlights:

Tabled

NEW BUSINESS

Appointment of the Town of Port Royal Zoning Administrator:

Steve Crosby, Interim Town Manager, stated the Town needs to officially appoint a Zoning Administrator. He has spoken to Kevin Wightman, who has been acting in this capacity already for the Town, and Mr. Wightman has agreed to be the official Town Zoning Administrator if he is given the proper paperwork and Zoning Ordinance.

Upon motion by Mr. Henderson, with a second by Mrs. Fortune, Council voted to appoint Mr. Kevin Wightman as the Town of Port Royal Zoning Administrator. Compensation will be based upon the equivalent of the annual fees collected from the Zoning Applications. Voting Aye: Henderson, Carpenter, Wilkerson, Fortune, and Heimbach. Voting Nay: Mills and Chenault.

Building Inspections:

Interim Town Manager Steve Crosby introduced to Council a recommendation that the Town Council move to elect not to administer and enforce the Uniform Statewide Building Code and turn the Building Permit Application process over Caroline County to administer. The Council entertained a lengthy discussion on this recommendation and tabled the item until after the Town could hold a Public Meeting to allow citizens to comment. The item will be added to the next regular Town Council meeting and a sign will be placed in the Post Office alerting citizens that a Public Meeting will be held prior to the December meeting to allow for citizens to make comments and ask questions. Notice will also appear on the Town's Facebook page.

Loan Resolution for Rural Development Water Loan

Upon motion by Ms. Mills, with a second by Mrs. Carpenter, Council voted to approve the Loan Resolution for the Rural Development water Loan. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

Resolution of Governing Body Regarding Rural Development Covenants:

Upon motion by Ms. Mills, with a second by Mrs. Carpenter, Council voted to approve the Resolution of Governing Body Regarding Rural Development Covenants. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

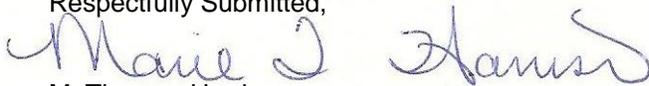
Closing Remarks:

Council was reminded that Santa and the Annual Tree Lighting will be held December 9th from 5:30 to 8:30 at the Fire House.

Mayor Heimbach stated that due to the length of the discussion from the agenda, the Closed Session will be placed on the December Agenda.

The meeting was adjourned at 10:15 on motion by Ms. Mills and second by Ms. Chenault.

Respectfully Submitted,


M. Therese Harrison
Town Clerk

I certify that this is a true and correct record of the November 15, 2016, meeting of the Port Royal Town Council.


M. Therese Harrison, Town Clerk

November 20, 2016
Date