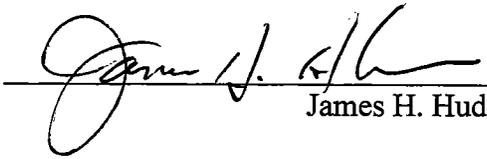


**WEST POINT TOWN COUNCIL
WORK SESSION
MINUTES
February 22, 2010**

I. Divin' off the Dock

Mr. Funkhouser advised that Diane Rilee has accepted the counter offer from the Town to purchase the building located at 417 6th Street for \$60,000. Mr. Funkhouser asked permission to advertise for a public hearing at the March 29th 2010 Town Council Meeting.

Mr. Hudson advised that a request to advertise a public hearing for Divin' off the Dock will be placed on the Town Council agenda.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
FEBRUARY 22nd, 2010**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, February 22, 2010. The Honorable James H. Hudson III called the meeting to order at 7:30 p.m. Reverend Betsy Basehore gave the Invocation followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Charlie Gordon; Tina Gulley; Wayne Healy; Jack Lawson; Gail Nichols and Bub Shreaves.

Also Present: Trenton L. Funkhouser, Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Bill Hodges, Chief of Police; Holly McGowan, Community Development Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Semi-Pro Adult Basketball Team

Mrs. Frazier advised the Virginia Wolverines is a Semi-Pro Basketball Team that is based in West Point and travels along the east coast on weekends for basketball games. The Eastern Basketball Alliance was established in 1946 and is one of the longest running professional minor leagues in America. The players are pro-players that have not made it to the NBA. Mrs. Frazier invited Town Council to the next game on Sunday, February 28, 2010 at 4:00 pm at West Point High School when the Wolverines will play the Nova Hawks.

B. Arts Alive

Andy Conklin, representative of Arts Alive thanked Town Council for supporting Arts Alive with matching grant funds for the visual arts program. Arts Alive has approximately eighty volunteers that work to provide five performances each year at the W.T. Robinson/Sture G. Olsson Civic Auditorium and Fine Arts Center, workshops and art exhibits.

Lauren Sheppard, volunteer for Arts Alive advised that Arts Alive is committed to securing quality programming that requires sponsors and funding. This year Arts Alive will be offering a scholarship to a graduating senior for performing arts.

Mr. Hudson advised the Town had begun the budget process for FY 2010-11 and that the Town would consider maintaining the current funding.

C. YMCA Annual Report

Sean Cogan, Director of West Point YMCA, presented Town Council with a power point presentation and advised the West Point YMCA has 765 members and raised approximately \$110,000 in community support, approximately 42% of the members pay full membership and 58% receive financial assistance. Mr. Cogan reviewed some of the programs and assistance administered to the community.

D. Public Hearing – Vacate 13th Street/ West Point Pharmacy

Mr. Hudson advised that VDOT and King William County had already approved to Vacate 13th Street. Mr. Hudson asked John Crowder if he would like to address Town Council.

John Crowder advised that Blair Wilson is the engineer working on the project and Mr. Wilson is available if Town Council has any questions.

Mr. Hudson read the advertisement and asked the Town Clerk if any one requested a copy of the ordinance, submitted comments in writing or asked for assistance to attend the public hearing.

The Town Clerk advised there are letters from John Crowder and Bobby Wilson attached to the Town Council packet.

Mr. Hudson opened the floor for citizens to comment on the request by West Point Pharmacy for Town Council to vacate a portion of 13th Street. There being none the public hearing was closed.

1. Action on the Request to Vacate 13th Street East of Lee Street

Mr. Healy made a motion to approve the vacation of 13th Street to West Point Pharmacy for \$25,000 contingent upon the following three conditions:

- a) This approval shall become effective and operative at such time as the Commissioner of the Virginia Department of Transportation shall have notified this Council and the Commonwealth Transportation Board that the right of way for the portion of 13th Street ordered abandoned on November 23, 2009, by the King William County Board of Supervisors, is deemed no longer necessary for transportation purposes, as prescribed by §33.1-154 of the Code of Virginia, 1950, as amended, and such certification shall have been subsequently attached hereto in the minutes of this Council.
- b) The applicant shall reserve unto the Town of West Point and Hampton Roads Sanitation District an easement for the planning, placement, installation, repair, maintenance, and replacement of utilities upon, above and beneath the said street;
- c) West Point Properties, LLC, will be responsible for providing all legal documents subject to Town Approval and will record those documents at its expense.

Upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

E. Ordinance 01-10 / Park Use Regulations

Mr. Hudson read the advertisement and asked the Town Clerk if any one requested a copy of the ordinance, submitted comments in writing or asked for assistance to attend the public hearing.

The Town Clerk advised no request were received.

Mr. Hudson opened the floor for citizens to comment on Ordinance 01-10, there being none the public hearing was closed.

F. Citizens Address to Council

Mr. Hudson opened the floor for citizens to address Town Council on any Town related business.

Erica Hensley, 230 Ogden Street, West Point, Virginia asked what the status is on the request for a speed hump on Ogden Street.

Mr. Funkhouser advised the Area Manager for VDOT is reviewing the request and VDOT's process to resolve the issue.

Ms Hensley asked who she would contact to conduct a community youth group gathering at the Town Square.

Mr. Funkhouser advised he would be able to assist Ms. Hensley with her request and Holly McGowan the director of Community Development would be able to assist with the permit process.

Mr. Hudson asked if there was any one else that would like to address Town Council. There being none, Mr. Hudson closed the Citizens Address.

III. COUNCIL RESPONSE

None were noted.

IV. AGENDA CHANGES

Mrs. Gulley made a motion to adopt the following agenda changes: 1) Delete Parking Resolution from the Public Safety agenda. 2) Request Authorization for Advertisement for a Public Hearing for Divin' off the Dock. Seconded by Mrs. Ball, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

V. ADOPTION OF CONSENT AGENDA

Mrs. Gulley made a motion to adopt the following consent agenda, seconded by Mr. Gordon. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

- 1) Minutes of January 25, 2010 Town Council Meeting and Work Session
- 2) Cash Reports
 - a) General Fund
Cash on hand as of January 31, 2010 - \$4,096,830.52
 - b) Water Fund
Cash on hand as of January 31, 2010 - \$949,268.63
 - c) CIP
Cash on hand as of January 31, 2010 - \$802,231.84
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of January 31, 2010 - \$390,048.24
- 5) West Point Monthly Police Activity Report
- 6) Building Official Monthly Report
- 7) Public Works Monthly Permit Report
- 8) Community Development Monthly Permit Report
- 9) Treasurer Monthly Report
- 10) Economic Development Monthly Report

V. COMMITTEE REPORTS

A. Public Safety – Mrs. Gulley reported for the Committee.

1. Park Use Ordinance 01-10

Mrs. Gulley made a motion for Town Council to approve Ordinance 01-10, seconded by Mr. Gordon. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

B. Finance Committee – Mrs. Ball reported for the Committee

Mrs. Ball advised there was nothing to report.

C. Education Committee – Mrs. Nichols reported for the Committee

Mrs. Nichols advised there was nothing to report.

D. Public Works – Mr. Gordon reported for the Committee

1. Annual Engineering Services Contracts

Mr. Gordon made a motion to accept two proposals for Annual Engineering Services Contracts and award contracts to Mitchell-Wilson Associates, P.C. and Bay Design Group and to authorize the Town Manager to execute all documents associated with this award subject to review by the Town Attorney, seconded by Mr. Lawson. Upon

roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

E. Economic and Community Development – Mr. Lawson reported for the Committee

1. Text Amendment Referral to Planning of Child Care Centers as a Permitted Use in R-1 Zoning District

Mr. Lawson made a motion to refer to the Planning Commission the review of Section 70-103, Permitted Uses and Structures to allow day care centers as a permitted use with a special use permit in the R-1 Zoning District, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

2. Fair Housing Resolution for Kirby Street CDBG Grant

Mr. Lawson made a motion for Town Council to adopt the Fair Housing Resolution attached, seconded by Mrs. Gulley. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

VII. TOWN MANAGER'S ITEMS

A. Request Authorization to Advertise for a Public Hearing for Sale of Divin' off the Dock Property.

Mr. Funkhouser advised the Divin' off the Dock tenants wish to proceed with the purchase of 417 6th Street for \$60,000, a public hearing is required prior to the disposition of public land.

Mr. Healy made a motion to authorize the Town Manager to advertise a public hearing for March 29, 2010 at 6:30 pm, seconded by Mr. Lawson. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

VIII. OLD BUSINESS

There was nothing to report.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised at the Planning Commission regularly scheduled monthly meeting on February 3, 2010, Planning Commission conducted a public hearing on Case # PL2010-01, West Point Pharmacy and submitted a recommendation to Town Council.

B. Closed Session

Mr. Shreaves made a motion to enter into closed session pursuant to Virginia Code §2.2-3711(A)(1) for the discussion or consideration of the performance and/or evaluation of the Town Manager and Chief of Police. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

RECONVENE

Mr. Lawson made a motion to reconvene into the open session, seconded by Mrs. Gulley. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

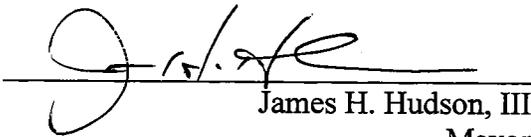
CERTIFICATION

Mrs. Gulley made a motion that Town Council certify that in closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under

the provisions of the Virginia Freedom of Information Act cited in that motion. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

X. ADJOURNMENT

There being no further business, Mr. Hudson adjourned the meeting.


James H. Hudson, III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk

FAIR HOUSING RESOLUTION
TOWN OF WEST POINT, VIRGINIA

WHEREAS, the Town of West Point is committed to affirmatively further fair housing as part of the Town's Kirby Street Community Development Block Grant project; and

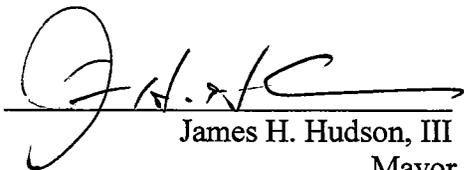
WHEREAS, the Virginia Fair Housing Law prohibits discrimination in housing because of race, color, religion, sex, national origin, elderliness, familial status, or handicap; and

WHEREAS, Virginia's Fair Housing Law prohibits certain types of practices related to trying to rent an apartment, buy a house, obtain a mortgage or home-owner's insurance; and

WHEREAS, some of these practices include steering home seekers to specific neighborhoods; attempting to blockbust a neighborhood due to an alleged influx of "certain" people; falsely denying housing is available for sale or rental; refusal to sell, rent, negotiate for or finance housing; setting different terms for sale, rental or financing of housing; denying participation in a multiple listing service; and intimidation or interference in buying or renting housing.

NOW THEREFORE, if a resident of the Town of West Point believes he or she has been the victim of housing discrimination the Town hereby urges that individual to exercise their legal right to an investigation of the matter by contacting the Department of Professional and Occupational Regulation Fair Housing Office and filing a housing complaint.

Date: 2/22/10


James H. Hudson, III
Mayor

ATTEST: Karen M. Barrow
Karen M. Barrow
Town Clerk