

**TOWN COUNCIL
WORK SESSION
Minutes
December 14th, 2009
5:30 pm**

I. Divin' off the Dock

Mr. Funkhouser advised he had received a purchase offer from Diane Rilee for 417 6th Street of \$45,500 that includes the shed. The assessed value of the property is \$65,000 and the appraisal is \$66,000. Ms. Rilee estimates roof repairs and other construction repairs at \$12,616.

The consensus of Town Council is for the Town Manager to submit a counter offer to Diane Rilee of \$60,000 and Ms. Rilee would be responsible for repairs to the building.

II. Pizza Hut

Mr. Funkhouser advised the Town had received a counter offer from VDOT for the old Pizza Hut property of \$90,000, the size of the lot is .294 of an acre or approximately 13,000 square feet.

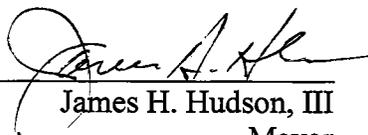
The consensus of Town Council is for the Town Manager to submit a counter offer to VDOT of \$75,000.

III. Mennel Milling Company

Andrea Erard advised that in order to remain competitive and to maintain the supply of demand the Mennel Milling Company needs to build two new grain bins 100 feet tall, eventually the office would be demolished and moved to another location on Pamunkey Avenue.

Charlie Gordon advised he had concerns with the condition of the road with mud, the smell of fermented grain and the grass cutting. Mr. Gordon suggested stipulations and conditions be implemented to assist with the aesthetics of the area and to maintain better road conditions.

Linda Smith of Mennel Milling Company advised the grass is cut and maintained, the grass along the railroad does not belong to Mennel Milling Company, it belongs to the Railroad, but Mennel Milling would be willing to cut the grass. The smell of the fermenting grain will also be around. There has been so much rain when we put gravel on the road it sinks in the mud, Mrs. Smith asked if the Town could sweep the street.


James H. Hudson, III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
December 14, 2009**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, December 14, 2009. The Honorable James H. Hudson III called the meeting to order at 6:33 p.m. Reverend Nancy Summerlin gave the Invocation followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Tina Gulley; Charlie Gordon; 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; Shawn Hershberger, Economic Development Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Proclamation [*See Attached Proclamation*]

Mr. Hudson read a proclamation in the memory of the late Julie Bohannon and dedicated a Cherry Tree in her memory at the Town Square.

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

B. Public Hearing – Special Use Permit for Mennel Milling Company of Virginia

Mr. Hudson read the advertisement and asked the Town Clerk if the Town received a request for special assistance, submitted a letter in writing or asked to view the application.

The Town Clerk advised no request were received.

Mr. Hudson asked the Mennel Milling Company if they had any comments.

Linda Smith, Mennel Milling Company, 3100 Southern Avenue, West Point, Virginia advised that the grain bins need to be ordered by the middle of January to receive the order by August. The grain bins need to be constructed and ready to use by the next harvest season. Mrs. Smith showed Town Council the current route the trucks take through the granary during delivery. Mrs. Smith also stated that a Plan of Development would be required to move the location of the office.

Mr. Gordon asked where the office was going to be relocated.

Mrs. Smith advised the office would be moved to Pamunkey Avenue.

Mr. Gordon advised he had concerns with the lighting in the area due to members of the public walking and Jogging through the area at night and early in the morning.

Mrs. Smith asked what the Town would like Mennel Milling Corporation to do regarding the lighting.

Blair Wilson asked Mr. Gordon if the concern for lighting was on Southern Avenue.

Mr. Gordon advised yes.

Blair Wilson advised the street lights would be a VDOT issue and that VDOT has requirements for Street lighting.

Mr. Funkhouser advised he would review the lighting in the area.

Mr. Healy asked if after the office was moved, would the delivery trucks need to drive down Magnolia Avenue or Southern Avenue to reach the granary.

Mrs. Smith advised the trucks would still use Pamunkey Avenue for delivery.

Mr. Hudson advised that Planning Commission suggested approval of the application contingent upon seven conditions as follows:

1. This Special Use Permit and all conditions listed below are for the construction of a Grain Storage Tank, not to exceed 100.88 feet in height and associated facilities necessary for the operation of such facility on Parcels 63A3-7-15A & 16. A height limit of 100.88 feet is approved in accordance with Section 70-295. Development of the structures approved as part of this Special Use Permit shall be in accordance with the Plan of Development prepared by Mitchell-Wilson Associates, P.C. and dated November 10, 2009. This Special Use Permit and all conditions listed herein shall run with the land but may be revoked by the Town of West Point for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.
2. The site shall be limited to one entrance with Pamunkey/Southern Avenue (Southern Railway Right-of-Way) but may share access with adjacent parcels owned by The Mennel Milling Company of Virginia, Inc. Any future entrance improvements shall meet the standards of the Virginia Department of Transportation and be installed at the expense of the applicant.
3. Any outside storage, waste disposal and recycling facilities shall be screened from view by height appropriate opaque fencing and/or landscaping.
4. Any light fixtures on the site shall be horizontally mounted with no lens or bulb extending below the casing. Any free-standing light poles shall be no taller than twenty-five (25) feet in height and shall not cast glare or other objectionable light on any adjacent property or roadway. Any lighting mounted to the grain storage tank shall be top shielded and shall not cast glare or other objectionable light on any adjacent property or roadway.
5. All vegetated areas outside the proposed limits of clearing and grading shall remain as undisturbed open space but may be modified consistent with applicable local and state regulations.
6. All site improvements shall be installed or bonded for installation and in amount proofed by the Town and the bond shall be obtained at the applicant's expense and shall be consistent with the conditions of this Special Use Permit and the associated Plan of Development. Final Building Permit Inspections shall not be approved until the Zoning Administrator inspects the site and determines compliance with the preceding conditions and applicable local regulations.
7. The structural design of the facilities shall address instantaneous failure of the structure and the impact of the grain on adjacent properties.

Mr. Hudson opened the public hearing for the citizens to comment on the Special Use Permit request by Mennel Milling Company. There were no comments submitted by the public. Mr. Hudson closed the public hearing.

Mr. Hudson asked Town Council if they had any comments regarding the application.

Mr. Gordon asked when would the Plan of Development would be available for the relocation of the office.

Blair Wilson advised the POD should be ready for Town Staff review in February 2010.

Mr. Gordon asked to review the plans when they are available.

i. Action on Case 1109-SUP-01/Mennel Milling Corporation

Jack Lawson made a motion for Town Council to approve the Special Use Permit application submitted by the Mennel Milling Corporation of Virginia and the associated Plan of Development prepared on November 10, 2009 by Mitchell-Wilson Associates, with the conditions listed above, seconded by Mrs. Gulley. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye". Mr. Gordon advised there is not enough information provided on the project and voted "Nay".

C. Citizens Address to Council

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

III. COUNCIL RESPONSE

None were noted.

IV. AGENDA CHANGES

No changes were made to the agenda.

V. ADOPTION OF CONSENT AGENDA

Mr. Lawson made a motion to adopt the following consent agenda, 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".

- 1) Minutes of November 30, 2009 Town Council Meeting and Work Session
- 2) Cash Reports
 - a) General Fund
Cash on hand as of November 30, 2009 - \$5,082,752.82
 - b) Water Fund
Cash on hand as of November 30, 2009 - \$6,925,711.17
 - c) CIP
Cash on hand as of November 30, 2009 - \$915,570.14
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of November 30, 2009 - \$385,692.87
- 5) West Point Monthly Police Activity Report
- 5) Building Official Monthly Report
- 6) Public Works Monthly Permit Report
- 7) Zoning Administrator Monthly Report
- 8) Treasurer Monthly Report
- 9) Economic Development Coordinator Report

V. COMMITTEE REPORTS

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

1. HB599 Resolution [*See Attached Resolution*]

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

2. Safe Routes to School – 2009 Application [*See Attached Resolution*]

Mrs. Gulley made a motion to adopt the attached resolution authorizing the Town Manager to submit a 2009 application to the Safe Routes to School program

administered by the Virginia Department of Transportation and the application shall include Bagby Street, the remaining future phases of sidewalks on Thompson Avenue, Mattaponi Avenue, Chelsea Road and Magnolia Avenue. 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".

B. Finance Committee

Mrs. Ball advised there was no report.

C. Education Committee

Mrs. Nichols advised there was no report.

C. Public Works

Mr. Gordon advised there was no report.

D. Community Development

Mr. Lawson advised there was nothing to report.

VII. TOWN MANAGER'S ITEMS

Mr. Funkhouser advised there was nothing to report.

VIII. OLD BUSINESS

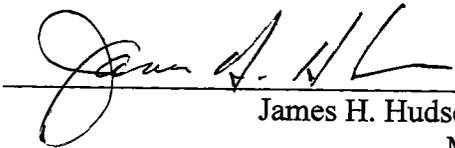
IX. NEW BUSINESS

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised the following were action items of the Planning Commission regularly scheduled monthly meeting on December 2, 2009: 1) Planning Commission conducted a public hearing on Case # 1109-SUP-01. Submitted a recommendation to Town Council contingent upon seven condition of approval.

X. ADJOURNMENT

There being no further business, Mr. Hudson adjourned the meeting at 7:00 pm.


James H. Hudson, III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk



***A RESOLUTION TO SUPPORT CONTINUED
STATE AID TO LOCALITIES WITH POLICE
DEPARTMENTS (599 PROGRAM FUNDS)***

WHEREAS, the commonwealth of Virginia is considering reducing or deleting 599 program funds in the upcoming fiscal year to reflect the downward projection of revenues; and

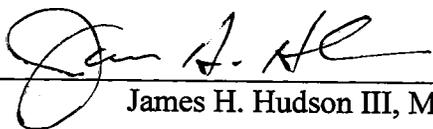
WHEREAS, Section 9.1-169 and 9.1-170 of the Virginia Code determines the formula for distribution of these funds; and

WHEREAS, it is suggested that the General Assembly and governor comply with this statute in this regard:

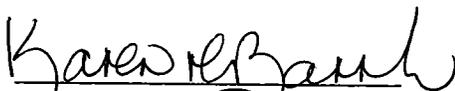
NOW, THEREFORE, BE IT RESOLVED, that any reductions or deletion to the 599 program greatly impacts the Town of West Point as allocations derived from this program are used to maintain Town basic police services:

BE IT FURTHER RESOLVED, that West Point Town Council directs the Town Manager to mail a true copy of this adopted resolution to Delegate Harvey Morgan, Delegate Chris Peace and Senator Ryan T. McDougal.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held December 14th, 2009 at which meeting a quorum was present and voted throughout.


James H. Hudson III, Mayor

ATTEST:


Karen M. Barrow
Town Clerk

**RESOLUTION DIRECTING THE TOWN MANAGER TO REQUEST
USE OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S
SAFE ROUTES TO SCHOOL PROGRAM FUNDING**

WHEREAS the Virginia Department of Transportation has requested applications to compete for grant funding; and

WHEREAS Safe Routes to School funds can be requested to plan for and construct infrastructure not to exceed \$500,000 per proposed project; and

WHEREAS the Town has received \$220,000 for Phase I improvements to complete sidewalk construction and new signage and crosswalk installations on three sides of the block surrounding the West Point Public Schools including sections of Thompson Avenue, Chelsea Road and Mattaponi Avenue; and

WHEREAS a 2009 application will be submitted describing the proposed projects that relate to safe routes to school planning, estimated costs, expected tasks and the end products of the proposed projects to utilize funds for the benefit of the Town of West Point and the West Point Public Schools; and

WHEREAS the 2009 application will request up to \$400,000 to install sidewalks, crosswalks and associated signage for portions of Bagby Street, Thompson Avenue, Chelsea Road, Mattaponi Avenue and Magnolia Avenue.

NOW, THEREFORE BE IT RESOLVED by the Town Council that the Town Manager is directed, for and on behalf of the Town of West Point, to furnish such documents and other information as may be required to qualify for authorization under the agreement with the Department and to administer such funds made available.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held December 14, 2009 at which meeting a quorum was present and voted throughout.

ATTEST:


Karen M. Barrow
Town Clerk



**PROCLAMATION IN MEMORY OF
JULIE S. BOHANNON**

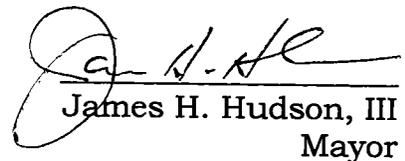
WHEREAS, Julie Bohannon served the Town of West Point as Town Treasurer from July 11, 1988 through September 30, 1993; and

WHEREAS, Julie Bohannon gave freely of her time as an active member of West Point Kiwanis, serving as President from 2000 through 2001 and Lt. Governor for Kiwanis Capital District, Division Four, Heart of Virginia Region from 2005 through 2006, and was nominated by West Point Kiwanis Club to be an honorary member of Kiwanis "George F. Hixon Fellowship"; and

WHEREAS, Julie Bohannon spent her entire life in service to her family, the West Point Community and surrounding areas, as a mother, a caring neighbor and an exemplary citizen.

NOW, THEREFORE LET IT BE PROCLAIMED that the Town Council of the Town of West Point expresses its sincere appreciation for Julie Bohannon's exceptional leadership and tireless community service to the Town of West Point and surrounding area, and accepts and dedicates a cherry tree at the Town Square in memory of Julie Bohannon.

Certified to be a true copy of a proclamation adopted by the Town Council of the Town of West Point at its regular monthly meeting held December 14th, 2009 at which meeting a quorum was present and voted throughout.


James H. Hudson, III
Mayor