

**WEST POINT TOWN COUNCIL
WORK SESSION
MINUTES
March 29, 2010**

I. Historical Society

Several members of the Historical Society came before Town Council to request \$100,000 funding towards the purchase of property for a museum.

Mr. Hudson asked the Historical Society if they had submitted any grant request to the State for assistance with funding.

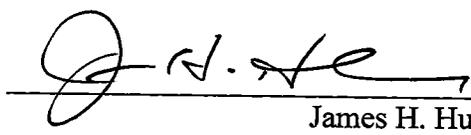
Bill Palmer advised they had not prepared grant applications at this point, however it would be an investment for the Town to assist with funding to establish a museum.

Ty Bland advised there are several pieces of property available for sale that are suited for a museum.

Mr. Hudson stated that the Town is currently reviewing the budget for FY 2010-11 and suggested the Historical Society submit their request in writing to be considered with the current budget process.

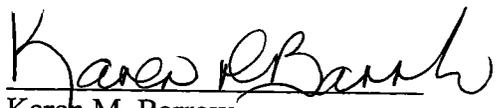
II. Changes to the Agenda

Mr. Hudson advised there are two items that need to be added to the Town Council agenda. 1) A resolution for the 40th anniversary of the Good Neighbor Center. 2) A Proclamation in Memory of James T. Jordon.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
March 29, 2010**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, March 29, 2010. The Honorable James H. Hudson III called the meeting to order at 7:30 p.m. Reverend Nancy Summerlin 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; Shawn Hershberger, Economic Development Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Public Recognition

1. James T. Jordan [*See Attached Proclamation*]

Mrs. Ball read a proclamation in memory of James T. Jordan for his dedication as a business owner for almost 40 years in West Point.

2. Good Neighbor Center [*See Attached Resolution*]

Mrs. Nichols read a resolution thanking the Good Neighbor Center and Ministerial Association for providing a Community Service to the West Point area residents.

B. Public Hearing – Divin' off the Dock

Mr. Hudson read the public hearing ad for the proposed sale of 417 6th Street and asked the Town Clerk if any of the following request were received: 1) Written comments. 2) Inquiries regarding the request. 3) Any request for assistance to attend the public hearing.

The Town Clerk advised one inquiry was received from Mrs. Joan Coven, 525 Lee Street. Mrs. Coven had asked about the zoning. No other request or inquiries were received.

Mr. Hudson opened the floor for citizens to comment on the public hearing.

1. Joan Coven, 525 Lee Street, West Point, Virginia advised she has concerns with the zoning of Divin' off the Dock and the zoning of the residential homes on 6th Street. Mrs. Coven suggested the property be zoned residential to comply with the neighborhood and that Divin' off the Dock should be located on Main Street with other commercial businesses.

2. Elaine Mayer, 423 6th Street, West Point, Virginia advised she lives next door to Divin' off the Dock. Ms. Mayer stated the owners of the business have not been easy to get along with, they do not attempt to communicate with residents on 6th Street, and some issues had occurred that were not handled very professionally. The residential area on 6th Street is not the best location for a commercial business. Ms. Mayer stated that she was told a fence would be built

between the business and her home, the fence has not been built and the owners of Divin' off the Dock have called animal control on Ms. Mayer's dog creating dog issues.

3. Bill Sexton, 316 6th Street, West Point, Virginia advised he lives across the Street from Divin' off the Dock. Mr. Sexton stated the building is a house, it has a kitchen and bathroom and should be zoned residential, \$60,000 is an inexpensive amount of funds for a person to buy a home. Mr. Sexton also stated that something else should be done with the build before a commercial business is established. The customers from Divin' off the Dock are not necessarily friendly, they leave trash and cigarettes on the ground for area residents to clean up.

4. Paul Kelly, 324 5th Street, West Point, Virginia, representing the owners of Divin off the Dock asked if the zoning was clear on the property.

Mr. Funkhouser advised yes, the zoning was clear and already in place prior to establishing Divin' off the Dock.

Mr. Kelly stated the owners had done improvements to the property and the business brings revenue to the Town. Mr. Kelly asked Town Council to approve the sale of the property.

Mr. Healy advised he purchase his home twenty-two years ago, the property was zoned Downtown Business and Divin' off the Dock has been zoned Downtown Business for as long as Mr. Healy's home.

a. Action on Sale of 417, 6th Street.

Mrs. Ball made a motion for Town Council to approve the sale of 417 6th Street for \$60,000 with the prospective purchasers paying all closing costs. Seconded by Mrs. Nichols, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Lawson, Mrs. Nichols and Mr. Shreaves voted "Aye", Mr. Healy Abstained from voting.

C. Public Hearing – CitySwitch SUP-2010-01

Mr. Hudson read the advertisement and asked the Town Clerk if any of the following request were received: 1) Written comments. 2) Inquiries to review the application. 3) Any request for assistance to attend the public hearing.

The Town Clerk advised no request were received.

Mr. Hudson advised that Planning Commission conducted a public hearing and recommends Town Council approve the application contingent upon the eleven recommendations submitted in the staff report.

Mr. Hudson opened the floor for citizens to comment on CitySwitch Special Use Permit 2010-01.

1. Lucy Edwards, 222 12th Street, West Point, Virginia advised she is opposed to the Special Use Permit and the method of construction of the Tower. Ms. Edwards asked Town Council to decline the application.

Mr. Hudson thanked Ms. Edwards for her attendance at all of the CitySwitch public hearings.

2. Marshall Hazlehurst, Representative for Norfolk Southern Railroad/CitySwitch, reviewed the eleven conditions recommended by the Planning Commission and advised the work would commence upon approval of the Special Use Permit.

Mr. Hudson asked if any else would like to comment on the request by CitySwitch. There being none, the public hearing was closed.

a. Action on SPU – 2010-01

Mr. Lawson made a motion to approve Special Use Permit SUP-2010-01 submitted by Norfolk Southern Railroad/CitySwitch, LLC., contingent upon the following conditions:

1. Comply with all Federal, State, and Local laws and regulations.
2. Provide proof of liability insurance in an amount not less than \$1,000,000.00.
3. The wireless providers shall be required to provide a copy of their license by the FCC.
4. The applicant shall post bond for a two-year period following approval of this facility, in the amount of not less than \$1,000.00 to cover the cost of maintaining, landscaping/screening of the facility.
5. The applicant shall be responsible of maintain the fencing and landscaping around the equipment compound.
6. The site shall include a landscaping plan, designed by a licensed landscape architect. The plan shall include a planting list of the type, planted size, and quantity of plantings. All plantings shall be implemented in strict accordance with the landscaping plan and all plantings shall be maintained at all times. Any plants that die shall promptly be replaced. The landscape plan shall be limited to the eastern boundary with an emphasis on providing a visual buffer to the greatest extent possible for the neighbors. The landscape plan shall be reviewed by the Director of the Community Development and the two members of the Planning Commission whose occupation is forestry.
7. The facility shall not bear any signs or advertising devices other than certification, warning, or other legally required seals or signage.
8. One sign shall be attached to the fence with contact information and phone number in case of an emergency.
9. There shall be appropriate lighting on the tower according to the standard aviation requirements and as it applies to the site, and all lighting, to the extent permitted by law, shall be deflected downwards and away from road rights-of-way, and shall not create a nuisance to the traveling public or adjoin neighbors or landowners.
10. No hazardous materials shall be stored on site other than items normally found in such facilities.
11. Painting of the tower a neutral color permitted by the FAA. (Mr. Harbour has indicated that the tower will be painted grey.)

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

D. Citizens Address to Council

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

1. Glen Covan, 525 Lee Street, West Point, Virginia stated that he is not sure what the purpose is when Town Council decided to conduct a public hearing on the issues presented tonight, one would have thought that a public hearing would occur prior to a decision clearly being made.
2. Bernard Lee, 280 Ogden Street, West Point, Virginia stated that VDOT had been conducting work on Ogden Street for line painting as part of controlling the speeding traffic. Mr. Lee asked what the cost difference would be for the line painting versus the cost of the speed hump.

Mr. Hudson asked the Town Manager if he knew the cost difference.

Mr. Funkhouser stated that VDOT are advising the line painting will slow down the speeding traffic and that would check to see if VDOT can provide pricing information.

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

III. COUNCIL RESPONSE

No comments were noted.

IV. AGENDA CHANGES

No changes were made to the agenda.

V. ADOPTION OF CONSENT AGENDA

Mrs. Gulley 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 February 22, 2010 Town Council Meeting and Work Session
Joint Work Session with School Board March 9, 2010
Town Council Budget Work Session March 25, 2010.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of February 28, 2010 - \$3,630,907.23
 - b) Water Fund
Cash on hand as of February 28, 2010 - \$700,986.83
 - c) CIP
Cash on hand as of February 28, 2010 - \$5,086,211.42
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of February 28, 2010 - \$442,946.92
- 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.

Mrs. Gulley advised there was nothing to report.

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

1. Authorization to Advertise for a Public Hearing on FY 2010-11 Budget

Mrs. Ball made a motion to authorize the Town Manager to advertise a public Hearing on the Fiscal Year 2010-11 Budget for Monday, April 26th 2010 at 6:30 pm., 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".

- 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. Fencing at Town Square

Mr. Gordon made a motion to accept the proposal from Hercules Fence for \$14,785 and to authorize the Town Manager to execute and deliver the contract, 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".

2. Grass Cutting at Cemetery

Mr. Gordon made a motion for Town Council to award the Cemetery Grounds Maintenance Contract to Booker Maintenance Service commencing April 1, 2010 through March 31, 2013, 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

Mr. Lawson advised there was nothing to report.

VII. TOWN MANAGER'S ITEMS

Mr. Funkhouser report on the following items: 1) Artist at the Point will be on April 9th & 10th 2010. 2) The fence has been relocated at the ball fields and Youth Baseball games commence on April 17th 2010. 3) Springs' A Poppin' will be on May 1, 2010. 4) The EDA changed their meeting time and date to the 4th Wednesday of each month at 6 pm. 5) the BZA will now meet on the second Tuesday of each month at 6 pm.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

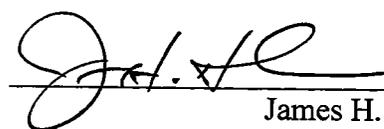
IX. NEW BUSINESS

1. Planning Commission Report - Mr. Hudson

Mr. Hudson advised that at the Planning Commission regularly scheduled monthly meeting on March 3, 2010 the Planning Commission conducted a public hearing on a request by CitySwitch for a Special Use Permit 2010-01 and submitted the recommendation as listed above.

X. ADJOURNMENT

There being no further business Mr. Hudson adjourned the meeting at 7:30 pm.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk



**WEST POINT TOWN COUNCIL
PROCLAMATION IN MEMORY OF
JAMES T. JORDAN**

WHEREAS, James T. Jordan was a life long resident of West Point and surrounding area operating a dry cleaning business for almost 40 years and specializing as a tailor; and

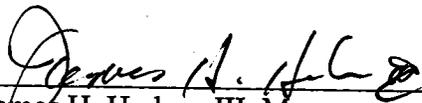
WHEREAS, James T. Jordan graduated from St. Paul's College in 1948 majoring in the art of Tailoring. James T. Jordan had a flair for style and was a majestic dresser, maintaining a professional appearance at all times; and

WHEREAS, James T. Jordan received overwhelming support from his wife of 59 years, Frances Jordan, two daughters Regina Jones and Arlette King; and

WHEREAS, James T. Jordan enriched the downtown business community through his abilities, personality and professionalism;

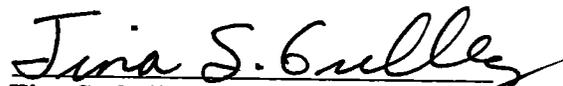
NOW, THEREFORE BE IT RESOLVED the Town Council of the Town of West Point expresses sincere appreciation to the late James T. Jordan and family for providing exemplary professional services to the West Point Community with great honor and distinction.

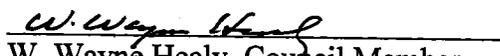
Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held March 29th, 2010 at which meeting a quorum was present and voted throughout.

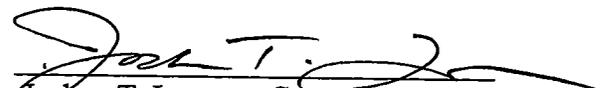

James H. Hudson III, Mayor

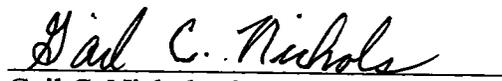

Deborah Thorne-Ball, Vice Mayor

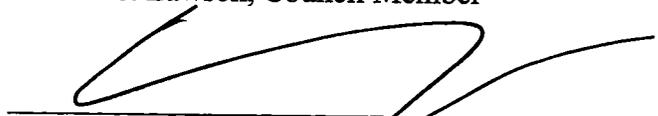

Charles D. Gordon, Council Member


Tina S. Gulley, Council Member


W. Wayne Healy, Council Member


Joshua T. Lawson, Council Member


Gail C. Nichols, Council Member


O. B. Shreaves, Council Member

West Point Town Council Resolution

Whereas the churches of West Point, led by the Revs. Henry Van den Boogaard, Marvin Kerby, Charles Sthresley, Norman West and others, banded together 40 years ago to consolidate their ministries to the “poor, old and sick;” and

Whereas this consolidation of outreach efforts resulted in the establishment of the *Good Neighbor Center*, which started and continues as a joint effort of churches under the auspices of the West Point Ministers’ Association; and

Whereas over the ensuing 40 years the *Good Neighbor Center*, from its location at Our Lady of the Blessed Sacrament Catholic Church, has served those in need living in the town of West Point or within a five-mile radius of West Point; and

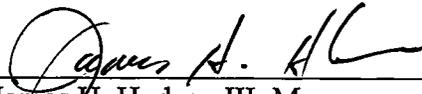
Whereas Mrs. Peg Conklin did faithfully serve as director for many years, retiring in 2004 and turning over the reins to Ms. Frances Thornton who continues to ably direct the work of the *Good Neighbor Center*; and

Whereas in 2010 the *Good Neighbor Center* served, on average, more than 100 needy individuals and families each and every month, distributing 78 bags of food and 38 bags of clothing each and every month along with countless household items; and

Whereas during 2010 the *Good Neighbor Center* offered financial assistance totaling nearly \$38,000; and

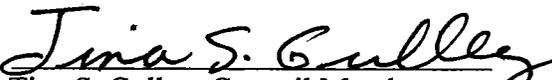
Whereas the *Good Neighbor Center* is staffed completely by faithful volunteers and is funded by the generous citizens, civic and charitable organizations, and churches of West Point;

Now be it therefore resolved that the West Point Town Council on this 29th day of March, 2010 does hereby recognize and commend the fine work of the *Good Neighbor Center*, the West Point Ministers’ Association, and the various churches, organizations, and citizens of this community for their faithful ministry and outreach to those less fortunate in our midst and we do heartily congratulate everyone involved in this charitable ministry, today and throughout the course of these past 40 years.

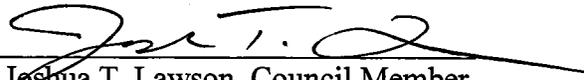

James H. Hudson III, Mayor

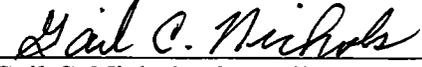

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