

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
June 25th, 2012**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, June 25th 2012. The Honorable James H. Hudson, III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Bob Collins followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Charlie Gordon; Tina Gulley; Paul Kelley; Jack Lawson; Bub Shreaves and Chris Vincent.

Also Present: John B. Edwards, Jr., Town Manager; Karen Barrow, Town Clerk; Chief Bill Hodges, WPPD; TC Moore, Town Treasurer; Walt Feurer, Director of Public Works; Holly McGowan, Community Development Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Resolution to Honor William Bill Hodges

Mr. Hudson read the attached resolution and thanked Chief Hodges for his leadership and years of service to the Town.

B. Presentation of Master Police Officer

Chief Bill Hodges advised the West Point Police Department would like to commission Eric Mitchell with Master Police Officer, Officer Mitchell has completed all the requirements for the position including additional college credits. Officer Mitchell's mother presented the Master Officer Badge.

C. Public Hearing – ITI Boundary Line Adjustment

Mr. Hudson read the Public Hearing advertisement and asked the Town Clerk if anyone had obtained a copy of the plat or asked for assistance to attend the public hearing.

The Town Clerk advised no requests were received.

Mr. Hudson opened the floor for citizens to comment on the request by ITI for a boundary line adjustment. There being none the public hearing was closed.

ACTION

Mrs. Ball made a motion to authorize the Town Manager to execute and deliver the boundary line adjustment with ITI prepared by Mitchell Land Surveying, LLC., dated April 16th 2012 to be recorded with King and Queen County. Seconded by Mr. Lawson, upon roll call Mrs. Ball; Mr. Gordon; Mrs. Gulley; Mr. Kelley; Mr. Lawson and Mr. Vincent voted “Aye” Mr. Shreaves was absent from voting.

D. Citizens Address to Council

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

- 1 William Bernard Lee, 284 Ogden Street, West Point, Virginia stated the curb on King William Avenue at the 23rd Street entrance to RockTenn is in bad repair and needs to be replaced. Mr. Lee also asked if the street sweeper can sweep King William Avenue to remove the dirt and debris caused by the mill.

Mr. Hudson advised that he and the Town Manager met with RockTen, the condition of the curb was discussed and will be repaired. Mayor Hudson also stated that the director of Public Works will review the street sweeping on King William Avenue.

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 was noted.

IV. AGENDA CHANGES

Mrs. Gulley made a motion to adopt the agenda as presented, seconded by Mrs. Ball. upon roll call Mrs. Ball; Mr. Gordon; Mrs. Gulley; Mr. Kelley; Mr. Lawson and Mr. Vincent voted “Aye” Mr. Shreaves was absent from voting.

Mr. Shreaves joined the meeting.

V. ADOPTION OF CONSENT AGENDA

Mr. Vincent made a motion to adopt the following consent agenda, seconded by Mr. Kelley. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

- 1) Minutes of May 21st, 2012 Town Council Meeting and Work Session
- 2) Cash Reports
 - a) General Fund
Cash on hand as of May 31st, 2012 - \$2,614,552.31
 - b) Water Fund
Cash on hand as of May 31st, 2012 - \$556,871.73
 - c) CIP

- Cash on hand as of May 31st, 2012 - \$55,673.61
- d) Solid Waste
 - Cash on hand as of May 31st, 2012 – \$22,559.39
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of May 31st, 2012 - \$219,517.99
- 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

V. COMMITTEE REPORTS

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

1. YMCA Agreement

Mr. Lawson made a motion to authorize the Town Manager to execute and deliver the attached addendum to the contract as revised by the Town Attorney for \$40,000 per year with an expiration date of June 30th 2017. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

2. Referral of Administrative Variances to Planning Commission-Ordinance 04-12

Ms. McGowan advised that State Code allows localities to grant Administrative Variances in lieu of holding a Board of Zoning Appeals meeting to grant a variance, it would save on advertising fees and the length of time it takes to approve a variance.

Mr. Lawson made a motion to refer Ordinance 04-12, Administrative Variances to Planning Commission for review and for Planning Commission to submit a recommendation to Town Council. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

B. Education Committee – Mr. Shreaves reported for the Committee

Mr. Shreaves advised there was no report.

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

1. West Point Volunteer Fire and Rescue Squad Contribution

Mrs. Ball Made a motion to authorize the Town Manager to contribute \$12,500 from the FY 2011-12 budget to the West Point Volunteer Fire and Rescue Squad for its building renovations to the fire station. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

2. PPTRA Resolution

Mrs. Ball made a motion to adopt the PPTRA resolution attached setting the Personal Property Tax Relief percentage at 62.2%. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

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

Mrs. Gulley advised there was no report.

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

Mr. Gordon advised there was nothing to report.

VII. TOWN MANAGER’S ITEMS

Mr. Edwards advised he has nothing to report.

VIII. OLD BUSINESS

There was nothing to report.

IX. NEW BUSINESS

A Reconsideration of SUP2010-02

Mr. Hudson reviewed the attached Motion to amend Special Use Permit 20120-02, the motion amends condition twelve of the original Special Use Permit requiring a performance bond and it allows the units to be rental property instead of owner occupied.

Mr. Gordon made a motion to amend the attached Condition #12 of the Special Use Permit issued to Patriot’s Village LLC on August 7, 2007. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, and Mr. Vincent all voted “Aye”. Mr. Lawson and Mr. Shreaves voted “Nay”.

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised the Planning Commission met on June 6th 2012 to review the following items. 1) Rescheduled the July meeting from July 4th to July 11th 2012 at 5 pm. 2) Requested the Director of Community Development review other localities for cluster and open space policies. 3) Authorized advertisement for a public hearing on the Adam Geron sub-division.

X. ADJOURNMENT

There being no further business Mr. Hudson adjourned the meeting at 7:05 pm.

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk



**A RESOLUTION TO HONOR
William L. Hodges**

WHEREAS, William L. Bill Hodges has served as Chief of Police for the Town of West Point from December 18th, 2000 through August 1, 2012; and

WHEREAS, William L. Hodges has brought distinction and honor to the West Point Police Department and the Town through receipt of the following awards: 1) First Place in the Nation with the IACP Clayton J. Hall Memorial Award in 2003. 2) Placements with the IACP National Law Enforcement Challenge for the Years 2002 through 2009. 3) IACP Championship Category in 2008. 4) The Virginia Law Enforcement Challenge President's Award in 2001. 5) The Virginia Law Enforcement Challenge Awards for the years 2001 through 2010. 6) The Virginia Association Chiefs of Police Award in 2009. 6) Operation Heat Wave in 2001 and 2006. 7) MADD DUI Enforcement in 2004 and 2005. 8) Click it or Ticket in 2009 and Certificates of Appreciation for the National Drug Intelligence Center, The Virginia Transportation Safety Board, The Special Olympics, West Point Volunteer Fire and Rescue Department and The Girls Scouts; and

WHEREAS, the above honors are mere indicators of Bill Hodges' dedication to service, training and community involvement;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council are proud to have been represented by Bill Hodges and to call him colleague and friend. In witness thereof, Town Council wishes to recognize Bill Hodges and thank him for his many contributions to our Town and his leadership to the Department.

AND BE IT FURTHER RESOLVED, that the West Point Town Council adopts this Resolution on the 25th day of June 2012, to express its deep gratitude to William L. Bill Hodges for his service as Chief of Police and to wish him great success in the future.

ADDENDUM TO CONTRACT

THIS ADDENDUM TO CONTRACT, ["Addendum"] made this ___ day of June, 2012, by and between THE TOWN OF WEST POINT ["Town"], and PENINSULAR METROPOLITAN YBCA ["YMCA"].

WITNESSETH:

1. **Original Contract.** The parties have previously entered into and agreement of contract, ["Original Contract"], a copy of which is attached to this addendum and whose terms are hereby expressly incorporated by reference.
2. **Extension of Original Contract.** The parties both seek to extend the Original Contract for a period of five (5) years until June 30, 2017.
3. **Contract of Service Fee.** The Town shall pay a contract service fee in the amount of \$40,000 per year. The contract service fee shall be paid in monthly allotments [1/12th per month]. The first payment will be payable on July 1, 2012 and continue through the term of this Addendum.
4. **Original Contract Terms.** All terms set forth in the Original Contract shall remain in full force and effect during the term of this addendum.

TOWN COUNCIL OF THE TOWN OF WEST POINT

By: _____
John Edwards, Town Manager

PENINSULA METROPOLITAN YMCA

By: _____
Danny L. Carroll, Executive Director



***TOWN OF WEST POINT RESOLUTION
ON ORDINANCE 04-12
Chapter 70, Zoning Article VI, Board of Zoning Appeals
Section 70-92, Administrative Modification***

WHEREAS; pursuant to Code of Virginia, Section 15.2-2286.A.4, the zoning administrator may be authorized to grant a modification from any provision contained in the zoning ordinance with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure, or improvements, if the administrator finds in writing that: (i) the strict application of the ordinance would produce undue hardship; (ii) such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and (iii) the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification; and

WHEREAS; Town Council is referring the Planning Commission to study and review Section 15.2-2286.A.4 of the Code of Virginia; and

WHEREAS; according to Section 70-66 of the West Point Town Code, no ordinance to amend the provisions of this chapter, including the official zoning district map, shall be acted upon by the town council unless the amendment shall have been referred to the planning commission for its recommendation;

NOW, THEREFORE BE IT RESOLVED; the Town Council of the Town of West Point requests that the Planning Commission review and make a recommendation on Ordinance #04-12.

Certified to be a true copy of a resolution adopted by the West Point Town Council of the Town of West Point at its regular monthly meeting held June 25, 2012, at which meeting a quorum was present and voted throughout.