

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
November 28th, 2022**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on November 28th, 2022. The Honorable James H. Hudson, III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Jim Gobel followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Deborah Ball, Vice Mayor; Tina Gulley; Robert Lawrence; Jack Lawson; James Pruett, John Ragsdale and Chris Vincent.

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Tim Sawyer, Chief of Police; Holly McGowan, Community Development Coordinator; Susan Lathan, Town Treasurer; Walt Feurer, Director of Public Works; Ron Minick, Building Inspector; Donna Pauley, Human Resource Officer and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Public Hearing – FY2022-23 Budget Amendment

Mr. Hudson read the advertisement and asked the Town Clerk if the town received any requests for a copy of the Budget Amendment.

The Town Clerk advised that no requests was received.

Mr. Hudson asked if the town received any request for assistance to attend the public hearing.

The Town Clerk stated that no request was received.

Mr. Hudson opened the floor for citizens to address Town Council on the FY 2022-23 Budget Amendment and Appropriation. There being none, the public hearing was closed.

1. Action

Mrs. Ball made a motion to adopt the attached Budget Resolution and Appropriations, seconded by Mrs. Gulley. Upon roll call, Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved

B. Public Hearing – Ordinance 07-2022, Town Code Chapter 2 [See Attached Ordinance]

Mr. Hudson read the advertisement and asked if the town received any request for a copy of the Ordinance.

The Town Clerk advised that no requests were received.

Mr. Hudson asked if the town received any requests for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mr. Edwards stated that there a number of changes to the Code.

Mr. Hudson asked the Town Attorney to review the changes.

Ms. Erard advised that the Code has not been reviewed since 1978, the changes brings the Code up to date with the State.

Mr. Hudson opened the floor for Citizens to comment on Ordinance 07-2022. There being none, the public hearing was closed.

1. Action

Mr. Vincent made a motion to adopt Ordinance 07-2022, seconded by Mr. Lawrence. Upon roll call, Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

C. Citizens Address to Council

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

1. Cody Allen Miles, 703 Lee Street, West Point, Virginia advised that Chief Cheatham had mentioned to him that the Fire Department wanted to close parking on 7th Street, Mr. Miles owns three apartments on the corner of 7th Street and Lee Street, and stated that to close 7th street to No Parking would prove to be difficult for the residents especially if each apartment has two vehicles that need to find somewhere else to park. Mr. Miles advised that he has concerns regarding No Parking on 7th Street and the hardship it would cause for residents. Mr. Miles also stated that he wanted to address the issue before it happens.

Mr. Hudson advised that a public hearing will be scheduled for December 19th 2022 at 6:30 p.m. and that Mr. Miles will be able to submit his comments at the public hearing.

Mr. Edwards stated that he has a message to call Mr. Miles or if Mr. Miles is available after the meeting to discuss the issue, if not. Mr. Edwards will call Mr. Miles tomorrow.

Mrs. Gulley stated that Chief Cheatham will contact all adjoining property owners to let them know about the public hearing.

Mr. Hudson advised that the Town Manager is going to call Mr. Miles to go over the proposed changes.

III. COUNCIL RESPONSE

None was noted.

IV. AGENDA CHANGES

Mr. Edwards asked for the Communications/Event Coordinator to be placed under the Town Manager section of the agenda.

Mrs. Ball made a motion to adopt the agenda as amended, seconded by Mrs. Gulley. Upon roll call Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

V. ADOPTION OF CONSENT AGENDA

Mr. Vincent made a motion to adopt the following consent agenda, seconded by Mrs. Ball. Upon roll call Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

- 1) Town Council and Work Session minutes of October 31st 2022
- 2) Cash Reports
 - a) General Fund
Cash on hand as of October 31st 2022 - \$10,791,843.62

- b) Water Fund
Cash on hand as of October 31st 2022 - \$2,781,928.91
- c) CIP
Cash on hand as of October 31st 2022 - \$(303,511.01)
- d) Solid Waste
Cash on hand as of October 31st 2022 - \$348,205.20
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of October 31st 2022 - \$344,697.00
- 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) Human Resource Monthly Report
- 11) Fire Department Monthly Report

VI. COMMITTEE REPORTS

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

Mr. Lawson advised that the Community Development Committee met to discuss two Special Use Permits; SUP2022-02, a request to operate a homestay at 620 22nd St. and SUP2022-03, a request to operate a homestay at 320 Main St. The Committee authorized the Town Manager to advertise a public hearing on both applications at the December 19th Town Council meeting at 6:30 p.m.

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

Mr. Ragsdale advised that the Education Committee met on November 17th with the School Superintendent to discuss upcoming projects at the schools, the budget amendment and a general update on the schools.

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

Mrs. Ball advised that the Finance Committee met to review the Budget Amendment that Town Council has adopted tonight.

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

Mrs. Gulley advised that the Public Safety Committee met to review the 7th Street No Parking request from the Fire Department.

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

Mr. Lawrence advised there was no report.

VII. TOWN MANAGER'S ITEMS

A. Replacement of Elevator at Town Hall

Mr. Edwards presented an estimate of \$273,703 from KONE to replace the elevator. Mr. Edwards requested Town Council authorize the replacement of the elevator.

Mr. Vincent made a motion to authorize the Town Manager to proceed with the replacement of the elevator, second by Mr. Ragsdale. Upon roll call Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

B. Communications Manager/Event Planner Position

Mr. Edwards advised that as Town Council has previously discussed the job description for a Communications Manager/Event Planner is complete, the pay grade would be a 26.

Mr. Edwards requested that Town Council authorize the creation of the position at a grade scale of 26.

Mrs. Gulley made a motion to authorize the Town Manager to create the Communications Manager/Event Planner position at a grade 26, seconded by Mrs. Ball. Upon roll call Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

C. Christmas on the Town

Mr. Edwards advised that Christmas on the Town is this Sunday starting at 1:00 p.m.

VIII. OLD BUSINESS

A. SUP2022-01, Larking Garbee & Erin Beebe Homestay Application

Mr. Hudson advised that Town Council held a public hearing recently, Town Council delayed action on the application pending a request for a letter from a Registered Design Professional. The Town has received the letter. For some time Town Council has discussed Conditions of approval as prepared by the Town Attorney. Mayor Hudson asked if anyone had any comments on SUP2022-01.

Mr. Vincent made a motion to approved SUP2022-01 with the sixteen conditions as prepared by the Town Attorney, seconded by Mrs. Gulley. Upon roll call Mrs. Ball; Mrs. Gulley; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Pruett

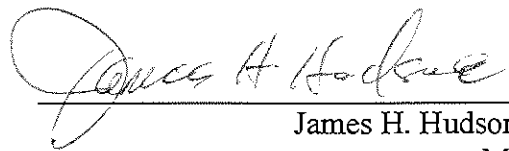
Mr. Pruett advised that the Planning Commission met on November 2nd 2022 to hold public hearings on SUP2022-02 and SUP2022-03. The recommendation from Planning Commission is for Town Council to approve both applications. There will not be a meeting in December.

B. Town Council December Calendar

Mr. Hudson reviewed the Town Council December calendar.

X. ADJOURNMENT

There being no further business, Mayor Hudson adjourned the meeting at 7:03 p.m.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk



TOWN OF WEST POINT

RESOLUTION

FY 2022-2023 BUDGET AMENDMENT RESOLUTION

WHEREAS on April 25, 2022, by Resolution, the Town of West Point approved a FY 2022-2023 budget in a total amount of \$21,043,312; and

WHEREAS the West Point Public Schools has requested to use unspent FY 2021-2022 budgeted funds in the amount of \$736,832; and

WHEREAS the West Point Public Schools received various other unanticipated funds in the cumulative amount of \$708,068; and

WHEREAS the West Point Public Schools has requested approval and appropriation of these funds totaling \$1,444,900 to be used in its FY 2022-2023 Operating Budget; and

WHEREAS the Town of West Point wishes to complete various previously approved capital projects that were not completed in FY 2021-2022, as well as other projects at an anticipated cost of \$775,558; and

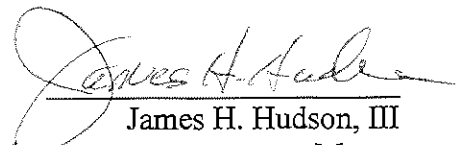
WHEREAS the Town of West Point wishes to budget and appropriate \$135,344 for additional operating expenditures;

NOW THEREFORE BE IT RESOLVED by the West Point Town Council, at its regular monthly meeting, on the 28th day of November 2022, that a total of \$2,355,802 be added to the West Point FY 2022-2023 budget, so that the amended total of the Town of West Point's FY 2022-2023 budget shall be \$23,399,114; and

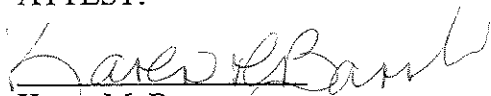
BE IT FURTHER RESOLVED THAT the West Point Public Schools FY 2022-2023 budget be amended by adding \$1,444,900; and

BE IT FINALLY RESOLVED THAT \$2,355,802 is appropriated to the Town of West Point, \$1,444,900 of which shall be appropriated for expenditure by the West Point School Board.

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 on the 28th day November 2022, at which meeting a quorum was present and voting throughout.


James H. Hudson, III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk

ORDINANCE NO. 07-2022

ORDINANCE NO. 07-2022 AMENDS THE WEST POINT TOWN CODE, CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "PLANNING COMMISSION TO REDUCE THE SIZE OF THE PLANNING COMMISSION FROM SEVEN TO FIVE MEMBERS, TO CONFORM TO STATE LAW AND TO BETTER DELINEATE THE AUTHORITY AND RESPONSIBILITIES OF THE PLANNING COMMISSION.

BE IT ORDAINED by the West Point Town Council at its regular monthly meeting on November 28, 2022 that the West Point Town Code, Chapter 2, "Administration," Article IV, "Planning Commission" be amended to read in its entirety as follows:

"ARTICLE IV. PLANNING COMMISSION

Sec. 2-26. Created.

A planning commission is hereby created for the town in accordance with the provisions of Code of Virginia, § 15.2-2210 to serve in an advisory capacity to the town council.

A majority of the members shall constitute a quorum and no action of the planning commission shall be valid unless authorized by a majority vote of those present and voting. The commission shall adopt rules for the transaction of business and shall keep a record of its transactions which shall be a public record.

Sec. 2-27. Composition; appointment of members.

The planning commission shall consist of five members appointed by the town council. One member may be a member of the council, one may be a member of the board of zoning appeals and one may be a member of the administrative branch of town government. All members shall be residents of the town, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half of the members of the planning commission shall be owners of real property

Sec. 2-28. Terms of members.

The term of a member of the planning commission appointed from the town council shall correspond to his tenure of office as a member of the council and the term of a member appointed from the board of zoning appeals shall correspond to his tenure as a member of that board. The remaining members of the commission shall be appointed for terms of four years.

Sec. 2-29. Removal of members.

Any appointed member of the planning commission may be removed by the town council for malfeasance in office. A member of the planning commission may be removed from office by the town council in the event that the commission member is absent from any three consecutive meetings of the commission, or is absent from any four meetings of the commission within any 12-month period. In either such event, a successor shall be appointed by the town council for the unexpired portion of the term of the member who has been removed.

Sec. 2-30. Filling of vacancies.

Any vacancy in membership on the planning commission shall be filled by appointment by the town council and such appointment, in the case of an appointed member, shall be for the unexpired term.

Sec. 2-31. Powers and duties.

The planning commission shall have the functions, powers and duties now or hereafter prescribed by state law. At least once every five years the

comprehensive plan shall be reviewed by the local planning commission to determine whether it is advisable to amend the plan.

Sec. 2-32. Meetings.

The local planning commission shall fix the time for holding regular meetings. The planning commission shall meet at least once per year. Special meetings of the commission may be called by the chairman or by two members upon written request to the secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

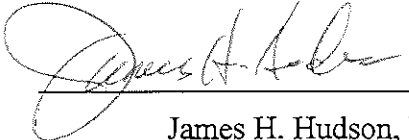
Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice."

This Ordinance shall take effect upon adoption.


VOTE:

Motion Chris Vincent
Second Robert Lawrence

Mayor Hudson N/A
Deborah Ball "Aye"
Tina Gulley "Aye"
Robert Lawrence "Aye"
Jack Lawson "Aye"
James Pruett "Aye"
John Ragsdale "Aye"
Chris Vincent "Aye"


James H. Hudson, III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk