

**TOWN OF WEST POINT
TOWN COUNCIL
WORK SESSION
MINUTES
APRIL 24th 2023**

I Library Relocation

1. Sale of Current Location

Mr. Edwards advised that a public hearing is required to sell the current library location.

Mr. Lawson asked if everyone is onboard with the sale of the old library location.

Mr. Vincent, Mr. Ragsdale and Mr. Nein advised that they are in support of moving the library to 12th Street.

Mrs. Ball advised that as previously stated in committee meetings she has some concerns with the relocation of the library.

Mr. Lawson stated that at the last meeting the majority of Town Council was onboard with the relocation of the library and the sale of the current building.

Mr. Edwards suggested the public hearing be at the May meeting.

The consensus of Town Council is for the public hearing to be at the May meeting.

2. Lease Agreement with West Point Station LLC

Mr. Edwards presented an amendment to the Lease Agreement with West Point Station, LLC. extending the lease until June 30, 2043. The current lease expires June 30 2034 at \$20,000 per year, the extension will increase to \$30,000 per year until the agreement expires. Mr. Edwards asked to place the Lease Agreement on the agenda under the Town Manager Report.

II May Meeting

Mr. Edwards stated that due to Memorial Day, the May meeting needs to be moved to Monday, May 22nd 2023, with the Work Session at 5:30 p.m. and the Town Council meeting at 6:30 p.m. Mr. Edwards asked for the changed meeting date to be placed on the Town Council agenda under the Finance Committee.

III Floodplain Ordinance

Mr. Edwards presented the draft Floodplain ordinance with a motion prepared by the Town Attorney. There are a few changes regarding the RAD policy. The RAD policy would allow the floodplain administrator to approve permits and allow minor deviations in the floodplain area. Mr. Edwards asked for the ordinance to be placed on the agenda under the Town Manager Report.

IV. Good Neighbors Center

Mr. Edwards advised that there are structural issues at the Good Neighbor Center and that members of the Ministerial Association will be attending the meeting this evening to provide a report on the problems facing the food donation center.

V. 7th Street Parking Lot - Hasanyager

Mr. Edwards advised that he had sent Town Council an email earlier today regarding issues at the 7th Street Parking Lot with car alarms going off. Mr. Edwards asked if anyone has any comments regarding the issue.

The consensus of Town Council is that a car alarm during the day is not an issue with the noise ordinance, if it was at night it would be a different issue.

VI. Duval Property at 2960 Mattaponi Avenue

Andrea Erard advised that she has prepared enforcement documents for 2960 Mattaponi Avenue. Once the Town Manager and Zoning Administrator have approved the draft, it will be sent to the Clerk of Court, the owner will have twenty-one days to respond. If he doesn't respond, we go to court. I have asked the courts to give the property owner thirty days to clean up the property. Based on the Town Ordinance and the condition of the property, it is considered a public nuisance and health issue. If the property is not cleaned up, the town can clean it up and charge the owner with cost of the cleanup. If the property owner doesn't pay the bill, the town can put a lien on the property.

Mrs. Ball asked if the camper trailer has Virginia tags.

Ms. Erard advised no, it has Connecticut tags and that she has asked the court for the camper to be removed within thirty days due to it being a public nuisance. Ms. Erard stated she will let Town Council know if there are any new developments with the property and a court date.

VII. Property Located at 921 Lee Street

Ms. Erard stated that Mr. Hayes received a summons from the town on Friday, he then retained the services of an attorney that day. The attorney has said that he will not represent Mr. Hayes unless he agrees to become compliant with zoning, Mr. Hayes has indicated that he will comply with zoning. Ms. Erard also stated that she has not seen that, Mr. Hayes has continued to work on the property. A court date has been set for May 4th but it will have to be rescheduled while the town works on an agreement with Mr. Hayes.

VIII. Vacation Rental Property

Mr. Lawson advised that he has received an inquiry regarding the Thorndike property as an Airbnb. The property was one of the first properties approved for an Airbnb. Mr. Lawson stated that he did let it be known that the Town can revoke the permit if there are any problems after the property was sold.

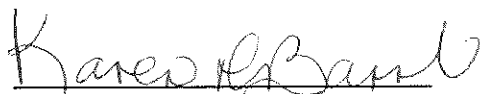
IX. Virginia Employment Commission

Ms. Erard stated that the Town is currently working on an appeal with a former employee that has filed for unemployment. The employee was an Intern that worked during the summer then filed for unemployment when she was at college, we are waiting on a date for the hearing.



Joshua T. Lawson
Mayor, Town of West Point

ATTEST:


Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
APRIL 24th, 2023**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, April 24th 2023. 2023. The Honorable Joshua T. “Jack” Lawson called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Theresa Brion followed by the Pledge of Allegiance.

Members Present: Mayor, Jack Lawson; Deborah Ball, Vice Mayor; Johnny Nein; John Ragsdale and Chris Vincent.

Members Absent: James Hudson, Robert Lawrence and James Pruett.

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

II. CITIZENS ADDRESS TO COUNCIL

A. Public Hearing, Ordinance 03-2023 – Tax Rate

Mr. Lawson read the advertisement then opened the floor for citizens to comment on ordinance 03-2023. There being none, the public hearing was closed.

1. Action

Mrs. Ball made a motion to adopt ordinance 03-2023, approving a tax rate of \$0.53 per \$100 of assessed value retroactive to January 1, 2023. Upon roll call, Mrs. Ball, Mr. Nein, Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

B. Citizens Address to Council

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

- 1 Jim Goebel, pastor of First Baptist Church and President of the West Point Ministerial Association advised that he is present to report the planned closing of the Good Neighbor Center on May 25th 2023. The building has structure issues, the floor is sinking, there is mold, part of the floor has collapsed and there’s possibly asbestos in the building. A structure examination is planned and the building may have to be demolished. The dioceses has asked for the Good Neighbor Center to have all food removed by May 25th. We do not have a location to move the food, so we may have to close down for a while. All the local churches are small and do not have the room to provide the same services that is currently provided by the Good Neighbor Center.

Mr. Vincent asked if the fridges and freezers can be moved.

Pastor Goebel advised that the freezers are not functioning as well as they should, a large room would be needed to house the fridges and freezers.

Mrs. Ball asked if the Good Neighbor Center is looking for a temporary location, or do you need a permanent location.

Pastor Goebel stated that the Ministerial Association is open to any suggestions, and that due to the child care facility, security has been an issue in the past and that security would need to be considered.

Mr. Vincent asked who the contact person is.

Pastor Goebel advised that he can be reached at office@fbcwestpoint.org, (email) or by calling 804.843.2484. We will know more when the structure inspection has been done.

Mr. Lawson asked if there is a social media presence.

Pastor Goebel advised no, we have no website or social media account.

Mr. Lawson suggested Pastor Goebel provide a statement that the Town can post on social media. Melissa Anderson is the Town's Communication Officer and can do a post to let the public know of the status of the Good Neighbor Center.

Mr. Lawson asked if anyone else would like to address Town Council.

2. Clarence Turner, 19100 Eltham Road, West Point, Virginia, a New Kent resident advised that he had a recent issue with a West Point Police Officer who issued him a ticket for turning left as he came off the Eltham Bridge. Mr. Turner described the incident as he thought it occurred then stated that he has a complaint about the officer and the amount of tickets he gives out.

Mr. Lawson asked Mr. Turner if he has been to court and was there a conviction.

Mr. Turner advised yes, he went to court and he was convicted, the judge didn't even want to discuss it.

Mr. Lawson stated that it is a very dangerous intersection, and that he is sorry Mr. Turner received a ticket, but officers are in West Point to do a job and for the safety of the public.

Chief Sawyer, Chief of Police for the West Point Police Department advised that he has offered Mr. Turner all options available to appeal the conviction, but Mr. Turner has continued to harass and bully the West Point police officers. I know that Town Council supports the police department and it is becoming increasingly more difficult to find police officers that want to carry a badge. The Police Department and police officers will not be bullied for doing their job. A large number of tickets that are given out, are to people that are travelling over 20 MPH which is against the law and a big safety issue.

Mr. Lawson asked if there was anyone else that wanted to address Town Council. There being none, the Citizens Address was closed.

III. COUNCIL RESPONSE

Mr. Lawson thanked the Chief of Police and his department for all that they do, the average speed limit of vehicles coming off the Eltham Bridge is in excessive of 60 MPH. There have been a number of various accidents caused by excessive speeds, it is a safety issue and the police department is doing a good job.

Mr. Vincent advised that having a police car on the side of the road causes drivers to slow down.

Mrs. Ball stated that the general public is not aware of how fast the vehicles are going, there are a lot of pedestrians that cross over 14th street, which is a safety issue. We appreciate what the police department is doing.

The general consensus of Town Council is that the police department is doing a good job with the drivers speeding through town.

Mr. Lawson asked if the Town can contact VDOT regarding some flashing lights about the change in the speed limit on the bridges.

Chief Sawyer advised that the flashing speeding light at the bottom of the bridge as you go into King and Queen County has made a big difference in the speed limits and was purchased by the Sheriff's department.

Mr. Edwards stated that we can explore it and staff can look into it to see if there are any grants that would pay for it. We can put it on the Public Safety Committee agenda for discussion.

IV. AGENDA CHANGES

Mr. Edwards asked Town Council to approve the following agenda changes: 1) The May meeting to be placed on the agenda under the Finance Committee to change the meeting date due to Memorial Day. 2) Add the Lease Amendment with West Point Station under the Town Managers Report, and 3) Ordinance 02-2023, the Floodplain to be placed under the Town Managers report.

Mrs. Ball made a motion to adopt the agenda as amended, seconded by Mr. Vincent. Upon roll Call; Mrs. Ball, Mr. Nein, Mr. Ragsdale and Mr. Vincent voted "Aye". The motion was approved.

V. ADOPTION OF CONSENT AGENDA

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

- 1) Town Council and Work Session minutes of March 27th 2023 and FY 2023-24 Budget Public Hearing on April 17th 2023.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of March 31st 2023 - \$8,742,852.34
 - b) Water Fund
Cash on hand as of March 31st 2023 - \$3,036,152.72
 - c) CIP
Cash on hand as of March 31st 2023 - \$(454,682.03)
 - d) Solid Waste
Cash on hand as of March 31st 2023 - \$369,019.72
- 2) Monthly Budget Report
- 3) School Fund Cash Report
 - a) Cash on hand as of March 31st 2023 - \$371,056.71
- 4) West Point Monthly Police Activity Report
- 5) Building Official Monthly Report
- 6) Public Works Monthly Permit Report
- 7) Community Development Monthly Permit Report
- 8) Treasurer Monthly Report
- 9) Human Resource Monthly Report
- 10) Fire Department Monthly Report
- 11) Communication and Marketing Monthly Report

VI. COMMITTEE REPORTS

A. Economic and Community Development

Mr. Edwards advised there was not report.

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

Mr. Ragsdale advised there was nothing to report.

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

1 May Meeting Date

Mrs. Ball made a motion to change the May meeting from May 29th to May 22nd 2023 with a Work Session at 5:30 p.m. followed by the Town Council meeting at 6:30 p.m. Seconded by Mr. Vincent, upon roll call Mrs. Ball; Mr. Nein; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

D. Public Safety – Mr. Vincent reported for the Committee

Mr. Vincent advised there was no report.

E. Public Works

Mr. Edwards advised there was nothing to report.

VII. TOWN MANAGER’S ITEMS

1 West Point Station LLC Lease Amendment

Mr. Edwards presented a Lease Agreement Amendment that would extend the lease with West Point State, LLC to June 30, 2043.

Mr. Vincent made a motion to authorize the Town Manager to sign the Amended Lease Agreement with West Point Station LLC., seconded by Mr. Ragsdale. Upon roll call Mrs. Ball; Mr. Nein; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

2 Floodplain, Ordinance 02-2023

Mr. Vincent made a motion to approve the floodplain ordinance with the addition of authority for the floodplain administrator to approve permits and allow minor deviations, seconded by Mrs. Ball. Upon roll call Mrs. Ball; Mr. Nein; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

VIII. OLD BUSINESS

A. FY2023-24 Budget Resolution

Mr. Edwards reviewed the proposed budget and stated that a public hearing was held on April 17th 2023. The resolution would approve a \$22,177,947 total budget that would include the School Budget, the Water Utility Budget, the Solid Waste Budget, CIP Budget and the American Rescue Plan Act funds.

Mrs. Ball made a motion to adopt the attached FY 2023-24 Budget Resolution, seconded by Mr. Vincent. Upon roll call Mrs. Ball; Mr. Nein; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

Mr. Edwards advised that in June, Town Council will need to set the PPTRA, the numbers are not available from the County until sometime beginning in June.

IX. NEW BUSINESS

A. Planning Commission Report

Mr. Edwards advised there was nothing to report.

X. ADJOURNMENT

There being no further business, Mayor Lawson adjourned the meeting at 7:00 p.m.



Joshua T. Lawson
Mayor, Town of West Point

ATTEST:



Karen M. Barrow
Town Clerk

Amendment to Lease Agreement

Whereas West Point Station, LLC ("Landlord") and the Town of West Point (the "Tenant") previously entered into the attached Lease Agreement ("Original Lease Agreement") commencing on October 27, 2003, for approximately 4,000 square feet of space in the "West Point Station" shopping center in the Town of West Point; and

Whereas the Tenant wishes to lease additional space in the shopping center for a total area of approximately 5,900 square feet ("Premises") as shown in the attached plans entitled "West Point Library Relocation"; and

Whereas the Tenant wishes to extend the lease Term until June 30, 2043; and

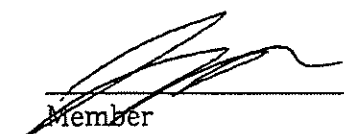
Whereas the annual Rent Payment will continue to be \$20,000 per year until June 30, 2034 and increase at that time to \$30,000 per year until the end of the Term; and

Whereas all other provisions of the Original Lease Agreement remain in effect;

Now therefore, Landlord and Tenant agree that the Original Lease Agreement shall be modified and extended as stated above until June 30, 2043 at midnight.

West Point, LLC

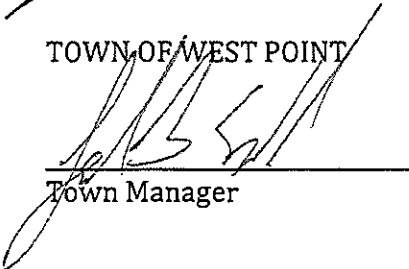
Date: 5/16/23



Member

TOWN OF WEST POINT

Date: 5/1/2023



Town Manager

ADOPTED: April 24th 2023

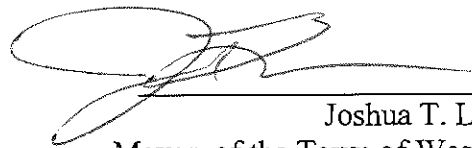
ORDINANCE NO. 03-2023

ORDINANCE NO. 03-2023 AMENDS CHAPTER 58, "TAXATION," ARTICLE I, "IN GENERAL," SEC. 58-12, "AMOUNT OF REAL ESTATE TAX" OF THE WEST POINT TOWN CODE TO DECREASE THE REAL ESTATE TAX RATE FROM \$0.67 PER \$100.00 OF ASSESSED VALUE TO \$0.53 PER \$100.00 OF ASSESSED VALUE FOR CALENDAR YEAR 2023.

BE IT ORDAINED by the West Point Town Council, pursuant to the grant of authority contained in Va. Code § 58.1-3200 *et seq.*, that Sec. 58-12 "Amount of real estate tax," Chapter 58, "Taxation," Article I, "In General," of the West Point Town Code shall read in its entirety as follows:

"Sec. 58-12. Amount of real estate tax.

- (a) All real estate within the territorial boundaries of the Town of West Point subject to taxation under the Constitution and laws of the Commonwealth of Virginia shall be taxed at a rate of \$0.53 per \$100.00 of assessed value.
- (b) The tax rate for real estate shall be effective for the calendar year 2023, and subsequent years, and shall be retroactive to January 1, 2023."



Joshua T. Lawson
Mayor, of the Town of West Point

ATTEST:



Karen M. Barrow
Town Clerk



**RESOLUTION FOR APPROVAL AND APPROPRIATION FOR TOWN, SCHOOLS,
SOLID WASTE AND WATER UTILITY BUDGET
FY 2023-24**

WHEREAS, the West Point Town Council advertised a public hearing regarding the FY 2023-24 Budget on April 5, 2023 in the Tidewater Review, and conducted a public hearing on April 17, 2023 as required by §15.2-2506 of the Code of Virginia.

NOW THEREFORE BE IT RESOLVED by the West Point Town Council that a total of \$12,572,650 is hereby approved for the West Point School Board for FY 2023-24;

BE IT FURTHER RESOLVED by the West Point Town Council, that the Town Budget for FY 2023-24 is approved on this 24th day of April, 2023 in the total amount of \$22,177,947 representing \$12,572,650 for the West Point School Board and \$12,756,558 for the Town (inclusive of the Town's contribution of \$4,448,696 for school operating expenses);

BE IT FURTHER RESOLVED by the West Point Town Council, that the Solid Waste Budget for FY 2023-24, in the amount of \$241,925 is approved this 24th day of April, 2023;

BE IT FURTHER RESOLVED by the West Point Town Council, that the Water Utility Budget for FY 2023-24, in the amount of \$1,617,500 is approved this 24th day of April, 2023;

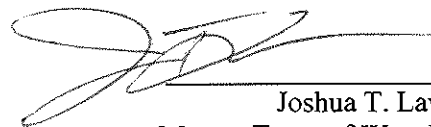
BE IT FURTHER RESOLVED by the West Point Town Council, that local funds in the amount of \$4,448,696 are hereby appropriated to the West Point School Board and an additional appropriation in the amount of \$8,123,954 is hereby made effective July 1, 2023 subject to and contingent upon availability of funding from the Federal government in the amount of \$330,672, from the Commonwealth of Virginia in the amount of \$7,274,407 and from other revenues in the amount of \$518,875 to be expended only on order of the School Board; and

BE IT FINALLY RESOLVED by the West Point Town Council, that \$22,177,947 is appropriated to the Town of West Point effective July 1, 2023, \$241,925 of which is appropriated to the West Point Solid Waste Budget effective July 1, 2023, and \$1,617,500 of which is appropriated to the West Point Water Utility effective July 1, 2023.

Certified to be a true copy of the Resolution adopted by the Town Council of the Town of West Point on April 24th, 2023, at which meeting a quorum was present and voted throughout.

Those members voting:


Joshua T. Lawson, Mayor	N/A
Deborah Ball	"Aye"
James H. Hudson	Absent
Robert Lawrence	Absent
John Nien	"Aye"
James Pruet	Absent
John Ragsdale	"Aye"
Chris Vincent	"Aye"


Joshua T. Lawson
Mayor, Town of West Point

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 April 24, 2023 at which meeting a quorum was present and voted throughout.

ATTEST:

Adopted this 24th day of April, 2023


Karen M. Barrow
Town Clerk