TOWN COUNCIL MEETING MINUTES

April 17, 2012

Call to Order

The Clarksville Town Council met in regular session on April 17, 2012, at 7:30 p.m. Mayor Kevin Allgood called the meeting to order and provided the invocation. Council members present were Mayor Kevin Allgood, Chris Clarke, Carolyn Hite, Glenn Jurczyk, Connie Torres, and Harold Yuille. Bill Nunn was absent. Staff members present were Interim Town Manager Charles Lee, Treasurer/Clerk Tara Murphy, Town Clerk Wendy Feild, Town Operations Director Richard Elliott, and Police Chief Ricky Wilkinson. Mayor Allgood introduced Interim Town Manager Charles Lee.

Approval of Minutes

The minutes of the March 20th, 2012 meeting were approved with no additions, deletions, or corrections with a motion by Council member Clarke, seconded by Council member Hite, and approved by all.

The minutes of the April 3rd, 2012 Council Workshop were approved with no additions, deletions, or corrections with a motion by Vice-Mayor Torres, seconded by Council member Clarke, and approved by all.

Presentation of List of Vendors Paid

The list of vendors paid for March 2012 was presented to Council. Vice-Mayor Torres motioned to approve the list of vendors paid for March 2012, seconded by Council member Clarke, and approved by all.

Presentation of Financial Statements

The Financial Statements for March 2012 were presented to Council. Vice-Mayor Torres motioned to approve the March 2012 financial statements, seconded by Council member Clarke, and approved by all.

Presentation of Town Operation Reports

The Town Operations reports were presented to Council.

Director Richard Elliott reported to Council that they have met all the requirements for the first quarter of TTHM testing according to the quarterly update. He informed Council that the Waste Plant primary clarifier works and that removing the gear drive system is underway. He stated that the spider and worm gear also need to be replaced. Director Elliott stated that they worked hard to get the Town ready for the festivities. He stated that the ballpark has been addressed and will be ready for the Relay for Life.

Presentation of Police Activity Report

The Police Activity report was presented to Council.

Police Chief Ricky Wilkinson stated that the Palm Sunday parade went well without permit. Two officers worked to maintain the traffic flow, and the parade participant's safety. He stated that the Sportsman Show went smoothly,

the Wine Festival went well and there were no complaints. Chief Wilkinson stated that the Chamber held the first Cruisin in downtown, and it was very successful. He stated that 120-130 cars participated in the Cruisin, and the committee wants to change the permit for future events to include down to 3rd Street in order to incorporate more merchants and restaurants.

UNFINISHED BUSINESS

Disposition of Noise Ordinance

Mayor Allgood stated that a proposed noise ordinance was presented for Council's review. Chief Wilkinson stated that some of the wording of the noise ordinance currently on the books has been ruled unconstitutional. He stated the proposed noise ordinance uses distance from the source of the noise to determine a charge. Chief Wilkinson stated that he will give the Commonwealth Attorney a copy for review and get her comments on the proposed ordinance. Mayor Allgood stated that the Council can discuss the proposed ordinance further at the Council Workshop.

Council member Hite questioned if the noise ordinance is enforceable just if someone complains or if the officers patrol in an area? He stated that the ordinance would cover both houses and vehicles. He stated that an officer would respond to a complaint at a house. He stated that for vehicles, an officer can observe a disturbance to the general public and address it onsite.

NEW BUSINESS

Budget Amendment – Legal Fees

Treasurer Murphy stated that the Town received an invoice for professional services rendered for annexation through February 29, 2012 for $10,364.75 and another for general services through March 26, 2012 for $1,766.64. She stated that to date, the Town has spent $20,055 of the $25,000 budgeted for legal/professional services for this fiscal year; therefore, the line item does not have sufficient funds to pay these invoices. She stated that the line item has a balance of $4,944.70. Treasurer Murphy stated that the balance in the general fund contingency is $24,993, and there is also $39,724 set aside in the Special Savings CD for legal services. If it pleases Council, we recommend appropriating $7,186.00 from the General fund contingency to pay the legal services expense or from the CD, whichever Council prefers.

Council member Jurczyk and Vice-Mayor Torres feel the invoice for the annexation services should be taken from the CD as that is why those funds were set aside, and the other invoice will be covered under the regular line item. Vice-Mayor Torres motioned to appropriate $10,364.75 from the Special Savings CD to pay the legal services for annexation and pay the general services invoice from the general fund line item, seconded by Council member Jurczyk, and approved by all.

Council member Jurczyk feels that the Town should revisit retaining an attorney for Town legal questions and only use Sands Anderson for the annexation.

Budget Amendment – Byrne Justice Assistance Grant

Treasurer Murphy stated that the Town received a $4,076 JAG grant from the Department of Criminal Justice Services which requires a local match of $453 for a total grant award of $4,529. She stated that if it pleases Council, we need to appropriate $453 from the General Fund contingency to match the grant funds that are planned for use in the replacement of the computer equipment at the Police Department.

Council member Clarke motioned to appropriate $453 from General Fund contingency to provide the matching funds for the JAG grant, seconded by Vice-Mayor Torres, and approved by all.

Replacement of Police Car #32

Chief Wilkinson stated that he checked with some dealerships and each company gets a state bid. He stated that the bids ranged from $22,000 to $26,000 depending on which make and model car is purchased. Council member Jurczyk feels that the Dodge vehicles are not holding up and have had a lot of brake repairs. Chief Wilkinson stated that he had driven all makes of Police cars, and they all have some maintenance issue, but due to cost, the Dodge would be the make he prefers. Mayor Allgood questioned if the car needs to be replaced at this time or in the next budget year. Chief Wilkinson stated that he discussed with the Interim Town Manager to include purchasing an additional car in the next budget, and they can use the spare car the department currently has until that time.

Southwest Downtown Project – Housing Rehabilitation Board

Council member Jurczyk stated that the Southwest Downtown Project that is funded by CDBG funds had the monthly meeting today. He stated that the project is going into the last phase of the housing rehabilitation, and the contract for the demolition of the old warehouse on Carolina Street was signed today. He stated that former Town Manager Melinda Moran served as the Chairman of the Housing Rehab Board, and in order for Interim Town Manager Charles Lee to be on the Housing Rehab Board, he would have to be appointed by the Town Council. He stated that the representative from DHCD was asked about the matter and since the housing rehab portion of the project is mostly complete, she did not see the need to appoint Charles Lee to the Housing Rehab Board unless the Town Council feels it is necessary. He stated that Mr. Lee can still sign any contracts or bills relating to the project even though he is not on the Housing Rehab Board. Mayor Allgood stated that the Town Council feels there is no reason to appoint Mr. Lee to the Housing Rehab Board, and the Board will stay as it is at present.

Opportunity for Public Comment

Sheila Cuykendall, the Executive Director of the Clarksville Chamber of Commerce addressed Council on a couple of matters. She stated that the Lake Country Cruisers have asked her to request that the Town Council amend the street closing permit to include 3rd Street for the monthly Cruisins. She stated that they have verified that VDOT is in agreement with amending the permit. Vice-Mayor Torres questioned why the permit needs to be amended to include 3rd Street. Mrs. Cuykendall stated that the permit needs to be amended to allow more space for cars and to include the merchants and restaurants in the area. Council member Jurczyk stated that his only concern with extending the permit to 3rd Street is the effect on Uppy's. Chief Wilkinson stated that he has already talked with the Manager from Uppy's, and they approve of the extension and plan to start selling food again. The Town Council did not see a problem with changing the permit since VDOT approved the change.

Vice-Mayor Torres motioned to modify the VDOT Land Use Permit for the Cruisin to extend through 3rd Street, seconded by Council member Jurczyk, and approved by all.

Sheila Cuykendall of the Clarksville Chamber stated that the Town in the past has provided some financial support for fishing tournaments in Clarksville. She stated that the Anglers Choice is interested in coming back to Clarksville as well as the VA Bass Federation Nation. She requested that the Council consider allotting $4,000 of funds from the Tourism line item to sponsor the two fishing organizations that want to come to Clarksville and bring some 300 boats to the area.

Council member Hite motioned to use $4,000 from the Tourism line item to provide sponsorship for the Angler's Choice and VA Bass Federation Nation fishing tournaments in Clarksville, seconded by Vice-Mayor Torres, and approved by all. Council member Jurczyk requested some type of feedback from the support of the tournaments.

Council member Jurczyk questioned why the green lights on the bridge are all not working. Vice-Mayor Torres stated that she believed that CEDA was responsible for those.

Carol Harrell of 308 Commerce Street questioned the status of the annexation. Mayor Allgood stated a submission was made to the Commission of Local Government, and they have all the documentation needed at this point. Council member Jurczyk stated that the dates for the public hearings have been set for July 17th and 19th, but the location has not been determined.

Closed Session

Mayor Allgood received a motion from Vice-Mayor Torres that Clarksville Town Council convene in Closed Session pursuant to Virginia State Code section 15.2-2907(D) to discuss matters pertaining to annexation, seconded by Council member Jurczyk, and approve by all.

After ending the Closed Session, Mayor Allgood took a roll call vote, as follows, verifying that Council only considered items that are lawfully exempt from the Freedom of Information Act and only items identified in the motion for the closed session.

Council member Yuille	Aye
Council member Clarke	Aye
Vice-Mayor Torres	Aye
Council member Hite	Aye
Council member Jurczyk	Aye

Adjournment

With no further business, the meeting was adjourned.

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Kevin Allgood, Mayor

_____
Tara Murphy, Treasurer/Clerk