

# TOWN COUNCIL MEETING MINUTES

July 17, 2012

## Call to Order

The Clarksville Town Council met in regular session on July 17, 2012, at 7:30 p.m. Mayor Kevin Allgood called the meeting to order and welcomed newly elected Council member Mike Sizemore. Mayor Allgood provided the invocation. Council members present were Mayor Kevin Allgood, Chris Clarke, Carolyn Hite, Bill Nunn, Mike Sizemore, and Connie Torres. Council member Glenn Jurczyk 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.

## Approval of Minutes

The minutes of the June 19<sup>th</sup>, 2012 meeting were approved with no additions, deletions, or corrections with a motion by Council member Sizemore, seconded by Vice-Mayor Torres, and approved by all.

The minutes of the July 3<sup>rd</sup>, 2012 Council Workshop were approved with no additions, deletions, or corrections with a motion by Council member Nunn, seconded by Council member Clarke, and approved by all.

The minutes of the July 3<sup>rd</sup>, 2012 Special Council meeting were approved with no additions, deletions, or corrections with a motion by Council member Hite, seconded by Vice-Mayor Torres, and approved by all.

The minutes of the July 9<sup>th</sup>, 2012 Special Council meeting were approved with no additions, deletions, or corrections with a motion by Council member Hite, seconded by Council member Sizemore, and approved by all.

## Presentation of List of Vendors Paid

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

## Presentation of Financial Statements

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

## Presentation of Town Operation Reports

The Town Operations reports were presented to Council.

Director Richard Elliott reported to Council that the new Garbage truck has arrived and is parked out front for Council to see. He stated that last Friday, both of the older Garbage trucks broke down and the garbage service was finished by pickup and dump truck. He stated that one truck had fuel problems and the other required the PTO to be replaced. He stated that the new truck is very nice, and the Town should get 20+ years of service from it. Director Elliott reported that the waterline project is progressing, and there have been a lot of interrupted services, and they found old services along Hwy 15; we did not know existed. He stated that he has been talking to the residents, apologizing for the inconveniences and also letting them know that adjustments will be made if they have to run excess water to clear the dirty water. He stated that the contractor has been helpful in delivering notices to residents regarding scheduled water shut offs for the work.

Director Elliott stated that after the work is finished in the Hwy 15 area, they will move to Ferry Street and will start on the work along Virginia Avenue after Lakefest. Director Elliott stated that the next phase of the Southwest Downtown Improvement Project has been advertised for bid for replacement of sewer lines along Market Street, 8<sup>th</sup> Street, and Carolina Street as well as replacing some sidewalks and curb and gutter. He stated that the bid opening will be on April 17<sup>th</sup>. He stated that they are preparing for Lakefest as much as possible. He stated that VDOT will be cleaning the streets on Friday, and they have been working with the Town very well. He stated that if anyone sees anything they have overlooked to prepare for Lakefest to please let him know.

Council member Hite stated that a business, Your Hair Place, was very complimentary regarding the help and service the workers provided when water service was off so they would not lose any business while the water service was off.

## Presentation of Police Activity Report

The Police Activity report was presented to Council.

Chief Ricky Wilkinson informed Council that as of July 1, 2012 the jail is now the regional jail. He stated that also with the closing of the Pavilion in South Hill, the Police Department will be faced with added responsibility when an Emergency Custody Order or Temporary Detention Order is issued. He stated that in the past, when one of the orders were issued for someone that resides in Clarksville, the officer on duty would take the resident to Boydton to the jail, and they would be assessed there by mental health and then transported to whatever facility that was required by the Sheriff's Department. He stated that since the jail is no longer run by the Sheriff, the jail no longer has staff to make such transports and the transports will be assigned to the jurisdiction in which the resident lives. Chief Wilkinson informed Council that on occasion for Town residents, two officers will have to respond to the orders issued and transport the individual once they are assessed at the jail in Boydton to whatever facility required for treatment of the person. He stated that two officers are needed since the patrol cars do not have the cage dividers and cuffs and specials belts will be needed for the transport. Chief Wilkinson stated that they have all the help lined up for Lakefest.

---

## UNFINISHED BUSINESS

---

### Noise Ordinance

Council member Hite stated that she has received several comments regarding the noise ordinance and wonders if it could be revisited. She questioned if noise could be categorized within the ordinance as permitted noise and nuisance noise. Treasurer Murphy stated that she was not sure about setting categories, but the wording cannot be vague or subjective. Mayor Allgood stated that some type of quantitative measure has to be set to determine whether a noise is in violation of the proposed noise ordinance. Interim Town Manager Lee stated that he has received calls both for and against the proposed noise ordinance. He stated that he will meet with the individuals to discuss it further before the next workshop.

---

## NEW BUSINESS

---

### Election of Vice Mayor

Mayor Allgood stated that every two years, it is time to elect a Vice-Mayor to serve, and it is up to Council to reappoint that position. Council member Nunn motioned to reappoint Connie Torres as Vice-Mayor for the next two year term, seconded by Council member Sizemore, and approved by all.

## Amendment of Code to Establish Residency Requirements for Town Manager

Interim Town Manager Charles Lee stated that at the Council Workshop, Council discussed and decided that measures need to be taken to require that the Town Manager be a resident of the Town. He stated that the Town Code language states that the choice of a person to fill such position shall not be affected by the place of his or her residence. He presented the proposed language to amend the Town Code. He stated that the proposed change is that the person of choice to fill such position is expected to reside within the Town limits. Interim Town Manager Charles Lee stated that if Council approves of the proposed change, the amendment can be presented at the August meeting for a first reading.

Council member Nunn motioned to amend the Town Code 31.02 Qualification to state the person of choice to fill such position should be required to reside within the Town limits. Council member Clarke stated that he feels that a person could live a little outside the Town limits and still be a part of the community and serve as Town Manager. Council member Nunn stated that the Town Manager should be a qualified voter and a person has to live within the Town limits in order to vote for Town representatives. Vice-Mayor Torres stated that with having the Town Manager live in Town, the person is equally affected by the Town's rules and fees charged as the other citizens. Council member Sizemore seconded the motion. The motion passed with a vote of four in favor and one against (Council member Clarke). Mayor Allgood stated that the proposed amendment to the Town Code will be presented at the August meeting for a first reading.

## Consideration of Appointment to Lake Country Regional Airport Commission

Interim Town Manager Charles Lee stated that this item will have to be delayed as no supporting documentation was received on the request.

## Consideration of Record Retention Policy

Interim Town Manager Charles Lee stated that at the Workshop Council discussed that the archiving of records, including maps, is consuming increasing amounts of space and making it difficult to retrieve needed documents. He stated that under the Code of Virginia, the Library of Virginia has the authority to issue regulations governing the retention and disposition of state and local records. He stated that in keeping with the Code's mandates, he presented a Records Retention Policy and schedule of retention requirements for Council to review and consider for adoption.

Council member Hite motioned to adopt the Records Retention Policy and Disposition Schedules as presented by the Library of Virginia, seconded by Vice-Mayor Torres, and approved by all. Vice-Mayor Torres stated that the minutes from the Council meetings and Workshops are not listed on the schedule. Treasurer Murphy stated that minutes of meetings have to be kept forever and they are also kept offsite in microfilm form.

## Resolution of Town of Clarksville Approving Lease Purchase Financing

Interim Town Manager Charles Lee presented a resolution prepared by the Town Attorney for Council to review and consider for adoption as a means of additional approval from the Council for the lease purchase financing of the garbage truck.

Vice-Mayor Torres motioned to adopt the resolution of the Town of Clarksville approving the lease purchase financing of the garbage truck, seconded by Council member Sizemore, and approved by all.

## Opportunity for Public Comment

Charles Wilson of 805 Carolina Street stated that he owns three houses in Clarksville and cannot get any peace and quiet due to the noise from his neighbors. He feels that the Town should pass the noise ordinance to give the Police officers a tool to work with as far as the noise. He stated that he has no problem with scheduled noise such as with the restaurant. He says that he has problems with random noise such as loud horns, loud music, and cars congregating and partying at 2:30 a.m.

## Consideration of Request for Closed Meeting

Mayor Allgood received a motion from Vice-Mayor Torres that Clarksville Town Council convene in Closed Session pursuant to Virginia State Code section 2.2-3711A7 to discuss matters pertaining to annexation, seconded by Council member Nunn, 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 Sizemore	Aye
Council member Clarke	Aye
Vice-Mayor Torres	Aye
Council member Hite	Aye
Council member Nunn	Aye

Council member Nunn motioned to appoint Interim Town Manager Charles Lee, Vice-Mayor Connie Torres, and Mayor Kevin Allgood to the negotiating team to meet with the mediator in July, seconded by Council member Clarke, and approved by all

## Adjournment

With no further business, the meeting was adjourned.

---

Kevin Allgood, Mayor

---

Tara Murphy, Treasurer/Clerk