The Smithfield Town Council held its regular meeting on Tuesday, April 7th, 2026. The meeting was called to order at 6:30 PM.

Members present:

Michael Smith - Mayor
Bill Harris - Vice Mayor
Steve Bowman
Mary Ellen Bebermeyer
Valerie Bulter
Darren Cutler
Jeff Brooks

Members absent:

None

Staff present:

Michael Stallings – Town Manager
Lesley King – Town Clerk
Tammie Clary – Community Development & Planning Director
Ed Heide – Director of Public Works
Judy Winslow – Director of Tourism
Laura Ross – Treasurer
Alonzo Howell – Chief, Smithfield Police Department
Chris Meier – Deputy Chief, Smithfield Police Department
Steve Clark - Grounds Attendant
Kyle Warren - Grounds Attendant
Charles Bryan - Planning Commission Member
Dr. Thomas Pope – Planning Commission Member
Leigh Abbott-Leaman – Board of Historic and Architectural Review Member

Legal Representation:

Chris MacKenzie - Interim Town Attorney, Sands Anderson

Press:
Stephen Faleski - The Smithfield Times

Citizens:
27

Mayor Smith welcomed all attendees to the meeting and asked all present to stand for the Pledge of Allegiance.

1. **Call To Order**

2. **Pledge Of Allegiance**

3. **Closed Session**

Councilman Bowman made a motion to go into Closed Session for discussion of Consultation with Legal Counsel Requiring Legal Advice, more specifically, Closed Session Procedures, Pursuant to 2.2-3711 A8 of the Code of Virginia. Discussion of Interviews from Selected Legal Firms for General Legal Services, Pursuant to 2.2-3711 A1 and A29 of the Code of Virginia.

Councilwoman Bebermeyer seconded the motion.

Mayor Smith called for the vote, with seven members present. Councilwoman Butler voted aye, Councilwoman Bebermeyer voted aye, Councilman Brooks voted aye, Councilman Cutler voted nay, Councilman Bowman voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye.

The motion passed by a majority of 6-1.

Town Council entered Closed Session at 6:31 pm.
Town Council exited Closed Session at 7:15 pm.

Councilman Bowman made a motion to return to Open Session and to certify that only the listed topics were discussed during the Closed Session.

Vice Mayor Harris seconded the motion.

Mayor Smith called for the vote, with seven members present. Councilwoman Butler voted aye, Councilwoman Bebermeyer voted aye, Councilman Brooks voted aye, Councilman Cutler voted aye, Councilman Bowman voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed unanimously.

a. Consultation with Legal Counsel Requiring Legal Advice, more specifically, Closed Session Procedures, Pursuant to 2.2-3711 A8 of the Code of Virginia.

b. Discussion of Interviews from Selected Legal Firms for General Legal Services, Pursuant to 2.2-3711 A1 and A29 of the Code of Virginia.

4. Informational Reports

a. Town Manager's Activity Reports

b. Committee Summary Reports

5. Upcoming Meetings And Activities

April 7	6:30 p.m. - Town Council Meeting
April 14	6:30 p.m. - Planning Commission Meeting
April 21	6:30 p.m. - Board of Historic and Architectural Review
April 21	7:30 p.m. - Board of Zoning Appeals
April 22	6:00 p.m. - Joint Town Council & Planning Commission Meeting
April 27	3:00 p.m. - Town Council Committee Meetings

6. Public Comments

Robbie Younger of 19001 Farm Road in Smithfield stated she had not seen what the outcome was of the discussion held at a previous meeting, but wanted to share that she was against any additional short-term rentals in the Historic District. She observed she was in agreement with Councilman Bowman's concern about over-concentration of short-term rentals destroying the ambiance of Smithfield and Councilwoman Bebermeyer's statement that homeowners wanted to know their neighbors. She speculated that most people would feel the same way wherever they lived. Mrs. Younger expressed concern that if allowed to move forward, then commercial real estate companies could buy historic buildings in town, making it so that average homeowners would not be able to afford to buy homes in the area. She asked the Council to consider homeowners over tourists, noting that there were many nice places for people to stay. She related a personal story of a friend from Key West who had said that the influx of short-term rentals had destroyed the area. Mrs. Younger requested that they consider moving the closed sessions to the end of the meeting as all the attendees had been waiting for a long period.

Lynn Briggs stated that she was additionally signed up for the public hearing later in the agenda and asked for confirmation if they were at that point in the meeting. She stated she would return to speak at the public hearing.

Christopher Gwaltney of 1 Jamesview Circle in Smithfield reported that he was a professional engineer who had resided in Smithfield for 34 years. He agreed with the comment made by Mrs. Younger that the public comment section should be held before the closed session as there were items that he wanted to speak about that they would be discussing during said closed session. He commended Councilman Cutler on his responsiveness to communication from citizens. He continued that it took a big man to vote "no" as it was easy to vote "yes." He observed that he did not always agree with what Councilman Cutler was saying or voting on, but he applauded his speaking about what he felt was important. Mr. Gwaltney referenced the item awarding the Vehicle Maintenance Contract to Dave's Service Center, and said that he had personal experience with the business assisting in towing his vehicle, and they did an excellent job. He added that he liked seeing local businesses benefit from the taxes the Town collected. Mr. Gwaltney noted the invoice for Xylem and stated that he had contacted the Town about an issue with trees on power lines in his area. He related that he had been told that they had addressed the issue, but he had not seen much done in his neighborhood to show that. He said that the tree limbs were touching the lines, and just the other day, during some wind gusts, the power went out. He asked that the issue be addressed and suggested that someone could reach out to Virginia Power to inform them of the issue. Mr. Gwaltney stated that he did not understand the inclusion of the "Resolution Authorizing the Acceptance of Permanent & Temporary Easements and Other Property Interests Related to Town Public Utilities". He said that he assumed that it was proposed in order to keep the Council from having to vote on every single easement that came through. He explained that he was not in favor of that action as he wanted them to vote on everything, and actually wanted them to vote on more and not fewer items. He suggested that the wording be changed for the approval of the Council Summary Minutes. He related that he had been on the Board of Zoning Appeals for 10 years, with his being Chairman for 3. He stated that when he was on the board, the minutes had been verbatim. He stated that they stopped doing verbatim minutes as a person, who was not present, had not wanted things that they said to be recorded. He said that though he was the Chairman and had enough votes to approve keeping verbatim minutes, he had been told by Staff and Bill Riddick that they would only be summary as it did not matter whether he was Chairman or not. He said that the issue also related to the debate about minutes being taken in closed sessions as well. Mr. Gwaltney said that transparency is what people wanted, and that if he said something wrong then he was a man and would admit it. He suggested that they consider that in the future.

Councilman Bowman asked to address the comment made twice about closed sessions being held at the beginning of the meeting. He recalled that when he first became a Council member there had been concerns from citizens about closed sessions being held at the end of meetings and the public not being around at the end of the session to see what went on at the closed session. He stated that at the time the move had been made to allow for more transparency. He noted that the certification process completed after the closed session addressed what had been discussed, allowing the public to see what was talked about.

<u>Bob Hines</u> of 216 Washington Street in Smithfield said that he understood both arguments about whether to have closed sessions at the beginning or at the end of a meeting. He stated that the way that the motion going into closed session was worded, and the motion that was made certifying what was discussed after made it unclear to him what was actually said during the session. He offered that the more they detailed about what was said, then the better it was.

Councilman Brooks reiterated what Councilman Bowman had said previously about why the sessions were moved from the end to the beginning of the meetings. He recalled that 4 years prior, the Council at the time had gone into a long closed session, and all PUBLIC attendees had left as a result. He continued that after exiting their closed session, they had voted to commit $1.4 million to the Pierceville property with no attendees present, which many people took issue with. He related it may be one of the reasons he had been voted into his seat. He stated that the then Mayor, Councilman Bowman, made the decision to have closed sessions at the beginning of the meeting so that if there was a vote that followed, it would be done in front of the public and therefore be more transparent.

Councilman Bowman emphasized that the Town Council did not take votes or make motions in closed session under any circumstances.

7. Council Comments

Councilman Cutler stated that with the nature of the public hearing that they were going to have, he felt that it was appropriate to give some background information. He stated that the announcement made a few meetings ago should have been celebratory, but had been shaded by an unplanned agenda item and no good discussion on the background of the decision made. He said he would give a summary of the steps leading up to the purchase of the Grange, which he added should no longer be called that. He noted that he had seen statements from the public that they were "happy about the outcome, not happy with the process," and added that he had also been unhappy with the process. Councilman Cutler stated that as necessary as some closed sessions may be, and though there were issues with the process, this action had been well-executed. He explained that the Town's Attorney and the Town Manager had kept the process "above-board" and properly run the entire time. He said that the town had been offered land on the parcel in the last iteration of the Grange project that had been privy to all. Councilman Cutler stated that his question had been whether they could move the land offered to the Town to front of the parcel on Main Street. He continued that the discussion started there, and evolved into having a town center with a farmer's market in that area, along with an additional philanthropy effort from the developer delivering utilities to the property line. He noted the positive aspects of that idea, adding that it would also require payment of the $1.4 million previously committed. He continued that a meeting was held about the concept, and it was discussed. He emphasized that it had only been an idea with nothing solid planned. He said that out of that discussion had come an iteration of a concept at the site which he had been interested to see was similar to the original concept for parcel. Councilman Cutler observed that the handful of closed sessions held over the following months had included the Town Council discussing the concept. He summarized that there had been an approved project, a proposed project, and a conceptual idea. He noted that in the end, they had returned to the same problem with costs. He stated that due to not being able to come to a compromise, it was never able to take off. He acknowledged that a good faith effort had been made by both the Town Council and the developer to pursue the concept. He stated that all the Town Council members, the Town Manager, the Town Attorney, and the Town Staff had done their due diligence and did it very well. Councilman Cutler stated that the closed session meetings were listed in the public documents and, although they were closed, a transparent effort was being made to relay information to the citizens. He continued that the question was posed to the developer that as the concept had fallen apart, would they revert to the original plan or would they put the property up for sale. He said that the property was then offered to the Town for the price that they came out of closed session with. He reported that there had been much discussion surrounding the price, and there were a lot of thoughts among well-versed people that a property with 300 or so homes approved on it was a much higher price than what was agreed upon. Councilman Cutler stated that sometimes the Council had to make decisions for the long-term benefit of the Town, even though they might not be popular at the moment. He said that he believed the property gave the town a number of opportunities. He stated that the process occurring in closed session protected all the parties involved as allowed by law, adding that when negotiating a price, if there is a lower price discussed than what you might sell to a competitor, then that information may not want to be released. He stated that once the price seemed to be tenable, they brought it to the floor for a vote. He summarized that he felt it had been a good process as they had month after month of public notification of a singular topic in closed session.He compared the process to that of the motion to not take minutes in closed session where it had been added to the agenda at the last moment when not the whole Council had been made aware of the addition. Councilman Cutler reiterated that the process of the purchase of the property was well-executed. He stated that the positive side of the action was now that the property was the town's, they could focus on the future at the site and what they would like to do with the property. He noted that the Town Council had not had a plan when they agreed to buy the property, adding that there would have been even greater uproar if they had made an expensive decision without public input. He stated that the project needed rigorous citizen guidance and the property was perfectly situated to have a great positive impact on the Town. He advised that it would be prudent to immediately make base improvements to the parking lot to make it more useful. He went over a list of the possibilities for the site coming directly from his brainstorming: keep the site natural, basic improvements to allow public use, build a town center with a farmer's market, consider selling some of the town's other properties in order to have municipal use of the site, partner with the County to do work on the property, partner with a school, or partner with Smithfield Foods. He gave the reminder that the town was now not dependent on a developer to get us something that the citizens desired. He speculated they could use the front of the property at Main Street for a municipal site and sell the back to a business, such as Aldi, which was suggested by resident Herb DeGroft. Councilman Cutler stated that he felt that they should let the property sit for a while, and the Town Manager likely had an idea for some cheap fixes at the site. He discussed the idea of Citizen Assembly, noting that it was structured like jury duty for selection of who would attend, and then there would be structured discussion about what they would like to see happen at the site. He reiterated that though the process had been disappointing, it had been well-executed, and that he believed that they got the property with some level of fairness.

Councilman Bowman reported that an email had been received that afternoon from Riverside Smithfield Hospital that had the subject of "The First 90 Days." He highlighted from the email that in the past 3 months there had been 322 surgeries performed, 452 patients had been admitted for care, more than 9,763 imaging had advanced timely diagnosis, and more than 4,081 patients entered their Emergency Room with 0 leaving without being seen. He related that the email had been from Kristen Whip, Chief Philanthropy Officer. He stated that the Town could not be more proud of such a wonderful asset to the community.

Mayor Smith noted that Councilman Bowman was present at the Town Council meeting, but he was missing another event. He asked Councilman Bowman to talk more about it.

Councilman Bowman reported the American Legion provided yearly service awards to outstanding members of the public safety community, police, fire, and rescue. He stated that his son had been notified that afternoon that he would be receiving an award. He saluted all of their public safety providers, as well as the American Legion and Veterans of Foreign Wars (VFW). He stated that it was really nice of civic groups such as theirs to remember the good work that volunteers and police officers did for the community.

Mayor Smith stated that Councilman Bowman's son, Connor, had done great work to be recognized. Answering a member of the public regarding going back to the public comments, he asked the Town Attorney to weigh in on whether they could go back.

Mr. MacKenzie reported that it was up to the Mayor if he wanted to allow another speaker.

Mayor Smith stated he would allow another speaker. (minutes found in the "Public Comments" section.)

8. Consent Agenda Items

Councilman Bowman made a motion to approve the Consent Agenda as presented.

Vice Mayor Harris seconded the motion.

Mayor Smith called for the vote, with seven members present. Councilman Bowman voted aye, Councilwoman Butler voted aye, Councilman Brooks voted aye, Councilwoman Bebermeyer voted aye, Councilman Cutler voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed unanimously.

a. Motion Award the Vehicle Maintenance Services Contract to Dave's Service Center
Finance Committee Chair, Jeff Brooks

b. Invoices Over $20,000 Requiring Council Authorization:
Finance Committee Chair, Jeff Brooks

i. Virginia Control & Electrical Services, LLC - Police Annex Building $ 23,596.00
ii. Virginia Control & Electrical Services, LLC - Generator @ Cary Street Public Works Building $ 96,600.00
iii. Xylem $ 55,032.96

c. Motion to Accept Utility Easement for Liberty Live Baptist Church
Public Buildings and Welfare Committee Chair, Valerie Butler

d. Motion to Accept Utility Easement for Battery Park Storage
Public Buildings and Welfare Committee Chair, Valerie Butler

e. Resolution Authorizing the Acceptance of Permanent & Temporary Easements and Other Property Interests Related to Town Public Utilities
Public Buildings and Welfare Committee Chair, Valerie Butler

f. Supplemental Agreement to the Subdivision Agreement for Phase A Section 1 of Mallory Pointe, dated December 14, 2023
Public Buildings and Welfare Committee Chair, Valerie Butler

g. Motion to Approve the Town Council Summary Minutes from March 3rd, 2026
Mayor Michael G. Smith

9. Action Items

a. PUBLIC HEARING: Rezoning, Comprehensive Plan Amendment & Future Land Use Map Amendment - TPIN # 22-01-026 - MCSF, LLC applicant
Tammie Clary, Director of Community Development and Planning

Mrs. Clary reported that the Applicant was requesting the rezoning of 0.251 acres of the property from Conditional Suburban Residential (C-SR) to Light Industrial (I1).She detailed that the applicant was additionally requesting to alter the Comprehensive Plan through the Future Land Use Map (FLUM) changing the "Residential Mix-Use" to Flex Industrial. She said that the application would facilitate an addition at the property that would meet the required setbacks for 19351 Battery Park Rd, and noted that the Planning Commission had favorably recommended the application at their March 10th meeting.

Mayor Smith opened the public hearing.

Christopher Gwaltney of 1 Jamesview Circle in Smithfield acknowledged that he was not familiar with the project in question, but to him, it seemed to be an example of how something was built in Isle of Wight County and eventually was annexed to the town whether the owners wanted it or not. He stated that was the issue with Future Land Use Maps (FLUMs), adding that they did not take into account long-term planning. He stated that he was in favor of the change in zoning as the applicants would get permission to use the property the way that it had always been intended to be used prior to the town getting involved. Mr. Gwaltney noted that he was not in favor of the multitude of spot zoning areas. He said that as an engineer he liked things to make more sense rather than less sense. He recalled that when he ran for Town Council in 2009, and had lost, which was the best thing that could happen to him, one of the platforms he ran on was the zoning issues that were found in the town. He related that his home was originally built in Isle of Wight County and then became a part of Smithfield. He noted that his home's zoning under Smithfield did not match the zoning as it had been under Isle of Wight County. He said that the town had wanted him to tear half of his garage down because it did not meet the town's zoning guidelines. Mr. Gwaltney reported that he had been asking for years, since 2009, for the town to address the zoning problems. He said that they were updating the zoning ordinance again, and still hadn't addressed the issues which made people start to lose faith in the system when it doesn't work for the citizens.

Marvin Smith of 10283 Newport Street in Smithfield related that he was the owner of the property in question. He reported that he had worked for several months with the developer of Mallory Pointe wanting to give an easement to the Town of Smithfield to allow for a pipe to be installed in the front of their property. He continued that he had been trying to figure out how he could put an addition to the building in order to update the services they provided to the town. He observed that the move was a win-win for everyone involved and would save a lot of money for all parties.

Mayor Smith asked if there were any other comments from the public. Hearing and seeing none, he closed the public hearing.

Councilman Bowman made a motion to approve the application as presented.

Vice Mayor Harris seconded the motion.

Mayor Smith called for the vote, with seven members present. Vice Mayor Harris voted aye, Councilwoman Bebermeyer voted aye, Councilman Brooks voted aye, Councilman Cutler voted aye, Councilwoman Butler voted aye, Councilman Bowman voted aye, and Mayor Smith voted aye. The motion passed unanimously.

b. PUBLIC HEARING: Acquisition / Disposition of Real Property
Michael Stallings, Town Manager

The Town Manager reviewed that at the previous Town Council meeting, staff had been directed to start the process of acquisition of the 20 parcels comprising 57 acres at the Route 10 and Route 258 intersection. He said that as the Council pursued the master planning process for what eventually happened on the property, they were aware of the possibility that they may have to relinquish parts of the property in order to support their long-term goal. He observed that because they were aware of the possibility of that ahead of time, they would have a public hearing in relation to future commercial or business use on the parcel as required by the State Code. He stated that it was an opportunity for the Council to get input from the public on the potential future use of the parcel.

Mayor Smith opened the public hearing on the matter.

Sabrina Dooley of 1306 Rivers Arch in Carrollton reported that she worked for Smithfield and Isle of Wight County Tourism as the Farmer's Market Manager. She stated that for the future of the Farmers Market and its vendors to succeed, they would like a permanent home. She said that the market was perpetually at risk of losing its current location in the parking lot of the Bank of Southside Virginia (BSV), adding that at the bank's request they were on a year-to-year lease renewal. She related that the vendors were constantly at the mercy of the weather which frequently disrupted the set market schedule on Saturday mornings. Mrs. Dooley stated that without a permanent structure, the vendors faced a multitude of weather obstacles such as rain, which could damage their products and deter consumers from attending; wind, which was potentially dangerous as they were located within a wind tunnel of sorts; and heat, which was a dangerous condition that over the past few years had increased cases of heat exhaustion from vendors as well as attendees. She said that as the vendors strived to earn a living, the weather had become their biggest obstacle. She related that the staff's top priority was the safety of the vendors and the public, while also prioritizing the time and effort the vendors put into their business. She explained that when bad weather was forecasted, they had to strongly consider the time, effort, and money that the vendors put into preparation for the market, notably the farmers and food vendors. Mrs. Dooley reported that they had been lucky to be able to partner with the Smithfield Center to be able to offer a once a month indoor Farmer's Market during their off season. She added that they had also been able to partner with the Smithfield Center for the upcoming month of August to combat the brutal summer heat. She observed that the market was in need of more electric and water hook-ups, as there was limited access at the current location. She added that the hook-ups were a necessity for some vendors, using the example of food vendors needing to ensure that the food served was kept at the health department's required temperatures. She noted that though Smithfield was not in a food desert, some of the market customers were. She pointed out that the vendors provided fresh produce, farm goods, prepared meals, and more. Mrs. Dooley reported that the market had been established in 2002, making this its 24th year of operation. She added that the market had been winning awards for years, but to thrive and prosper they needed to make updates to accommodate their vendors. She related that a permanent market would support the area's small businesses and the community.

Carrie Robertson of 2568 Pruden Boulevard in Suffolk reported that she was the owner of Peanut City Candle Company and a member of the Smithfield Farmer's Market Board. She stated that what Mrs. Dooley had said was all true, so she would not repeat all the information already covered. She pointed out that what the Town of Smithfield did was very special and a permanent home for the Smithfield Farmer's Market would be extraordinary. She observed that farmer's markets were continually gaining traction amongst the public, as more people were becoming concerned about additives in their food. Mrs. Robertson said that people were attracted to farm-direct goods and supporting small, worthy businesses. She related that she had been participating in the Smithfield Farmer's Market for six years, and she was an example of a success story for a vendor that came out of the market. She stated that the market provided an opportunity for makers, farmers, and businesses to go to do well. Mrs. Robertson said that having a permanent structure for the market would dramatically increase attraction and attention for the Town of Smithfield. She stated that there would be an increase in shoppers for the simple reasons of being more comfortable, accessible, and would not be as weather-dependent. She summarized that the Smithfield Farmer's Market was the town's "crown jewel," and she would hate to see the market continue to struggle due to the uncertainty surrounding its current location. Mrs. Robertson said that she wanted to keep the community vibrant and advised against having an Aldi in Town.

Robbie Younger of 19001 Farm Road in Smithfield reported that she previously had an art gallery on Main Street for 20 years, and asked that people not forget about the brick and mortar businesses within the town. She related that she had been on the Board of Directors for the Chamber of Commerce and was previously Vice President of the Business Association. She said she felt strongly about Smithfield and wanted to see it thrive, but she was against the $6.5 million purchase of the Grange property. She thanked Councilwoman Butler for her dissenting vote against the purchase. Mrs. Younger reiterated that the property was previously assessed at $2.9 million, but it was now being purchased at $6.5 million. She related that anytime she had ever bought a property she would ensure that it had been reassessed and attempt to get the best price possible. She questioned if that had been done in this case, and calculated that if there had been a business there that the town was losing $27,000 per year. She recognized the importance of the farmer's market, but stated that the taxpayers were going to have to pay for all the new buildings moving forward. Mrs. Younger stated that she did not like everything that had been said so far by the Town Council, which made it sound like the purchase was a "done deal." She said that it was her understanding that the Town had 45 days to get out of the purchase, and she hoped that was what they did. She repeated what the Town Manager had said regarding Virginia Code 15-21800, that generally required a public hearing before acquisition. She observed that the Council had made a large purchase with no purpose identified. She expressed concern about the government buying up property, illustrating her point with the example of the purchase of the Stoup Property for $1 million by Isle of Wight County Supervisors and then being sold for $100,000. She said that she did not know if it was the Town Council's job to determine how to develop a property. Mrs. Younger additionally brought up the cases of Windsor Castle Park and the Luter Sports Complex having large amounts of money given towards the projects from Mr. Luter and Smithfield Foods, pointing out that she did not see any big money contributors in this case. She said she felt it was a big mistake, and she hoped that they did not vote for it.

Councilman Bowman asked Mrs. Younger how much she thought that the land was worth.

Mrs. Younger stated she was not a real estate agent, and she did not know, but she felt that it should have been properly appraised. She asked for confirmation if it was appraised and if it wasn't, then why not.

Councilman Bowman asked if she put a price on the future and ability to control the property. He noted that the property was 57 acres at the entrance of Smithfield, Virginia, and questioned her statement that the price was too much.

Mrs. Younger said that her point had been that it should have been publicly appraised.

Councilman Bowman reported that he has looked at similar types of property, and he felt that

$6.5 million was a good deal.

Mrs. Younger observed that, regardless of whether it was a good deal, any development at the site would cost money, whether for a Farmer's Market or not.

Councilman Bowman stated that as a municipality they had a right to request bids for proposals and to accept unsolicited proposals.

Mrs. Younger said that eventually the property would be left to the taxpayers.

Councilman Bowman stated that it may or may not be, depending on how it was developed. He reported that the taxpayers may have some responsibility at the outset, but none of the Council members had any desire to burden the taxpayers.

Mrs. Younger asked who would be supplying the $6.5 million.

Councilman Bowman said that it would be a bond. He stated that he was advised by the Town Manager and the Treasurer that taxes would not be raised due to the purchase.

Lynn Briggs of 211 North Mason Street in Smithfield reported that she was a life-long resident of the community and a resident of the downtown area for over 25 years. She stated that she was also the newly elected President of the Historic Smithfield Organization, although her remarks at the meeting were not representative of any other groups. She said that the process behind the acquisition of the property had raised concerns about transparency and communication. She related that residents wanted to feel informed and included in decisions that had a significant impact on the community. Mrs. Briggs asked them to focus on the future, and as the town now owned the property, it came with a rare opportunity. She observed that the site was located at a key entrance into Smithfield. She said that what happened at the site would shape how the town grew and how the town presented itself. She recognized the clause that allowed the Town to reconsider the purchase, and urged them to think carefully before taking such a step. She speculated that if the Town sold the property again, they would end up where they started with a private development proposal and a community divided over its impact. Mrs. Briggs described the matter as an opportunity to engage residents openly, and develop a thoughtful communitydriven vision for the property. She encouraged that they ask practical questions such as did the town have the expertise to develop and maintain the property successfully, and was the town prepared to absorb the potential tax implications that could come with that approach. She observed that those were not criticisms, but were the kind of things that helped to ensure that they made the most responsible and sustainable decision for the town. She reiterated that there were many possible uses, and this was the town's chance to do it right and together. She requested that the Council keep the property, engage the community, and create something that benefits Smithfield. She listed the many iconic changes that had been made in Smithfield including Windsor Castle Park, Smithfield Foods Headquarters, etc.

Christopher Gwaltney of 1 Jamesview Circle in Smithfield reviewed his educational history, including receiving a Civil Engineering degree from Virginia Tech and working on some of the highest quality developments in Hampton Roads, including Kings Mill and New Town. He noted that in the case of New Town, what the architects designed versus what the financiers produced illustrated that they had put the profits ahead of the vision. He proposed that they call the property previously known as the Grange, "New Town" as well. He related that the name "the Grange" reminded him of the ZZ Top song "La Grange," and read some lyrics. He reviewed his earlier statement that he did not agree with what Councilman Cutler said, and they had 20 years to think about what they were doing at the property. He noted that he had done some math and, during his five-minute speech, $6 million was going at $100,000 per second. He agreed with the statement that $6 million was just the beginning of the cost of the property since they would need to get professionals involved with the project. He reported that he was not in favor of the idea of selling off any of the land. Mr. Gwaltney stated that Councilman Bowman had been correct when he said that hopefully developers would cover costs in the end. He advised that they needed a master plan for the property and then let developers decide if they wanted to get involved. He added that what they would want would be very expensive, and advised that they bring their expectations down to a more reasonable level. He requested that the town hire an architect to investigate the highest and best use of the property. He continued that the property should be a mixed-use property, and they should realize that it was the most valuable property in the town. Mr. Gwaltney stated that they should not accept the first 90-day proposal they saw for a Chick-fil-a. He concluded that he wanted to name the speech "Here's Your One Chance Fancy, Don't Let Me Down."

Russ MacConnell of 109 Lytham in Smithfield reported that he was not necessarily opposed to the town purchasing property, provided that there was a good reason to do so, and it was purchased at a reasonable price. He stated that it was unfortunate that his impression was that neither of those considerations had been made based on what was in the newspaper. Mr. MacConnell related that, according to the newspaper, the Town Council had agreed to purchase the Grange property at over twice its appraised value, and they confirmed that there had been no independent appraiser that provided an evaluation of the property. He continued that, again per the newspapers reporting, the Council did not give a reason or purpose for the property's use, though he did hear some interesting ideas. He reported that he would not pay over twice the assessed value for a piece of property with his own money, and he questioned why they thought that was okay when using taxpayer money. He said that it was his understanding that the Town Council was to be stewards of the taxpayer's money, and he did not see that in regard to the transaction in question, so far. He requested that they cancel the purchase until such time that they had obtained an independent appraisal, with the price then negotiated from that point. He additionally requested that the Council provide the citizens of Smithfield with a viable reason why they should purchase the property.

Renee Bevan of 101 Beale Avenue in Smithfield stated that she strongly supported the town's purchase of the 57 acre property in question. She noted that the ability to preserve the land adjacent to the downtown Historic District provided the town with a rare opportunity, and the decision protected the long-term character of the community. She recognized that the property's rezoning and potential for dense development significantly increased its value and the urgency to act. She noted that supporting the outcome did not mean that they should ignore the process used to get them to that point. She pointed out that the decision and negotiation was conducted largely behind closed doors with no meaningful opportunity for public awareness or input before they voted. Mrs. Bevan stated that several members of the Town Council ran on platforms emphasizing transparency and accountability, which mattered most when making decisions that were complex, high value, and impactful. She stated that transparency wasn't just a slogan, and was what built public trust. She continued that even when the right decision was made, lack of openness undermined confidence and left residents questioning what else they may not be seeing. She encouraged the Council to adopt clearer practices around public communication moving forward, especially for large-impact decisions. Mrs. Bevan stated that early disclosure, public briefings, and opportunities for input should be a standard practice and not the exception. She said that it was her understanding that the only reason that they were having a public hearing at that time was because if there was a sale in the future, then they would have had to have a public hearing, otherwise there would be no public hearing. Mrs. Bevan said that she supported the purchase because she believed that it protected something irreplaceable, but she believed that the community deserved a process that reflected the transparency and accountability that had been promised.

Susie Gay of 110 Goose Hill Way in Smithfield stated that she would like to share some ideas as to what could be done on the Pierceville property. She observed that the Pierceville land was extremely historic, and it was imperative that the use chosen for it should keep that in mind. She acknowledged that the purchase price for the land was high, but it was not impossibly so. She said that the front of the property facing Main Street could be sold as commercial property to offset the initial purchase cost. She continued that area, including the corner of Main Street and Route 10, was very valuable. She listed the ideas for the site that had previously been discussed, including a hotel, doctors' offices, a retaining pond, or a farmer's market, but most of those ideas did not work. Mrs. Gay asked if they had considered a low-cost grocery chain at the site. She noted that Lidl and Aldi were cheaper than Walmart, according to Consumer Reports. She pointed out that they were smaller stores that could be found on the Peninsula and in Virginia Beach. She reported that there was one Aldi in Suffolk, and currently no Lidl. Mrs. Gay continued that Lidl operated using a smaller limited assortment model, and Aldi saved shoppers money through its limited selection private-label model. She listed the surrounding localities which could also benefit from such stores such as Surry and Dendron. She also suggested that they contact the corporate offices of the YMCA of the Virginia Peninsulas to discuss expanding the Luter Family YMCA in Smithfield across Cary Street onto the property in question. She said that an outdoor swimming pool that was able to accommodate swimming competitions would be a wonderful addition for all Smithfield residents, and they could add more tennis courts, as there were only two courts currently. Mrs. Gay said that pickleball was also a popular sport that could also be included in a YMCA extension. She advised that in the event that there was an extension, there would need to be a lighted crosswalk such as what was seen in front of Smithfield Station currently. She speculated that, with the addition of some of the features she had listed, the town might need another hotel, but not a boutique hotel. She noted that people would bring their children for many sporting competitions, and they would not want to pay boutique hotel prices. She added that any hotel in the downtown area would need to be held to the Historic Downtown Districts height restrictions. She asked that her suggestions be considered seriously if the land was purchased and reiterated that it was of the utmost importance that the land be conservatively and responsibly used, if the land needed to be used at all.

Mary Harris of 329 Grace Street in Smithfield handed out documents to the members of the Council for review. She thanked the Town Council for their strength in making the decision to purchase the Pierceville property. She said that the purchase was good news for the town, and she questioned how often a second chance presented itself. She recalled that she had spoken several times in the past about the importance of preserving the Pierceville property and protecting its historical value to the town, state, and nation. She said that she hoped that they would incorporate preservation in the future plans at the site. Mrs. Harris reported that the first document she distributed for their review was a letter from Preservation Virginia dated 08/1/2023, and noted that the organization had been the group who had saved the town's courthouse, Bacon's Castle, and historic Jamestown. She continued that they additionally had advocated for the preservation of Pierceville for a number of years, even after the Thomas Pierceville House had been demolished. She highlighted the following from the letter sent by Sonja Ingram: "We highly encourage you to require that the Pierceville site be fully investigated for archaeological deposits and burials before construction begins," "records indicate that enslaved people lived and worked on this property," "the records also indicate that a burying ground existed on the property likely containing the burials of enslaved people. It is imperative that the Pierceville site undergo a comprehensive archaeological investigation performed by professional archaeologists with the most up-to-date technologies before it is destroyed," "the archaeological data that could be lost may be some of the most important to the Town of Smithfield and Virginia and could be invaluable to the descendants of enslaved people of the area," and finally "we highly encourage you to require that the site be fully investigated so we can fully understand the history of Pierceville and Smithfield and its connections to other colonial sites in Virginia. Once this information is lost, it is lost forever." Mrs. Harris reported that the second document she handed out was from architectural historian Mark Wagner at the Virginia Department of Historic Resources, and it gave more evidence regarding the value of the historic property. She reported that Mr. Wagner's efforts had been not only to save the buildings at the site, which were no longer standing, but also recognized the value of the land. She quoted from Mr. Wagner: "this is a property that is worth retaining if possible. It is a property that may yield significant historical information, valuable to the town and the region." She reiterated that she hoped that the Town Council took advantage of the remarkable second chance that they had been given to be able to do a complete archaeological study of the property before any other types of future uses were considered. She related that the property may have also been the site of some of the Native or Early American settlements. She said that it had very significant historical implications for their town, region, and nation.

Carleen Arinello of 113 Goose Hill Way in Smithfield stated that she was confused because it was being presented in one way that the property had been bought, but in another way that they had not yet bought the property. She noted that she did not know exactly where they were in the process, and what exactly had or had not been done. She said that if the Town Council stated that it was already a done deal, then she would be happy, but not about the cost. Mrs. Arinello stated that an appraisal was done for anything that they sold or bought. She pointed out that had not been done in this case, and as a town it should have been done. She said that the appraisal should have been the first thing that they did as there was no improvement done on the land. She said that there was no significant market appreciation in Smithfield that it could be compared to, or any comparable development. Mrs. Arinello said that being silent on the subject was not acceptable, and reiterated that they should have gotten an appraisal. She noted that the Town Manager stated that the town did not intend to have an independent appraisal completed. She said that she felt that was a big deal. She observed that the seller set the price, and the town accepted it. She stated that no one in a position of authority, the people in the room currently, saw fit to verify whether that price was even remotely justified. She asserted that an independent appraisal was not optional but was the bare minimum owed to the taxpayers in the town. She recalled that Councilman Bowman said that there would not be an increase in taxes, but she speculated that there would be in the future when they began the process of constructing what would eventually be at the site.

Councilman Bowman reported that he had said that there would not be a tax increase based on the procurement of the property at the price that was set. He said that he did not mention any improvements or ancillary actions.

Mrs. Arinello requested that the Town Council review the information and make sure that they were doing the right thing. She observed that it was a historical piece of property, and they wanted to keep it there. She said that they should not place a lot of buildings at the site, and make it a park or public area for the citizens.

Paula Cole of 334 Grace Street in Smithfield reported that she had lived in her home since July 2000. She said that she loved the town and had a business on Main Street. She related that she was concerned about Grace Street, and would like to see that road extended all the way out to Route 10, with stop signs placed along the way to slow the traffic down. She reported that she could hear drivers increase their speed as they went down Grace Street at all times of the night. Mrs. Cole stated that her next concern dealt with the Farmer's Market, which she loved and was happy with their location downtown. She noted that Main Street was where all the activity was, though Grace Street was fun at Halloween. She continued with concerns about the Pierceville property since her home was close to the site. She related that she was grateful that the town had taken the property out of the hands of Mr. Luter, but questioned how in the world the developer had been approved for work there. Mrs. Cole stated that she had been present when they originally zoned that area, and she questioned how Mr. Luter was not held to the specific zoning of the site. She reported that she understood that there would be growth in the area, and she was watching what was happening.

Mark Gay of 110 Goose Hill Way in Smithfield thanked the majority of the current Council for making the best of a difficult choice to ensure that any future development of the Pierceville property complements the Historic District and recognized the considerable infrastructure challenges involved, while contributing to the public good. He recognized that the purchase price was considerably higher than a previous request for $500,000 that the town was asked to contribute to the trust for public land 10 years ago for the planned purchase and renovation of Pierceville. He said that he could appreciate that other high-density developers would be jumping at the opportunity to meet Mr. Luter's current asking price for the property thanks to the poor decision by a vote of 3 to 2 to approve Planned Mixed Use District (PMUD) zoning. He related that the action had removed Pierceville from the Historic District and changed the Future Land Use Map (FLUM) to accommodate the Luters. Mr. Gay stated that the town was at a critical juncture that demanded steady foresight in the planning process with accomplished supervision of developmental activity, and a commitment to excellence. He observed that there had been many suggestions about what to do with the property, and he suspected that they would hear many more. He noted that Pierceville was a unique green space property with a nearly 400-year colonial history, with the Thomas Pierce Family being important people in Isle of Wight and Virginia. He reported that Thomas Pierce was one of two attendees at the Virginia Constitutional Convention. He added that Benedict Arnold's forces camped at the Pierceville site en route to battle in 1781. He additionally reported that the Pierce Agricultural Enterprises and Settlements comprised a substantial portion of the current Historic District and Goose Hill subdivision. He advised that they needed to be smart about where and how much asphalt was poured onto those 57 acres.

Leigh Abbott-Leaman 111 Thomas Street in Smithfield, acknowledged that the $6.5 million land purchase by the Council was significant and not a small decision as it would shape the town for decades. She related that the action was serious as they had made a major financial commitment without a stated plan and without clearly communicating the full financial implications to the public. She said that many residents were celebrating the action as preserving open space, noting that she understood the instinct to do so. Mrs. Abbott-Leaman clarified that open space at that scale was not free and costs would not go away but would rather shift. She stated that by taking the land off the tax rolls, the town and the county then lost real estate tax revenue from the land. She gave the reminder that because the town was also part of the county, there would actually be double the tax and double the loss. She continued that they missed out on future taxes collected from any buildings and ongoing revenue from meals tax, business activity or tourism that could have taken place. She related that there were still school crowding issues, infrastructure needs, rising service demands, and huge gaps in entry or workforce housing size ranges. Mrs. Abbott-Leaman questioned who, if the property produced no revenue, would make up the difference. She stated that point was where she felt the conversation had not been honest enough. She speculated that purchasing the property in the name of keeping things the same assumes that no growth was an option, and it just wasn't. She observed that the town was situated in a region that was growing, and they could not "unwind" the world. She said that they could manage the growth, but the more they tried to block it, the more it seemed that they were getting in their own way. Mrs. Abbott-Leaman challenged the assumption that low density preserved affordability or that it preserved community character. She acknowledged that she was a member of the Board of Historic and Architectural Review (BHAR) and her comments did not represent them. She related that BHAR did not manage low density housing aesthetics and architecture. She speculated that of all the Council members that lived in that area, Councilman Brooks' home might be the only one to get built with that philosophy. She asked them to consider what they were advocating for in keeping it downtown, and then having to pay. She stated that she was not arguing against open space, but she was arguing against open space with no strategy. She summarized that the town currently had a $6.5 million acquisition with no defined use, no revenue plan, and no explanation of the long-term financial impact. Mrs. Abbott-Leaman reviewed that "outcome" had been mentioned a couple of times, and stated that was premature as there was no outcome but only a transaction they were discussing. She requested that the Council clearly present to the public the estimated annual revenue lost from removing the property from the rolls, the projected cost to maintain any proposed uses, and a framework for how the property would either generate revenue or offset its cost over time. She reasoned that without that information they were not asking residents to weigh their options. She stated that brainstorming was good, but there was no clear path or limit. Mrs. Abbott-Leaman stated that Smithfield could preserve what made the town special and could plan responsibly for its future, but that required information about the trade-offs necessary and not just the aspirations.

Councilman Bowman responded that they did not make the decision lightly. He explained that they had made some cost-benefit analyses that dealt with the amount of time that was available and the cost. He related that he stood by his statement that in the next weeks and months they would see that 50+ acres of land in Smithfield was well worth that amount. He added that the Town Manager would be developing a master plan for the site. He stated that they would be engaging the public to give them an idea as to what was wanted at the property. He reiterated that there was finally town control of the shining star at the western end of Smithfield, which to him was worth something. He observed that he was also a town resident and would see any tax changes too.

Allison Crocker of 149 St. Anne's in Smithfield submitted typed information as she had to leave before being able to speak. Mayor Smith summarized that the letter had been in support of the Town's proposed purchase of the property, and the information would be emailed to each of the Council members for their review.

Ross Younger of 19001 Farm Road in Smithfield stated that after listening to the other speakers and Councilman Cutler's statements, he had to change what he had originally wanted to say. He said that he was disappointed that he did not know how many current Council members were on the Council now when Pierceville had originally gone up for sale for $2.1 million. He recalled that his wife had attended many meetings held for people who were trying to preserve the property to keep it historic. He noted that the town had declined to buy the property, and it had been sold. He continued that since the time of that sale, most of the historic aspects of the property had been destroyed. Mr. Younger referenced the statements made about possible burial grounds on the site and asked about how much of the land the town would be able to use because of historical items on the land. He reported that he understood having closed-session meetings on the matter as it involved negotiating between two parties, and they wouldn't want the price disclosed then allowing another person to come in with a higher price. He stated that a little bit more transparency could have been used, and it should have been announced in the paper. Mr. Younger stated that he did not think that it was a good purchase, at least at the price quoted. He recognized that he may be proven wrong when property values went up, but reiterated his concern about how much of the land they would actually be able to use. He additionally questioned what use they could put the land to that would benefit the public if they proceeded with the purchase.

Mayor Smith reported that there were no other members of the public signed-up to speak, and asked if there were any more comments from the public.

Bob Hines of 216 Washington Street in Smithfield spoke about the Raleigh, North Carolina farmers market and how large the space was. He agreed that the Smithfield Farmer's Market was busy and busting out of its location. He suggested that if they were seriously considering a farmer's market building, they needed to think about a space a little larger than what had been discussed previously. He said he understood that an issue with going larger was would the market be able to support itself, and would the taxpayers have to support it in any way. He recognized that the Council was under time constraints on the matter, and due diligence was completed, but the deal was done. He asked why what the Council did in closed session, what was talked about, and how they arrived at the decision could not be talked about now. He speculated that if a developer gave a large offer and that was what had to be done in order to control the property, then okay. He repeated the question of why they couldn't talk about what occurred to get to the decision.

Dr. Rosa Holmes Turner of 4820 Old Stage Highway in Smithfield reported that she was the Principal Chief of the Warraskoyack Indian tribe. She stated that she was not present because she was against the purchase of the property. She reported that she had completed the Emerging Developers Program with Virginia Housing, and she estimated that she had developed about 9 developments from Williamsburg to Staunton to Bristol. She added that she was also a Housing Consultant who had retired from Newport News Shipbuilding. She said that she had noticed the property in question was historic and the Virginia Department of Historic Resources had documented that with the Department of the Interior and National Park Service that everything in Isle of White County, Smithfield, Surry and the surrounding areas can be designated as historic, but it was up to the Chiefs. She reported that they knew those areas would have some buildings on them as there were almost 200,000 units needed in Virginia and that was why they had started training. She related that when the Chiefs decided that a property was historic or needed development, they then designated the property an Opportunity Fund Zone. Dr. Turner reported that there was much that needed to be done, but they needed to include their community. She related that her father had instilled in her to not just help people around the world, but to take care of home. She reported that she had stakeholders in the Town of Smithfield, and when they called she had come. She said that they wanted to be involved and part of the Committee and ensure that they counted the cost of what they were doing. She said that Joe Luter was not the only stakeholder in the community. She stated that they had forgotten about Mallerie Todd, the Spruill Family, the Pierce Family, and the Womble Family and tore those properties down. She reported that she had been around the State as a member of The American Friends of Lafayette and America250 Project representing the community. She stated that when they started digging for their plan, the Army Corps of Engineers would call her to review their permits. Dr. Turner suggested that they let them be a part of the process to ensure a positive outcome for everybody. She encouraged them to include more members of the community because there were investors that may be able to help with funding.

Dennis Arinello of 113 Goose Hill Way in Smithfield related that the issue for him was the fundamental breech of their fiduciary duties and their willingness to accept the $6.5 million asking price set by the seller, Luter LLC. He added that they did so without even seeking an independent appraisal to protect the taxpayers. He stated that their first and final obligation was to the citizens and the taxpayers of the town, not to the seller or a timeline, and not to the comfort of avoiding scrutiny. He called on the Council to do the right thing, and find out what the property was really assessed for, and do it before a single cent of taxpayer money was spent.

Mayor Smith confirmed that there were no other attendees who wished to speak and closed the public hearing.

Mr. MacKenzie asked to clarify what was on the agenda. He stated that there were two Resolutions before the Council regarding the property. He said that they already had one completed, and before they voted he wanted to do a quick review. He continued that the prior Resolution was an Acquisition Resolution which authorized Town Staff to move forward with the purchase contract. He clarified to the public that the property was currently "Under Contract" and was now in the due diligence period. He explained that the due diligence period was the time for the Town to complete studies or review the materials that were provided by the seller and then decide whether to proceed with the acquisition, which in this case was April 20th. Mr. MacKenzie said that after that time, they would proceed to closing in accordance with the terms of the contract. He added that the process was allowed under the Virginia Code for the acquisition of property for public use. He stated that the Resolution before them, and that they just had a public hearing regarding, was on a separate section of the Virginia Code 15.21802 which he said was if the town's considering acquiring property not necessarily for the public's use, but for the development of business or industry, then they would need to conduct a public hearing. He noted that the reason the town had chosen to do that was because the future of the property was unknown. He said that the reason for the public hearing was for the town to have the opportunity to use it for public use, private use, or some combination of the two. He updated that next on the agenda was a financing resolution that did not require a public hearing, but that was going to allow for consultation with their financial advisors in order to receive information about what the options were for the town to pay for the acquisition.

Vice Mayor Harris asked Mr. MacKenzie for confirmation that a "yes" vote would put them in a position in the future to control what they do with the property, and would it have no impact on the pending contract nor did it interrupt their ability to withdraw within the 45-day limit.

Mr. MacKenzie confirmed that was correct.

Councilwoman Butler asked if the public hearing they just held would be considered part of their due diligence.

Mr. MacKenzie stated that the due diligence was at the town's discretion as to what they felt that they needed to conduct. He added that some of the comments could be added to their assessment of due diligence. He observed that, traditionally, due diligence was studying the property in accordance with its intended use. He stated that the catch for them was that there was not a clear development. He confirmed that they would be voting to approve the acquisition of the property pursuant to 15.21802 of the Code of Virginia, and read the Resolution in question.

Vice Mayor Harris made a motion to approve the acquisition of the property pursuant to 15.21802 of the Code of Virginia.

Councilwoman Bebermeyer seconded the motion.

Mayor Smith asked if there was any further discussion.

Councilwoman Bebermeyer acknowledged that she had been mostly silent on the acquisition. She stated that the reason she had been in favor of the purchase stemmed from her history, prior to being on Council, of speaking out against the Grange property. She stated that she had believed, and still believed, that there should not be 260 homes built in downtown Smithfield. She continued that they now had the opportunity to be in control of the property. She understood the questions surrounding the process and the price, and she agreed with Councilman Bowman that in the long term they would find that it was a fair price. She asserted that it would put them in control of Smithfield and the downtown area. She related that the action provided the opportunity for a lot of citizen involvement, and she appreciated all the comments that had been made at the public hearing. She noted that the discussion would continue as it would not be developed in one or two years.

Mayor Smith called for the vote, with seven members present. Councilwoman Bebermeyer voted aye, Councilwoman Butler voted nay, Councilman Cutler voted aye, Councilman Bowman voted aye, Councilman Brooks voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed by a 6/1 majority.

c. Resolution - Finance Options for Land Purchase
Michael Stallings, Town Manager

The Town Manager reported that there were representatives present from Davenport Financial who were the Town's Financial Advisors and they had put out a Request for Proposals (RFP) for financing options on behalf of the town. He stated that the RFP had been sent out to about 40 different banks across the state and nation. He updated that they had received those proposals, and they would go over their recommendations moving forward.

David Rose with Davenport Financial confirmed that the report had been provided to them digitally. He reported that he did not have a lot to explain because the town was in very strong financial shape. He said that the Town Manager had contacted him to go out as the town's fiduciary to explore possible funding options both in the short and long run. He said that it was good news that they had received responses from all the banks that they had reached out to covering all the options. Mr. Rose stated that they had requested $6.7 million, which could change but was their focus, and they paid a premium on flexibility since the end product was not known. He summarized that they had received 6 bona fide proposals from both local and regional banks as well as the nation's largest bank, JPMorgan Chase. He noted that it spoke highly of the town that local and national banks felt that Smithfield was a town they wanted to invest in. He highlighted what were the best results, which were a 3 -year interim option and a 5-year interim option. He detailed that the 3-year option was a fixed rate of 3.82% with the 5-year at a 3.9% rate and their preference lay with the 5-year option that allowed for them to pay with no penalty at their own will and call. He related that the town's ability to pay for the acquisition was there and was solid, and their overall debt portfolio was strong. Mr. Rose continued that if they were more interested in longer-term options, the 15-year rate was a 4.15% rate and the 20-year rate was 4.6% rate. He reiterated that all four options were viable, but in discussion with town staff, they ultimately recommended going with the 5-year option as it had an attractive interest rate and was more flexible since they did not know what would go on the property. He added that as the town would be borrowing, it was on a tax-exempt basis, which the longer-term choices possibly running into taxability issues down the road. He stated that their recommendation was for the Council to proceed, and if they chose to do so, it would require a May 5th public hearing at 6:30 pm, followed by a closing on May 13th. He continued that after that time they would have full funds that would be immediately invested through the State/Local Government Program that the State Treasurer managed.

Mayor Smith commended Mr. Rose on his work and presentation, and asked the Council if they had any questions. He asked Mr. MacKenzie if they were required to vote on the issue.

Councilman Bowman stated that a public hearing was necessary.

Mr. MacKenzie clarified that the resolution authorized them to proceed with the recommended option and then there would be a public hearing. He said that the current action necessary was for the Council to pick from the different funding options Mr. Rose had presented.

The Town Manager added that the action would set a public hearing for the next Town Council meeting, and after the hearing they would officially vote on the financing option. He explained that if they agreed to proceed with the recommended option, then for the next five years it was interest payments, but they could pay more than that amount based on available funds. He noted that at the end of five years they would have a better idea of where they were headed. He observed that the financing was manageable in the next five years as far as the budget was concerned, which allowed them to focus on the master planning and determination of what the next steps were for the project.

Councilman Bowman asked Mr. MacKenzie to please read the Resolution in its entirety. He made a motion to approve the resolution for finance options for the aforementioned land purchase.

Councilman Brooks seconded the motion.

Mayor Smith called for the vote, with seven members present. Councilwoman Bebermeyer voted aye, Councilwoman Butler voted nay, Councilman Cutler voted aye, Councilman Bowman voted aye, Councilman Brooks voted aye, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed by a 6/1 majority.

10. New Business

Mayor Smith confirmed that there was no New Business that needed discussion.

11. Old Business

a. Town Council Policies and Procedures Manual

The Town Manager reviewed that at the previous Town Council meeting there had been changes that were discussed which had now been incorporated into the manual. He stated that he did not receive any additional comments from the Council members regarding additional changes.

Mayor Smith acknowledged that they had discussed the issue many times. He confirmed with the Town Manager that the document could be amended at any time.

Councilwoman Bebermeyer recalled that there had been discussion specifically about changing the title from "Policies and Procedures Manual" to "Guidelines Manual." She stated that the change had seemed more palatable to some of the Council members.

Councilman Bowman made a motion to approve the "Town Council Guidelines Manual."

Councilwoman Bebermeyer seconded the motion.

Mayor Smith called for the vote, with seven members present. Councilman Cutler voted aye, Councilman Brooks voted aye, Councilman Bowman voted aye, Councilwoman Bebermeyer voted aye, Councilwoman Butler voted aye though she voiced that she did not like it, Vice Mayor Harris voted aye, and Mayor Smith voted aye. The motion passed unanimously.

12. Adjournment

The meeting adjourned at 9:40 pm.

Michael Smith - Mayor

Lesley A. King
Lesley King - Town Clerk