

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

Members present:

Michael Smith – Mayor
Steve Bowman
Mary Ellen Bebermeyer
Valerie Bulter
Darren Cutler
Jeff Brooks

Members absent:

Bill Harris - Vice Mayor

Staff present:

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
Ashley Rogers – Director of Human Resources
Amy Novak – Director of Parks and Recreation
Steve Clark - Grounds Attendant

Legal Representation:

William Tunner - Town Attorney, Thompson McMullen

Press:

Stephen Faleski - The Smithfield Times

Citizens:

45

1. Call To Order

2. Pledge Of Allegiance

3. Informational Reports

- a. Town Manager's Report
- b. Work Session Minutes from 6-22-2026

4. Upcoming Meetings And Activities

July 3	Town Offices Closed in Observance of Independence Day Holiday
July 7	6:30 p.m. - Town Council Meeting
July 14	6:30 p.m. - Planning Commission Meeting
July 21	6:30 p.m. - Board of Historic and Architectural Review
July 21	7:30 p.m. - Board of Zoning Appeals
July 27	3:00 p.m. - Town Council Work Session

5. Public Comments

Mayor Smith reported that there were no members of the public who had signed up to speak. He asked if there was anyone present who wished to do so but had not signed up. Seeing and hearing none, he closed the public comment section.

6. Council Comments

Mayor Smith confirmed that there were no members of the Town Council who wished to make a comment.

7. Consent Agenda Items

Councilman Cutler asked if the Council would be able to discuss the Joint Meeting Minutes from April 22nd, 2026. He said that the meeting had only been the second meeting held between the Planning Commission and the Town Council in two years, and was requested by the Planning Commission so that they may get guidance from the Town Council. He related that after reviewing the minutes, he could see that the Council had given the Commission guidance, but in a very cryptic and political manner. Councilman Cutler reported that he had just emailed all the Town Council members the suggestion that at the next Town Council meeting they would discuss guidance with the Planning Commission. He noted that he was not trying to add a surprise agenda item, but he would like the Council to review the document he had just sent via email. He related that, as the Town Council representative on the Planning Commission, he had taken it upon himself to develop draft guidance and read the following:

"This Town Council recognizes the need for smart and balanced housing decisions that preserve the character and history of Smithfield while economic forces drive rapid residential growth in the Town and surrounding counties. With multiple developments in the Town already underway, it is also important to have land available for homes in 100 years for future generations. Planning Commission, please follow this guidance until further guidance is given.

- 1** - Do not change zoning laws in ways that increase density. Instead revise zoning laws that further reinforce the standards and consistency for our citizens, and remove SUP workarounds that permit increasing density beyond zoning laws.
- 2** - Do not increase the use or availability of SUPs. Instead put greater effort into writing effective zoning regulations that protect our Town with laws and improve the quality of governance in Smithfield, rather than create rampant SUP availability that allows the peddling of influence or appearance of impropriety in Town business.
- 3** - Continue to work to make the zoning laws easier for citizens to understand and apply. While doing so, adapt rules to ensure developers have to pay for and justify each individual SUP per lot versus the past use of blanket SUPs at the same rate as our citizens pay.
- 4** - Commence preparation for the upcoming Comprehensive Plan review. First order of business for PC is to begin now revising the Future Land Use Map (FLUM). Revise the FLUM to put available land in community conservation, or justify otherwise, then present it to the TC. Adjust the FLUM to protect all of our neighborhoods from inappropriate development or characterization on the FLUM.
- 5** - Coordinate with County Planning to develop zoning laws that protect our schools by ensuring developers, within the bounds of the law, contribute to our overflowing schools. While the tools did not exist to do this previously, we believe the County has done the work such that we can now have developers support our schools and the students they bring to our schools on day one of their impact, rather than the full burden being placed on our citizens with increased property taxes or new additional sales taxes."

Councilman Cutler reiterated that he would like for the matter to be added to the August Town Council meeting or at the next Town Council Work Session. He stated that he would like to hear feedback from the other Town Council members after they had time for full review of the information sent.

Councilman Brooks made a motion to approve the Consent Agenda Items A, B, and D, and table item C.

Councilman Bowman seconded the motion.

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

- a. **Invoices Over \$20,000 Requiring Council Authorization:**
 - i. CivicPlus - Website \$ 20,687.30
 - ii. RDA Systems, Inc. - Financial Software \$ 39,150.00
- b. **Resolution of Support to Submit the South Church Street Widening and Shared Use Path Improvement Project for Smartscale Evaluation and Funding Through the Virginia Department of Transportation**
- c. **Motion to Approve the Joint Town Council and Planning Commission Summary Minutes of April 22nd, 2026.**
- d. **Motion to Approve the Town Council Summary Minutes of June 2nd, 2026**

8. Action Items

- a. **PUBLIC HEARING: Special Use Permit (Residential to Commercial) - 203 Main Street - 203 Main Street, LLC, Jay Hassell, applicant.**

Mrs. Clary reported that the applicants were seeking a Special Use Permit (SUP) under the provisions of Article 3.H.C and 3.H.H.1 for the conversion of any residential structure or any portion thereof for a non-residential (commercial) use. She detailed that the applicants sought to use the property as a general/professional office space for their businesses. She noted that the applicants had requested flexibility to use any of the by-right uses permitted in the Downtown (D) Zoning District in the future. She stated that the Planning Commission favorably recommended the application to Town Council for the requested SUP through Article 3.H.C and 3.H.H.1 for the conversion of the residential dwelling to a non-residential (commercial) use.

Councilwoman Bebermeyer reported that she would be recusing herself from the discussion and voting on the matter due to her business involvement with the applicants regarding an unrelated property.

Mayor Smith noted that the matter was subject to a public hearing and opened it accordingly.

Councilman Culter reported that he had a question regarding the application. He asked Mrs. Clary to confirm that approval of the application would allow the intended use requested by the applicant, but the preservation of the by-right uses did not require action by the Council.

Mrs. Clary stated that was correct, and voting on the item would only apply to what the applicant had requested.

Councilman Cutler confirmed with Mr. Tunner that he had no additional legal advice on the subject.

Councilman Bowman said that his interpretation of what was said was that the Council would only be voting on what had been applied for and the by-right uses mentioned were preserved not by Council action, but by virtue of established law.

Councilman Cutler explained that at the Planning Commission meeting there had been discussion of the language included, so he wanted to ensure the Town Council was clear on the subject.

Mayor Smith closed the public hearing.

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

Councilman Cutler seconded the motion.

Mayor Smith called for the vote, with six members present. 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 among voting members, with Councilwoman Bebermeyer present but having abstained from voting.

b. PUBLIC HEARING: Special Use Permit (Private School) - 409C Main Street - Sarah Edwards, applicant.

Mrs. Clary reported that the applicant was requesting a Special Use Permit (SUP) to operate a private school in accordance with SZO Article 3.H.C.13. She stated that the proposed private school would be an expansion of the micro-school known as "Great Oaks Learning," which presently operates at 102 Underwood Lane. She said that the proposed new location, to the rear of the existing Underwood Lane location, was intended to employ 3-4 adults and accommodate an enrollment of no more than 18 students on any given afternoon and 1:1 and small group tutoring in the evenings. She noted that the drop-off and pick-up for the expanded location would occur at 102 Underwood Lane and will be staggered to avoid interrupting the daily traffic flow. Mrs. Clary reported that the Planning Commission favorably recommended this application to Town Council for the requested SUP through Article 3.H.C.13 for the proposed private school use at 409 Main Street Unit C.

Mayor Smith reported that the matter was subject to a public hearing and opened it accordingly.

John Edwards of 15279 Mill Swamp Road in Smithfield stated that he was present in lieu of the applicant, his daughter Sarah Edwards, as she was out of town. He offered to answer any questions that the Council had.

Councilman Cutler commended Mrs. Edwards on the work being done at the school. He reported that he had received a question since the most recent Planning Commission regarding the children moving from site to site. He asked how the children would traverse from the property on the corner to the basement of the adjacent property.

Mr. Edwards stated that the children would travel across the two private properties, and would not be using the sidewalks. He observed that there was room for the children to go around the fence to move between the properties. He speculated that Mrs. Edwards would eventually want stairs to be built to assist in movement between the two sites.

Councilwoman Butler asked what the hours of the school were.

Mr. Edwards stated that he was unsure of the specific hours, but thought it was 9 am through the afternoon on weekdays. He said that there would be certified teachers following a full curriculum for the children.

Councilman Bowman reported that he had only heard positive comments regarding the school since its initial application had been reviewed. He noted that there was a need for such a facility in Isle of Wight County, and Smithfield was fortunate to have it in town. He noted that he was in support of the application.

Councilwoman Bebermeyer questioned if there would be appropriate lighting at the site as there would be "after-hours" tutoring.

Mr. Edwards related that he had been at the site in the evening and there was sufficient lighting, but he did not know to what extent extra lighting would be needed.

Councilwoman Bebermeyer acknowledged that "after-hours" tutoring could mean after school hours or in the evening.

Mr. Edwards reported that parents bringing children in the evening hours would utilize the parking lot because there would be fewer children present.

Mr. Cutler recalled from Mrs. Edwards previous presentation at the Planning Commission that the new program filled immediately and fulfilled the needs of students whose needs were not able to be met by the public school system. He added that Mrs. Edwards had related that there was not a program like Great Oaks within five or six states, and he was in support of the

application as well.

Mayor Smith reported that he had gone to the school to speak with the students, and they had been prepared with a list of questions regarding the Mayor's responsibilities and duties. He added that he had been very impressed by the students, and Mrs. Edwards had done a great job. Seeing and hearing no further comments he closed the public hearing.

Councilman Cutler made a motion to approve the SUP as presented.

Councilwoman Bebermeyer seconded the motion.

Mayor Smith called for the vote, with six members present. 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.

9. New Business

a. Invoices Over \$20,000 Received Since Finance TC Work Session:

i. Virginia Control & Electrical Services, LLC	\$ 51,750.00
- Crescent Pump Station	
ii. Virginia Control & Electrical Services, LLC	\$ 50,000.00
- Plaza Pump Station	
iii. Virginia Control & Electrical Services, LLC	\$ 22,900.00
- Crescent Pump Station	
iv. Virginia Control & Electrical Services, LLC	\$ 22,900.00
- Wellington Pump Station	
v. Lewis Construction of Virginia, Inc.	\$ 44,825.00
- 1503 Magruder Road	

Mrs. Clary reported that since they last convened at the Work Session, there had been five new invoices received. She stated that the invoices had been related to work on Pump Stations in town, as well as sewer repairs on Magruder Road. She noted that Ed Heide, Director of Public Works and Utilities, was present to answer any questions the Council had.

Councilman Cutler observed that though the sewer repair invoice came with additional explanatory detail, there was an absence of detail regarding the other four invoices for the pump stations. He asked what the frequency was of the cost associated with those invoices.

Mr. Heide explained that the Plaza Pump Station invoice was for a planned installation of a bypass pump. He noted that expense was a Capital Improvement Project (CIP) that was planned to occur annually as they installed one bypass pump per station per year. He continued that at the Crescent Pump Station, the invoice for \$51,750.00 was incurred after they replaced the Control Board for that location after it had failed. He related that the second Crescent Pump Station and the Wellington Pump Station invoices were for check valve replacements to fix failed equipment.

Councilman Cutler asked for confirmation that all the invoices were budgeted.

Mr. Heide stated that all the items fell under CIP or pump station upgrades in the budget.

Councilman Brooks made a motion to approve the additional invoices as presented.

Councilman Bowman seconded the motion.

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

10. Old Business

Mayor Smith confirmed that there was no Old Business to discuss.

11. Additional Discussion

Councilwoman Butler asked if the draft document that Councilman Cutler had emailed at the start of the meeting would fall under Additional Discussion or Old Business.

Mayor Smith stated that the item had been tabled, and they could discuss it further at the next Work Session.

Councilman Cutler said that he was prepared to enter a discussion on the matter presently.

Councilwoman Butler clarified that her question was what item the discussion would be included in at the next meeting.

Councilman Cutler reported that he had not intended his statements to delay the approval of the minutes. He stated that the document he sent was an effort to resolve the lack of guidance given to the Planning Commission, and it was a new item. He said that the State Legislature had made updates that may make it more difficult to make changes to the agenda like some had been accustomed to. He said that his intention was to introduce the matter and allow time for review, allowing for future discussion.

Councilwoman Butler asked for confirmation when the Planning Commission had stated that they would review the 8 contested waiver items individually and then forward the results to the Town Council.

Mrs. Clary reported that the Planning Commission had not gotten to that point in their discussion of the matter. She stated that the Commission's next step was to go through each zoning district line-by-line. She added that they would begin with the Commercial and Industrial areas in I1 zoning as it affected the town's Pinewood rezoning action. She related that they would then move to Community Conservation, Neighborhood Residential, and Suburban Residential.

Councilwoman Butler asked how Councilman Cutler's drafted guidance document affected the Planning Commission's process.

Mrs. Clary stated that it would be up to the Council to decide on how they would like the Commission to proceed.

Mayor Smith stated that the matter had been tabled for them to be able to address at their next work session. He told Councilman Cutler that as he was the Council's liaison on the Planning Commission, he could communicate to them the plan.

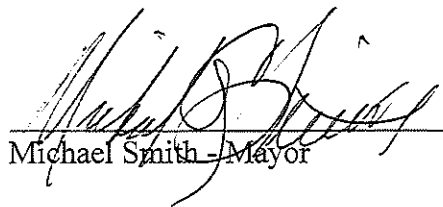
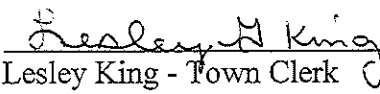
Councilman Cutler related that he had tried to remind the Planning Commission of the guidance given by the Town Council and what the will of the citizens was repeatedly regarding slowing growth in the town. He continued that despite that, the Planning Commission had gone on a mission to make SUPs and waivers available and subject to the whims of any elected officials, to the influence-peddling of any developer, and instilling rules with no teeth made up by the town on the spot. He reiterated that the message had been clear to slow the growth, and the Planning Commission had not received that message. Councilman Cutler stated that the Commission had requested guidance and the Council had not provided them with written guidance from the elected officials that appointed them.

Mayor Smith advised that the Planning Commission should proceed with their planned work while the Town Council was reviewing the document provided by Councilman Cutler.

Councilman Cutler reviewed that at their last meeting, the Commission had agreed to pause and review the elements that they had been processing in a more detailed manner.

12. Adjournment

The meeting adjourned at 7:02 pm.


Michael Smith - Mayor
Lesley King - Town Clerk