Bradley E. Grose, Mayor
Robert R. Altice, Councilmember
Carolyn D. Fidler, Vice Mayor
Matthew S. Hare, Councilmember
William "Wes" Nance, Councilmember

Vinton Municipal Building
311 South Pollard Street
Vinton, VA 24179
(540) 983-0607

**Vinton Town Council**

**Regular Meeting**
**Tuesday, October 4, 2011**

**AGENDA**
Consideration of:

**A. <u>6:30 p.m.</u> - ROLL CALL AND ESTABLISHMENT OF A QUORUM**

**B. CLOSED MEETING**

1. Request to Convene in Closed Meeting, Pursuant to § 2.2-3711 A (7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel.

**C. RECONVENE AND ADOPT CERTIFICATION OF CLOSED MEETING**

**D. INVOCATION**

**E. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**

**F. CONSENT AGENDA**

1. Consider approval of minutes for Council Retreat of September 15, 2011.

2. Consider approval of minutes for work session and regular meeting of September 20, 2011.

**G. AWARDS, RECOGNITIONS, PRESENTATIONS**

**H. CITIZENS' COMMENTS AND PETITIONS -** This section is reserved for comments and questions for issues not listed on the agenda.

**I. PUBLIC HEARING**

1. Conduct a Public Hearing on the Regional Water Supply Plan

   a. Report from Staff

b. Conduct Public Hearing

c. Consider adoption of a Resolution approving the Regional Water Supply Plan

**J. TOWN ATTORNEY**

**K. TOWN MANAGER**

1. Consider adoption of a Resolution appropriating funds from the Contrib/Trans Account to Other Govt Expenditure Account for the Town's first installment under Agreement with Roanoke County for the acquisition of real estate at 304 Pollard Street, Vinton, Virginia, for the construction of the future Roanoke County Vinton Branch library.

2. Report on offers to purchase right of way easements for Appalachian Power Company's Huntington Court Transmission Line

3. Report on War Memorial Business Plan

**L. MAYOR**

**M. COUNCIL**

1. Finance Committee Report – August

   a. Accept Financial Report for August, 2011

**N. ADJOURNMENT**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council meetings. Please call (540) 983-0607 at least 48 hours prior to the meeting date so that proper arrangements may be made.

**NEXT TOWN COUNCIL MEETINGS:**

- October 18, 2011 – 6:30 p.m. – **Council in the Neighborhood Meeting – Living Water Baptist Church of Vinton, 627 Vale Avenue**
- October 25, 2011 – 6:00 p.m. – **Joint Town Council/Planning Commission Meeting – Vinton War Memorial**

MINUTES OF A RETREAT OF VINTON TOWN COUNCIL HELD AT 10:00 A.M. ON THURSDAY, SEPTEMBER 15, 2011, AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
Robert R. Altice
Carolyn D. Fidler
Matthew S. Hare
William W. Nance

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Susan N. Johnson, Town Clerk

The Mayor opened the meeting thanking the Council Members for adjusting their schedules to attend this Retreat and turned the meeting over to the Town Manager.

The Town Manager began by setting the agenda for the retreat. First, he would like for Council to focus on setting priorities including discussion of core services, value added services, service levels, and investments (which are defined as anything we are putting our funds into and what return are we getting). At Noon, the Department Heads will be joining us for lunch.

After lunch, we will try to summarize our morning discussions and will also have two presentations, one on the Regional Stormwater Management Program and one on the Regional Water Supply Plan.

The Town Manager reviewed the items contained in the Council Members' packets—agenda, Council Vision that was adopted on March 17, 2009, 2011-2012 Economic Development Work Plan, 2011 Citizen Satisfaction Survey, Vinton Senior Center Report and Vinton Pool Report.

Ms. Fidler requested a report on the total number of individuals participating in the Senior Center Programs and Mr. Hare requested an updated report on the Pool revenues and expenses at the end of December, 2011.

Council had a discussion on how to handle the invocations for future meetings.

The Town Manager continued by setting out three categories to break down all the services the Town now provides. The first category represents services that are mandated. For example, if we have a Police Department, then we are mandated to provide certain services through that Department and must be funded. The next category represents services that are core services. These are necessary services that we provide to our citizens such as water, sewer, fire protection, and police protection. In this category are also levels of services. The last category is value added services, those services that are quality of life, community valued services. These are the types of services that if they went away, citizens would feel the loss, but there are no requirements that these services be provided.

Based on these categories, when the budget process begins, it will help prioritize where our funds go based on mandated services, core services, and value-added services.

Council next went through an exercise of putting services into the three basic categories by departments and making additional comments as noted.

- **Public Works** – suggestion was made to separate water and sewer into a separate category because it is funded by utility funds. However, the water and sewer fund is being subsidized by the general fund and so it does affect the general fund budget. So, in order to increase the funding back to the utility fund, then the funding for core services and value added will have to decrease. Some of the discrepancy can be funded by fixing the rate and lower allocation from general fund.

  More investments need to be made in the water and sewer infrastructure as an economic generator.

  Even though flowers, banners and similar items are considered value added, all of Council expressed the importance of maintaining the appearance of downtown.

- **Police Department** – most services are a philosophy of law enforcement. Those services that may be considered value-added services help to improve relationships and help to deter crime in the Town. The Town Manager indicated he would give the new Police Chief the opportunity to evaluate the services of the department.

- **Fire/EMS** – made up of career and volunteer staff. Council felt that the level of EMS service was adequate, but expressed some concern about the level of Fire service, especially at night.

- **Planning/Zoning** – commented on ability to enforce code violations without stepping on toes, seems to be a fine line. Council considers most of these services to be core and many are also mandated.

  It was suggested that the Planning/Zoning, Finance and other small departments be recognized for the services they provide to the Town.

  At 12:00 Noon, Council had lunch with staff. All department heads were present except for Chris Linkous and Consuella Caudill.

Council continued with categorizing services in several other departments.

- **War Memorial** – value added services. The War Memorial has a lot of community value which may make it a higher priority but it has to be managed and has to control its costs. The only consistent concern that has been expressed is the catering issue, users not being able to do their own catering or provide their own caterer. A new plan is being developed for the facility and will be presented to Council in the near future and the catering issue is being addressed.

- **Special Programs** – value added services. Question asked about building maintenance and management, do we lose efficiency by not letting Public Works be responsible for everything? Different departments are responsible for contracting their own maintenance issues. It was suggested that Public Works be the responsible department or one individual who is in charge to follow up on these issues.

Future maintenance of the pool was discussed. It was suggested that we need to begin now to be proactive in setting aside reserve funds to cover these future costs. Fund raisers or other sources of income need to be targeted.

The Farmer's Market is paid for, but there are maintenance and operating costs. Council suggested that the Town look at new ways to utilize the Farmer's Market.

Council had discussions about employee retention, employee raises and ways to improve productivity. We need to better allocate our resources even though it may create a slower response time in some levels of service.
In closing the Mayor reiterated the importance of sprucing up the Town. He asked Council how they felt about having some Community Council meetings in some key areas of the Town.

The Mayor said we are not seeing revenue increases and he thinks we need to address economic development in the next few months. Mr. Hare expressed the same concerns.

Mr. Hare indicated that the Health Department Building needs to be sold or rented to produce additional revenue. The Town does not need to be in the business of owning real estate.

The Town Manager explained that the Roanoke Valley as a whole has been talking about Stormwater Management. He then introduced Shane Sawyer, a Regional Planner III, with the Roanoke Valley-Alleghany Regional Commission.

Mr. Sawyer then gave a Power Point presentation which was prepared by Phil Schirmer, Engineer for the City of Roanoke. Key issues reviewed were water quantity, water quality, regulatory compliance, Va. Department of Conservation and Recreation and Va. Department of Environmental Quality regulations.

Anita McMillan, Town Planning and Zoning Director, briefed Council on what our current obligations and responsibilities are as a Town. Since 1987 Roanoke County has been the Town's erosion and sediment agent and we are in discussion with them to do our stormwater review again and inspection. Key issues reviewed were drainage projects and storm run-off issues, the requirements of our current MS4 permit cycle which runs from 2008 to 2013, the six minimum control measures, and best management practices. The Clean Valley Council, which serves the Cities of Roanoke, the Counties of Botetourt and Roanoke and the Town of Vinton assists with our public education and outreach. Our Public Works Department is also a key factor in this Program. The biggest cost to the Town is the testing and we are in the process of trying to partner with the Western Virginia Water Authority to do some of the testing. When the Va. Department of Conservation and Recreation visited the Town this year, they were very impressed with what the Town is already doing with the Stormwater Management Program.

Mike Kennedy, Public Works Director, briefed Council on the regional water supply planning. In 1999-2002 Virginia went through a severe drought which prompted the General Assembly to provide some direction and in 2003 a statewide water supply planning process was developed The process was to ensure adequate and safe drinking water, promotes use of water for other beneficial uses and encourages and promoted alternatives sources like desalination.

In November 2005 water supply planning regulations became effective and offered localities to do a local plan or a regional plan. Mr. Kennedy then reviewed the key content requirements of the Plan and stated that the Town of Vinton partnered with 11 other local localities along with the Western Virginia Water Authority and the Bedford County Public Service Authority and developed a regional plan.

Council will need to conduct at Public Hearing at the October 4, 2011 Council meeting and will be asked to consider approving a Resolution to adopt the Plan. The Regional Plan must be submitted to the Va. Department of Environmental Quality by November 2, 2011.

On motion by Mr. Nance, seconded by Mr. Hare, with a vote of 5-0, Council adjourned the Retreat at 4:10 p.m.

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

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Susan N. Johnson, Town Clerk

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, SEPTEMBER 20, 2011, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT:
Bradley E. Grose, Mayor
Robert R. Altice
Carolyn D. Fidler
Matthew S. Hare
William W. Nance

STAFF PRESENT:
Christopher S. Lawrence, Town Manager
Elizabeth Dillon, Town Attorney
Susan N. Johnson, Town Clerk
Michael Kennedy, Public Works Director
Ben Cook, Police Chief
Stephanie Dearing, Human Resources/Safety Manager

Roll call

**The Mayor called the work session to order at 6:00 p.m.** The Town Clerk called the roll with Council Member Altice, Council Member Hare, Council Member Nance and Mayor Grose present.

**The Town Manager recognized Mike Kennedy, who gave a Power Point presentation on the Cost of Service Study for Water & Wastewater Rates.** Mr. Kennedy stated that his briefing tonight will deal with an overview of the process. The Public Works Committee has been briefed on all of the findings. The recommendation is that once you do a cost of service study, you should do a new one every five years. This type of study has never been done for the Town of Vinton.

Key points addressed were reason for the study, methodology, principles of rate setting, identifying customer classes, identifying revenue requirements over a five-year projection and cost allocations to customer classes and cost categories.

Rates can be structured either as fixed, volumetric charges, by customer classes or block rates based on a declining, inclining or uniform rate. Mr. Kennedy said he would be recommending an inclining block rate because it helps to promote conservation. There is also a service charge and he will be recommending that we move away from a minimum charge. The service charge includes billing and metering and can include certain fixed operating costs. Anything not covered in service charge is covered in consumption charges.

Council Member Fidler arrived at 6:43 p.m.

In order to have revenue stability, the goal is to have a reasonable balance between the service and volume charges. A proof test was conducted using FY11 water sales quantities against FY12 forecasted revenue.

The next step is a dedicated work session of approximately two hours to present the details of the study and then give Council time to review the information presented and ask any questions.

**Mayor Grose called the regular meeting to order at 7:00 p.m.** Rev. Gary Robbins of Greene Memorial United Methodist Church gave the invocation and Ms. Fidler led the Pledge of Allegiance to the U.S. Flag.

**Under consent agenda**, upon motion by Mr. Hare, seconded by Mr. Altice, with a 5-0 vote, Council approved the consent agenda as presented.

Approved minutes of September 6, 2011; adopted Resolution No. 1936 reappointing Consuella Caudill to the Greater Roanoke Transit Company Board; Resolution Nos. 1937 and 1938 reappointing Robert A. Patterson and Doug Adams to the Highway Safety Commission

**Mr. Nance read a letter from Chief Cook naming Officer Michael L. Byrd as Police Officer for the Month of August.**

**Mr. Hare read a Resolution recognizing James Muse, Public Works Department, upon his retirement.** Upon motion by Mr. Altice, seconded by Ms. Fidler, with a 5-0 vote, Council adopted the Resolution recognizing Mr. Muse

Adopted Resolution No. 1939 recognizing James Muse upon his retirement

**The Town Manager gave brief comments on the Resolution authorizing the Town Manager to execute a Memorandum of Understanding with Roanoke County Public Schools for the installation of an electronic message board sign at the intersection of Washington Avenue and Bypass Road.** Council has been briefed, given additional information and two neighborhood meetings were held.

The Mayor reminded the citizens that they limit their comments to three minutes and that all comments and questions be directed to Council.

Mike Stovall-1615 Mountain View Road- owner of Alert Driving Training on Hardy Road and Vinton Magisterial District's representative on the Roanoke County School Board began the presentation. He also introduced Dr. Richard Turner, Principal of William Byrd High School.

Mr. Stovall indicated that Roanoke County Schools have two accounts dealing with construction, a minor and a major capital account. The monies in those accounts have to be spent just one time for projects and there is a surplus in the minor capital account. The School Board decided to divide the funds between the 27 campuses and $40,000.00 went to William Byrd High School. Through conversations with the School staff and organizations, it was suggested to erect a digital sign on the

School property, but only the people that entered the School property would see the sign.

Dr. Turner then made comments that the School's PTA had recommended that they pursue asking Town Council to be allowed to put the sign on the Town's property at the corner of Washington Avenue and Bypass Road.

Mr. Stovall continued to explain that the School Board had brought the first proposal to Council about three months ago. They placed a single-sided sign in the area as an example for over a month and then had several neighborhood meetings. One major concern expressed at those meetings was the distraction and creation of a safety issue. He stated that as owner of a Driver Training School and in talking with the National Transportation Safety Board, VDOT and a Police Sergeant of Roanoke County who deals with accident reconstruction, there is no compelling data that indicates when someone was asked what caused their accident it was contributed to a digital sign.

Another concern was the size of the sign and they are proposing a 6 foot x 8 foot sign. Residents adjacent to the area were concerned about being able to see the sign and they are proposing to add landscaping to the area around the sign.

Mr. Stovall said this intersection was chosen because approximately 28,000 people pass through there in a day (whether single, double or triple trips). The proposal is to use the $40,000 to erect the sign there and it will have a wide range of use from the Schools, Town, Roanoke County, Civic Groups, Fire, Rescue, Police, Amber Alerts, Emergency notifications, any type of messages that do not fall within the category of moral turpitude.

Dr. Turner commented that he had talked with David Hoback, Roanoke City's Fire Chief about the digital sign at the Civic Center and he indicated that traffic accident data did not indicate an increase in accidents due to distractions from the sign. Cell phones and texting represent most of the distractions.

Mr. Stovall again indicated that the proposals in the Memorandum of Understanding (MOU) provide that if the property is needed for a right-of-way or if the property is going to be sold, the sign can be removed. At this time they need approval from the Town to use this property to erect the sign, then they will develop a team or committee of representatives parties involved to explain how it will operate and what will be allowed on the sign. It will also have to go before the School Board's Construction Committee, an RFP will have to be developed and sent out, funds allocated, final agreement will be drafted and both the School Board and Town Council will have final approval.

Ms. Fidler asked how high the masonry base would be and Mr. Stovall replied that he is not sure at this time. The sign at Cave

Springs has a base of four rows of bricks and this one would have to have at least two rows. Mr. Nance asked if the size limitation included the base and Mr. Stovall indicated that if Council wanted it included, it could be. The Town Manager stated that the maximum height, including the base, must be no more than six feet. Mr. Stovall said that some sign bases are encased in metal instead of brick, but the RFP can state that sign must be a maximum of six feet including base.

Mr. Nance requested that Item No. 1 in the MOU be amended to state that the maximum size of the sign and its surrounding structure be no more than 6 feet x 8 feet.

The Town Manager referred to the Town's Zoning Ordinance wherein a V-shaped sign is considered a single monument sign as long as the angle is less than 45 degrees, which is the way all monument signs are regulated.

Mr. Hare asked if other locations were considered, where they were and why they will not work. Mr. Stovall said money was the issue. It was suggested that we put up three signs at the entrances to the Town but we can only do one sign because of the costs involved in construction, wiring and operation costs.

The Mayor then opened the floor and received comments from the following citizens:

Robert M. Obenchain -1041 Washington Avenue – lives directly in front of the area proposed to locate the sign and is not against the sign, but the location. He indicated that currently workers park in this area when they are working on the traffic control box and if the sign is erected there, they will be blocking entrance to Preston Road. He asked if the property description in Item No. 8 in the MOU could be more specific by identifying the four tracts of land and if any or all of the tracts are sold, the sign will be removed.

Paul Evans – 4134 Falling Creek Drive – concerned about safety and hazard of people looking at sign when approaching stoplight and causing rear end accidents. He mentioned that the Civic Center sign is half a block down a straight road.

Charles Hartman, Sr. – 1211 East Washington Avenue – son lives across street from where will put sign. He is also concerned with safety and asked Council if they would want the sign in their front door illuminated from 5 am to 11 pm every day.

William G. "Greg" Henderson - 727 Arcadia Circle – lived at this intersection most of his life and is not opposed to sign, but think location is wrong. He stated the dimensions are misleading, a 6 foot x 8 foot sign is a wall, not a sign. The School should take down some of the trees and put the sign on the School property. He commented they should use the $40,000 and make a second entrance into the School instead of building a sign.

Patrick W. Patterson – 4224 Twin Mountain Circle – spoke on behalf of the business community. He owns property on Washington Avenue, Raleigh Avenue and South Pollard Street. He believes in the Town and feels that the location of the sign is in a key area for growth and that we should be progressive and proactive in drawing new businesses into Town.

Tiffany Rawling – 1112 East Washington Avenue – indicated that not one of the 79 citizens who signed the petition were opposed to the sign, but have brought up concerns about safety, practicality and property values and do not feel like their issues have been properly addressed.

She stated that Roanoke County and Vinton Police records indicate between June 24, 2010 and June 22, 2011, there were 11 recorded crashes at the proposed intersection and asked was there another intersection in the Town with more crashes than that. Why add another distraction, especially a 48 square foot sign?

Ms. Rawling stated that the 48 square foot sign violates Section 5-46 of the Town Code wherein it states that a proposed sign cannot exceed 32 square feet in area and that the proper channels have not been followed such as the issuance of a Special Use Permit by the Planning Commission. She also read from the Roanoke County School Policy that events serving alcohol cannot be promoted, so events for over the age of 21 would have no place on a high school message board. She asked how many Chamber events will be able to be posted and if Chamber members or business owners will be allowed to advertise their businesses on the sign.

She stated the Schools have not entertained any other locations and suggested the W.E. Cundiff Elementary School, the old William Byrd High School (now the RCCC) or the land near PFG. She corrected a statement made at a prior meeting by Mr. Stovall that the School Board no longer owns the RCCC Building. She confirmed with Mike Altizer that the School has notified the County that they are finished with property, but until sections can be carved out on Highland to meet right-of-way needs and bus storage and surveying is completed, the property cannot change hands.

The Town Manager stated that Section 5-42 of the Town Code refer to exemptions for public service signs that do not exceed 32 square feet in area which would not apply in this instance. The other definition that applies is as long as the angle of a double-faced sign is no more than 45 degrees, it is still considered one sign. Ms. Rawling referred the Town Manager to Section 5-46, specifically (d)(1) for comment.

The Town Manager commented that he is not aware of any sign that requires a Special Use Permit, those Permits refer to land

use. Section 5-46 (d)(1) does not apply since this is Town property and not public-owned property.

The Mayor reiterated that the Town would not allow any sign to be constructed on Town property or anywhere else that does not meet the Code requirements and that any RFP that is sent out would have to meet the Town Code requirements.

Hal Mabe – 6010 William Crest Lane, Roanoke, VA 24019 – is past president of the Chamber and has served on the Chamber Board for a number of years and its focus has always been growth. He stated he does not live in the neighborhood of the sign and it would not affect his home, but he does have a passion for the Town and is always supportive of opportunities to attract more people and need to accept this as a gift to the Town.

Mr. Hare asked for clarification about what can and cannot be advertised on the sign and Mr. Stovall indicated that only the wine festival could not be advertised because it has the word "wine" in it. Mr. Hare stated it must be the verbiage that matters not the actually activity.

Mr. Nance asked for clarification about private announcements being on the sign and Mr. Stovall gave an example that if the Chamber had a Barbeque at the War Memorial and his business sponsored the event, only the event would be advertised, not the sponsor. Also, there would be no personal messages allowed.

Mr. Nance proposed that Item No. 8 of the MOU be amended to list the adjacent properties individually and to add language including a change in existing use to give homeowners more flexibility if in the future they decide to sell for future development.

After further comments about any potential future development of the site, Mr. Stovall expressed concern that if Mr. Darnell's house sold (which is the last house) that they would be asked to remove the sign. The Mayor stated that the MOU is currently written to give the Town the right to decide when the sign should be removed. If one house was sold, he did not feel that the Town could have a concern.

Mr. Evans asked who would be responsible for accident occurring at the intersection due to the distraction of the sign. Ms. Rawling commented that there was no language in the MOU about removal of sign if accidents do increase because of the distraction or what would happen if the sign is damaged. She asked where the William Byrd Middle School sign would go. Mr. Stovall said both schools will use the new sign.

Karen Rose – 740 Bexhill Drive - asked if proposed sign would not exceed the 45 degree angle requirement. The Town Manager then corrected his prior statement that the angle must not exceed 45 degrees, the Code states must not exceed 30 degrees. A

double-sided sign can have up to a 30 degree angle and still be considered one sign. The Mayor asked if the total square footage allowable for that one V-shaped sign is 100 square feet in general business district and this sign is proposed to be 48 square feet.

The Town Manager refers back to Section 5-46 which sets forth in addition to whatever district you are in and the signage you are allowed, and this is general business, allowed 100 square feet, and if identified as public-owned property such as schools, parks, playgrounds, community centers and other public uses, in addition to that district sign you get another 32 square feet as long as is on building or structure. For example, the High School is not in Town, but if it were, the sign that is on the School would be given 32 square feet and in addition to that they get 100 square feet up against the road as a monument sign. This does not apply in this instance.

Mr. Altice asked if any of the Code would apply since it is on Town property and the Town Manager indicated it would not, but we would follow the same rules as any other business in the Town.

Peggy Harman - 644 Dillon Drive – asked if the Town Code provides for set-back requirements for signs and the Town manager said the Code provides that a monument sign has to be 10 feet off the right-of-way. However, all the property in question is right-of-way, but from a practical standpoint it will be at the back of the sidewalk or curb.

Virginia Dooley - 1203 Fairmont Drive – does not understand about the height of the other digital signs in the Town and the Town Manager indicated they are pole signs. She indicated she was wondering who would be able to read the sign and went through each direction at the intersection and felt only those stopped going towards Stewartsville could read the sign. Mr. Stovall said the goal is to get people to read it when stopped.

Rebecca Evans - 4134 Falling Creek Drive – expressed concerns about safety and people being distracted trying to read sign.

Charles Hartman, Jr. - 1042 Washington Avenue – lives across street from sign location and said it is going to be a 16 foot wall on side of road.

Mr. Stovall said want to get as many people coming west to read the sign. He pointed on the diagram where they wanted the angle of the sign to be and stated that messages will run more than one time.

Anthony Conner – 5156 Burkwater Drive, 917 East Washington Avenue – asked if VDOT comes in and asks to put a sign at this location is there anything to prevent them from doing it? The Town Attorney said that VDOT can put signs in its own rights-of-way subject to its limitations. Under the Town Code, VDOT can

put the Virginia Logos Program signs in the Town's rights-of-way subject to approval by the Town Manager. Mr. Conner said he would be happy to have the sign in front of his office rather than the blinking stoplight at Mountain View.

Mr. Hartman, Sr. stated that the blinking stoplight was a good idea for safety and that he has two businesses in Town and the Town worked well with him and the placement of his signs.

Upon motion by Mr. Hare, seconded by Mr. Nance, with a vote of 5-0, Council took at 10 minute recess at 8:43 p.m. Council reconvened the regular meeting at 8:55 p.m.

There being no further comments from the floor, Council Members were asked to give their comments.

Mr. Nance asked if we could amend the MOU to indicate the exact orientation and location of the sign. If the sign is run parallel to Washington Avenue and only have a 30 degree angle, it limits the visibility of the portion facing Bypass Road and wonders if any landscaping with be of value. The sign was moved away from the traffic box for visibility purposes.

Regarding Item No. 3 in the MOU, where the property owners have input into the landscaping, he suggested an amendment to have a window of 60 days after the sign is completed. If the sign is installed and landscaping would be a further hindrance such as ability to get a garbage truck in and out of Preston Road, if may not be needed.

The Mayor confirmed that Mr. Nance suggested the wording be changed to 60 days after completion of construction. Mr. Nance also reiterated that a change in Item No. 1 would be that the maximum size of the sign and structure would be no more than six feet in height, make this suggested change to Item No. 3 and then with regard to Item No. 8, change to identify adjacent properties by tax numbers and if property sold and is being redeveloped, sign would have to be removed.

Mr. Nance asked is an MOU is a binding contract and the Town Attorney indicated it depends on how it is written. Mr. Nance commented that if the Town is being asked to accept this gift of a sign for that particular location and if it passes with a 3-2 vote and someone who voted yes loses the election in the Spring and there are then three Council members who want to get rid of the sign, seems like it would be moved. The Town Attorney said she did not think that would be the case.

Mr. Nance asked if you give limited reasons for the sign being moved, are you not limiting yourself by agreement to those reasons. The Town Attorney clarified that the fact that it is called an MOU does not make it enforceable or not. However, if there is consideration between one party and the other and there are clear

agreements or promises that can be enforced, those would be binding. The language in Item No. 9 limits to public purpose and most things a Town would do fall in the category of public purpose. You can be specific and include a public safety issue, but that is included in the broad text of public purpose. If someone said they do not like the sign, that would not be for a public purpose and the Town would not have the authority to require the Schools to remove the sign. The Mayor asked if it would be appropriate to add the term "public safety" in Item No. 9.

The Mayor asked if an exact location will be determined before the RFP is sent out and Mr. Stovall indicated they are asking for determination by Council whether they would approve a sign for the proposed location and then would have to send out the RFP and would bring those proposals back to Council for final approval.

Mr. Altice said it appears they have chosen one site, this one or none. There should be other places to put the sign with fewer objections. Mr. Stovall responded that other sites would cost more money and they have a limited budget for the sign.

The Mayor expressed thanks to all who attended the meeting and made comments, stating he is not an advocate of signs and thinks the Town suffers from sign pollution. However, over 90 signs have been removed from the Town over the past couple of years which has helped to enhance the remaining signs. He thinks the sign would be asset to the Town and does not see any evidence that will cause a safety issue. If he did, he would be opposed to it. The funding is coming from the School Board and he believes the sign would say that we are a progressive, proactive Town. I am not in favor of more than one sign.

The Mayor indicated he does care about the citizens and their properties that will be affected, but feels we need to help the Town move forward and to support the School. The questions that were raised about the Code requirements have been answered and he will support the sign.

Ms. Fidler commented that she disagreed with the Mayor, that she loved the idea of the sign, but did not realize until the Schools started looking at this location the problems that it will bring. She cannot vote for it because of safety concerns, feeling that it will not give the visual quality we are looking for and thinks there are other locations in the Town that are more appropriate.

Mr. Hare also expressed that he understood the feelings of the neighborhood and mentioned a similar situation on Hardy and Bypass with CVS sign. Traffic reports are inconclusive that signs cause distractions and the Town has some recourse in the MOU that if safety is an issue, we can do something about it. He wants to support the School because he came up in a very poor rural area and never had the benefit of something this nice for his school. This sign will support students and give them a sense of

pride. He stated that 10 plus years from now if a gas station, bank or restaurant goes in that area, their sign will go on that corner because that is where all signs go. Future land use tells that one day there will be a sign there anyway and considering that, supporting the students and what the sign can bring to the Town, he has to support it.

After other comments from the floor, Fidler called for the question

The Town Attorney said Council has two options, they can move to adopt the Resolution but will we have to add in amendments that have been suggested. She noted that in in the second paragraph of the MOU, Council would want to clarify that the final location must be approved by Town Council rather than Town staff as it is currently written. And in Item No. 1, you will want to clarify what is meant by maximum size of the sign such that if it is your intent that it be measured pursuant to the sign area definition of the Zoning Ordinance, you would want to include language to that effect. Or the other option as heard you discussed, would be a motion to allow the School Board to proceed with plans for a sign on the right-of-way subject to a final agreement that will be presented to the Town and the School Board

Upon motion by Ms. Fidler that the Resolution be rejected, seconded by Mr. Altice, with a 3-2 vote, the motion was defeated.

Defeated Motion for Resolution to be rejected

Mr. Nance then commented that he would not the sign in his front yard, but to look at the situation simply from that would be emotion only. There is absolutely every right for everyone who drives by that sign to have an emotional reaction as well everyone who lives in sight of it. But we need more detail and we have to balance the interest of the Town as a whole against the negative impact it will have. It could have a public safety impact, a quality of life impact that he cannot measure. Sometimes impact on a few will have him vote against something, but in this case he believes the benefit to the community as whole outweighs that when we put the restrictions on it that he thinks we can. The concerns about being in citizens' front yards and about public safety are legitimate and if there is a way to actually document an increase in accidents that can be attributed to that sign, his support for it will cease. Nothing at this point causes him to go against it.

Mr. Nance stated that each step is clarifying the process a little more and he wants to make sure the changes discussed tonight are included.

The Mayor called for a motion and Mr. Nance made a motion approving the Resolution to allow the Town Manager to enter into the Memorandum of Understanding with the understanding that the final sign design will be brought back to Council for their further consideration and final approval. The motion also includes amendments to the MOU, specifically with Item Nos. 1, 3, 8 and 9.

Item No. 1 is amended to add that the maximum size of the defining sign will include its base as that limitation in the size. Item No. 3 is amended to provide that the landscaping input by the immediately adjacent properties shall take place within 60 days of completion of the sign. Item No. 8 is amended to list specifically the four adjacent properties and when those properties are redeveloped for commercial use, the sign will be removed by the School Board. Item No. 9 is amended to add the language "public safety".

The Town Attorney also clarified that in addition the fact that the final approval would come back to Town Council as opposed to Town staff is also an amendment to the MOU in unnumbered paragraph two.

Upon this Motion with amendments by Mr. Nance, seconded by Ms. Fidler, with 5-0 vote, Council approved the Resolution with the amendments to the MOU as noted in the record.

Approved Resolution No. 1940 authorizing the Town Manager to execute the Memorandum of Understanding, as amended as this Council meeting, regarding the electronic message board monument sign in the Town of Vinton's right-of-way located at the intersection of Washington Avenue and Bypass Road

**The Town Manager commented on the Resolution to appropriate $13,377.14 from VML Insurance** as settlement for damage to a dump truck. Upon motion by Mr. Nance, seconded by Ms. Fidler, with a 5-0 vote, the Resolution was approved as presented.

Approved Resolution No. 1941 appropriating $13,377.14 from VML as settlement for damage to dump truck to Wastewater System Maintenance Account.

**The Mayor asked Council's consent in having Council meetings at four different locations throughout the Town** and then directed the Town Manager and Town Clerk to proceed with scheduling those meetings beginning with October. After comments from the Town Manager, Mr. Nance suggested the order be Midway community, then the Gladetown community and follow with the other two. Department heads will be asked to attend these meetings and if possible, a tour of each community may be scheduled prior to the meeting time.

**The Mayor advised Council that they will have a Closed Session at the next meeting to discuss with legal counsel the issue of our Invocations.**

**Comments from Council Members:** Hare – suggested creating another citizen committee that could aide and assist the Town in keeping the Town maintained. Perhaps such a committee could make a report on items they think need addressing and we can empower them in a way they then can help

The Town Manager stated that the entrance signs will be cleaned up before Fall Festival and that staff needs to be more diligent about the expectation that the Town needs to be cleaned up. He indicated he also needs to bring back to Council the recommendation of an Adopt a Highway Program in the Town and maybe those groups can do more than just pick up trash.

Mr. Nance expressed that he did not mean to extend or prolong the sign discussion any longer. Ms. Fidler reminded everyone of the Fall Waterway Clean Up on October 1st and that the ROTC at William Byrd is looking for community service jobs.

Upon motion by Ms. Fidler, seconded by Mr. Nance, with a 5-0 vote, the meeting was adjourned at 10:04 p.m.

APPROVED:

_____

Bradley E. Grose, Mayor

ATTEST:

_____

Susan N. Johnson, Town Clerk

**TO:** TOWN MANAGER'S OFFICE

**FROM:** Public Works Director

**DATE:** 27 September 2011

**SUBJECT:** Adopt Regional Water Supply Plan

**Issue/Purpose.** To request approval of the Roanoke Valley Allegheny Regional Commission – Regional Water Supply Plan.

**Background.** Code of Virginia, Section 62.1-44.38:38:1established a requirement for a statewide water supply planning process. All cities, counties, and towns in the Commonwealth are required to prepare a plan in accordance with Virginia State Water Control Board Regulation 9 VAC 25-780. The plan addresses seven essential information elements: (1) Existing water source. (2) Existing water use. (3) Existing resource. (4) Projected water demand (5) Water demand management. (6) Drought response and contingency plans. (7) Statement of need and alternatives.

The Town participated in plan development with the counties of Bedford, Botetourt, Franklin, and Roanoke; the cites of Roanoke and Salem; and the towns of Boones Mill, Buchanan, Fincastle, Rocky Mount, and Troutville. The Western Virginia Water Authority (WVWA) and Bedford County Public Service Authority represented the jurisdictions they serve during the planing process. Draper Aden Associates served as consulting engineer and prepared the actual plan.

The Town is projected to have a water surplus by the year 2060 of about 0.5 MGD. The participating jurisdictions collectively project a net regional deficit by the year 2060, in the approximate amount of 7.8 MGD. Possible alternatives in the plan to resolve this deficit include expanding the Bedford County Smith Mountain Lake Water Treatment Plant and supplementing the WVWA Carvins Cove Reservoir with additional supply from Smith Mountain Lake.

Upon adoption of the regional plan, it will be submitted to the Virginia Department of Environmental Quality for final review and approval. Adoption of the plan does not in any way bind the Town to any recommendations in the plan as they pertain to other jurisdictions or to any contribution of funds to any future regional capital projects to address supply deficits. Plan reviews and updates at 5 and ten year intervals are required by the water supply regulations.

**ACTION REQUESTED:** Town Council approve a resolution adopting the Roanoke Valley Allegheny Regional Water Supply Plan.

**CITIZENS COMMENTS:** None at this time.

**DATE ACTION NEEDED:** October 4, 2011

**Attachments**: Resolution

# RESOLUTION

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, OCTOBER 4, 2011 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

**WHEREAS,** Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

**WHEREAS,** the Town of Vinton is a participant in the Roanoke Valley Allegheny Regional Commission Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

**WHEREAS,** on October 4, 2011, Town of Vinton held a public hearing to accept public comment on the Regional Water Supply Plan; and

**WHEREAS,** the adopted Regional Water Supply Plan will be submitted to the Virginia DEQ on or before November 2, 2011.

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Vinton hereby adopts the Regional Water Supply Plan as it pertains to Vinton. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. Town of Vinton reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. Town of Vinton will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Vinton intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

Motion made by Council Member _____, seconded by Council Member _____ _____, with the following votes recorded:

AYES:

NAYS:

APPROVED:

_____

Brad Grose, Mayor

ATTEST:

_____

Susan N. Johnson, Town Clerk

**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, OCTOBER 4, 2011, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.**

**WHEREAS,** the Town of Vinton and the County of Roanoke entered into an Agreement dated June 30, 2011, pursuant to the acquisition of real estate at 304 Pollard Street, Vinton, Virginia, for the construction of a possible site of a future Roanoke County library; and

**WHEREAS,** the total purchase price of said real estate is $1,255,000.00, which the County and the Town have agreed to each pay one-half of said purchase price with the Town's portion being $627,500.00; and

**WHEREAS,** the County has now closed on the acquisition of said real estate and pursuant to said Agreement, the Town agreed to pay a first installment of $100,000.00 at closing with the balance of $527,500.00 paid over a period of ten (10) annual installments; and

**WHEREAS,** funds need to be appropriated to the 200.1899.567 Contrib/Trans to Other Govt expenditure account and from 200.1899.009 the re-appropriated fund balance account for the June 30, 2012 Budget,

**NOW, THEREFORE, BE IT RESOLVED** that the Vinton Town Council does hereby approve the following:

| | | |
|---|---|---|
| **FROM:** | **200.1899.009 Re-Appropriated Fund Balance** | **$100,000.00** |
| **TO:** | **200.8150.567 Contrib/Trans to Other Govt** | **$100,000.00** |

Motion made by Council Member _____, seconded by Council Member _____ with the following votes recorded:

AYES:

NAYS:

APPROVED:

_____

Bradley E. Grose, Mayor

ATTEST:

_____

Susan N. Johnson, Clerk

**Town of Vinton**
311 S. Pollard Street
Vinton, VA 24179
Phone (540) 983-0607
www.vintonva.gov

Christopher S. Lawrence
Town Manager

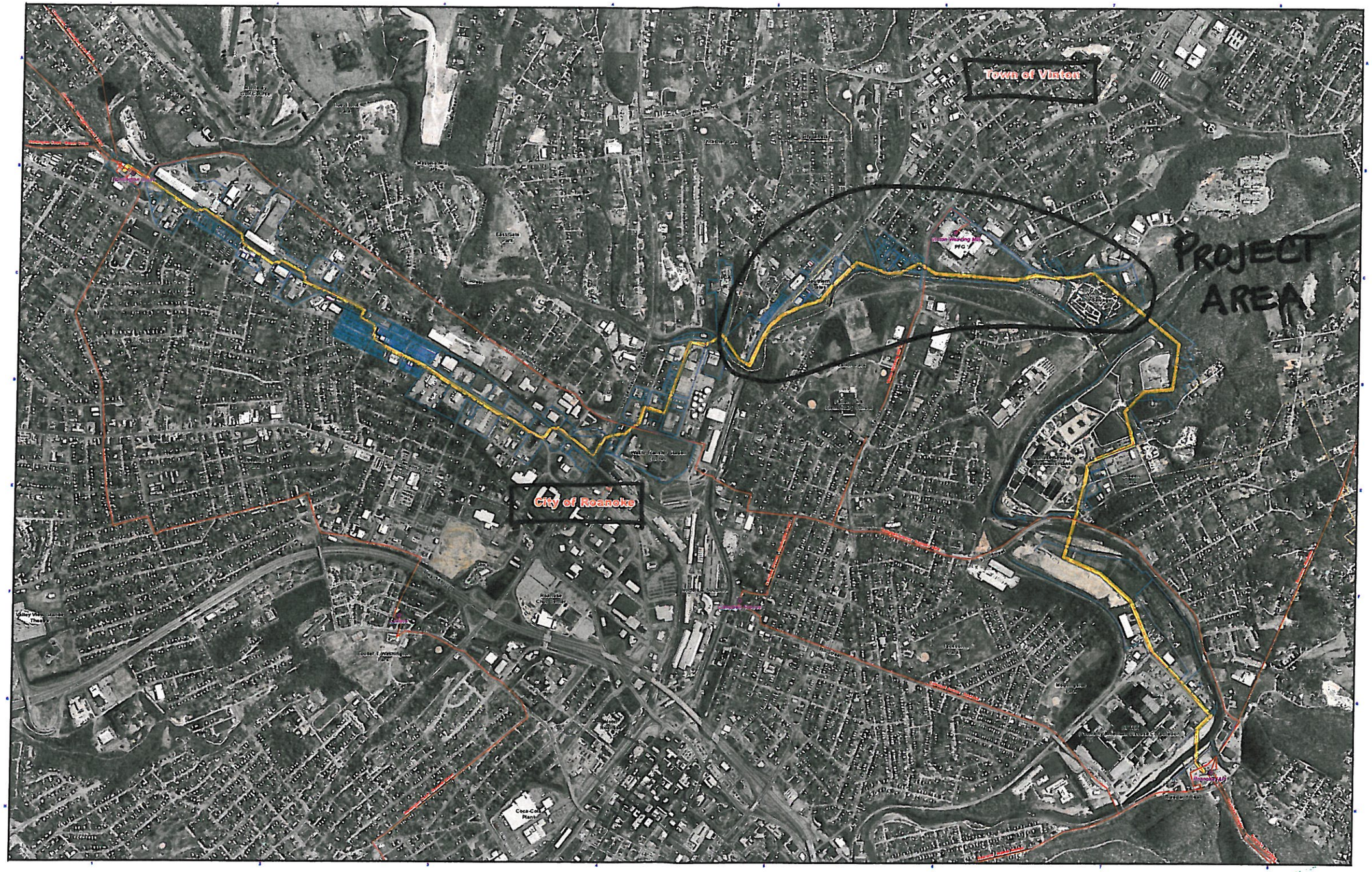
**Appalachian Power Company - Huntington Court – Roanoke 138kV Project**

***Summary of Town of Vinton Properties – Appraisals and Easements***

The Hunting Court project includes a new 138kV power line to support and provide continuity of power to the Huntington Court substation. The new power line route was reviewed and approved by Town Council on November 3, 2009. AEP has completed all survey and appraisal work on properties owned by the Town of Vinton. Easements have been drafted and are being reviewed by staff and the Town Attorney. Below is a summary of each easement being requested. A project map and detailed map is attached.

Process wise, Town Council will be scheduled to act on all six easements at the November 1, 2011 business meeting. AEP wishes to get all easements approved and payment made prior to December 31, 2011.

| | | | |
|---|---|---|---|
| 18 | 0.90-acres | $29,200 | Old Vinton Landfill property |
| 21 | 0.19-acres | $11,100 | 3rd St. Public Works Storage Lot |
| 25 | 1.00-acres | $34,200 | 3rd St. Public Works Storage Lot |
| 37 | 0.76-acres | $10,300 | Walnut Avenue open space flood property |
| 42 | 0.02-acres | $2,700 | Sliver of property adjacent to Booker St. and 11th St. (no appraisal completed because it would cost more than the offer. Offer of $2,700 based on appraisal completed for property no. 44 which is adjacent and twice as large |
| 44 | 0.04-acres | $2,700 | Sliver of property adjacent to Booker St. and 11th St. |




# Huntington Court - Roanoke 138 kV Project

Centerline and Parcels

DATE: 09/09/2011

BASE MAP SOURCE: Virginia Base Mapping Program - April 2006

Legend

PROJECT DETAIL