

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



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

Vinton Town Council
Regular Meeting
Council Chambers
311 South Pollard Street
Tuesday, June 19, 2012

- 6:15 p.m.** - **RECEPTION FOR VICE MAYOR CAROLYN D. FIDLER IN MUNICIPAL BUILDING LOBBY**
- 7:00 p.m.** - **RECOGNITION CEREMONY**

AGENDA

Consideration of:

- A. 7:15 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- D. CONSENT AGENDA**
1. Consider approval of minutes for the Council Regular Meeting of June 5, 2012.
 2. Consider adoption of a Resolution reappointing Mayor Grose to the Roanoke Valley Alleghany Regional Commission.
 3. Consider adoption of a Resolution reappointing Janet Scheid to the Roanoke Valley Greenway Commission
- E. AWARDS, RECOGNITIONS, PRESENTATIONS**
1. Police Officer of the Month for May – Officer Stephen Foutz
 2. Report on synthetic drug enforcement activities.
- F. CITIZENS' COMMENTS AND PETITIONS - This section is reserved for comments and questions for issues not listed on the agenda.**

G. TOWN ATTORNEY

H. TOWN MANAGER

ITEMS REQUIRING ACTION - NEW BUSINESS

1. Consider adoption of a Resolution awarding a bid and authorizing the Town Manager to execute a contract with Valley Boiler & Mechanical in the amount of \$66,115.00 to replace the water chiller at the Vinton Fire and EMS Building.
2. Consider adoption of a Resolution transferring funds to close out the Capital Improvement Fund (CIP).

BRIEFING

3. Update on electronic Council agenda proposal

I. MAYOR

J. COUNCIL

K. 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 COMMITTEE/TOWN COUNCIL MEETINGS:

- June 26, 2012 – 7:30 a.m. – Public Safety Committee Meeting – Town Conference Room
- July 2, 2012 – 5:30 p.m. – Finance Committee Meeting – Finance Department Conference Room
- July 3, 2012 - 7:00 p.m. – Investure Ceremony – Regular meeting to follow – Council Chambers

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, JUNE 5, 2012, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
Carolyn D. Fidler, Vice Mayor (for work session)
Robert R. Altice
Matthew S. Hare
William W. Nance

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Elizabeth Dillon, Town Attorney
Susan N. Johnson, Town Clerk
Ben Cook, Police Chief
Gary Woodson, Public Works Director
Joey Hiner, Assistant Public Works Director
Barry Thompson, Finance Director/Treasurer
Anita McMillan, Planning & Zoning Director
Lijah Robinson, Finance Department
Lydia Verdillo, Finance Department
Brenda McGuire, Public Works
Joe Petry, Public Works
Mike Faw, Public Works

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

The Mayor advised that Council needed to go into a Closed Meeting pursuant to Section 2.2-3711 (A) (1) of the 1950 Code of Virginia, as Amended, for Discussion or Consideration of Personnel Matters relating to the annual evaluation of the Town Manager. Mr. Nance made a motion that Council go into Closed Meeting; the motion was seconded by Mr. Altice and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler.

At 7:15 pm the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Mr. Hare, seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler.

The Mayor welcomed those in attendance. After a Moment of Silence, Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

Mr. Nance made a motion to approve the consent agenda as presented; the motion was seconded by Mr. Altice and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler.

Approved minutes of May 8, 2012 and May 15, 2012

The Mayor presented to the Finance Department a Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended June 30, 2011. Mr. Thompson came forward to receive the award and mentioned that this is the 17th year that the Department has received this award. Lijah Robinson and Lydia Verdillo were also present. Mr. Thompson expressed appreciation to his staff and the hard work that they do. Mr. Hare and Mr. Nance also expressed their appreciation to the progress this Department has made with fewer employees but continuing to provide the same quality service to the citizens. Mr. Altice also commented that Mr. Thompson has taken the Finance Department to a different level.

The next recognition was the 18th Annual Communicator Award of Distinction awarded to the Town's website in conjunction with Civic Plus. The members of the Website Design Team were Mary Beth Layman, William Crumpacker, Brenda McGuire, Jimmy Testerman and Julie Tucei.

Chief Cook introduced several officers who were present - Daniel King, Todd Bailey, Fabricio Drumond, and Robert Eakin.

The Town Manager made brief comments on the Resolution to approve the appropriating of \$6,696.19 received from insurance claims and reimbursements to pay for repair work on two guard rails in the Town. Mr. Hare made a motion to approve the Resolution as presented; the motion was seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler.

Adopted Resolution No. 1968 appropriating \$6,696.19 received from insurance claims and reimbursements to pay for repair work on two guard rails in the Town.

The next two Resolutions related to elections by the Town regarding the Virginia Retirement System. The Town Manager commented that the first Resolution related to the employer contribution rate of 8.48%

which will be funding at the alternate rate of 70% for two years and then the rate will be re-evaluated. The second Resolution related to setting the schedule for implementation of member contributions by salary reductions to the VRS.

The Town Manager commented on the Ordinance to adopt the FY2012-2013 budget indicating that the only change is a \$2,500 addition to Council's budget to have a recognition event for all of our Town volunteers.

Mr. Nance made a motion to approve the Resolution setting the employer contribution rate to the Virginia Retirement System at 8.48%; the motion was seconded by Mr. Altice and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) - None; Absent (1) - Fidler.

Mr. Hare commented Plan 2 employees have been required to contribute their 5%, but are we now going to also give them the 5.75% raise to cover that. The Town Manager responded that only if Council chooses to. The 5.75% raise is intended for Plan 1 employees. Mr. Hare then stated that Plan 2 employees would not receive the 5.75% raise to cover their contribution and the Town Manager responded they would not. That would apply to seven Town employees; however, Council can decide to give those seven employees the 5.75% raise as well. It has already been figured into the budget.

Mr. Altice made a motion to approve the Resolution setting the schedule of implementation of member contributions by salary reductions to the VRS; the motion was seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) - None; Absent (1) - Fidler.

Mr. Altice made a motion to adopt the Ordinance approving the FY2012-2013 budget; the motion was seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) - None; Absent (1) - Fidler. This will include the \$2,500 adjustment to Council's budget for a recognition event for the Town's volunteers.

Adopted Resolution No. 1969 setting the employer contribution to the Virginia Retirement System at 8.48%.

Adopted Resolution No. 1970 setting the schedule of implementation of member contributions by salary reductions to the Virginia Retirement System

Adopted Ordinance No. 925 approving the FY2012-2013 budget with the addition of \$2,500 to Council's budget for a recognition event for the Town's volunteers

The Mayor expressed thanks again to staff and the Finance Committee on their hard work on the budget.

The next Resolution on the agenda related to amending the Town Manager's Employment Agreement. Mr. Hare made a motion to adopt the Resolution as presented; the motion was seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler.

Adopted Resolution No. 1971 amending the Employment Agreement dated September 3, 2008 between the Town and the Town Manager

The Mayor expressed appreciation for the reports that are being furnished to Council from the Police and Public Works Departments.

Mr. Hare gave brief comments on the financial report for April. The minutes of the Finance Committee prepared by Mr. Thompson were given to Council which gave most of the detail of the meeting. Mr. Hare commented that cash flow for the Town continues to be strong and that our revenues are running over the projection and expenditures are running under the projection. Mr. Thompson was able to move some of the Town's additional funds to a higher yield investment and we now have \$1.6 million earning a higher yield. The debt set-off program has been very successful up 22% from last year. The issue of the deposit policy was reviewed again by the Committee and it will be brought back to Council at a later date for consideration. Mr. Hare made a motion to accept the financial report for April, 2012 as presented; the motion was seconded by Mr. Altice and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) - Altice, Hare, Nance, Grose; Nays (0) – None; Absent (1) - Fidler

Accepted financial report for April 2012.

Comments by Council Members--Mr. Nance again expressed thanks for everyone's work on the budget and how smooth it went this year. Each Department made reasonable requests and even though a modest raise is being given this year, it is well over-due. He also commented that the Wine Festival sponsored by the Chamber was a great event this year. Mr. Hare expressed thanks to Public Works for the event they had during Public Works week.

The Town Manager commented on a Let's Do Lunch event on June 15th sponsored by the Local Office on Aging to raise funds for their Meals on Wheels Program.

Vice Mayor Fidler arrived at the meeting at 7:56 p.m.

Mr. Nance made a motion to adjourn the meeting, seconded by Mr. Hare, and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None. The regular meeting was adjourned at 7:57 p.m.

Council then went into a work session. The Town Manager made brief comments concerning the Glade-Tinker Creek Interceptor Project. The project is being brought back to Council for an update and to discuss options for additional funding. The sewer line has to be fixed and now VDOT has scheduled the Walnut Street bridge replacement for the Summer of 2013. This project has been bid out twice and it is still over our budgeted amount.

Gary Woodson went over a Power Point presentation beginning with a timeline for the project. In October of 2009 a letter was sent to Anderson & Associates to begin engineering services and the first bid opening was on July 26, 2011. There was only one submission from A. J. Conner which was 273% over the engineer's estimate. The project was re-designed and the second bid opening was on May 1, 2012. There were three submissions the second time and all three came over the engineer's estimate.

The first bid included a base bid and four alternatives. A question was asked about what are alternatives. Mr. Woodson explained that the base bid is the critical area that needs to be addressed and the alternatives are added to complete the project. Mr. Hare asked if we ever have a reason to go back to the engineer and ask what they see that the contractors are seeing differently and Mr. Woodson indicated he would address that question at the end of the presentation.

For the second bid, the project was re-designed and included the base bid and one alternative. Three bids were submitted the second time and Allegheny Construction came in as the low bidder. However, their bid was still 214.48% over the engineer's estimate.

Mr. Woodson then reviewed the current available funding. The original funding amount was \$394,613. To date we have spent \$130,087 for engineering services. Mr. Hare asked if we used the same

engineering firm and the response was yes. He then asked if they gave us any credit and the response was that to date a credit has not been issued. We have a balance of \$264,526 remaining. If we award the contract to Allegheny (the lowest bidder) of \$645,170, add a contingency of 30% or \$114,193, the amount of additional funding needed is \$494,837.

Mr. Woodson stated that reasons why the bids were so high could be due to contractors having an uncertainty/discomfort with site conditions; the recession and being unwilling to take risks; the first bid included railroad crossing (which was addressed in second bid); higher oil prices; and limits imposed by the permits for the creek crossing. From the Town's perspective, the project is straightforward by using existing trenches, limited rock and no pipe crossing.

Vice Mayor Fidler asked if the work that AEP is doing in that area would help the situation and the response was no. The Mayor asked for clarification about using the same trench and the response was they would bypass the system and then lay the new line in the same trench.

The Mayor asked if we could contact the contractors who bid on the project to see what their concerns were. Mike Faw indicated that with the first bid, the concern was the boring and getting the percentage the engineer wanted to see. That concern was expressed at the pre-bid meeting by A. J. Conner and it scared all the other contractors and they did not submit a bid. Mr. Woodson has not heard specifically from the contractors themselves, just the conversation he had with the engineering firm.

Mr. Nance asked if we could just do the base project without any alternatives or would we be half-way fixing the problem. Mr. Woodson said we need to do both, but the alternative could be done by other means such as doing in-house with the help of a contractor. Mr. Nance then asked does it make sense to fix as much as possible the first time to do it right. The response was if we do the base and the alternative it will complete the project as it has been designed the second time. The Town Manager commented that we can discuss the alternative part with the contractor, but it may be best to just get funding for the project as a whole.

The Mayor asked if the additional funding request along with the available funds will fund the base bid and the alternative and the response was yes. The available funds are left over from bonds we got in 2007 for several other projects. Mr. Thompson indicated that we need to go ahead and use this money. Mr. Woodson indicated that because of the log perch we need to award a contract and begin the work next month.

The Town Manager indicated that we would have to look at obtaining a construction loan to begin the project and when we go out for the bond next year for our part of the Western Virginia Water Authority sewer plant upgrades that we can add this amount to that bond and pay off the construction loan. Mr. Hare asked if Mr. Woodson would consider this project his number one priority and he responded yes. He commented that we have invested significant funding in the design, have gone out twice to bid and have trimmed down as best we could and now we have a timeframe.

The Mayor asked if the new bridge would go over top of the existing pipe and the response was yes. The project needs to be completed before the bridge is done. The Mayor asked if the bridge was constructed first, could we put this project off a year or so to have more time to seek additional funding and the response was that the cost of the project would definitely go up. Also, a cut would have to be made in the bridge or a bore. It would be more cost effective for us to do our project first and let VDOT work around us. Our A&E firm and VDOT are working closely together to make sure both projects will work together.

The Town Manager indicated that we have to look at some funding options and bring back to Council. Mr. Woodson further commented that by doing the re-design, the project was lowered by \$1 million. The Mayor asked if a design-build concept would be possible for a project like this and the response was that the design is already completed. Comments were made about the estimates of the engineer being so high and that the Town may need to consider whether they would use this engineering firm again.

The Town Manager reiterated that the proposal would be to get a construction loan to begin the project and then add that amount to the bond request along with the Western Virginia Water Authority sewer plant upgrade.

The Mayor expressed his frustration with the project and the timeframe involved and Mr. Woodson also expressed his concerns about going with a low bidder that was still 214.48% over the engineer's estimate.

The work session adjourned at 8:57 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

RESOLUTION NO.

AT A REGULAR MEETING OF VINTON TOWN COUNCIL HELD ON TUESDAY, JUNE 19, 2012, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, the term of Bradley E. Grose, the Town's elected representative to the Roanoke Valley-Alleghany Regional Commission will expire on June 30, 2012; and

WHEREAS, according to the bylaws of the Commission, all appointments are for three-year terms; and

WHEREAS, Mr. Grose is eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby re-appoint Bradley E. Grose to serve on the Roanoke Valley-Alleghany Regional Commission for a three-year term from July 1, 2012 through June 30, 2015.

This Resolution adopted by consent on motion made by Council Member _____, and seconded by Council Member _____, with the following votes recorded:

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

RESOLUTION NO.

AT A REGULAR MEETING OF VINTON TOWN COUNCIL HELD ON TUESDAY, JUNE 19, 2012, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, Janet Scheid's three-year term on the Roanoke Valley Greenway Commission will expire on June 30, 2012; and

WHEREAS, according to the Roanoke Valley Greenway Commission By-laws, members are appointed for three-year terms by Town Council and may be appointed to succeed themselves in office; and

WHEREAS, Janet Scheid was contacted and is willing to continue serving on this Commission, subject to re-appointment by Town Council.

NOW, THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby reappoint Janet Scheid to a new three-year term on the Roanoke Valley Greenway Commission that will run from July 1, 2012 through June 30, 2015.

This Resolution adopted by consent on motion made by Council Member _____, and seconded by Council Member _____, with the following votes recorded:

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Vinton Police Department

311 SOUTH POLLARD STREET
VINTON, VIRGINIA 24179

PHONE (540) 983-0617
FAX (540) 983-0624

BENJAMIN L. COOK
CHIEF OF POLICE

A State Accredited Agency

To: Stephen Foutz, Police Officer

From: Benjamin L. Cook, Chief of Police *BLC*

Date: June 11, 2012

Subject: Officer of the Month – May 2012

Congratulations! You have been nominated and selected as Officer of the Month for May, 2012.

On May 18, 2012, you stopped a vehicle for speeding and observed that the driver was unusually nervous. The driver advised of an urgent medical situation involving the passenger of the vehicle which didn't seem to fit the situation that was being observed. EMS was summoned to evaluate the passenger and the investigation continued into the speeding violation. A query of the driver found that he was a wanted drug offender, having a Capias from Bedford County and a Capias from Roanoke County, both for felony drug crimes. Other indications were present that led you to believe that there were possibly drugs in the vehicle. Subsequent investigation and search located 41 packets of heroin, marijuana, illegally obtained prescription pills, and a white residue believed to be cocaine. The suspect was arrested for these crimes as well as the other outstanding warrants.

You did a great job in recognizing that the information being given was not consistent with what you observed, and by looking past the speeding violation, a good quantity of dangerous drugs were seized and prevented from being distributed. Great job and keep up the good work!

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, JUNE 19, 2012, AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Fire and EMS Department building's water chiller has been identified for replacement through a design study completed by Spectrum Design, P.C., and

WHEREAS, the Town Manager's office solicited bids to qualified vendors to provide contracting services for the replacement of the water chiller and there were three bids for the work; and

WHEREAS, the lowest bidder was Valley Boiler & Mechanical, Inc. of Roanoke, Virginia, with a base bid amount of \$45,175.00 plus Alternate No. 3 in the amount of \$2,250.00 and Alternate No. 4 in the amount of \$18,150.00 for a total bid of \$66,115.00; and

WHEREAS, Council needs to award the bid and authorize the Town Manager to execute the contract for the work.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby grant a contract to Valley Boiler & Mechanical, Inc. of Roanoke, Virginia in the amount of \$66,115.00; and

BE IT FURTHER RESOLVED that the Vinton Town Council does hereby authorize the Town Manager to execute the contract for the work and any other necessary documents which shall be in a form approved by the Town Attorney.

This resolution adopted on motion made by Council Member _____ and seconded by Council Member _____, with the following votes recorded:

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

RESOLUTION NO

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, JUNE 19, 2012 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA 24179.

WHEREAS, the Town of Vinton had Capital Improvement projects from FY2001 through FY2010 where expenditures were not allocated properly between the General Fund, Utility Fund and Capital Improvement Fund; and

WHEREAS, a transfer is necessary to balance the respective Funds for accounting purposes; and

WHEREAS, the staff recommends the following budget transfers so the financial statements will reflect the correct balances.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby authorize the Town Treasurer/Finance Director to make the following accounting transactions to close out the Capital Improvement Fund (CIP).

FROM:	200.9950.990	General Fund	\$1,112,110.78
	300.9950.900	Utility Fund	<u>\$ 500,000.00</u>
			\$1,612,110.78
TO:	400.9950.900	Capital Improvement Fund	\$1,612,110.78

This Resolution was adopted upon 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, Town Clerk