

Bradley E. Grose, Mayor  
William "Wes" Nance, Vice Mayor  
I. Douglas Adams, Jr., Council Member  
Robert R. Altice, Council Member  
Matthew S. Hare, 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, November 20, 2012**

**AGENDA**

Consideration of:

**A. 6:30 p.m. - WORK SESSION**

1. Review zoning history of M-1 (Limited Industrial) Zoning District in vicinity of 2<sup>nd</sup> Street.

**B. 7:00 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**

**C. MOMENT OF SILENCE**

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

**E. CONSENT AGENDA**

1. Consider approval of minutes for the Council regular meeting of November 6, 2012.

**F. AWARDS, RECOGNITIONS, PRESENTATIONS**

1. Officers of the Month for October 2012 – Sergeant Paul Harris and Officer Stephen Foutz
2. Report on Certified Municipal Clerk Institute – Town Clerk

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

**H. TOWN ATTORNEY**

**I. TOWN MANAGER**

1. Consider adoption of a Resolution transferring funds within the General Fund in the amount of \$16,176 to pay Southern Air, Inc. for a new HVAC Unit for the Public Works facility.
2. Consider adoption of a Resolution appropriating the funds to the Repairs Glade Tinker Creek Sewer Expenditure Account to properly record the expenditures and the appropriate revenue account for the June 30, 2013 Budget.

**J. MAYOR**

**K. COUNCIL**

**L. 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 COMMITTEE/COUNCIL MEETINGS:**

- December 4, 2012 – 7:00 p.m. – Regular Meeting – Council Chambers



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Planning & Zoning

### **Issue**

Work Session - Review zoning history of M-1 (Limited Industrial) Zoning District in vicinity of 2<sup>nd</sup> Street

### **Summary**

The Planning and Zoning office has been asked to respond to a list of questions that have been submitted about certain properties in the S. Pollard Street / 2<sup>nd</sup> Street M-1 Limited Industrial District.

### **Attachments**

None

### **Recommendations**

No action required



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Town Clerk

### **Issue**

Consider approval of minutes for the Council Regular Meeting of November 6, 2012.

### **Summary**

None

### **Attachments**

November 6, 2012 minutes

### **Recommendations**

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, NOVEMBER 6, 2012, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor  
William W. Nance, Vice Mayor  
I. Douglas Adams, Jr.  
Robert R. Altice  
Matthew S. Hare

STAFF PRESENT: Christopher S. Lawrence, Town Manager  
Susan N. Johnson, Town Clerk  
Elizabeth Dillon, Town Attorney  
Stephanie Dearing, Human Resources Director  
Barry Thompson, Finance Director/Treasurer  
Anita McMillan, Planning & Zoning Director  
Ryan Spitzer, Assistant to the Town Manager  
Joey Hiner, Assistant Public Works Director

**The Mayor called the regular meeting to order at 7:00 p.m.** The Town Clerk called the roll with Council Member Adams, Council Member Altice, Council Member Hare, Vice Mayor Nance, and Mayor Grose present. After a Moment of Silence, Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

**Vice Mayor Nance made a motion to approve the consent agenda** as presented; the motion was seconded by Mr. Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) - None.

**The next item on the agenda was citizens' comments and petitions.** Barney Arthur of 204 Minnie Bell Lane addressed Council concerning the safety hazard of South Preston Road. Just today he was proceeding down South Preston and met the street sweeper and felt it was unsafe to pass it because of the width of the road. He asked Council to consider doing something about the issue when it comes up later on the agenda under the Highway Safety Commission report.

Mr. Arthur next addressed Council concerning the issue of prayer at open government meetings. He commented on the issue currently being considered at Roanoke County and then read two verses of scripture. Mr. Arthur then commented on Council's change to a moment of silence. He also commented that prior to this meeting he submitted a policy and letter to the Town Manager and Council. He would like Council to reconsider and change their policy from the moment of silence back to a prayer.

Roll Call

Approved minutes of Council in the Neighborhood meeting of October 16, 2012 and minutes for the Council Retreat of October 28-29, 2012

The Mayor commented that they would follow up on the two issues Mr. Arthur presented and would get a response back to him.

Next, Roger Overstreet of 709 South Pollard Street addressed Council and indicated that since he came before Council at their October 2<sup>nd</sup> meeting, someone had made a complaint to Code Enforcement about his wrecker being parked on Pollard Street last Saturday. The Officer commented to him that he could park around back and there should be no problem. Mr. Overstreet then commented that about two years ago when he had property at 725 South Pollard, Karla Turman told him there is a 25 foot setback from the edge of an alley to your property and he asked about Wood's Towing. Ms. Turman indicated there is no setback on a public street. Mr. Overstreet stated he has parked there numerous other times with no problem. He also mentioned Scorpion Towing and the vehicle that has been in front of that business for four years with no tag on it. He also wants to know what grandfathered means to a piece of property because other businesses are interpreting it different ways.

The Mayor responded to Mr. Overstreet that he will refer the matter to Town staff to address his questions. Mr. Overstreet would also like to have some feedback on the other issues he brought up at the October 2<sup>nd</sup> meeting. The Mayor then requested Mr. Overstreet to make a list of the questions that he needs answered and the Vice Mayor asked if this item can be placed on the agenda for an upcoming meeting so everyone will have the opportunity to prepare for and respond to his questions and issues. After further comments, Mr. Overstreet indicated he would have a list of questions to the Town Manager by the end of the week and the Town Manager responded that staff can be ready for the November 20<sup>th</sup> Council meeting and the item will be listed as a work session item.

**The next item on the agenda was to consider adoption** of an Ordinance repealing Article II, Fair Housing, Division 1, Generally, sections 50-21 through 50-45, and Division 2, Fair Housing Board, sections 50-46 through 50-62, of Chapter 50, Human Relations, of the Vinton Town Code. Elizabeth Dillon, the Town Attorney commented that this Ordinance will remove the Fair Housing Board as well as the Fair Housing law from the Town Code. There have not been any Fair Housing complaints to the Town in a long time and if there are any future complaints, they would be referred to the State. In response to a question by Mr. Hare, Ms. Dillon commented that none of the other localities she works with have had a Fair Housing complaint

since she has been working with them. Mr. Hare asked if we had to have a Public Hearing to amend this part of the Code and Ms. Dillon responded no.

Mr. Hare made a motion to adopt the Ordinance as presented; the motion was seconded by Vice Mayor Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

**The next item on the agenda was to consider adoption** of a Resolution authorizing the Town Manager to file an application for allocation of VDOT Fiscal Year 2013-14 Revenue Sharing Program funds and to execute and submit all appropriate information necessary to constitute a proposal for the use of VDOT funds. Anita McMillan made brief comments that the total cost estimate for the Glade Creek Greenway will be \$162,000. The Town has received \$50,000 from Novozymes Biologicals, Inc. and will be required to match \$31,000 if the VDOT funds are awarded. Mr. Hare asked if we would need to reappropriate the funds if they are received and the response was yes. Ms. McMillan indicated that the funds are on a reimbursement basis and we would know by the end of this fiscal year. The match can be incorporated into the Fiscal Year 2014 budget. Mr. Hare made a motion to adopt the Resolution as presented; the motion was seconded by Mr. Altice and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

**The next item on the agenda was to consider adoption** of a Resolution authorizing the Town Manager to execute an Agreement with VDOT for a temporary easement relating to the Walnut Avenue Project. Ms. McMillan made comments that since most of the work will be done on Town property, this temporary easement will give them the right to do the work and then VDOT will transfer it back to the Town after the project is completed. Mr. Adams made a motion to adopt the Resolution as presented; the motion was seconded by Vice Mayor Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

**The Town Manager formally introduced Ryan Spitzer**, the new Assistant to the Town Manager and Mr. Spitzer expressed his appreciation for the opportunity to work with the Town staff and Council.

**The Town Manager gave Council an update regarding** the RCACP and SPCA recent press release. At that time it was formally announced that there will be movement

Adopted Ordinance No. 928 repealing Article II, Fair Housing, Division 1, Generally, sections 50-21 through 50-45, and Division 2, Fair Housing Board, sections 50-46 through 50-62, of Chapter 50, Human Relations, of the Vinton Town Code

Adopted Resolution No. 1992 authorizing the Town Manager to file an application for allocation of VDOT Fiscal Year 2013-14 Revenue Sharing Program funds and to execute and submit all appropriate information necessary to constitute a proposal for the use of VDOT funds

Adopted Resolution No. 1993 authorizing the Town Manager to execute an Agreement with VDOT for a temporary easement relating to the State Highway Route Walnut Avenue Project

toward separating the two entities. The attorneys for the four localities are working on essential documents and hope to have something ready to present to the various governing bodies in December for their consideration. There are three major parts--the property where both buildings are located, the operational side of the two entities, and the animal care component. The animal control officers of each locality are also involved in the process. The Mayor thanked the Town Manager for the update and indicated that this is an important issue in the Roanoke Valley. Vice Mayor Nance asked if there will be any budgetary impact this year and the response was no. However, it is expected to be fully operational as two separate entities by July 1, 2012.

**The Mayor commented on how productive the Council Retreat** was and he appreciated how it was handled. He reminded everyone of the Chamber Membership Meeting/State of the Town scheduled for November 14<sup>th</sup>.

**Mr. Hare commented on the September 2012 financial report.** The revenues are about \$140,000 off their target which is a timing issue of when certain funds are received. The General fund expenses are running under the forecast. Because of four open vacancies in the Police Department, the payroll is favorable at this time. Four other vacant positions have now been filled. Overtime pay is about \$13,000 favorable and the Utility side is very close to its target. Based on discussion during the Council Retreat, the Finance Committee discussed doing some more in-depth reviews of the War Memorial financials to see some trending data. Kevin Kipp, the War Memorial Manager, will be attending the Finance Committee meetings to discuss and assist with gathering and reviewing of this information.

The Finance Committee discussed updating the Town Code to increase the NSF (non-sufficient funds) fee from \$35 to \$50, which the State now allows. Our cost to the Bank is currently \$35. We will be bringing this up for consideration at a future meeting. Also, some restricted funds from the 2007 bond issuance need to be moved out of cash into the expense line item for the Walnut Avenue project at a future Council meeting.

Mr. Hare made a motion to accept the September 2012 financial report as presented; the motion was seconded by Vice Mayor Nance and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

Accepted the September 2012 financial report as presented

**Mr. Altice commented on the Highway Safety** Commission meeting. He mentioned the issue of safety concerns on Preston Road and after discussion it was reported that the Police Department will get a sampling of vehicle speeds and numbers of cars passing through at different times and report back. Police Chief Cook also mentioned a suggestion of adding a stop sign at the intersection of Fairmont and Preston or to lower the speed limit to 20 mph and post signs accordingly.

Chief Cook then commented on other items discussed at the meeting which were reported in the Commission's minutes provided to Council. Two other items that staff will give further review is to install a no left turn sign at the intersection of Glade and West Virginia Avenue and to change the turn lanes on Vinyard at its intersection with Hardy Road. Staff will report their findings to Council at a later meeting.

**Comments by Council Members: Mr. Adams** commented on the Council retreat and the wealth of information he received; Mr. Altice said he had heard a lot of positive comments about the Downtown Trick or Treat; Vice Mayor Nance mentioned that he received a couple of complaints about smoking during the event and would there be any way to promote it as a "smoke-free event" and expressed his appreciation for the successful Council retreat. All Council Members commented on the long lines for the election and the great turnout shown in the Town.

**The Town Manager reminded everyone of the Pre-Negotiation** meeting with the State for the CDBG Downtown Business grant on November 8<sup>th</sup> at 11:30 am at the War Memorial. He also expressed thanks to staff for pulling the DMV2Go vehicle, the Red Cross and the Fire Department together at the War Memorial today and offering free hotdogs and lemonade and tours of the War Memorial.

**Mr. Hare moved that the meeting be adjourned,** the motion was seconded by Mr. Adams and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None. The regular meeting was adjourned at 8:35 p.m.

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

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Susan N. Johnson, Town Clerk



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Police

### **Issue**

Officers of the Month for October 2012 – Sergeant Paul Harris and Officer Stephen Foutz

### **Summary**

Sergeant Paul Harris and Officer Stephen Foutz were selected as Officers of the Month for October. They will be recognized at the meeting.

### **Attachments**

Memo from Chief Cook

### **Recommendations**

Read Memo



## 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: Matt Harris, Sergeant  
Stephen Foutz, K9 Officer

From: Benjamin L. Cook, Chief of Police BLC

Date: November 11, 2012

Subject: Officers of the Month – October 2012

Congratulations! You have both been nominated and selected as Officers of the Month for October, 2012.

Sergeant Harris: You implemented and coordinated the Advanced Citizens Academy for 2012. The five week course concluded with a graduation ceremony on October 22<sup>nd</sup>, with ten citizens completing the class. During that time, they were able to expand on what they had learned during the basic academy, and also came out with CPR certification and were taught how to use an Automated External Defibrillator effectively. Your enthusiasm is apparent through your volunteering to conduct the program and coordinating with area businesses and individuals to make this class a success.

K9 Officer Foutz: After many months of planning and research, the department has acquired a dog for drug and patrol functions. You were instrumental in that endeavor, not only volunteering to be the department's K9 officer, but making numerous phone calls, on-line inquiries, and personally visiting facilities and meeting with experts in the field over the last few months. You and your new partner, Jax, completed a six week program where training was received in drug detection techniques, patrol functions, searches, and many more aspects in the use of the K9. Jax received state and national certification in detection and patrol skills when the course was complete. You and Jax are now working on patrol together and have formed a good team.

Both of you have spent a great deal of time, some of it on your days off, to make these programs successful. Your continued dedication to the department is admirable and I want to congratulate you both on doing a great job and continuing to improve the department's ability to serve the community more effectively.



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Town Clerk

### **Issue**

Report on Certified Municipal Clerk Institute – Town Clerk

### **Summary**

The Town Clerk will give Council a brief report on her attendance at the Certified Municipal Clerk Institute in Virginia Beach the first of October. This is her first step towards receiving her CMC Certification.

### **Attachments**

None

### **Recommendations**

No action required



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Public Works Department

### **Issue**

Consider adoption of a Resolution transferring funds within the General Fund in the amount of \$16,176 to pay Southern Air, Inc. for a new HVAC Unit for the Public Works facility.

### **Summary**

The recommendation from staff is to replace the aged HVAC System with a new 10 Ton Trane Heat Pump Split-System for the Public Works Building. Southern Air, Inc. can install and replace a 10 Ton Trane Heat Pump with indoor/outdoor split heat pump units and air handler for both the replacement and installation cost of \$16,176.00. The heat pump air-handling and condensing units will be installed for the Public Works facility in the same locations as the existing Trane equipment. The new units will connect to the existing duct system and electrical circuits and will utilize R410A refrigerant.

Pursuant to our procurement policy, the Town solicited four quotes from competent HVAC contractors and Southern Air, Inc. met the specifications and had the lowest quote of \$16,176.00.

### **Attachments**

Southern Air, Inc. price locking letter  
Resolution

### **Recommendations**

Motion to adopt Resolution

# Southern Air INC.

6434 Peters Creek Road • Roanoke, VA 24019 • (540) 362-3000  
FAX (540) 362-4349

VA State Reg. No. 1733  
<http://www.southern-air.com>

November 14, 2012

Bo Herndon  
Town of Vinton  
Public Works Department  
804 3<sup>rd</sup> Street  
Vinton, Virginia 24179

Dear Bo:

Southern Air, Inc. is pleased to offer the replacement of the Heat Pump system serving the offices at the Public Works Building as follows:

The existing 10-Ton Trane Split-System Heat Pump Air-Handling Unit and Outdoor Condensing Unit will be removed and disposed.

A new 10-Ton Trane Heat Pump Air-Handling Unit and Condensing Unit will be installed in the same locations as existing equipment.

The new units will use R410A refrigerant and existing refrigerant lines will be flushed.

The new equipment will be connected to the existing duct system and electrical circuits.

Trane provides a one-year warranty on parts with a five-year warranty on the compressor. Southern Air, Inc. provides a one-year labor warranty in the installation.

Our price for this installation is \$16,176.00 based on work performed during our normal working hours and is good for 30 days.

Thank you for the opportunity to provide this offer.

Sincerely,  
Richard Golladay



**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 20, 2012 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA**

**WHEREAS,** the HVAC unit that services the Public Works Facility has exceed its useful life and it has been determined that the best course of action is to replace the unit with a new 10 Ton Trane Heat Pump Split-System; and

**WHEREAS,** the Public Works Department solicited four quotes from competent HVAC contractors and Southern Air, Inc. met the specifications and had the lowest quote of \$16,176.00; and

**WHEREAS,** funds need to be transferred from the Reserve for Contingencies Expenditure Account in the June 30, 2013 Budget to the HVAC – Public Work Garage Expenditure Account.

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

<b>FROM:</b>	<b>200.8900.407</b>	<b>Reserve for Contingencies</b>	<b>\$16,176.00</b>
<b>TO:</b>	<b>200.1221.725</b>	<b>HVAC - Public Works Garage</b>	<b>\$16,176.00</b>

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



## **Town Council Agenda Summary**

### **Meeting Date**

November 20, 2012

### **Department**

Finance

### **Issue**

Consider adoption of a Resolution appropriating the funds to the Repairs Glade Tinker Creek Sewer Expenditure Account to properly record the expenditures and the appropriate revenue account for the June 30, 2013 Budget.

### **Summary**

The Glade-Tinker Creek Wastewater Interceptor Replacement Phase II project Contract was awarded to Allegany Construction Company and financing was determined to be from two different sources. The town had \$330,078.48 available in the 2007 E Revenue Bond at the time the contract was signed. An application was submitted with the VML/VACo Commercial Paper Program for \$500,000 to serve as a bridge financing mechanism for 18-months until the Town could decide whether it needed to Bond other major Capital projects at which time this \$500,000 would be rolled into the other financing. The Town Council held a public hearing on the proposed financing on October 16. The financing closed on November 7. At the closing the received \$493,750 in proceeds toward the project and had bond counsel service expense of \$6,250. The term of the loan is 18-months and the interest rate is 1.62%.

Now that all monies are available for the project it is necessary for Council to appropriate the funds for the Glade-Tinker Creek Wastewater Interceptor Replacement Phase II Project. Attached you will find a Resolution that outlines the two sources of the funding. The \$330,078.48 which is being spent first and then the \$493,750 which is made available through the recent financing action of Council will be appropriated to the proper expenditure account recording the expenses for this project. This will clean up our financial reporting in November.

### **Attachments**

Resolution

### **Recommendations**

Motion to adopt Resolution

**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 20, 2012 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA**

**WHEREAS,** the Glade-Tinker Creek Wastewater Interceptor Replacement –Phase II Project Contract was awarded to Allegany Construction Company and financing was from existing bond funds available through the 2007 E Revenue Bonds in the amount of \$330,078.48; and

**WHEREAS,** to complete the project it was necessary for the Town of Vinton to secure a bridge loan through VML/VACo Commercial Paper Program in the amount of \$500,000; and

**WHEREAS,** the Town closed on the bridge loan with the VML/VACo Commercial Paper Program Series 2008A-1 on November 7, 2012 and received \$493,750 for the project and paid \$6,250 for bond counsel services at closing; and

**WHEREAS,** the Town now has all components of the financing for the Glade-Tinker Creek Wastewater Interceptor Replacement-Phase II Project, Council needs to appropriate the funds to 300.9500.732-Repairs Glade Tinker Creek Sewer Expenditure Account to properly record the expenditures and the appropriate revenue account for the June 30, 2013 Budget.

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

<b>FROM:</b>	<b>300.1899.009</b>	<b>Re-appropriated Fund Balance</b>	<b>\$330,078.48</b>
	<b>300.1899.014</b>	<b>Proceeds from VML/VACo 2008A-1</b>	<b>\$493,750.00</b>
<b>TO:</b>	<b>300.9500.732</b>	<b>Repairs Glade Tinker Creek Sewer</b>	<b>\$823,828.48</b>

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