

Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
I. Douglas Adams, Jr., Council Member
Sabrina McCarty, Council Member
Janet Scheid, 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 17, 2015**

AGENDA

Consideration of:

A. 6:00 p.m. - WORK SESSION

1. Briefing on restructuring of the Captain/Department Head position at the Vinton Fire/EMS Department.
2. Briefing on the status of the Virginia Department of Transportation (VDOT) Office of Intermodal Planning and Investment (OIPI) Urban Development Areas (UDA) Planning Grant.

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. UPCOMING COMMUNITY EVENTS/ANNOUNCEMENTS

F. CONSENT AGENDA

1. Consider approval of the minutes for the following:
 - a. Regular meeting of October 20, 2015
 - b. Strategic Planning Retreat of October 26, 2015
 - c. Strategic Planning Retreat of October 28, 2015

G. AWARDS, RECOGNITIONS, PRESENTATIONS

1. Co-Officers of the Month for October 2015

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

I. PUBLIC HEARINGS

1. Consideration of public comments regarding the petition of Old School Partners, LLC, Authorized Agent, for a rezoning of the former Roland E. Cook School Property, from R-2 Residential to Mixed Use Development (MUD) to convert to 21 residential apartments with supporting recreational/small business uses, at 412 S. Poplar Street, Vinton, Tax Map Number 060.16-09-39.00 and 40.00.
 - a. Open Public Hearing
 - Report from staff
 - Receive public comments
 - Council discussion and questions
 - b. Close Public Hearing
 - c. Council to consider adoption of Ordinance

2. Consideration of public comments regarding a proposed ordinance to grant a twenty (20) year Gas Franchise to Roanoke Gas Company commencing on January 1, 2016.
 - a. Open Public Hearing
 - Report from staff
 - Receive public comments
 - Council discussion and questions
 - b. Close Public Hearing
 - c. Council to consider adoption of Ordinance

J. TOWN ATTORNEY

K. TOWN MANAGER

ITEMS REQUIRING ACTION

1. Consider adoption of a Resolution approving the one-time payment of \$2,748.75 to Vinton Baptist Church and authorizing the Town Manager to execute the Parking and Paving Contribution Agreement formalizing the agreement between the two parties.

2. Consider adoption of a Resolution appropriating funds in the amount of \$6,000 received from the Roanoke County Friends of the Library for street lighting.

L. FINANCIAL REPORT FOR SEPTEMBER 2015

M. MAYOR

N. COUNCIL

1. Appointment of Theresa Fontana as Town Attorney retroactive to January 1, 2015.

2. Comments from Council Members

O. 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/COMMITTEES:

November 18, 2015 – 10:00 a.m. – Dedication of Vinton Branch Library

November 18, 2015 – 3:00 p.m. – Finance Committee Meeting – Finance Department Conference Room

November 19, 2015 – 8:00 a.m. – Vinton Area Chamber of Commerce, State of the Town and Membership Meeting – Vinton War Memorial

November 23, 2015 – 6:15 p.m. - Special Council Meeting – Closed Session – TOV Conference Room

November 30, 2015 – 6:15 p.m. – Special Council meeting – Closed Session – TOV Conference Room

December 1, 2015 – 6:00 p.m. – Work Session followed by Regular Council Meeting at 7:00 p.m. – Council Chambers

December 2, 2015 – 6:15 p.m. – Special Council meeting – Closed Session – TOV Conference Room



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Administration

Issue

Briefing on restructuring of the Captain/Department Head position at the Vinton Fire/EMS Department

Summary

The Town Manager will provide a summary briefing on changes to the position of Captain of the Vinton Fire/EMS Department. Current staffing provides one town Captain on a 24-hour shift. Proposed changes include a title change from Captain to Deputy Chief and changing the shift from a 24-hour to a 12-hour. In addition, we would also create a shift Captain position to remain a 24-hour shift and be one of three Captains to run the response operations of the shift. The Deputy Chief will continue to focus on department head responsibilities, emergency management functions, building maintenance operations, and still run calls.

Attachments

None

Recommendations

No action required



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Planning and Zoning

Issue

Briefing on the status of the Virginia Department of Transportation (VDOT) Office of Intermodal Planning and Investment (OIPI) Urban Development Areas (UDA) Planning Grant.

Summary

On July 7, 2015, the Town Council and Planning Commission were informed that OIPI technical assistance grants would be available through August 31, 2015, to help localities that are considering amending their comprehensive plans to include UDAs or UDA-like areas. Staff was directed to submit the grant application. The grant application in the amount of \$65,000 was submitted on July 8, 2015. On July 17, 2015, OIPI awarded the Town the requested technical assistance grant.

At the September 1, 2015, meeting of the Town Council, Resolution No. 2116 was adopted authorizing the Town Manager to execute an Agreement with the Commonwealth of Virginia, Office of Intermodal Planning and Investment (OIPI), for the Urban Development Areas (UDA) Planning Grant.

An agreement between OIPI and the Town was signed by the Town Manager on September 3, 2015. The agreement has been sent to OIPI to be executed. The agreement contains a list of tasks to be completed by the Town.

At the August 6, 2015, meeting of the Vinton Planning Commission, Dawn Michelsen was appointed to serve as the Planning Commission's representative on the Planning Grant Steering Committee. Dave Jones was also appointed to the steering committee as an alternate Planning Commission representative. Additionally, on September 15, 2015, the Town Council appointed Council member Janet Scheid to serve on the steering committee.

Beginning in the middle of October, Staff has been working with Sachin Kalbag, Project Manager with Michael Baker International, to develop the UDA Project Scope of Services and

Schedule. Michael Baker International and Renaissance Planning Group are the two consultant teams hired by VDOT to provide the professional consulting services for the establishment of Urban Development Area (UDAs) within the Town.

Additionally, on November 2, 2015, several property and/or business owners were contacted by Staff to find out if they would be willing to serve on the UDA Planning Grant Steering Committee.

To date the following property/business owners have agreed to serve on the Committee:

- Stephanie Brown – Property/Business Owner, Southern Property Real Estate, Inc., 222 S. Pollard Street
- Angie Chewning – Executive Director, Vinton Area Chamber of Commerce
- Tim Greenway – Property/Business Owner, Greenway Construction, 118 E. Lee Avenue
- Allison Finney – Property/Business Owner, American Efficiency Inn, 502 S. Pollard Street
- Bob Lewis – Business Owner, McDonald’s Restaurant, 809 Hardy Road
- Bruce Mayer – Property/Business Owner, 1106 Washington Avenue
- Chris McCarty – Property/Business Owner, Grand Rental, 1103 Vinyard Road
- Roger Saunders – Property/Business Owner, Four S Associates, 1601 Mountain View Road

Additional Committee Members:

- Janet Scheid – Town Council, 1453 Wolf Creek Drive
- Robert “Bob” Benninger – Board of Zoning Appeals (BZA) Member, 1206 Jeannette Avenue
- Dawn Michelsen – Planning Commission Member, 225 N. Maple Street
- Dave Jones – Planning Commission Alternate Member, 806 Olney Road
- Chris Lawrence – Town Manager
- Anita McMillan – Planning and Zoning Director
- Gary Woodson – Public Works Director
- Philip Thompson – Deputy Director of Planning, Roanoke County Department of Community Development

It is anticipated that the planning process will take about eight (8) months. The kick-off meeting is scheduled for Monday, November 30, 2015 at 4:00 p.m.

Attachment

UDA Scope of Services and Schedule – 7 Pages

Recommendations

No action required

Town of Vinton, Virginia UDA Grant

Scope of Services 10/26/2015

Introduction

The Urban Development Area Local Government Assistance Program (“Grant Program”) is a grant program administered by the Virginia Department of Transportation (VDOT) to provide consultant assistance to Virginia localities in complying with § 15.2-2223.1 of the Code of Virginia, relating to urban development areas.

The Town of Vinton (the Town) has been awarded a Tier 1 Grant under this program for \$65,000 in the form of consultant assistance, with the assignment of the Michael Baker International and the Renaissance Planning Group, which shall be known as the “Consultant Team,” to provide the professional consulting services. The following Scope of Services defines the proposed professional services to be provided by the Consultant Team to the Town within the overall requirements of the Grant Program.

The following scope is the result of meetings and discussions between the Consultant Team and Town staff and is subject to final approval by the Office of Intermodal Planning and Investment (OIPI). The scope is described with a detailed narrative of tasks and deliverables to be accomplished, along with a summary of each task (in the sidebar to the right), and an accompanying hours estimate. The hours estimate is based on the approved rates for the OIPI On-Call contract between OIPI and Michael Baker International.

The Consultant Team will assist the Town in recognizing the needs of the Town with respect to its business districts while establishing the UDA(s) in areas for new development or redevelopment, incorporate design guidelines to codify complete streets and help with the identification and assistance in designating UDA(s) within the Town, as well as the implementation of well thought out UDA(s). The Town may consider whether to implement the proposed UDA(s) through a Comprehensive Plan amendment process.

The establishment of the UDA(s) shall be planned in coordination with the needs of the Town, the Comprehensive Plan, and the sensitivity to well established Zoning Districts.

Consultant Team Responsibilities

The Consultant will perform all professional services proposed in this scope in a timely and professional manner, according generally to the schedule enclosed herein and provide deliverables in a timely manner for Town staff review to allow scheduling benchmarks to be met. Final deliverables will be

provided one week to 10 business days in advance of meeting dates, as appropriate, to correspond with mailing requirements. Actual dates for On-Site Workshops and On-Site Meetings will be scheduled upon consultation with Town staff.

Town Responsibilities

- Identifying and inviting key officials and stakeholders to participate in all key meetings
- Review and comment on draft work products in a timely manner to allow consultant to meet scheduling benchmarks
- Provide relevant data needed to develop the deliverables and assist to collect needed data from other agencies
- Coordinate meeting logistics and distribute agendas and draft materials
- Print and distribute draft reports for review by stakeholders and committee members

Project Coordination and Staffing

The following outline of project roles and responsibilities is intended to clarify “who does what” on this phase of the project:

Sachin Kalbag, AICP, LEED-GA, Project Manager (Michael Baker International)

- Overall project leadership and direction
- Guidance on comprehensive planning, zoning and subdivision issues
- Co-leader for public and stakeholder presentations and meetings

Vlad Gavrilovic, AICP, Project Manager (Renaissance Planning Group)

- Project advisor, technical guidance on comprehensive planning, zoning and subdivision issues
- Liaison for contract issues and VDOT coordination
- QA/QC review of comprehensive planning, zoning and subdivision deliverables

Scudder Wagg, Technical Manager (Michael Baker International)

- QA/QC review of comprehensive planning, zoning and subdivision deliverables

Matt Ucci, Planner/Technical (Michael Baker International)

- Support for public and stakeholder presentations and meetings
- Production of GIS mapping, technical analysis, production of final comprehensive planning, zoning and subdivision deliverables

Task 1 Project Initiation

1.1 Review & Annotate Policy and Code Documents

The Consultant Team will review relevant background materials, including, but not limited to: all relevant planning documents, other documents that provide policy direction, existing development regulations; the zoning map; analysis mapping and economic analyses; and other documents as identified by Town staff.

1.2 Conduct reconnaissance of potential UDA sites and surrounding areas

After completion of the background review, the Consultant Team will conduct reconnaissance of potential UDA sites and surrounding areas with Town staff to gain a better understanding of land development issues, existing conditions, and if any additional data, research and field review is needed. In addition to information gathered on site, the Consultant Team will obtain GIS and aerial photograph files and prepare a to-scale base and inventory map series. The Consultant Team will also review public input gathered by the Town through prior workshops and charrettes.

1.3 Facilitate and conduct Kick Off briefing with Advisory Committee and/or Town officials

The Consultant Team will facilitate a kick-off meeting with Town staff to involve stakeholders and/or Town officials in the planning process. The purpose of this meeting will be to discuss and confirm overall project approach/schedule/deliverables.

1.4 Prepare Summary Memorandum

As a result of policy and code analysis, as well as reconnaissance of potential UDA sites, the Consultant Team will develop summary memorandum and support materials for staff to review and consider as a precursor to generating UDA boundary alternatives and recommendations.

TASK #1

Consultant Team

- Review & Annotate Policy and Code Documents
- Conduct reconnaissance of potential UDA sites and surrounding areas
- Facilitate and conduct Kick Off briefing with Advisory Committee and/or Town officials
- Prepare Summary Memorandum

Town Staff

- Send copies of plans, background materials and relevant plans to consultant team (including GIS files and data on project areas)
- Organize and accompany consultant team on reconnaissance
- Participate in meetings with consultant team

Coordination Meetings

- 1-1/2 day trip to Town to conduct site reconnaissance and meetings with Advisory Committee and/or Town officials

Task Product(s)

- Base map series
- Briefing presentation for staff and/or stakeholders/ officials
- Tech Memo summarizing review of Policy and Code Documents

Schedule Considerations

- Completed 2 months after Project Initiation

Task 2 ANALYSIS OF UDA SITE POTENTIAL

2.1 Conduct inventory/analysis mapping of Town and potential UDA areas

The Consultant Team will develop a series of maps, a briefing presentation and support materials for staff to review and consider potential UDA areas within the Town. At a minimum, the inventory and analysis mapping will incorporate the following datasets:

- Parcels and acreages
- Land Use and Growth Patterns
- Environmental and natural features
- Zoning and Policy Areas

2.2 Development of UDA goals and criteria for evaluating candidate UDA sites and for determining UDA boundaries.

Criteria might include 10-20 year growth projections and how each site would accommodate that growth; transportation/connectivity factors, environmental constraints; infrastructure conditions; potential impacts on surrounding areas; current regulatory framework, etc.) Preliminary "testing" will be provided to determine how projected population growth could be accommodated within each potential UDA.

2.3 Prepare Draft Comprehensive Plan Amendments to define UDAs (targeted growth areas)

Prepare draft amendments to the Comprehensive Plan, for targeted growth areas, that permit the locality to meet UDA legislative requirements, and optional or suggested amendments that would enhance the localities development efforts. This deliverable will include one round of edits or revisions to the recommended amendments

2.4 Refine UDA Boundaries & Comprehensive Plan Draft

Based on Town staff comments, the Consultant Team will refine Draft Comprehensive Plan language and UDA boundaries, and will update all maps and datasets.

TASK #2

Consultant Team

- Conduct inventory/analysis mapping of Town and potential UDA areas
- Development of UDA goals and criteria for evaluating candidate UDA sites and for determining UDA boundaries
- Prepare Draft Comp Plan Amendments to define UDAs (targeted growth areas)
- Refine UDA Boundaries & Comp Plan Draft

Town Staff

- Review drafts of inventory and analysis mapping, Comp Plan Amendment Drafts and potential UDA boundaries and provide any missing datasets to complete analysis
- Participate in teleconferences and meetings with consultant team

Coordination Meetings

- 2 teleconferences with staff to review Inventory/Analysis and brainstorm potential UDA alternatives
- One 1-1/2 day trip to Town to conduct meetings and stakeholder workshop with staff and Advisory Committee and/or Town officials.

Task Product(s)

- Inventory/Analysis map series
- Draft UDA mapping
- Draft Comp Plan Amendments
- Briefing presentation/materials for staff

Schedule Considerations

- Completed 4 months after Project Initiation

Task 3 ZONING AND SUBDIVISION ORDINANCE REVISIONS

3.1 Coordination with staff on potential Zoning/Subdivision amendments (teleconference)

The consultant team will work with Town staff to identify potential Zoning/Subdivision amendments.

3.2 Prepare Draft Zoning Ordinance Amendment

The Consultant Team will prepare draft amendments to the Zoning Ordinance that permit the locality to meet UDA legislative requirements, and optional or suggested amendments that would enhance the localities development efforts. For each UDA, the Consultant Team will develop design guidelines and/or Traditional Neighborhood Design (TND) principles and assessment of transportation considerations in a manner appropriate to the local context that codify complete streets and maximize transportation demand management. This deliverable will include one round of edits or revisions to the recommended amendments.

3.3 Prepare Draft Subdivision Ordinance Amendment

Working with Town staff, the Consultant Team will prepare draft amendments to the Subdivision Ordinance to include minimum amendments that permit the locality to meet UDA legislative requirements, and optional or suggested amendments that would enhance the localities development efforts. This deliverable will include one round of edits or revisions to the recommended amendments.

3.4 Coordination with staff on Draft Zoning/Subdivision Amendments (teleconference)

The Consultant Team will coordinate edits and/or revisions to the recommended amendments.

3.5 Refine Zoning & Subdivision Ordinance Drafts

The Consultant Team will refine the Zoning and Subdivision Ordinance. This deliverable will include one round of edits or revisions to the recommended amendments

3.6 Prepare Final Zoning & Subdivision Ordinance Amendments

Working with Town staff, the Consultant Team will prepare the Final Ordinance and Subdivision Ordinance Amendments.

TASK #3

Consultant Team

- Coordination with staff on potential Zoning/Subdivision amendments (teleconference)
- Prepare Draft Zoning Ordinance Amendment
- Prepare Draft Subdivision Ordinance Amendment
- Coordination with staff on Draft Zoning/Subdivision Amendments (teleconference)
- Refine Zoning & Subdivision Ordinance Drafts
- Prepare Final Zoning & Subdivision Ordinance Amendments

Town Staff

- Review drafts of Zoning/Subdivision amendments
- Participate in meetings/teleconferences with consultant team

Coordination Meetings

- 2 teleconferences with staff to review Inventory/Analysis and brainstorm potential UDA alternatives
- One 1-1/2 day trip to Town to conduct meetings and stakeholder workshop with staff and Advisory Committee and/or Town officials.

Task Product(s)

- Draft and Final Zoning/Subdivision amendments
- Briefing presentation/materials for staff

Schedule Considerations

- Completed 6 months after Project Initiation

Task 4 DOCUMENTATION AND PLAN/ORDINANCE ADOPTION

4.1 Prepare Draft Report on UDAs and Comp Plan and Zoning/Subdivision Amendments

Based on input from meetings with Town staff, community and stakeholders, the Consultant Team will develop a Draft Report on UDA's and Comprehensive Plan and Zoning/Subdivision Amendments that includes a summary of the project, stakeholder input process, design guidelines and all documentation from prior tasks. The report will outline the assigned task, the methodology utilized and the findings or recommendations. This deliverable will include one round of edits or revisions to the recommended amendments.

4.2 Coordination with Town staff on Draft Report (teleconference)

The Consultant Team will coordinate the completion of the Draft Report with Town staff and will address any outstanding issues.

4.3 Prepare Final Report on UDAs and Comp Plan and Zoning/Subdivision Amendments

Based on input from meetings with Town staff, community and stakeholders, the Consultant Team will develop a Final Report on UDA's and Comprehensive Plan and Zoning/Subdivision Amendments.

4.4 Planning Commission/Town Council Joint Public Hearing

The Consultant Team will support Town staff during the Planning Commission/Town Council Joint Public Hearing presentation.

TASK #4

Consultant Team

- Prepare Draft Report on UDAs and Comp Plan and Zoning/Subdivision Amendments
- Coordination with staff on Draft Report (teleconference)
- Prepare Final Report on UDAs and Comp Plan and Zoning/Subdivision Amendments
- Planning Commission/Town Council Joint Public Hearing

Town Staff

- Review drafts of Final Report and provide input on refinements in a timely manner
- Organize and staff the public hearing for adoption
- Participate in meetings/teleconferences with consultant team

Coordination Meetings

- 1 teleconference with staff to review Final Report
- One 1-1/2 day trip to Town to present at Joint Public Hearing

Task Product(s)

- Draft and Final Project Report
- Public hearing presentation for public, town officials

Schedule Considerations

- Completed 8 months after Project Initiation

SCHEDULE	2015				2016					
	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
Task 1 PROJECT INITIATION										
<i>1-1/2 Day Trip: Conduct reconnaissance of potential UDA sites and surrounding areas and conduct Kick Off briefing with Advisory Committee and/or Town officials</i>			★							
Review & Annotate Policy and Code Documents										
Prepare Summary Memorandum										
Task 2 ANALYSIS OF UDA SITE POTENTIAL										
<i>1-1/2 Day Trip: Stakeholder Workshop</i>					★					
Conduct inventory/analysis mapping of Town and potential UDA areas										
Develop UDA goals and criteria for evaluating candidate UDA sites and UDA boundaries										
Prepare Draft Comprehensive Plan Amendments to define UDAs (targeted growth areas)										
Refine UDA Boundaries & Comprehensive Plan Draft										
Task 3 ZONING & SUBDIVISION ORDINANCE REVISIONS										
<i>1-1/2 Day Trip: Stakeholders Workshop</i>							★			
Coordination with staff on potential Zoning/Subdivision amendments (teleconference)										
Prepare Draft Zoning Ordinance Amendment										
Prepare Draft Subdivision Ordinance Amendment										
Coordination with staff on Draft Zoning/Subdivision Amendments (teleconference)										
Refine Zoning & Subdivision Ordinance Drafts										
Prepare Final Zoning & Subdivision Ordinance Amendments										
Task 4 DOCUMENTATION & PLAN/ORDINANCE ADOPTION										
<i>1-1/2 Day Trip: Planning Commission/Town Council Joint Public Hearing</i>									★	
Prepare Draft Report on UDAs and Comp Plan and Zoning/Subdivision Amendments										
Coordination with staff on Draft Report (teleconference)										
Prepare Final Report on UDAs and Comp Plan and Zoning/Subdivision Amendments										

On-Site Meeting 



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Town Clerk

Issue

Consider approval of minutes for the following:

- a. Regular meeting of October 20, 2015
- b. Strategic Planning Retreat of October 26, 2015
- c. Strategic Planning Retreat of October 28, 2015

Summary

None

Attachments

October 20, 2015 minutes
October 26, 2015 minutes
October 28, 2015 minutes

Recommendations

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, OCTOBER 20, 2015, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

MEMBERS PRESENT: Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
Janet Scheid
Sabrina McCarty

MEMBERS ABSENT: I. Douglas Adams, Jr.

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Susan N. Johnson, Executive Assistant/Town Clerk
Theresa Fontana, Town Attorney
Anita McMillan, Planning & Zoning Director
Donna Collins, Human Resources Director
Barry Thompson, Finance Director/Treasurer
Gary Woodson, Public Works Director

The Mayor called the work session to order at 6:00 p.m. for a briefing on the Virginia Pollutant Discharge Elimination Systems (VPDES) Permit Program. Anita McMillan began by commenting that on October 1st she submitted the Municipal Separate storm Sewer System (MS4) permit program, the Total Maximum Daily Load (TMDL) action plans, the Standard Operating Procedures (SOP) and the Stormwater Pollution Prevention Plan (SWPPP). As of last week, she has already received comments from DEQ on the TMDL Action Plans and they gave her until this Friday to provide additional information. She provided Council with a handout of a larger flowchart of the DEQ/VPDES Permit Program and a summary of potential Best Management Practices for the TMDLs.

Ms. McMillan began a review of her Power Point presentation by commenting that the VPDES Permit Program consists of the MS4s permit, the Virginia Stormwater Management Program (VSMP) and the TMDL Action Plans for Impaired Waterways.

The VSMP for construction activities was transferred by DEQ to the localities in July of 2014 in order to address water quality issues. Because the town is an MS4 locality we were told at that time that we could not transfer the administration or authority of the VSMP to another locality.

Ms. McMillan next commented that the TMDL process began in 2005 when the localities in the Roanoke Valley were asked to participate in DEQ

meetings regarding how they were going to address the pollution diet. The VPDES started with the Clean Water Act in 1973 and after 30 years the water quality requirements were not being met. As late as September of last year, all the MS4 permit managers were required to attend a conference sponsored by EPA. At the conference they were told that Virginia and Pennsylvania are failing, so the EPA from Region III basically said they are coming to do site visits to make sure the localities are doing what they say in their permits.

We started doing the MS4 in 2003 and every permit runs for five years. We have to reapply 90 days prior to the expiration and pay a fee for the VPDES MS4 permit as well as an annual maintenance fee. We also have to advise DEQ and all the adjoining localities about any outfall that might go to the City of Roanoke and Roanoke County. Every five years when we renew, we have to send a letter to let them know that we are an MS4 and if there are any changes to our BMPs. We also have to inform the Virginia Department of Transportation because they own and maintain the roadways for Roanoke County.

Ms. McMillan next commented on the six minimum control measures: public education and outreach on stormwater impacts; public participation and involvement; illicit discharge detection and elimination; construction site stormwater runoff control; post construction stormwater management in new development and redevelopment and pollution prevention/good housekeeping.

With regard to public education the localities have contracted with the Clean Valley Council because they are part of the education program in the schools. The Town, Roanoke City and Roanoke County share information with each other for their websites and RVTV-3 has done PSAs. DEQ has always been pleased with the efforts made in these areas.

With regard to illicit discharge detection and elimination, there is still a lot to be done. In 2003, Roanoke County hired an intern to map all of the outfalls that go directly into Glade Creek, Tinker Creek and Wolf Creek and then to the Roanoke River. By 2017, we will be responsible to inspect all of the outfalls to see where they are connected and if they are in good condition. This would require the use of a sewer camera. Currently, the maintenance on these pipes is handled on a complaint basis. Another issue relates to detention ponds. Prior to 2003, they were constructed more for quantity and

now the quality requirement kicks in and they are not designed for quality.

With regard to the stormwater management program, Roanoke County has been the Town's E & S Agent since 1984. As of December 2014, DEQ has changed the requirement to allow counties to be the VSMP administrator for towns. The matter is still pending with Roanoke County due to some questions that have been raised by home builders concerning the square footage to be disturbed to require a permit.

Continuing with the illicit discharge detection and elimination, Ms. McMillan next commented that we need to enhance our program because DEQ is now questioning if we have done dry-weather screening on our 36 outfalls. Since we have less than 50 outfalls, we have to do an inspection every year. They have all been mapped and we have inspected about ten of them.

With regard to construction site stormwater runoff control, Roanoke County serves as our program administrator, but she still has to pull the information for the town and report it

Ms. McMillan reminded Council of the two MOUs that have been in place since July of 2013 with the County for plan reviews and inspection services. There are 49 stormwater BMP facilities and we have sent letters to three detention pond owners that were inspected by Roanoke County. We still need to send the other 46 a letter and most of them probably do not even know they have stormwater facilities in their backyards. The Town has four—the War Memorial, the Gladetown Regional Basin and two on Hardy Road. The County has inspected the one at the War Memorial and Gladetown and they have asked for us to do something by December so they can do the proper follow-up inspection. We are required to tell DEQ in our annual report that we have inspected our own ponds and by 2017 we have to state that we have inspected them and that we have performed the required maintenance.

Ms. McMillan commented that the reason why a lot of localities are now charging stormwater utility fees is to help with the costs of all of the requirements. Council Member Scheid asked in the interest of time to forward to the high-priority town facilities.

Ms. McMillan commented that by 2017, we have to do Stormwater Pollution Prevention Plans (SWPPP) for all of the Town facilities. We have completed the

one for the fueling center, main facility parking areas, secondary containment area, vehicle maintenance bay and workshop area at Public Works. There are still four SWPPPs to be done and the major one that is going to present a lot of challenges is the outdoor storage of construction materials because it is beside the creek. The other three areas are where organic waste such as leaf collection and roadkill is stored, the road salt and vehicle/equipment storage and another area for vehicle/equipment storage. The plans will have to be completed by 2016 and implemented by 2017.

The TMDL action plans that were due to DEQ on October 1st were for sedimentation and bacteria. PCB action plans will be due next year. For some reason when the study was done, they included the Town with Roanoke County and we do not have PCB allocation. However, Roanoke County has indicated that it is not fair for them to take the Town's PCB allocation and we should have our own. This is still being considered by DEQ.

Ms. McMillan referred back to the pollution prevention/good housekeeping minimum control measure. She was audited by the DEQ on this area because of the Town facilities and the training of employees.

Council Member Scheid asked how the issue with the area of the outdoor storage of construction materials would be handled by July 2016. The Town Manager commented that it will require an engineer to analyze the areas and make recommendations to correct them. DEQ is going to be looking for a plan and now they are going to require that the plan be implemented. Council Member Scheid commented that she appreciated the frustrations of Ms. McMillan and Mr. Woodson. When she visited the sites several months ago, it was clear that everyone was doing the best they could with the resources they have today. But we still need to get from here to July 1, 2016 and she understands there are significant fines and fees to be paid if we do not get there and that concerned her.

Ms. McMillan commented that she has already received comments from DEQ on the TMDL action plans. She has received no comments yet on the MS4 report which included the SWPPP for the facility that they completed.

The Town Manager commented that there are still two other sections for review and he recommended

that the matter be placed on another work session. Ms. McMillan has done a great job at this point to keep up with what we are supposed to do, but this is becoming more advanced with more responsibility and the solutions are now going to cost money.

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

Roll call

Under upcoming community events, Council Member McCarty announced the Downtown Trick or Treating on October 29th from 3:00 p.m. to 5:30 p.m. Donna Collins announced that there will be a reception at 6:00 p.m. on November 3rd, just prior to the Council meeting, in the lobby to honor our Veterans who are Town employees. They will be recognized during the regular meeting as well. She also announced that the last softball games for the Town team will be tomorrow evening and next Monday evening.

Council Member McCarty also announced the Zombie Walk will be this Saturday at the Farmer's Market and through the downtown area.

The Town Manager announced that the retirement reception for Chief Cook will be at the War Memorial on Monday, November 2nd, from 4:30 p.m. to 6:30 p.m. with the recognition ceremony being at 5:30 p.m. The Town Clerk announced that invitations would be going out on Friday for the State of the Town to be held on November 19th at 8:00 a.m. at the War Memorial.

Council Member Scheid made a motion to approve the Consent Agenda as presented; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Approved minutes for Regular meeting of September 15, 2015, Special called meeting of September 24, 2015, Special called meeting of October 7, 2015 and Special called meeting of October 14, 2015

The next item on the agenda was the appointment of an Interim Chief of Police. Following comments by the Mayor and his reading of a biography on Jeff Dudley, retired Chief from the City of Salem, Vice Mayor Hare made a motion to appoint Jeff Dudley as the Interim Chief of Police. The motion was seconded by Council Member McCarty and carried by the following vote, with all

members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Appointed Jeff A. Dudley as Interim Chief of Police

Under awards, recognitions and presentations, the Mayor read a plaque and made comments. He then presented the plaque to Mr. Mason for his service on the Board of Zoning Appeals and the Planning Commission for the Town. After comments made by Anita McMillan, Mr. Mason expressed his appreciation.

Council Member Scheid read a Proclamation recognizing Benjamin L. Cook who is retiring as Chief of Police on October 25, 2015. After comments from Council, the Proclamation was presented to Chief Cook. Chief Cook also made comments.

Council Member McCarty read the Memo from Chief Cook naming Officer Michael Caldwell as Officer of the month for September.

Chief Cook recognized Michael Byrd who was present at the meeting on his promotion to Sergeant.

The next item on the agenda was to consider public comments regarding a proposed ordinance to declare 123 Gus Nicks Boulevard, Tax Map Number 60.16-1-3, zoned CB Central Business District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and to consider approval of the proposed plan to demolish the structure and clear the property. The Mayor opened the Public Hearing at 7:32 p.m.

Public Hearing opened

Karla Turman commented briefly on the process that was followed by the Community Blight Abatement Team (COMBAT) to declare the property blighted. Notification was made to the property owner last August and they had no contact until the day of the Planning Commission Public Hearing on October 8, 2015. The owner indicated he would be having the structure demolished and clearing part of the property. He was told that would not abate the violation. Ms. Turman then showed several pictures of the property.

The Planning Commission held their Public Hearing and there were no public comments. They were concerned about whether or not Mr. Atkins would follow through and have the property demolished.

Their recommendation to Council was to adopt the Ordinance to declare the property blighted and accept the spot blight abatement plan.

Ms. Turman next commented that a contractor for Mr. Atkinson has contacted her and he is currently trying to get the utility releases. The only release he still had to get was with AEP and staff was able to intervene and contact AEP. The contractor should be making application to demolish the structure.

Council Member Scheid asked if there was a schedule for this and Ms. Turman responded no, but that Mr. Atkins has indicated it would be demolished by the end of October. There is no application yet and once the permit is issued, it will be good for six months. Staff would request that Council adopt the ordinance and the spot blight abatement plan, but give Mr. Atkins 60 days to have the structure demolished and the property cleared. If he does not, then the Ordinance will give the Town the authority to proceed. Vice Mayor Hare asked if the Ordinance needed to be amended to include the 60 day window. The Town Attorney responded that the time frame would not need to be included in the Ordinance. The Town can set their own schedule for taking care of the property.

Council Member Scheid asked how long it takes to get a demolition permit. Ms. McMillan responded that once they have the utility releases, the permit will be issued by Roanoke County within two or three days. Ms. Scheid next asked about the demolition process. Ms. Turman commented that the asbestos test was ordered today which is required because the property is in a commercial district. Once demolished, the contractor will be responsible for removing the demolition materials. After the demolition, the County Inspector will do a final inspection of the site.

Ms. Turman further commented that staff recommends the deadline to be December 31, 2015.

Having received no public comments, the Mayor closed the Public Hearing at 7:45 p.m.

Council Member McCarty made a motion to adopt the Ordinance as presented; the motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Public Hearing closed

Adopted Ordinance No. 963 declaring 123 Gus Nicks Boulevard, Tax Map Number 60.16-1-3, zoned CB Central Business District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and approval of the proposed plan to demolish the structure and clear the property

Vice Mayor Hare made a motion to direct staff to execute the Ordinance as of December 31, 2015; the motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Directed staff to execute the Ordinance as of December 31, 2015

The next item on the agenda was to consider public comments regarding a proposed ordinance to declare 830 S. Pollard Street, Tax Map Number 60.19-4-4, zoned R-2 Residential District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and to consider approval of the proposed plan to demolish the structure and clear the property. The Mayor opened the Public Hearing at 7:49 p.m.

Public Hearing opened

Karla Turman commented that this property is located in the Gladetown community and showed a map and pictures of the property. The COMBAT team went through the process of declaring the property blighted and sent notice to the son of the deceased property owner, Mary Banks. Mr. Banks who lives in the house next door indicated he had lived in the house until he could no longer afford to keep it up. The Planning Commission Public Hearing was held on October 8th. Two individuals spoke at the Public Hearing, one being Casey Macauley who lives next door and has offered to purchase the property, but there is an issue with the title. A title search has been done and it identified nine potential heirs, all of whom have been notified, but we received no responses back. Mr. Macauley also expressed concern about the safety of the property. Allen Kasey also attended the public hearing in support of Mr. Macauley. Staff would recommend that Council adopt the proposed Ordinance and the spot blight abatement plan and for the Town to demolish the property.

The Town Manager commented that this was one of the properties that generated a lot of questions with regard to who is authorized to force a sale for outstanding liens. The Town Attorney has prepared a legal Memo on the topic which has been furnished to Council.

Having received no public comments, the Mayor closed the Public Hearing at 7:56 p.m.

Public Hearing closed

Council Member Scheid made a motion to adopt the Ordinance as presented; the motion was seconded by Vice Mayor Hare and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Adopted Ordinance No. 964 declaring 830 S. Pollard Street, Tax Map Number 60.19-4-4, zoned R-2 Residential District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and approval of the proposed plan to demolish the structure and clear the property.

The next item on the agenda was to consider public comments regarding a proposed ordinance to declare 308-B 9th Street, Tax Map Number 60.10-4-27, zoned R-2 Residential District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and to consider approval of the proposed plan to demolish the structure and clear the property. The Mayor opened the Public Hearing at 7:58 p.m.

Public Hearing opened

Karla Turman commented that this is non-conforming property in the Midway section located in the alley between 8th and 9th Streets. The property in front and the house trailer and duplex below it are all owned by the same individual. This property has been vacant at least since 2005 and the owner has been contacted numerous times for broken windows and an opened door. She then showed several pictures of the property.

Last year Ms. Parker indicated she wanted to repair the house and in November she submitted a plan to abate the violation. Roanoke County and the Town accepted the plan and the policy gave her 90 days to complete the work. Ms. Turman contacted her in April and Ms. Parker indicated she had been told she had to do an asbestos study and she was not going to spend the money for the study. She checked with the Building Commissioner who indicated it was recommended, but not required. However, Ms. Parker said she was not going to do anything else.

Yesterday, Ms. Parker's son contacted Ms. Turman and indicated that she was getting quotes from contractors to have the structure demolished. She told him that they would still go through this process in case she did not follow through with the demolition herself. There are no liens on the property and the taxes are up date.

The Planning Commission held its Public Hearing on October 8, 2015 and there were no public comments. They did recommend adoption of the Ordinance and the spot blight abatement plan. The Mayor asked if the property owner understands the process and her son indicated that she does.

Vice Mayor Hare commented that Council adopted a Spot Blight Abatement program which created a team to go through a very long and careful process to get to this point. Council is not taking this action because the properties are eyesores or falling down, but because they create public safety issues. These buildings impact the total value of our community.

Having no public comments, the Mayor closed the Public Hearing at 8:07 p.m.

Vice Mayor Hare made a motion to adopt the Ordinance as presented; the motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Ms. Turman commented that the process does work. The team initially had five properties they were working on and one of them was demolished by the property owner. Another property has been vacant over a year and gone through several owner changes, but there is an active permit on file to repair it.

In response to a question, Ms. Turman commented with regard to the property at 308-B 9th Street, staff would also request Council to set a deadline of December 31, 2015 for the property owner to abate the violation. Vice Mayor Hare asked the proper way to make the motion regarding the deadline. The Town Attorney clarified that the Ordinance is effective today, but we are giving a gift to the property owner of 60 days before the Ordinance is executed. It will amend the plan to give them until December 31, 2015 if they are taking appropriate steps toward abating the property. The Town Manager commented that as long as they are making a good faith effort, staff will work with them.

Vice Mayor Hare made a motion to authorize staff to amend the Spot Blight Abatement Plan for 308-B 9th Street, Tax Map #60.10-4-27, to delay town action to demolish the property until December 31, 2015 to provide the property owner additional time to abate

Public Hearing closed

Adopted Ordinance No. 965 declaring 308-B 9th Street, Tax Map Number 60.10-4-27, zoned R-2 Residential District, a blighted property and in violation of Chapter 14 Buildings and Building Regulations, Article V Spot Blight Abatement, of the Vinton Town Code, and approval of the proposed plan to demolish the structure and clear the property

the violation. The motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

Vice Mayor Hare made a motion to amend the original motion with regard to the property at 123 Gus Nicks Boulevard, Tax Map Number 60.16-1-3, to authorize staff to amend the Spot Blight Abatement Plan to delay town action to demolish the property until December 31, 2015 to provide the property owner additional time to abate the violation. The motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

The next item on the agenda was to consider adoption of a Resolution authorizing the Town Manager to file an application for allocation of Virginia Department of Transportation (VDOT) Fiscal Year 2017-2018 MAP-21 Transportation Alternatives (TA) Program funds for Glade Creek Greenway Phase 2. Anita McMillan began by commenting that she was contacted by Liz Belcher regarding this application and indicated it was due by November 1, 2015. Also, before submitting to VDOT, it has to go before the Transportation Organization (TPO) this Thursday and this was the last Council meeting before the deadline. She turned the meeting over to Liz Belcher for the presentation.

Ms. Belcher first commented that we would not have the greenways without grants and we have to plan ahead. With regard to the Glade Creek Greenway, the Town has received revenue sharing to do Phase 1. The Greenway plan that was done in 2007 shows the portion that connects Tinker Creek and goes to the Blue Ridge Parkway. This section was listed as a Priority 3. The current Phase 1 goes from Virginia Avenue PFG site, under the bridge and then to Walnut Avenue to the new bridge.

Phase 2 would go from Walnut Avenue to Gus Nicks Boulevard. This Phase has a much larger budget due to the grant being federally funded as opposed to revenue sharing which is a state grant. The grant is due November 2nd and the Commonwealth Transportation Board would make a

Authorized staff to amend the Spot Blight Abatement Plan for 308-B 9th Street, Tax Map #60.10-4-27, to delay town action to demolish the property until December 31, 2015 to provide the property owner additional time to abate the violation.

Amended the original motion with regard to the property at 123 Gus Nicks Boulevard, Tax Map Number 60.16-1-3 to authorize staff to amend the Spot Blight Abatement Plan to delay town action to demolish the property until December 31, 2015 to provide the property owner additional time to abate the violation

decision in June. Between November 2nd and June, it goes back to VDOT and they score all the projects, a total of four from this region. She felt that this project would score higher than at least two of the other projects.

She next showed a slide with a map of the proposed Phase 2 and then showed photos to walk through the path of the proposed trail. It would begin at Walnut Avenue, go under the railroad trestle, come into Gearhart Park, through the Park and wrap around the old William Byrd School and come out to Gus Nicks Boulevard. Ms. Belcher commented that Roanoke County owns the school property, but getting an easement from the County can count as part of the match required for the grant application. The end of Phase 2 will end at Gus Nicks Boulevard which is across the street from the former Holdren's Country Store. The future plan for Phase 3 would be the connection from there to Vinyard Park.

Ms. Belcher next commented that VDOT wants the money to be spent in four years and in doable pieces. In order to proceed with the grant application, the TPO has to pass a Resolution of support on Thursday if Council approves the matter tonight. Later, probably in January, there will be presentations on the various projects to figure out what they would recommend in terms of financing of the various projects they have been given. She and Anita McMillan have worked some on the match because of the tight financial situation of the Town. One part of the match would be the pipe and its installation and another would be Ms. McMillan's time in managing the grant.

We will need an easement to go under the trestle and the railroad will require an overhead shelter to be built. She has a majority vote from the Pathfinders for Greenways to buy the materials and construct the shelter. The City has done a lot of these and has indicated that if we allow enough time to file all of the paperwork, getting the permission on a spot like this is not difficult because it is grade separate. In response to a question regarding the value of this easement, Ms. Belcher indicated that if it is counted, it would require an appraisal which might cost as much as the value. Ms. McMillan commented that we already have a sewer easement with the railroad and we would contact them to see if they would add the greenway to this existing easement.

Ms. Belcher next commented that the entire project is \$500,000, but we can only ask for 80%, which is \$400,000. If the Commonwealth Transportation Board selects the project, they have to give you 50% of what you ask for. In the application we have \$100,000 for engineering and right-of-way. If the TPO approves \$100,000, we can get started and then apply again next year and you are on the books. Once you are on the books for the project, then it is much more likely that you will get the next level of funding. Last year the Daleville greenway got 100% of the money they asked for.

Council Member Scheid asked what the other three projects are. Ms. Belcher responded they are a request from Roanoke County for a bridge from the end of Friendship Lane to the field at Hollins. The City of Salem is applying for pedestrian streetscape for one block of downtown from Broad to Market. The City of Roanoke is applying for bike lanes and sidewalks to Virginia Western Community College. They have them on the Towers side and this would be for the other side.

Vice Mayor Hare asked if the Greenway Commission would be asked to submit a letter of recommendation and Ms. Belcher responded it will be discussed at their meeting on October 28th. The grant does require the locality to be the applicant and to adopt a Resolution. Ms. McMillan commented that Roanoke County will be submitting a letter of commitment for the easement along the old William Byrd High School to go with the grant application.

Vice Mayor Hare made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

The next item on the agenda was to consider adoption of a Resolution authorizing the creation of two part-time employee positions to convert them from Historical Society Contract employees to Town of Vinton part-time employees and approving the appropriation and transfer of funds. The Town Manager commented that the Historical Society submitted a request several months ago to allow their contract employees to become Town employees. These two part-time employees are essential to the operation of the Museum.

Adopted Resolution No. 2118 authorizing the Town Manager to file an application for allocation of Virginia Department of Transportation (VDOT) Fiscal Year 2017-2018 MAP-21 Transportation Alternatives (TA) Program funds for Glade Creek Greenway Phase 2

After a review of the matter, the Town Manager proposed that the two employees become Town of Vinton employees and fall under the structure of our Human Resources. Mary Beth Layman, Special Programs Director, will be their supervisor for the Town. We will handle their payroll, workers comp insurance and general liability coverage. They will work less than 20 hours a week and will not be eligible for health insurance, leave accrual or the VRS pension plan.

With regard to funding, we give the Historical Society a contribution of \$3,000 annually. They also have received a grant in the amount of \$2,000, along with other donations. They will give the Town the necessary amount to fund the expenses of the two part-time employees. Roanoke County provides \$2,000 to the Museum and that will be used for operating expenses, supplies, etc.

The Town Manager further commented that these employees were working anywhere from 4 to 16 hours a week plus special events. He presented two funding options—one with the Town contributing no additional funds and the taxes being covered by the funds from the Historical Society. This will allow up to 13.5 hours a week to divide between the two employees. The other option would be for the Town to cover the taxes in the amount of \$517, which would give them an additional hour a week. He also referred to a job description that was provided with the agenda package.

In response to a question from Council Member Scheid, the Town Manager commented that the two employees are currently volunteering at the Museum and are not getting paid. Council Member Scheid asked if they were aware they would have to go through the whole hiring process. The Town Manager commented that they would have to apply, but he fully expected they would offer the positions to the previous employees. If they decided not to apply or it changed over time, the position would be opened back up with input from the Historical Society.

The Town Manager further commented that the proposed Resolution is level funding without paying the additional taxes. If Council is willing to pay the taxes, they can adopt the Resolution and then he can transfer the funds to cover them.

Vice Mayor Hare commented the Museum is a valuable resource that we have with a very committed team to make sure that our history is preserved for generations to come. He supports it since it is budget controlled and as long as it is not requiring any more resources from the Town than it is now, such as staff time.

Council Member Scheid made a motion to adopt the Resolution approving level funding as presented; the motion was seconded by Council Member McCarty and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

The next item on the agenda was a review of the Financial Report for August 2015. Vice Mayor Hare commented that overall on an adjusted basis the General Fund revenues are doing well. We are under spending which is partly due to the delay in paving. Compared to the same time last year, cash is up approximately \$300,000. With regard to the prior financial report, the expenditures that were over budget in Public Works which were accounting adjustments of items that belong in inventory are being corrected.

The Utility Fund is down from what was projected and compared to the same time last year, it is down approximately \$150,000 in revenue. From the standpoint of expenditures, it is under spending.

Vice Mayor Hare further commented that the Committee also spent some time discussing with the Police Chief how our pay scales for officers compare around the Roanoke Valley. It was very interesting and we are still validating numbers and seeing what is best for the Town. We also need to look across the board with all of the staff to make sure everybody is correctly funded because they are a valuable resource.

Vice Mayor Hare made a motion to approve the Financial Report for August 2015; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams.

The Mayor expressed appreciation to the Chamber and all of staff who helped with the Fall Festival.

Adopted Resolution No. 2119 authorizing the creation of two part-time employee positions to convert them from Historical Society Contract employees to Town of Vinton part-time employees and approving the appropriation and transfer of funds

Approved Financial Report for August 2015

The next item was to hear a report from the Public Safety Committee. The Town Manager briefly commented the Committee discussed two items relating to Fire and EMS, the new electronic lock system that is being installed and the staffing structure which will be brought back to Council for consideration. They discussed the future replacement of the fire truck and the possibly of an opportunity to buy a new fire truck today with the County. The Committee decided to just put it back in the CIP process. With regard to the K9 Unit with the Police Department, Jax is now owned by the Nelson County Sheriff's Department. Chris Froeschl resigned from the position of K9 Officer about three months ago and is now a regular police officer.

Comments from Council Members: Council Member McCarty asked if staff had followed up with Vinton Baptist with regard to the repairs to their parking lot. The Town Manager commented that he had emailed Pastor Booth to advise him that we need to have a formal written agreement and to submit the final invoice to me. He will bring the matter back to Council for action.

Council Member Scheid made a motion to adjourn the meeting; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – McCarty, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - Adams. The meeting was adjourned at 9:30 p.m.

Meeting adjourned

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

MINUTES OF A STRATEGIC PLANNING RETREAT OF VINTON TOWN COUNCIL HELD ON OCTOBER 26, 2015 AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
I. Douglas Adams, Jr.
Sabrina McCarty
Janet Scheid

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

FACILITATOR: Kathy Baske Young

The Council Strategic Planning Retreat began on Monday evening, October 26, 2015, at 6:30 p.m. with dinner. The Town Manager gave an update on the items included in the Strategic Plan of 2012 and reviewed the accomplishments since that Retreat. Other topics discussed related to decision making, seeking opportunities and ways to better engage the business community as well as increase public input overall. After an opportunity for open discussion, the meeting was recessed at 9:45 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

MINUTES OF A STRATEGIC PLANNING RETREAT OF VINTON TOWN COUNCIL HELD ON OCTOBER 28, 2015, AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
Sabrina McCarty
Janet Scheid

MEMBER ABSENT: I. Douglas Adams, Jr.

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Susan N. Johnson, Town Clerk
Barry W. Thompson, Finance Director/Treasurer

FACILITATOR: Kathy Baske Young

The Council Retreat was reconvened on Wednesday morning, October 28, 2015, at 8:00 a.m. Barry Thompson, Finance Director/Treasurer began the meeting with a review of a snapshot of where we are and projections for the next three years relating to revenue, operating expenses and capital expenses.

The Town Manager next commented on the Gainsharing Agreement with Roanoke County that will expire in 2019 and reviewed several aspects of the current agreement. He then gave an update on significant issues relating to water and sewer, stormwater, roads and bridges for the next three to five years along with costs to be considered.

The next items on the agenda related to planning for future economic sustainability and included hotel/motel tax rates, plans for Gish Mill, the old Library property, skate park, swimming pool, War Memorial and Valley Metro

After lunch, the agenda included neighborhood vibrancy/community spirit and a focus on engaged and talented staff.

Ms. Young facilitated discussion of all topics and will prepare a final report for Council. After closing comments, the meeting was adjourned at 4:00 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Police

Issue

Co-Officers of the Month for October 2015

Summary

Officer Jordan Keith and Officer Michael Giles were selected as Officers of the month for October and will be recognized at the meeting

Attachments

Memo from Chief Dudley

Recommendations

Read Memo



Vinton Police Department

311 SOUTH POLLARD STREET
VINTON, VIRGINIA 24179

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

Jeff Dudley
CHIEF OF POLICE

A State Accredited Agency

To: Jordan Keith, Police Officer
Michael Giles, Police Officer

From: Jeff Dudley, Chief of Police 

Date: November 10, 2015

Subject: Co-Officers of the Month – October 2015

Congratulations! You have been nominated and selected as Officers of the Month for October, 2015.

On October 30th, Officers Jordan Keith and Michael Giles responded to an accident involving an automobile and a train at 8th Street and Walnut Avenue.

This incident was very complicated in nature involving many parts. Through determination and good interview techniques, you located and identified the driver of the automobile involved, and determined that she had been operating the motor vehicle under the influence.

This was a very complex crash and involved several agencies. You handled the situation with a great amount of self-confidence and showed tremendous teamwork as you worked together to resolve this situation with an arrest.



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Planning and Zoning

Issue

Consideration of public comments regarding the petition of Old School Partners, LLC, Authorized Agent, for a rezoning of the former Roland E. Cook School Property, from R-2 Residential to Mixed Use Development (MUD), to convert to 21 residential apartments with supporting recreational/small business uses, at 412 S. Poplar Street, Vinton, Tax Map Number 060.16-09-39.00 and 40.00.

Summary

Town Council was briefed on the rezoning request at their November 3, 2015, work session. The public hearing by the Planning Commission was held on November 5, 2015, and they voted unanimously to recommend approval of the request of Old School Partners, LLC, Authorized Agent, to rezone the former Roland E. Cook School Property, from R-2 Residential to Mixed Use Development (MUD), with the proffered conditions as submitted by Old School Partners, LLC.

According to the Petitioner, the rezoning request of the former Roland E. Cook School property to the MUD district will allow the existing school building be adaptively reused for 21 upscale apartment units, with 15 one-bedroom and 6 studio units.

At the Planning Commission's public hearing on November 5, 2015, Old School Partners, LLC was represented by David Hill and Dale Wilkinson. Roanoke County personnel also attended the meeting including: Jill Loope, Director of Economic Development and Philip Thompson, Deputy Director of Planning. Additionally, there were three citizens in attendance: Mr. Doug and Mrs. Mattie Forbes; and Senior Pastor Ricardo Rodriguez, Vinton Wesleyan Church. Both Mr. Forbes (on his and his wife's behalf) and Pastor Rodriguez spoke in favor of the rezoning request.

The Planning Commission voted unanimously to recommend that the rezoning of Old School Partners, LLC be approved with the proffered conditions as submitted by Old School Partners, LLC.

Staff Comments

With a rezoning request, Town Council is given the opportunity to review the request and impose any such conditions as reasonably necessary to ensure the use will be compatible with the surrounding area and consistent with the intent of the Zoning Ordinance.

Attachments

1. Staff Report and Supporting Materials.
2. List of Property Owners Notified and Vicinity Map
3. Email from Jim Peters, President, Taz Wade, Inc., Property Owner 317 Jefferson Avenue
4. Letter from Dawn Hale, 422 Chestnut Street, Vinton
5. Power Point Presentation
6. Ordinance

Alternatives

1. Approve the rezoning request with the proffered conditions submitted by the Petitioner, as recommended by the Planning Commission.
2. Approve the rezoning request with the proffered conditions submitted by the Petitioner as recommended by the Planning Commission, with the addition of any conditions Council feels necessary to ensure the compatibility of the use.
3. Deny the rezoning request.

Staff recommends alternative 1.

Recommendation

Motion to adopt Ordinance

STAFF REPORT

PETITIONER: Old School Partners, LLC **PREPARED BY:** Anita J. McMillan
Authorized Agent
CASE NUMBER: 2-10-15 **DATE:** October 21, 2015

A. NATURE OF REQUEST

The Petitioner, Old School Partners, LLC, an authorized agent for Roanoke County Board of Supervisors, is requesting a rezoning of the former Roland E. Cook School property, from R-2 Residential to Mixed Used Development (MUD) to convert the existing vacant school building to twenty one (21) residential apartments with supporting recreational/small business uses, located at 412 S. Poplar Street, tax map number 060.16-09-39.00 and 060.16-09-40.00.

B. APPLICABLE REGULATIONS

The property is currently zoned R-2 Residential District which does not allow apartment/multi-family dwellings with 3 or more units and/or mixed uses to be located in the same building. Multi-family dwellings are only allowed in the R-3 Residential District with a Special Use permit, and by right in the PD Planned Development and MUD Mixed Use Districts. Mixed residential and business uses within the same building are currently only allowed in the business districts such as GB General Business (under certain conditions), CB Central Business (under certain conditions), PD Planned Development, or MUD Mixed Use.

Beginning in September 2014, staff began reviewing and preparing an ordinance to incorporate a mixed use development district as a new district classification in the Town's Zoning Ordinance. Members of the Town Council, Planning Commission and Staff were aware of several vacant parcels, building, and underutilized properties located throughout the Town, including the Off-track Betting Center, River Park Shopping Center, Old William High School and Roland E. Cook School buildings.

Mixed use is intended as an improvement over traditional, segregated-use zoning. Mixed use is a way of creating a multi-use, multi-purpose building or set of buildings, incorporating some combination of residential, commercial, industrial, office, institutional, or other land uses as part of the overall environment. The Town's Mixed Use Development (MUD) district was adopted on April 21, 2015. The intent of the MUD district is to encourage the orderly development of mixed residential/commercial sites and to encourage innovative development patterns that create a desirable environment, particularly for lots which contain a number of constraints to conventional development.

C. ANALYSIS OF EXISTING CONDITIONS

Background

The discussion on alternative uses for the Roland E. Cook school building started in March 1999,

when it was known that the elementary school would be closed by end of the 1999 school year. The school building was then used as alternative school for high school students from Roanoke and Bedford Counties until fall of 2009, when the building was permanently closed and no longer used as a school facility.

On November 20, 2013, a community meeting hosted through a partnership between the Town of Vinton and Roanoke County was held in the Council Chambers to discuss the future of the Roland E. Cook School property. The majority of people in attendance agreed that the former school building should not be demolished; the front façade of the building should be retained; and that the building should be reused for either a retirement community or for a higher education facility. It was stated then that a private investor would be needed to develop the site, and the rezoning of the property should not be done until a definite use of the property is determined.

Roland E. Cook School property was transferred from Roanoke County Schools to the Roanoke County Board of Supervisors in October 2013. In April 2014, Roland E. Cook School Request for Proposals was advertised by the County of Roanoke stating that the County was accepting proposals for the purchase and redevelopment of the former school building. One proposal was received from Old School Partners, LLC.

As stated above the property is currently zoned R-2 Residential District which does not allow apartment/multi-family dwellings with 3 or more units and/or mixed uses to be located in the same building. Multi-family dwellings are only allowed in the R-3 Residential District with a Special Use permit, and by right in the PD Planned Development and MUD Mixed Use Districts. Mixed residential and business uses within the same building are currently only allowed in the business districts such as GB General Business (under certain conditions), CB Central Business (under certain conditions), PD Planned Development, or MUD Mixed Use.

After several work sessions held by the Planning Commission and Town Council in the fall of 2014 and spring 2015, on April 21, 2015, the zoning ordinance was amended to establish a Mixed Use Development (MUD) district classification. Mixed use district is intended as an improvement over traditional, segregated-use zoning. There are several vacant parcels, buildings and underutilized properties located throughout the Town that may be able to be developed under the new MUD District.

Prior to the rezoning application being submitted, a pre-filing meeting was held in the Town of Vinton, on September 9, 2015, between David Hill, Hill Studio/Old School Partners, LLC, and representatives of the County of Roanoke and Town of Vinton. Please see attached minutes of the meeting.

On September 28, 2015, a flyer regarding an open house on the proposed redevelopment of the former school property was mailed to the property owners of the neighborhood adjacent to the school and emailed to local media outlets. At the October 8, 2015, work session of the Planning Commission, the Petitioner presented a PowerPoint slideshow to the Commissioners and those in attendance at the meeting.

Three members of the Old School Partners, LLC, along with two staff from Hill Studio were on hand at the open house held on October 12th, at Vinton Wesleyan Church, from 6:30 p.m. to 8:00 p.m. About 25 people attended the open house, and the majority of them were excited about the proposed project since they either attended the school or know someone who attended the school. Additionally, according to many of those who attended the open house, the former school building needs to be reused soon instead of being left vacant. They were happy that the building was not going to be demolished.

On October 1, 2015, a rezoning application was received along with an authorization letter from Roanoke County Administrator, Thomas Gates, authorizing Old School Partners, LLC, to file the rezoning application on behalf of the County of Roanoke. On October 8, 2015, a work session of the Planning Commission was held to discuss the proposed rezoning. On October 12, 2015, an Open House was held at Vinton Wesleyan Church by the Petitioner on the proposed redevelopment of the former vacant school building into 21 upscale apartment units with supporting recreational/small business uses.

On October 19, 2015, a letter was mailed to surrounding property owners to notify them of the rezoning request and to inform them of the dates and times of the Planning Commission and Town Council public hearings. Additionally, the notice for the public hearings has been advertised in The Vinton Messenger and on RVTV-3. The public hearing by the Planning Commission will be held on November 5, 2015, and the Town Council public hearing will be held on November 17, 2015.

Location – 1.046 acres developed parcel located at 412 South Poplar Street. The school building can be accessed from South Poplar Street, Jefferson Avenue, South Blair Street, and a 10-foot wide paved alley located on the north side of the building.

Topography/Vegetation – The developed parcel is level and developed with a vacant school building, paved concrete sidewalks to the west and south of the building, paved parking areas to the east, and a grassy front lawn and a few mature trees.

Adjacent Zoning and Land Uses –The area to the west of the Property is zoned RB Residential Business and is developed with a church and paved parking areas; the areas to the north, east and south are zoned R-2 Residential and developed with single-family, two-family and multi-family structures.

D. ANALYSIS OF PROPOSED DEVELOPMENT

Site Layout/Architecture – Please see attached survey, property map, aerial photography, conceptual plan, parking and accessibility plan, and the proposed exterior improvements to the Roland E. Cook School, which were included with the rezoning application.

The existing Roland E. Cook School Building will be redeveloped into 21 residential

2015, the building, built in 1915, was determined to be eligible to be listed on the National Register of Historic Places. Old School Partners, LLC, intends to use historic tax credits to rehabilitate the vacant facility to residential apartments; therefore, the property will be redeveloped in accordance with the Secretary of the Interior's Standards for Rehabilitation.

Most of the existing trees, front lawn, sidewalk connections, surrounding walls, stairs, and the original flagpole will be retained. The asphalt playground on the east side of the property will be redeveloped and landscaped for 27 off-street parking spaces. Additionally, as allowed under the MUD district, the Petitioner indicated that there are 59 on-street parking spaces within 200 feet and 159 on-street parking spaces within 400 feet of the proposed redevelopment. A new sidewalk will connect the building to South Blair Street, and the existing alley access will be retained with some parking spaces added to the property just off the east side of the alley.

According to the Petitioner, the historic building will be preserved and sensitively adapted for housing. In using historic tax credits, the building will retain its architectural character and its environmental setting in the residential neighborhood. Changes to the exterior of the property and building will be minor. Additional parking will be added to the rear of the property near Blair Street. Some minor grading on the north side of the building will accommodate a courtyard for first floor apartments and an additional entrance/exit.

The property will remain primarily in residential use. The classrooms will become individual apartments. The third floor gym space will be developed for recreational/small business flex space offering opportunities for community activities, art/exercise classes, special events, and perhaps business services (e.g. coffee/snack bar, personal service concierge, shared co-working space, etc.). An elevator will be added to serve the building.

Site Access – The proposed redevelopment of the school building can be accessed from South Poplar Street, Jefferson Avenue, South Blair Street, and a 10-foot wide paved alley located to the rear of the building. South Poplar Street and Jefferson Avenue are 50-foot wide right-of-ways and South Blair Street is a 40-foot wide right-of-way. Currently, the property is comprised of two parcels. Staff recently received a combination plat submittal for the two parcels to be combined.

Utilities – The developed Property is served by public water and sewer services. An interior sprinkler system is being proposed for the redevelopment of the school building.

E. COMPREHENSIVE PLAN/FUTURE LAND USE

The 2004-2024 Town Comprehensive Plan designated the developed Property and the property to the north, south and east, as low-density and the property to the west as medium-density residential land use areas. The Comprehensive Plan also recognized that the Town does not contain a Historic Overlay District. It indicated that the Central Business District area and the Jefferson Park Neighborhood, which includes the Roland E. Cook School building, may be considered as the proposed historic district. Additionally, at the conclusion of the 2004-2024 Town Comprehensive/Economic and Community Development Plans public input prioritization process, acquisition of Roland E. Cook School from Roanoke County to adaptively reuse it for

process, acquisition of Roland E. Cook School from Roanoke County to adaptively reuse it for potential elderly housing or an assisted living facility, was ranked as the third highest out of six categories presented.

F. STAFF CONCLUSION

Approval of the proposed rezoning from R-2 Residential District to Mixed Use Development (MUD) District would allow the existing vacant school building to be adaptively reused as residential and recreational/small business flex space. The proposed redevelopment of the school building would be consistent with the existing uses of the adjoining properties to the south and east, which are developed with single-family, two-family and multi-family dwellings.

As indicated by the Petitioner, the redevelopment of the property will promote and encourage the economic vitality of the community and preserve a historic building while providing increased economic investment. The Petitioner further indicates that the redevelopment of the facility for the proposed use will not adversely affect adjoining properties and will enhance the neighborhood by taking a vacant building and repurposing it for a suitable alternative use that maintains the historic architecture and setting of the building. Adequate utilities and public facilities are already in place to serve the proposed apartments.

The property owner may submit that only certain uses to be allowed on the property as proffered conditions for the rezoning request. In addition, with rezoning request, the planning commission and the town council may impose such conditions as reasonably necessary to ensure the use will be compatible with the surrounding area and consistent with the purpose of the zoning ordinance. As indicated in the rezoning application, the Petitioner has proffered that the Roland E. Cook building, as a historic property, will be redeveloped in accordance with the Secretary of the Interior 's Standard for Rehabilitation, as follows:

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

G. CITIZEN(S) COMMENTS

On October 22, 2015, Staff received an email from Mr. Jim Peters, the property owner of 317 Jefferson Avenue. The email was to inform Staff that he was in receipt of the letter regarding the public hearings for the rezoning request. Mr. Peters is not going to be able to attend the public hearings, but he wanted to express his support for the rezoning request and putting the building to use in a combination of residential and business property. He said he hopes the project will be successful.

On October 26, 2015, Staff received a letter dated October 21, 2015, from Ms. Dawn Hale of 422 Chestnut Street. The letter was addressed to Town Council and Planning Commission. Ms. Hale indicated that the neighborhood has undergone many changes since 1952 when apartments started to be built in the neighborhood. She said she and her family have had to endure many criminal and undesirable acts from the apartment dwellers. Ms. Hale stated that the neighborhood does not need any more apartments, and Roland E. Cook can be used to serve a better purpose. Ms. Hale respectfully asks that the Town abandon the idea and explore other uses for which this revered institution can be utilized.



HILL
STUDIO

Minutes of Meeting I

Roland E. Cook School

Hill Studio Project # 1031.02

Meeting Date: September 9, 2015

Present:

Roanoke County and Vinton: Various planning code enforcement officials
(See attached)

Hill Studio: David P. Hill, ASLA, President

The meeting took place on September 9th at the Vinton Town Hall office. This was our official pre-filing meeting hosted by Town Planner, Anita McMillan. Anita had assembled a number of officials who will be reviewing the plans as we submit them for zoning change requesting a change from the current residential to MUD (mixed-use district). The following items were noted:

Community Planning

Landscape Architecture

Architecture

Preservation

1. In order for this project to truly qualify as mixed-use we need to better emphasize the potential commercial components of the building. These may include the commercial items up in the gym area such as health club, juice bar etc., or shared work space etc., and potential home office situations within the apartments. Chris Lawrence also emphasized that there could be potential walk-up commerce on the first floor such as a tenant office, café or dry cleaner drop-off center. These will be evaluated by the developer team.
2. With regard to parking, David showed the current plan with 10 parking spaces and one additional handicapped space. Comments were that we need to have a backup plan for parking in case the neighbors object to the small number of parking spaces on the plan. David mentioned that there were more than enough parking spaces on the block empty on the street all the time. Chris suggested that we either have an overlay that might supplement the parking onsite, or have a deal worked out with the church across the street for weekday paid parking as part of the apartment dwellers plan.
3. We discussed uses on the site. There may be some interest from Council in having a playground facility on the site. It may be wise for us to emphasize this is now a private sector building and even though we want a place for kids to play, this may not be the place to accommodate a local playground. The site will be developed for open, grassy outdoor amenity space. The amenity will appear to be and will be open and welcome to all who visit as long as they behave. There will be barbecue areas in the rear under a trellis and a large grassy area which was formally a large asphalt playground.

120 W Campbell Avenue
Roanoke, Virginia 24011

tel: 540-342-5263

fax: 540-345-5625

WWW.HILLSTUDIO.COM



HILL
STUDIO

The front of the building toward Pollard Street will keep its ceremonial front entrance and will be developed for residence garden areas and potentially a dog park.

4. We discussed alley access. Currently there is an alley that is owned by Town of Vinton. Fire officials remarked that they would prefer to have 20' clear all along this alley for firefighting purposes. There are a couple of structures across the alley built right next to it. In most places we can achieve 20' clearance. The developer will remove all the overgrown trees and shrubs in the alley as part of the project.
5. We discussed storm water. For storm water management we will have to meet the quantity standards but will not have to meet new water quality standards, We need to look at channel flow in particular the Q-2 and Q-10 parts of the ordinance. Since we will be requesting a waiver from the downstream pipe system requirements "since our post Q is less than our pre Q, then we request a waiver". We will have to show 10-year rational method calculations for pre and post Q development. The County Engineer will be assisting us through this process.
6. Regarding fire egress, the County building official stated that if we have to upgrade the existing outdoor fire escapes then they will not count as official fire exits. This is a different interruption that we have heard in the past from, say, Roanoke City officials. The outdoor fire escape that is along the west side near the front of the building is acceptable currently as it is. The rusted hanging fold-up fire escape at the rear of the building is not acceptable and will not be allowed to be rebuilt to its former condition. This is not so much to get someone out of the building as to carry into the building, a loaded fire-fighting team. The escape cannot be made heavy enough to carry this. The building official will work with Hunter to get a building fire code access plan.
7. Regarding handicapped accessibility, we will be required to have one completely handicapped accessible unit. David reported that we plan to have one completely accessible handicapped unit and additional units that will accommodate a handicapped guest.
8. With regard to building code, using the 2012 building code this building will be considered 903.2.8 group R-2. The building will go from class E to class R-2 for occupancy purposes. Home offices still count within the R-2 code. With regard to fire flow, this will also be considered an R-2 use. This requires a hydrant within 250 feet the remote corner of the building. The hydrant needs to provide 1500 gallons per minute. If the building is sprinkled we can cut it in half to 750 gallons per minute. If it is sprinkled we will need a fire department connection to be shown on drawings.



Currently the hydrants show that it is likely that they will be able to meet the fire demand without any additional infrastructure as long as we sprinkle the building.

9. The building official advises to make sure to look through the 2012 rehabilitation code. There are three options which the building may want to go. 95% use the old code. Using 2009 ansi, make sure to call attention to your nonresidential uses in any diagrams that are submitted to the Town for review. Also note in the documents, in the zoning request, of the number of uses allowed in the mixed use district. We request to be permitted for the following ones (list it with bullets). Leave it flexible.
10. Show locations for signage in the zoning application.
11. There will be a two-step process for approvals. First will be the rezoning application and second the comprehensive site plan. Anita will coordinate review comments for both. There is no need to clutter the zoning application review with the detail required by the comprehensive site plan.
12. The project will require Knox boxes and locking FTC cap and some kind of enunciator in the new front entry.
13. We should do a fixture count for the domestic water, new water lines in the area of the school should provide that we do not have to add new infrastructure. However, the fixture count should be provided soon, as a new meter will be one of the negotiated items between Roanoke County and Old School Partners. Joey believes that we currently have a one inch meter and we will probably need a bigger meter.
14. With regard to rezoning we will have one community meeting and two public meetings. The following schedule was mapped out.
 - a. Neighborhood meeting September 28th (later changed to October 12th)
 - b. Application due October 1st
 - c. Planning Commission work session October 8th
 - d. Planning Commission meeting November 5th
 - e. Council work session November 3rd
 - f. Council public hearing November 17th
15. David mentioned we would have an on-air interview with Channel 3 in the upcoming week. We will mention to put in a plug for our neighborhood meeting if it will air before the meeting.



HILL
STUDIO

Minutes of Meeting 1
Page 4

The above paragraphs illustrate the meeting minutes. Any amendments should be made in writing and received by the author within two weeks of the receipt of this report.

Submitted by:
HILL STUDIO

David P. Hill, ASLA

cc: pdf copies to: All members of the sign-in sheet, Old School Partners, EAS, HG, MMZ, ASB, 1031.02c3

Project: ROLAND E. COOK MTG

Date: 9/9/15

Time: 8:30

Place/Room: ADMIN CONFERENCE RM

PRINT NAME	Address	PHONE	EMAIL
ANITA McMILLAN	VINTON	983-0601	cumcmillan@vintonva.gov
Brian Simmons	Roanoke Co / Town FMO	(540) 777-8721	bsimmons@roanokecountyva.gov
GARY Woodson	TOV	540 983-0646	gwoodson@vintonva.gov
MARK LAUGHT	TOV Police Dept.	540 283 7026	MVAUGHT@VINTONVA.GOV
MORGAN YATES	Roanoke Co / TOV ^{BUILDING} _{COMMISSIONER}	540-309-3569	MYATES@ROANOKECOUNTYVA.GOV
TAMMY WOOD	" ^{ASSISTANT} _{BLDG COMM}	540-772-2065 x226	twood@roanokecountyva.gov
DAVID HILL	120 W. CAMPBELL ROANOKE 24011	342-5263	david.hill@hillstudio.com
Chris Lawrence	TOV	983-0607	clawrence@vintonva.gov
Angie Gwynn	Roanoke Co	772 2065	agwynn@roanokecountyva.gov
JOEY HINER	TOV	983-0646	jhiner@vintonva.gov

TOWN OF VINTON
APPLICATION FOR REZONING

Applicant's name: Old School Partners, LLC **Phone:** 540-977-0005
Dale Wilkinson, Managing Partner

Address: c/o David B. Spigle, P.O. Box 450, Fincastle, VA **Zip Code:** 24090
8166 Roanoke Road, Fincastle, VA

Date: October 1, 2015 **Public Hearing PC Date:** **TC Date:**

Owner's name: County of Roanoke, Virginia **Phone:** 540-772-2004, 540-772-2069
Tom Gates, County Administrator; Jill Loope, Director of Economic Development

Address: P.O. Box 29800 **Zip Code:** 24018
5204 Bernard Drive, Roanoke, VA

Location of property: 412 South Poplar Street, Vinton, VA 24179

Tax Map Number: 060.16-09-40.00-0000, 060.16-09-39.00-0000 **Zoning:** R-2, Residential

Request Property to be rezoned from: R-2 Residential **to:** MUD, Mixed Use Development

Size of parcel(s): 1.046 Acres **Existing land use:** 1915 Elementary School

Proposed land use: Apartments **Future land use:** Residential

The Planning Commission will study rezoning request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

- 1. Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.**

The existing Roland E Cook School Building will be redeveloped to house 21 residential apartments with supporting recreational/small business uses (third floor gym space). In March 2015, the 1915 building was determined eligible for listing on the National Register of Historic Places. The developer (contract purchaser) intends to use historic tax credits to rehabilitate the vacant facility to residential apartments.

A site plan of the proposed facility and the exterior improvements are attached to this rezoning application. Most of the trees, sidewalk connections, surrounding walls, stairs, and the school flagpole will be retained. The asphalt playground in the rear will be

redeveloped and landscaped for parking. Additional parking is available on the street. A new sidewalk will connect the building to Blair Street. The existing alley access will be retained.

2. Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

The historic building will be preserved and sensitively adapted for housing. Using historic tax credits, the building will retain the architectural character of the building and maintain the environmental setting in the residential neighborhood. Changes to the exterior of the property and building will be minor. Additional parking will be added to the rear of the property near Blair Street. Some minor grading on the north side of the building will accommodate a courtyard for first floor apartments and an entrance.

The property will remain primarily in residential use. The classrooms will become individual apartments. The third floor gym space will be developed for recreational/small business flex space offering opportunities for community activities, art/exercise classes, special events, and perhaps business services (e.g. coffee/snack bar, personal service concierge, shared co-working space, etc.).

Redevelopment of the property will promote and encourage the economic vitality of the community and preserve a historic building while providing increased economic investment.

3. Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation, and fire/rescue.

The redevelopment of the facility for the proposed use will not adversely affect adjoining properties and will enhance the neighborhood by taking a vacant building and repurposing it for a suitable alternative use that maintains the historic architecture and setting of the building. Adequate utilities and public facilities are already in place to serve the proposed apartments.

4. Attach Concept Plan of the proposed project. Plan must be 8-1/2" x 11". Plan shall show boundaries and dimensions of property; location, widths, and names of all existing or platted streets within or adjacent to the development; all buildings, existing and proposed, dimension, floor area and heights; dimensions and location of all driveways, parking spaces and loading spaces; existing utilities (water, sewer) and connections at the site; landscaping and the like. Architect sketches showing elevations of proposed buildings and complete plans are desirable and if available, should be filed with application.

Attachments: Property and County Tax/Zoning Map
Survey Plat of Property

Roland Cook Lofts - Site Base Plan
Roland Cook Lofts - On-Street Parking
Roland Cook Lofts - Parking and Accessibility
Roland Cook Lofts - Site Resource Protection
Roland Cook Lofts - Illustrative Site Plan
Roland Cook Lofts - Signage Concept

5. It is proposed that the property will be put to the following use:

Residential apartments with supporting recreational/small business flex space.

6. It is proposed that the following buildings will be constructed:

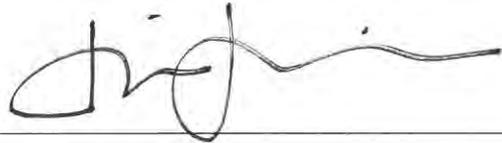
No new buildings are proposed. No building additions are planned at the present time.

7. Please submit any proffered conditions at the site and show how they are addressed.

The historic property will be redeveloped in accordance with the Secretary of the Interior's Standards for Rehabilitation.

I hereby certify that I am the contract purchaser and am acting with the knowledge and consent of the owner.

Signature of Authorized Agent:



Date:

1 October 2015



County of Roanoke

OFFICE OF THE COUNTY ADMINISTRATOR

PO Box 29800, 5204 Bernard Drive
Roanoke, Virginia 24018-0798

THOMAS C. GATES
COUNTY ADMINISTRATOR

TEL: (540) 772.2004
FAX: (540) 561.2884

October 7, 2015

Ms. Anita McMillan, Planning Director
Town of Vinton
311 South Pollard Street
Vinton, Va. 24179

Dear Ms. McMillan,

As the owner of the Roland E. Cook building, and pursuant to the Code of Virginia sec. 15.2-2286(7) (iii), this letter is to serve as Roanoke County's consent that Old School Partners, LLC has been authorized to submit a rezoning application requesting a change from R-2 Residential to MUD, Mixed Use Development for the Roland E. Cook building.

Please let me know if you have any questions or if you need additional information.

Sincerely,

Thomas C. Gates
County Administrator

cc: Paul Mahoney, County Attorney

Property Maps for Roland E Cook School Property



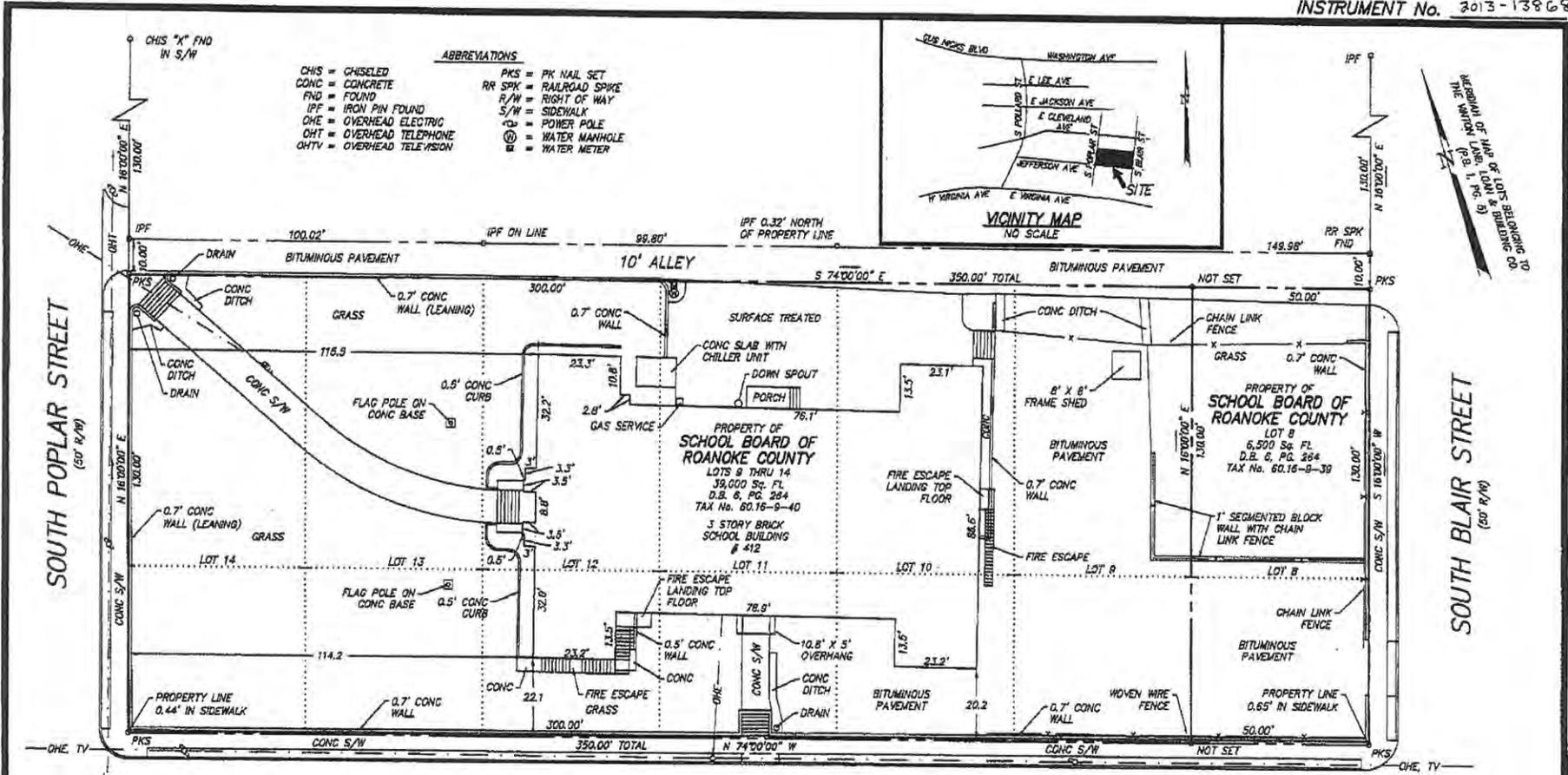
Roanoke County Tax Map of Roland Cook School Property showing existing zoning

Aerial photograph of Roland E Cook School Property at 412 South Poplar Street, Vinton, VA



Survey of Roland E Cook Property

INSTRUMENT No. 2013-13868



ABBREVIATIONS

CHS = CHISELED	PKS = PK NAIL SET
CONC = CONCRETE	RR SPK = RAILROAD SPIKE
FND = FOUND	R/W = RIGHT OF WAY
IPF = IRON PIN FOUND	S/W = SIDEWALK
OHE = OVERHEAD ELECTRIC	⊕ = POWER POLE
OHT = OVERHEAD TELEPHONE	⊕ = WATER MANHOLE
OHTV = OVERHEAD TELEVISION	⊕ = WATER METER

SOUTH POPLAR STREET
(50' R/W)

SOUTH BLAIR STREET
(50' R/W)

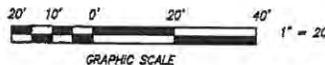
JEFFERSON AVENUE
(50' R/W)

- NOTES:**
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT BY A LICENSED ATTORNEY. THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.
 - THE SUBJECT PROPERTY LIES WITHIN FLOODWAY ZONE "X" AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP PANEL NO. 51181C01696, REVISED SEPTEMBER 28, 2007.
 - REFERENCE MAP OF LOTS BELONGING TO THE VINTON LAND, LOAN & BUILDING CO. BY DUNLAP AND KENNADAY DATED MARCH 1889 RECORDED IN P.B. 1, PG. 2.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ROANOKE, VIRGINIA, THIS MAP WAS PRESENTED WITH THE CERTIFICATE OF ACKNOWLEDGEMENT THERETO ATTACHED ADMITTED TO RECORD AT 9:10'S O'CLOCK P.M. ON THIS 21 DAY OF OCTOBER, 2013.

TESTE: STEVEN A. McDRAW
CLERK

BY: [Signature]
DEPUTY CLERK



TAX No. 60.16-9-39, 40
DATE: AUGUST 7, 2013
CALC. JM CHK'D FBC
CLOSED: JH



THIS PLAT DOES NOT CONSTITUTE A SUBDIVISION UNDER THE ROANOKE COUNTY SUBDIVISION ORDINANCE

BOUNDARY SURVEY
FOR
SCHOOL BOARD OF ROANOKE COUNTY

SHOWING LOTS 8 THROUGH 14 (D.B. 8, PG. 264) SECTION 8, MAP OF LOTS BELONGING TO THE VINTON LAND, LOAN & BUILDING CO. (P.B. 1, PG. 2) TO BE CONVEYED TO BOARD OF SUPERVISORS OF ROANOKE COUNTY

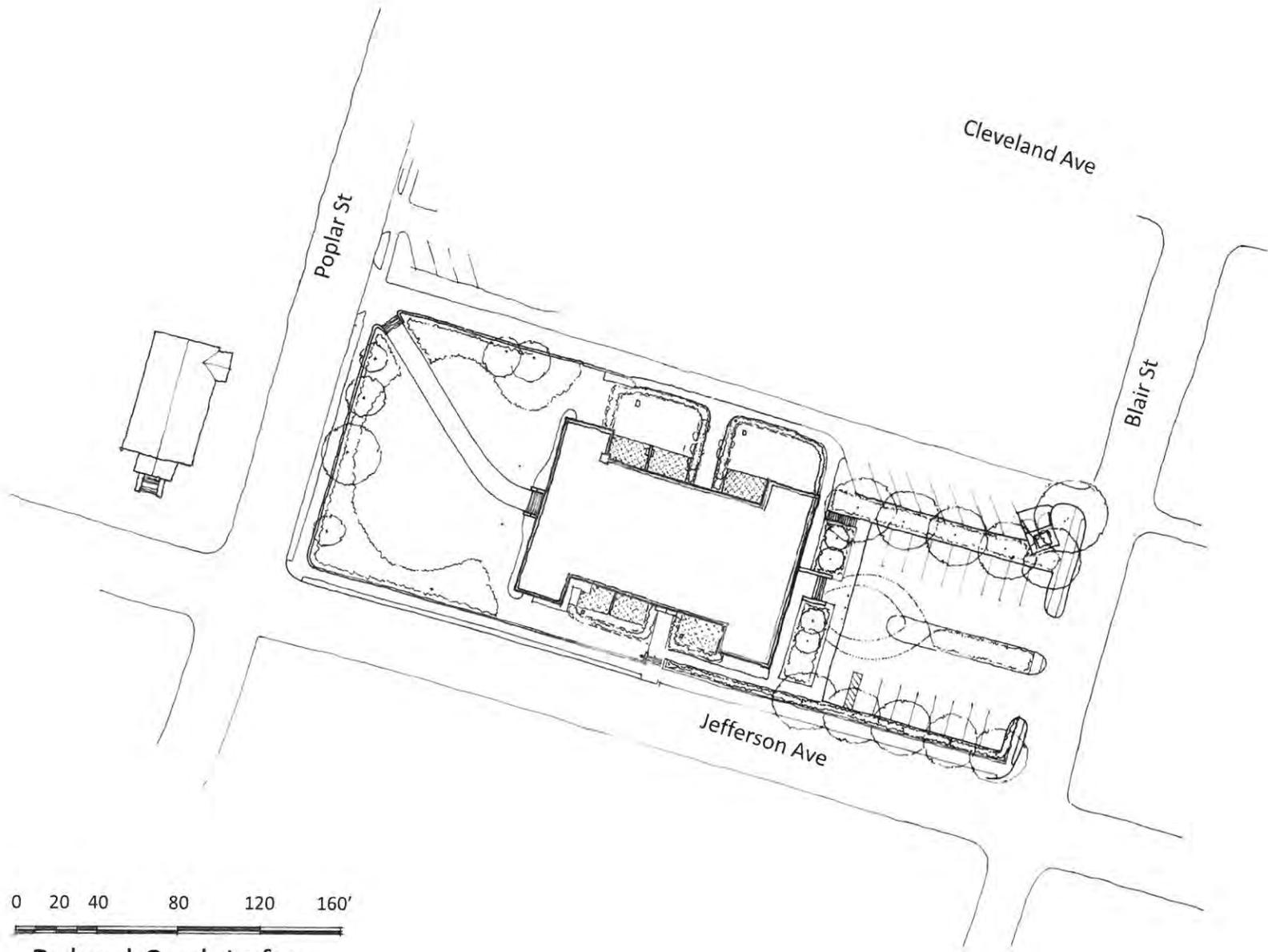
SITUATE S POPLAR ST., JEFFERSON AVE., AND S BLAIR ST.
VINTON MAGISTERIAL DISTRICT
COUNTY OF ROANOKE, VIRGINIA

CWA
CALDWELL WHITE ASSOCIATES
ENGINEERS / SURVEYORS / PLANNERS

4208 MELROSE AVENUE, N.W. P.O. BOX 8280
ROANOKE, VIRGINIA 24017-0280
Telephone: (844) 366-3400 Fax: (844) 366-3702
E-Mail: cwaroanoke@aol.com

SCALE: 1"= 20'
N.B.: RKE CO 9
DRAWN: JH
W.O.: 13-0072

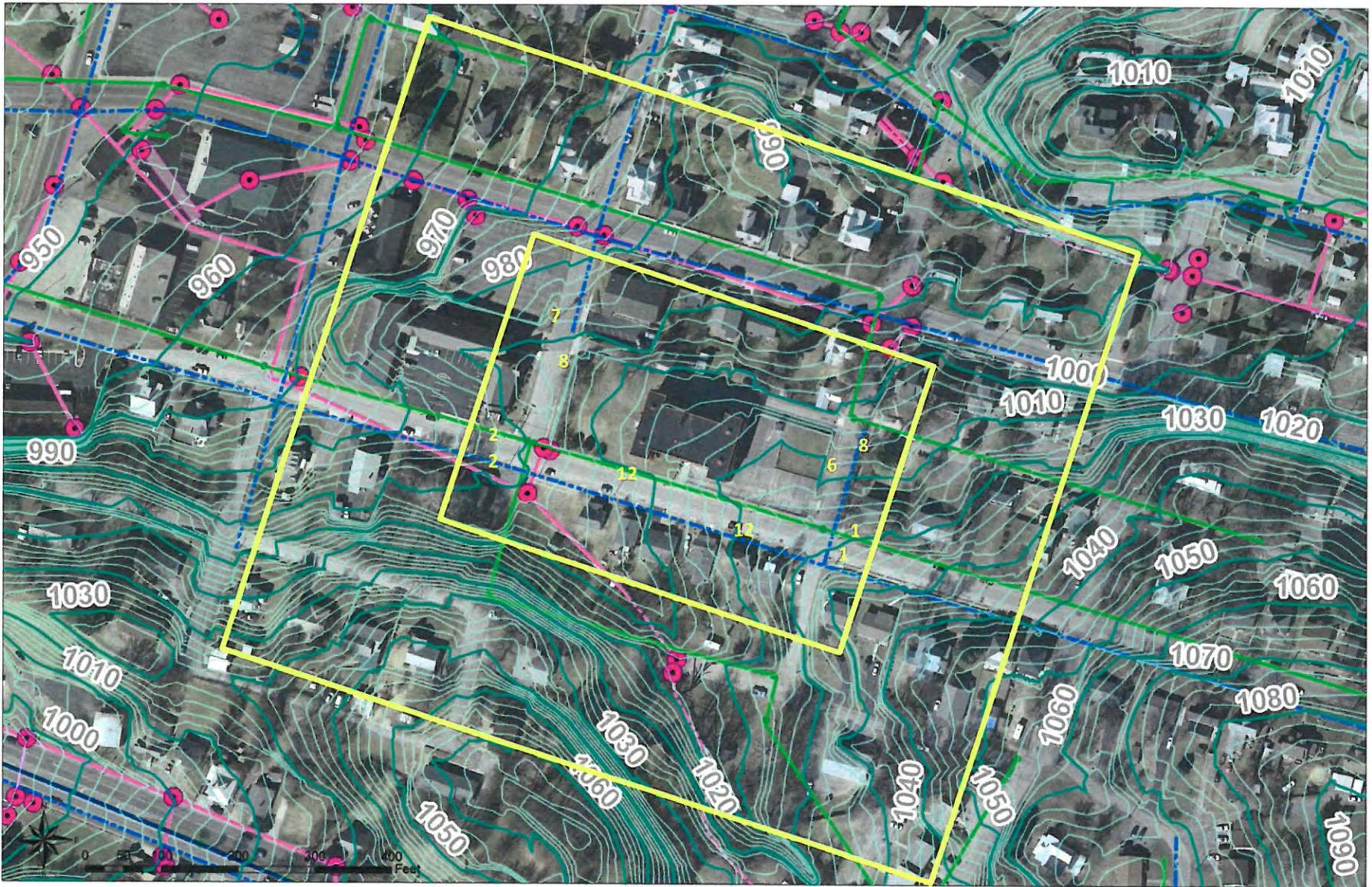
INSTRUMENT No. _____



0 20 40 80 120 160'

Roland Cook Lofts
Site Base Plan

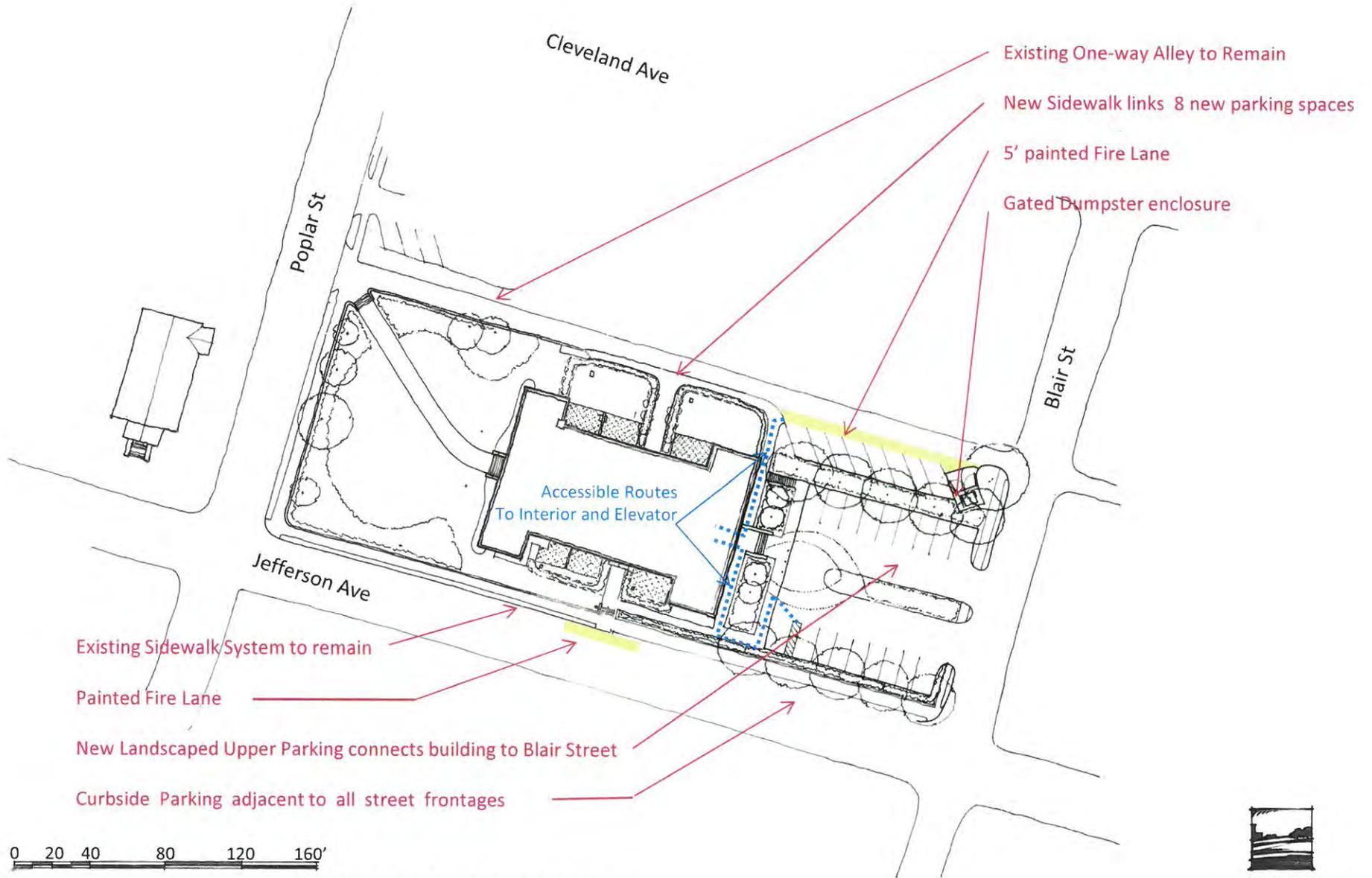




Roland Cook Lofts On-Street Parking

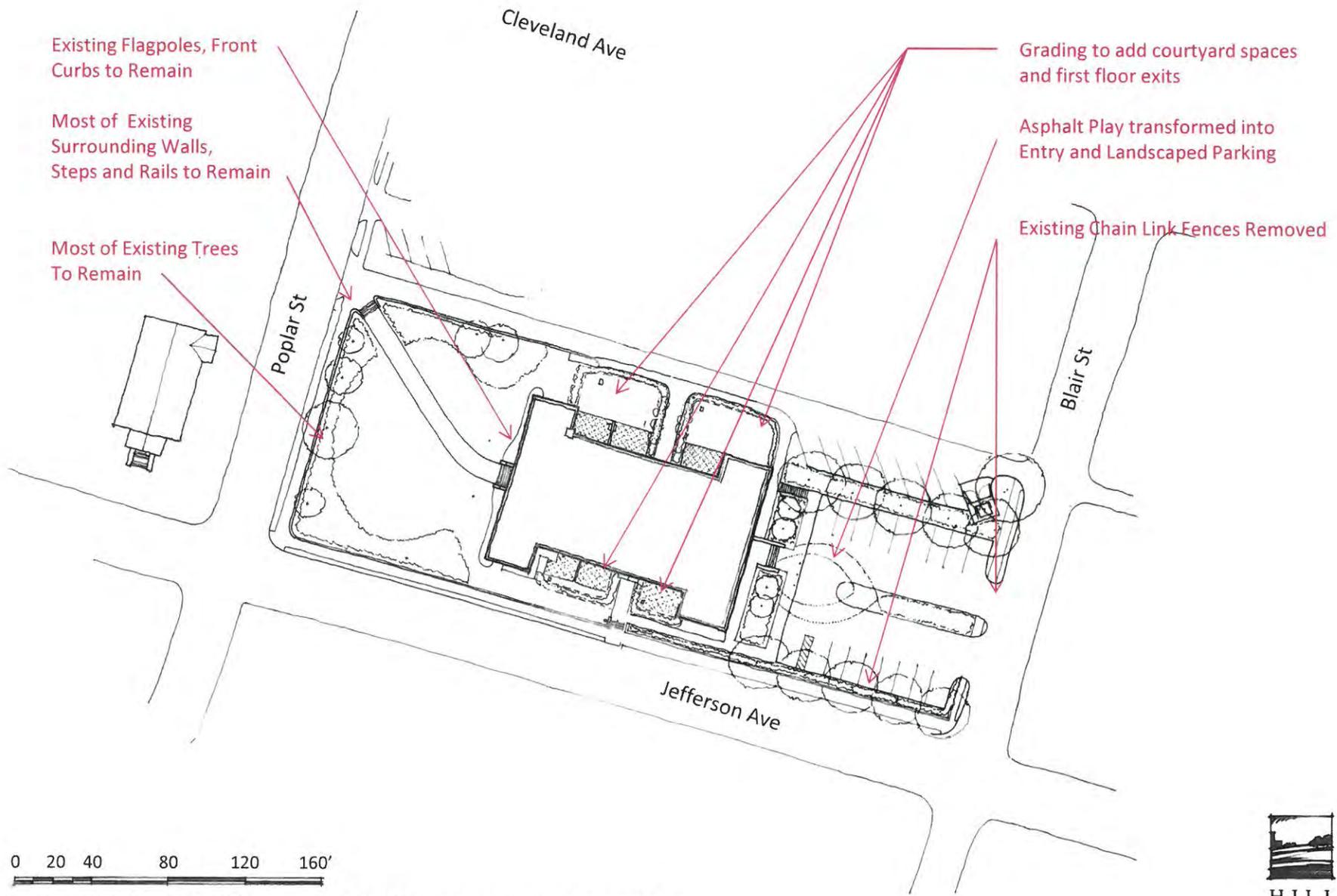
PARKING COUNT:
 59 on-street spaces within 200'
 159 on-street spaces within 400'





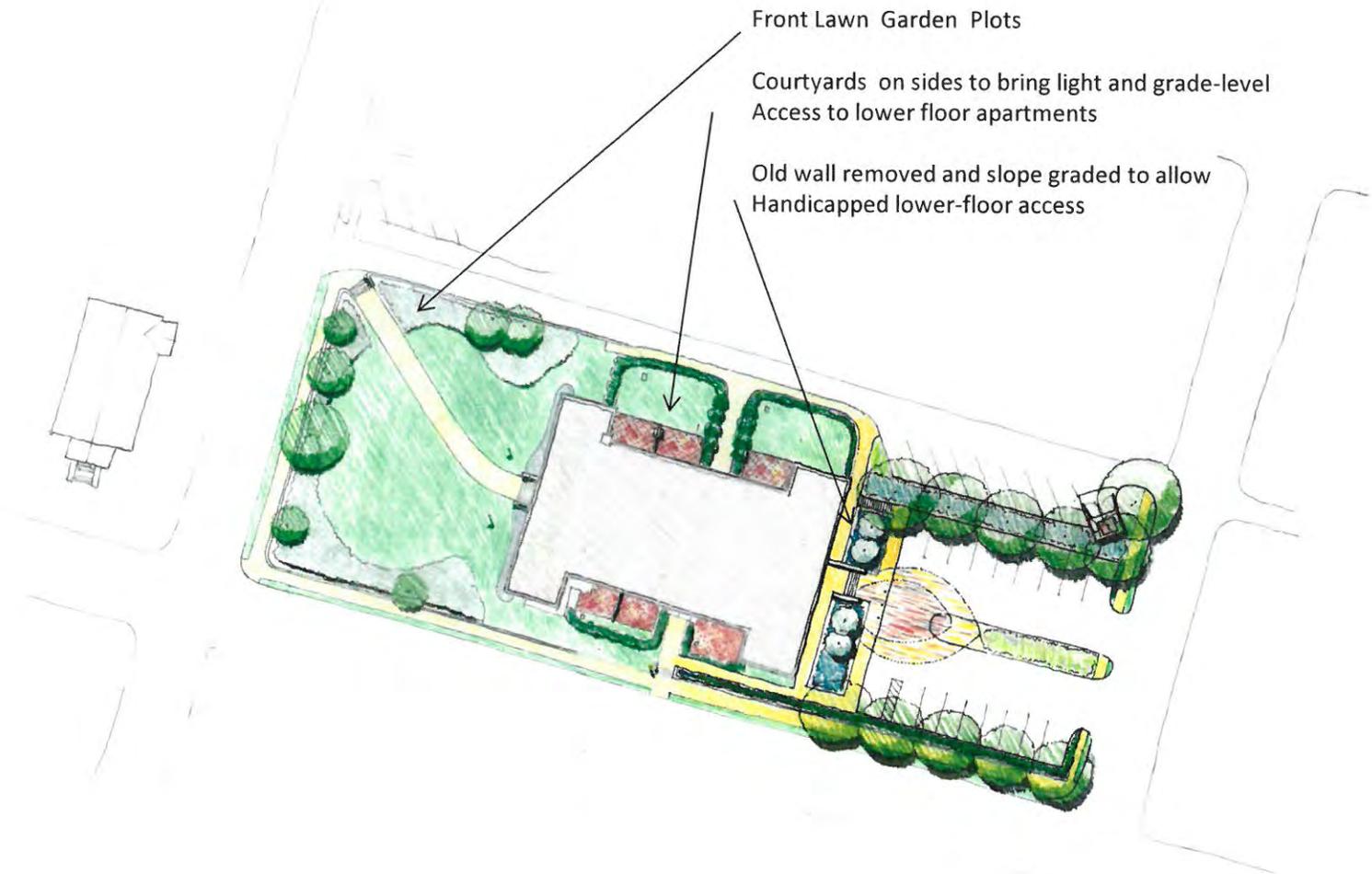
Roland Cook Lofts – Parking and Accessibility





Roland Cook Lofts - Site Resource Protection

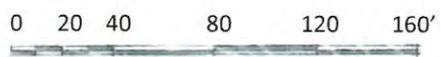




Front Lawn Garden Plots

Courtyards on sides to bring light and grade-level
Access to lower floor apartments

Old wall removed and slope graded to allow
Handicapped lower-floor access



Roland Cook Lofts
Illustrative Site Plan



October 1, 2015



Roland Cook Lofts
Signage Concept



Photo credit: Ron Bailey

OPEN HOUSE

You're invited to drop in for an Open House
about the Proposed Redevelopment of the
Former Roland E. Cook School

Where:

Vinton Wesleyan Church
Fellowship Hall
246 Jefferson Avenue
Vinton, VA 24179
(Please enter church through
S. Poplar Street entrance.)

Date:

Monday, October 12, 2015

More Information:

Call David Hill at (540) 342-5263

Time:

6:30 P.M.

TO

8:00 P.M.

Property Owners Notified of Roland E. Cook School Open House Meeting

Tax Parcel ID	Site Address	Owner Name	Mailing Address 1	City, State	Zip Code
060.16-09-02.00-0000	119 E CLEVELAND AV	CUNDIFF PROPERTIES LLC	119 E CLEVELAND AVE	VINTON VA	24179
060.16-09-04.00-0000	201 E CLEVELAND AV UNIT 211	WISMAN W ROBERT	1506 FRANKLIN RD SW	ROANOKE VA	24016
060.16-09-05.00-0000	0 E CLEVELAND AV	WISMAN W ROBERT	1506 FRANKLIN RD SW	ROANOKE VA	24016
060.16-09-06.00-0000	0 E CLEVELAND AV	VINTON WESLEYAN CHURCH TRS	246 JEFFERSON AVE	VINTON VA	24179
060.16-09-07.00-0000	0 E CLEVELAND AV	VINTON WESLEYAN CHURCH TRS	246 JEFFERSON AVE	VINTON VA	24179
060.16-09-08.00-0000	301 E CLEVELAND AV	VINTON MANOR LLC	23 FRANKLIN RD SW	ROANOKE VA	24011
060.16-09-09.00-0000	317 E CLEVELAND AV	LEWIS ROBERT H & FRAN S	1135 DEER RUN DR	VINTON VA	24179
060.16-09-10.00-0000	319 E CLEVELAND AV	DOBSON ROBERT L JR C/O VHDA	601 S BELVIDERE ST	RICHMOND VA	23220
060.16-09-11.00-0000	325 E CLEVELAND AV	CONNER GALEN W & LAURA P	213 GLENDALE DR	VINTON VA	24179
060.16-09-12.00-0000	339 E CLEVELAND AV	D & J CONSTRUCTION COMPANY	502 ORCHARD LANE DR	DALEVILLE VA	24083
060.16-09-12.00-0000	339 E CLEVELAND AV UNIT B	D & J CONSTRUCTION COMPANY	502 ORCHARD LANE DR	DALEVILLE VA	24083
060.16-09-13.00-0000	401 E CLEVELAND AV	GATES MELISSA P	401 E CLEVELAND AVE	VINTON VA	24179
060.16-09-14.00-0000	407 E CLEVELAND AV	LEWIS ROBERT & FRANCINE	407 E CLEVELAND AVE	VINTON VA	24179
060.16-09-15.00-0000	411 E CLEVELAND AV	MEADOR JAMES O & DONNA O	411 E CLEVELAND AVE	VINTON VA	24179
060.16-09-17.00-0000	415 E CLEVELAND AV UNIT 419	DARNELL DONALD D & REBECCA D	326 LANGLAND DR	VINTON VA	24179
060.16-09-18.00-0000	423 E CLEVELAND AV UNIT 427	DARNELL DONALD D & REBECCA D	326 LANGLAND DR	VINTON VA	24179
060.16-09-19.00-0000	408 CHESTNUT ST	WELLS MARJORIE DAWN HALE	422 CHESTNUT ST	VINTON VA	24179
060.16-09-33.00-0000	422 CHESTNUT ST	WELLS MARJORIE DAWN HALE	422 CHESTNUT ST	VINTON VA	24179
060.16-09-34.00-0000	418 CHESTNUT ST	WELLS MARJORIE DAWN HALE	422 CHESTNUT ST	VINTON VA	24179
060.16-09-35.00-0000	420 JEFFERSON AV	MOYE JOHNEY R & CATHERINE D	420 JEFFERSON AVE	VINTON VA	24179
060.16-09-36.00-0000	416 JEFFERSON AV	GRAY PAMELA	416 JEFFERSON AVE	VINTON VA	24179
060.16-09-37.00-0000	410 JEFFERSON AV	SASS PROPERTIES	P O BOX 35	VINTON VA	24179
060.16-09-38.00-0000	404 JEFFERSON AV UNIT 408	M & W PROPERTIES INC	1348 LAKEWOOD DR SW	ROANOKE VA	24015
060.16-09-41.00-0000	246 JEFFERSON AV	VINTON WESLEYAN CHURCH VINTON VA TRS	246 JEFFERSON AVE	VINTON VA	24179
060.16-09-41.00-0000	246 JEFFERSON AV	VINTON WESLEYAN CHURCH VINTON VA TRS	246 JEFFERSON AVE	VINTON VA	24179
060.16-09-42.00-0000	405 S MAPLE ST	HUFFMAN DAVID W & BARBARA F	116 FREEBOARD DR	MONETA VA	24121
060.16-09-42.01-0000	126 JEFFERSON AV	HUFFMAN DAVID W & BARBARA F	116 FREEBOARD DR	MONETA VA	24121
060.16-10-05.00-0000	125 JEFFERSON AV	HAYSLETT CHARLES E & FRANCES JUNE	125 JEFFERSON AVE	VINTON VA	24179
060.16-10-06.00-0000	504 S MAPLE ST	GORDON MARION C	504 MAPLE ST	VINTON VA	24179
060.16-10-07.00-0000	211 JEFFERSON AV	WOODS ALVIN F & BONITA M	1814 HIDDEN FOREST DR	GOODVIEW VA	24095
060.16-10-08.00-0000	215 JEFFERSON AV UNIT 217	WILKES DONALD E & KENNETH R	819 SHELBOURNE AVE	VINTON VA	24179
060.16-10-09.00-0000	223 JEFFERSON AV UNIT 229	SASS PROPERTIES	P O BOX 35	VINTON VA	24179

Property Owners Notified of Roland E. Cook School Open House Meeting

Tax Parcel ID	Site Address	Owner Name	Mailing Address 1	City, State	Zip Code
060.16-10-10.00-0000	0 JEFFERSON AV	CORRELL GARY LEE & SANDRA B	307 JEFFERSON AVE	VINTON VA	24179
060.16-10-11.00-0000	307 JEFFERSON AV	CORRELL GARY LEE & SANDRA B	307 JEFFERSON AVE	VINTON VA	24179
060.16-10-12.00-0000	311 JEFFERSON AV	TYLER JAMES H SR	311 JEFFERSON AVE	VINTON VA	24179
060.16-10-13.00-0000	317 JEFFERSON AV	TAZ WADE INC C/O JIM PETERS	11801 TRIPLE CROWN RD	RESTON VA	20191
060.16-10-14.00-0000	321 JEFFERSON AV	CONNER LIVING TRUST;CONNER GALEN & LAURA P TRS	213 GLENDALE DR	VINTON VA	24179
060.16-10-15.00-0000	327 JEFFERSON AV	RICHARDS NORMAN EUGENE & DONNA J	327 JEFFERSON AVE	VINTON VA	24179
060.16-10-16.00-0000	331 JEFFERSON AV	BARTON RANDON J	331 JEFFERSON AVE	VINTON VA	24179
060.16-10-17.00-0000	403 JEFFERSON AV	SELL LIVING TRUST ;SELL ROBERT & ALICE CO-TRUSTEES	154 TWIN COVES DR	MONETA VA	24121
060.16-10-17.01-0000	407 JEFFERSON AV	SELL LIVING TRUST ;SELL ROBERT & ALICE CO-TRUSTEES	154 TWIN COVES DR	MONETA VA	24121
060.16-10-18.00-0000	411 JEFFERSON AV	CUPP CYNTHIA L	411 JEFFERSON ST	VINTON VA	24179
060.16-10-19.00-0000	421 JEFFERSON AV	HUSSELL GARY L & PAULA J	421 JEFFERSON AVE	VINTON VA	24179
060.16-10-20.00-0000	425 JEFFERSON AV	NOLEN ADAMS PROPERTIES LLC	303 GLENDALE DR	VINTON VA	24179
060.20-05-01.00-0000	505 JEFFERSON AV	HAGINS LEVON & DEBRA P	505 E JEFFERSON AVE	VINTON VA	24179
N/A-ATTENDED MTG	N/A-ATTENDED MTG	PENNINGTON STALEY & CAROLYN	801 OLNEY ROAD	VINTON VA	24179
N/A-ATTENDED MTG	N/A-ATTENDED MTG	HINER JOEY & BONNIE	105 FOREST RIDGE DR	VINTON VA	24179
N/A-ATTENDED MTG	N/A-ATTENDED MTG	MAXEY RICHARD & DORIS	732 OLNEY ROAD	VINTON VA	24179
N/A-ATTENDED MTG	N/A-ATTENDED MTG	ADAMS DEBBIE	814 CLEARVIEW DRIVE	VINTON VA	24179
N/A-ATTENDED MTG	N/A-ATTENDED MTG	ALTIZER MICHAEL W	3108 VALLEY STREAM DR	ROANOKE VA	24014





TOWN OF VINTON

311 S. POLLARD STREET
VINTON, VIRGINIA 24179

PHONE: (540) 983-0601

FAX: (540) 983-0621

EMAIL: amcmillan@vintonva.gov

ANITA MCMILLAN
PLANNING AND ZONING DIRECTOR

First Class Mail

October 19, 2015

Dear Property Owner:

Pursuant to the provisions of Section 15.2-2204 of the 1950 Code of Virginia, as amended, the Town of Vinton, Virginia, hereby gives notice of a public hearing: **Planning Commission** public hearing to be held on **Thursday, November 5, 2015, at 7:00 p.m.**, **Town Council** public hearing to be held **Tuesday, November 17, 2015, at 7:00 p.m.** Each public hearing to be held in the Council Chambers of the Vinton Municipal Building, 311 South Pollard Street, Vinton, Virginia. The Planning Commission will also hold a work session/dinner at 6:00 p.m. in the Administration Conference Room, prior to its public hearing on November 5, 2015.

The purpose of the public hearings is to:

Receive comments concerning petition of Old School Partners, LLC, Authorized Agent, for a rezoning of the former Roland E. Cook School Property, from R-2 Residential to Mixed Use Development (MUD) to convert to 21 residential apartments with supporting recreational/small business uses, at 412 S. Poplar Street, Vinton, Tax Map Number 060.16-09-39.00 and 40.00.

The Planning Commission, on November 5, 2015, and Town Council, on November 17, 2015, respectively, will consider whether to approve or disapprove the rezoning request of Old School Partners, LLC.

Further information concerning this issue may be obtained in the Planning Department located at 311 South Pollard Street, Vinton, Virginia 24179, or call (540) 983-0601. Interested persons may be heard at the above public hearings.

Given under my hand this 19th day of October, 2015.

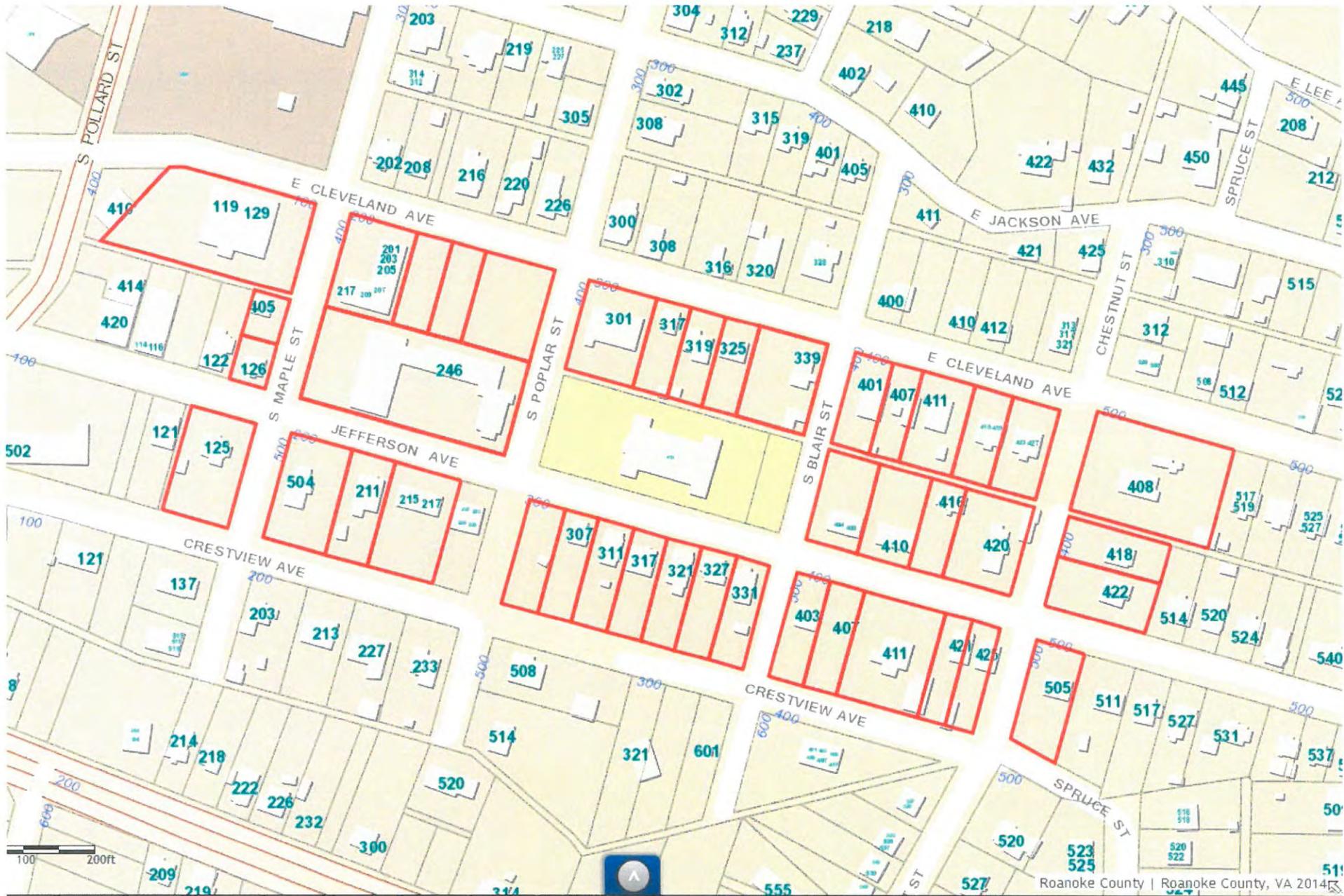
Sincerely,

Anita J. McMillan
Planning and Zoning Director

NOTICE OF INTENT TO COMPLY 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 the meetings. Please call (540) 983-0601 at least 48 hours prior to the meeting so that proper arrangements may be made.

**PROPERTY OWNERS NOTIFIED BY FIRST CLASS MAIL
FOR THE PLANNING COMMISSION MEETING 11/5/2015**

Tax Parcel ID	Site Address	Owner Name	Address 1	Address 2	Zip
060.16-10-16.00-0000	331 JEFFERSON AV	BARTON RANDON J	331 JEFFERSON AVE	VINTON VA	24179
060.16-9-11+10-14.00-0000	325 E. CLEVELAND + 321 JEFFERSON	CONNER LIVING TRUST ;CONNER G.+L.TRS	213 GLENDALE DR	VINTON VA	24179
060.16-10-10+11.00-0000	0+307 JEFFERSON AV	CORRELL GARY LEE;CORRELL SANDRA B	307 JEFFERSON AVE	VINTON VA	24179
060.16-09-02.00-0000	119 E CLEVELAND AV	CUNDIFF PROPERTIES LLC	119 E CLEVELAND AVE	VINTON VA	24179
060.16-10-18.00-0000	411 JEFFERSON AV	CUPP CYNTHIA L	411 JEFFERSON ST	VINTON VA	24179
060.16-09-12.00-0000	339 E CLEVELAND AV	D & J CONSTRUCTION COMPANY	502 ORCHARD LANE DR	DALEVILLE VA	24083
060.16-09-17+18.00-0000	415,419,423,427 E CLEVELAND AV	DARNELL DONALD D;DARNELL REBECCA D	326 LANGLAND DR	VINTON VA	24179
060.16-09-10.00-0000	319 E CLEVELAND AV	DOBSON ROBERT L JR C/O VHDA	601 SOUTH BELVIDERE ST	RICHMOND VA	23220
060.16-09-13.00-0000	401 E CLEVELAND AV	GATES MELISSA P	401 E CLEVELAND AVE	VINTON VA	24179
060.16-10-06.00-0000	504 S MAPLE ST	GORDON MARION C	504 MAPLE ST	VINTON VA	24179
060.16-09-36.00-0000	416 JEFFERSON AV	GRAY PAMELA	416 JEFFERSON AVE	VINTON VA	24179
060.20-05-01.00-0000	505 JEFFERSON AV	HAGINS LEVON;HAGINS DEBRA P	505 E JEFFERSON AVE	VINTON VA	24179
060.16-10-05.00-0000	125 JEFFERSON AV	HAYSLETT CHARLES+FRANCES	125 JEFFERSON AVE	VINTON VA	24179
060.16-09-42+42.01.00-0000	405 S MAPLE ST+126 JEFFERSON AV	HUFFMAN DAVID+BARBARA	116 FREEBOARD DR	MONETA VA	24121
060.16-10-19.00-0000	421 JEFFERSON AV	HUSSELL GARY L;HUSSELL PAULA J	421 JEFFERSON AVE	VINTON VA	24179
060.16-09-09+14.00-0000	317 + 407 E CLEVELAND AV	LEWIS ROBERT H;LEWIS FRAN S	1135 DEER RUN DR	VINTON VA	24179
060.16-09-38.00-0000	404 JEFFERSON AV UNIT 00408	M & W PROPERTIES INC	1348 LAKEWOOD DR SW	ROANOKE VA	24015
060.16-09-15.00-0000	411 E CLEVELAND AV	MEADOR JAMES O;MEADOR DONNA O	411 EAST CLEVELAND AVE	VINTON VA	24179
060.16-09-35.00-0000	420 JEFFERSON AV	MOYE JOHNEY R;MOYE CATHERINE D	420 JEFFERSON AVE	VINTON VA	24179
060.16-10-20.00-0000	425 JEFFERSON AV	NOLEN ADAMS PROPERTIES LLC	303 GLENDALE DR	VINTON VA	24179
060.16-10-15.00-0000	327 JEFFERSON AV	RICHARDS NORMAN+DONNA	327 JEFFERSON AVE	VINTON VA	24179
060.16-09-37.00-0000	410 JEFFERSON AV	SASS PROPERTIES	P O BOX 35	VINTON VA	24179
060.16-10-17+17.01.00-0000	403 + 407 JEFFERSON AV	SELL LIVING TRUST;SELL R.+A.CO-TRS	154 TWIN COVES DR	MONETA VA	24121
060.16-10-13.00-0000	317 JEFFERSON AV	TAZ WADE INC C/O JIM PETERS	11801 TRIPLE CROWN RD	RESTON VA	20191
060.16-10-12.00-0000	311 JEFFERSON AV	TYLER JAMES H SR	311 JEFFERSON AVE	VINTON VA	24179
060.16-09-08.00-0000	301 E CLEVELAND AV	VINTON MANOR LLC	23 FRANKLIN RD SW	ROANOKE VA	24011
060.16-09-06+07+41.00-0000	0 E CLEVELAND AV+246 JEFFERSON AV	VINTON WESLEYAN CHURCH TRS	246 JEFFERSON AVE	VINTON VA	24179
060.16-09-19+33+34.00-0000	408+418+422 CHESTNUT ST	WELLS MARJORIE DAWN HALE	422 CHESTNUT ST	VINTON VA	24179
060.16-10-08.00-0000	215 JEFFERSON AV UNIT 217	WILKES DONALD E;WILKES KENNETH R	819 SHELBOURNE AVE	VINTON VA	24179
060.16-09-04+}05.00-0000	201 E CLEVELAND AV UNIT 211	WISMAN W ROBERT	1506 FRANKLIN RD SW	ROANOKE VA	24016
060.16-10-07.00-0000	211 JEFFERSON AV	WOODS ALVIN F;WOODS BONITA M	1814 HIDDEN FOREST DR	GOODVIEW VA	24095



From: Jim Peters <jim@tazwade.com>
To: "Anita McMillan" <amcmillan@vintonva.gov>
Date: 10/22/2015 3:29 PM
Subject: In Favor of Roland E Cook School Rezoning

Hi Anita, I am in receipt of your letter regarding the hearings for rezoning the Roland E Cook School building. I am not going to be able to attend any of the hearings but I would like to express my support for rezoning and putting that building to use as a combo business and residential property. I hope the project is successful.

Thanks,

Jim Peters
President
Taz Wade, Inc.
Owner 317 Jefferson Ave (across the street from Roland E Cook building)

422 Chestnut Street
Vinton, Virginia 24179
October 21, 2015

Town Council
Planning Commission
Town of Vinton
311 S. Pollard Street
Vinton, Virginia 24179

Dear Members:

Thank you for your letter of October 19, 2015, apprising residents of the Roland E. Cook School neighborhood of the possible future plans for the old school.

My family moved to that neighborhood in July 1952. It was a beautiful, quaint neighborhood with big single-family homes, huge yards, and lofty trees. At that time, no one locked their houses or cars. We never saw a police car.

As time passed, apartments began popping up everywhere. Old houses were made into apartments, huge yards disappeared as apartments were built on them, grassy areas with vegetation

became non-existent as apartments covered them and the population on that end of Vinton became very dense.

As the longest dwelling resident of that neighborhood I can attest to many of the criminal or undesirable acts that my family endured:

- 1) numerous abandoned cats by transient people who showed no responsibility for pet ownership; multiple cats were dropped on us; some were stolen
- 2) slashed Michelin tire and a \$200 tire on another vehicle
- 3) the soft top cut after only 1 payment had been made on a new car
- 4) porch furniture, equipment, tools, hose, statuary, car cover stolen
- 4) tall ladder placed against an upstairs window in an attempt to enter it, but it was locked
- 5) window pushed out, some broken
- 6) out building broken into
- 7) storm door screen cut
- 8) solar lights repeatedly destroyed after scaling a 6-foot fence
- 9) person urinating in the alley in broad daylight
- 10) improper disposal of garbage (apartment-dwellers using our cans, trash bag constantly thrown from balcony, breaking open, and blowing along our fence or into our yard)
- 11) personal items put in our trash cans and even our car
- 12) filthy vulgar language
- 13) drug use in the alley

- 14) speeding in the alley (even with speed bumps)
- 15) using our driveway to park in
- 16) entrance into our home and rummaging through personal effects
- 17) apartment built closer to our property line than the legal distance permitted by law
- 18) small flowering shrub almost destroyed by children when pulled apart
- 19) dirt, leaves, grass put in the mail box by children

When apartments overtook our neighborhood, there was no planning for the animal population that would come with the people. It was at that time that Vinton had to establish its own animal control department. The answer to the surplus population was trap and kill. One apartment person said to me that she couldn't afford to get her cats back, so she just kept getting another cat.

It is pertinent that rigid, stringent, compassionate animal laws be established for any apartment dwelling. This was not done when the apartments up Jefferson Avenue were built and it became a holocaust for animals.

The property value of my neighbors' and my houses is affected because of the apartments that have grown up in our neighborhood. No one would want to rear their children in that setting. Put yourself in that picture. You would not buy a house that would subject your family to what my family endured.

Our neighborhood needs no more apartments. Roland E. Cook can be used to serve a better purpose. I humbly and respectfully ask you to abandon the idea and explore further other purposes for which this revered institution can be utilized.

Respectfully,
Dawn Hale



Roland E. Cook Lofts

Vinton Town Council

Old School Partners, LLC

Roanoke County

November 17, 2015

Public Process for Roland E. Cook Lofts

1. Vinton Public Meeting Notes
2. Pre-Proposal Conference September 2015
3. Planning Commission Workshop Oct. 2015
4. Vinton Wesleyan Open House Oct. 2015
5. Vinton Town Council Workshop – Nov. 2015
6. Planning Commission Meeting – Nov. 2015
7. Town Council - Tonight

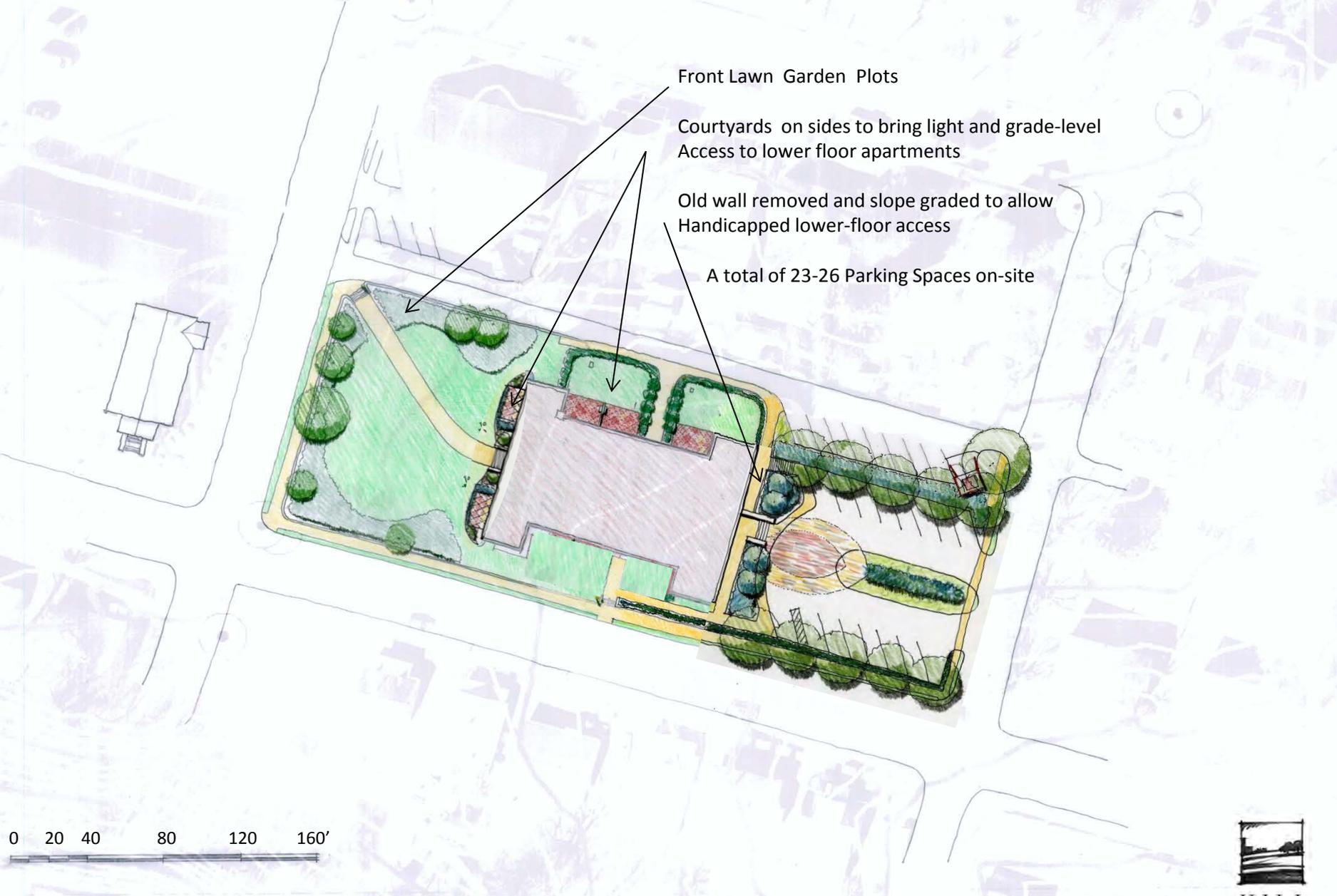
Comments:

1. Make sure this is upper-scale housing
2. Keep the Historic School Character
3. More Parking
4. Better-Arranged Parking
5. Add place for Dumpster
6. Memorial Trees
7. Bigger Apartments
8. Open first-floor to Grade
9. Remember the E!



Roland E. Cook Lofts
Signage Concept





Front Lawn Garden Plots

Courtyards on sides to bring light and grade-level
Access to lower floor apartments

Old wall removed and slope graded to allow
Handicapped lower-floor access

A total of 23-26 Parking Spaces on-site

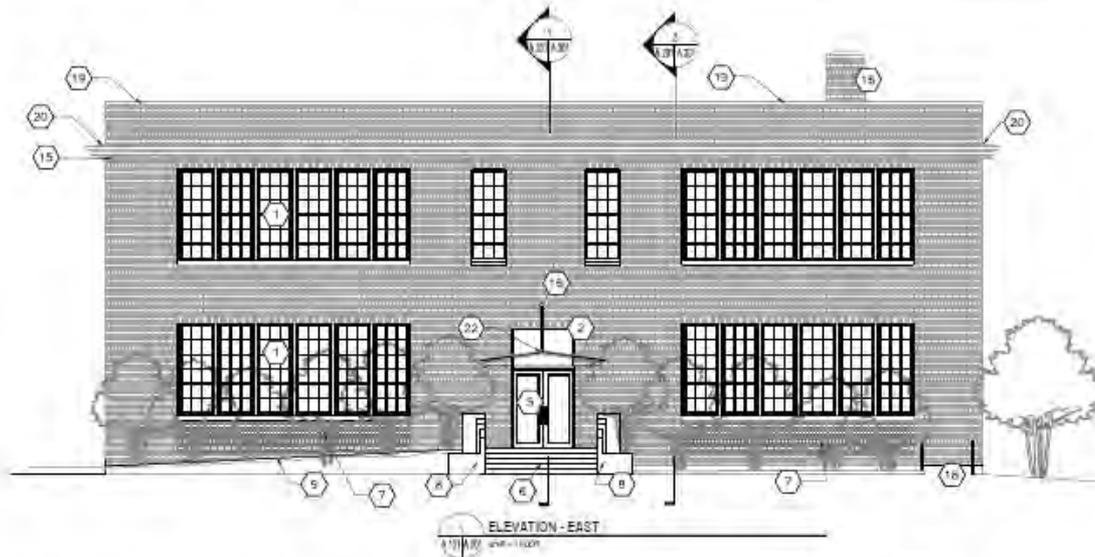
0 20 40 80 120 160'



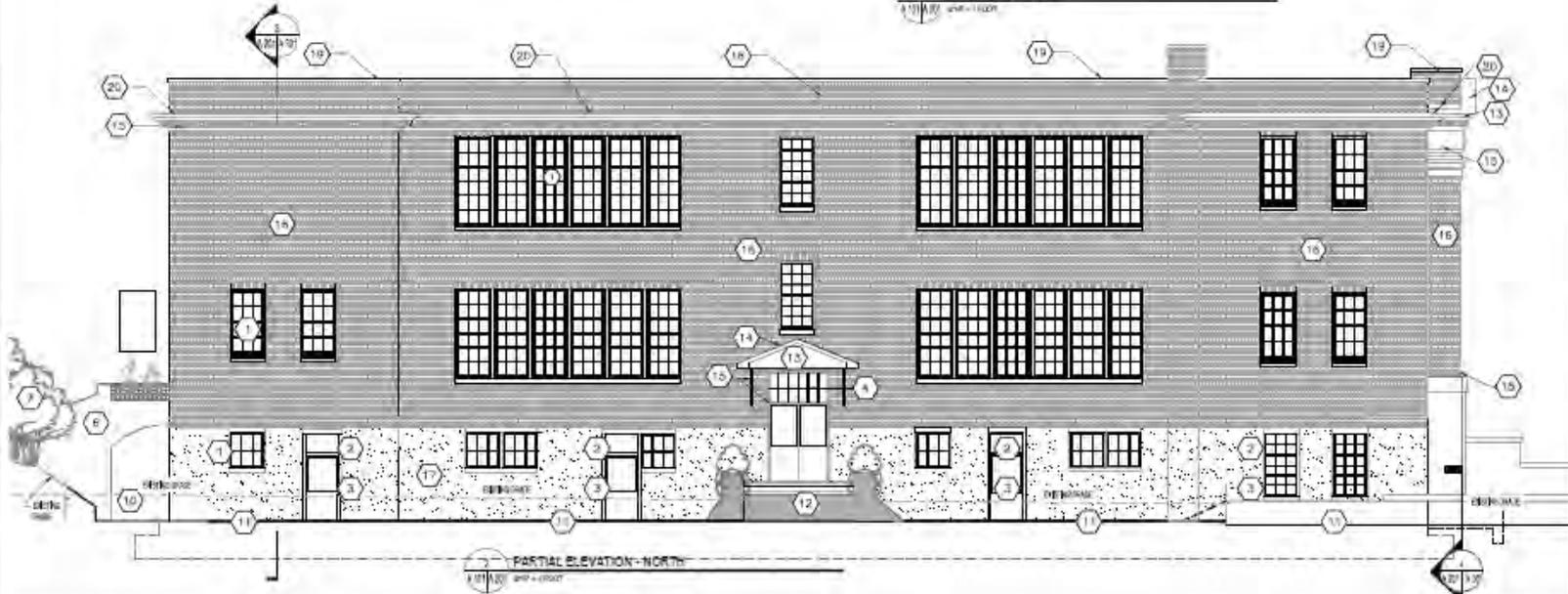
HILL
STUDIO

WORK KEYNOTES

1. REPLACE WINDOWS IN WINDOW OPENINGS TO REWIN GLAZ.
2. PROPOSED 30 X 68 INSUL. MET. LITE DOOR IN EXPANDED EXISTING WINDOW OPENING.
3. PROVIDE INTERIOR STORM GLAZING AT ALL EXTERIOR TRANSOMS TO REMAIN
4. PROPOSED 30 X 10 X 10 INSUL. MET. FULL LITE DOOR IN EXPANDED EXISTING WINDOW OPENING.
5. PROPOSED ENTRY STEPS
6. PAINTINGS
7. ENTRY SIDEWALKS AND GUARDS
8. PROPOSED ENTRY RAMP 3/12
9. LOWER LEVEL ENTRY
10. PATIO
11. PROPOSED GRADE AND STEPS AT ALLEY SIDE ENTRANCE
12. REPAIR AND PAINT CANOPY
13. REFORMED STANDING SEAM METAL ROOF
14. REPAIR AND PAINT ALL WOOD ASSEMBLIES THE ELEVATION AND AREA
15. REPAIR, CLEAN AND REPOINT MORTAR JOINTS
16. REMOVE AND REPAIR HANGING APR. YIELD NEW TO NEW V EXPOSED FOUNDATION SURFACE
17. PROPOSED STEPS TO LOWER LEVEL ENTRANCE
18. REPAIR METAL CEILING - FINISH TO PROVIDE CONTINUOUS LOOK
19. REPAIR OR REPLACE METAL FLASHING AS NEEDED
20. REPLACE MEMBRANE/STC
21. PROPOSED CANOPY OVER ENTRANCE



ELEVATION - EAST



PARTIAL ELEVATION - NORTH



**HILL
STUDIO**

Landscape Architecture
Architecture
Civil/Structural
Interior Design
11017 Cambridge Ave. #10
Manassas, VA 20108
Tel: 571-203-8800 Fax: 571-203-8801
www.hillstudio.com

ROLAND E. COOK
LOFTS
VINTON
VIRGINIA

FOR REVIEW ONLY
NOT FOR
CONSTRUCTION

ELEVATIONS
SECTIONS

Date:	10.10.2017
Project:	ROLAND E. COOK LOFTS
Sheet:	01
Scale:	AS SHOWN
Author:	AS SHOWN
Check:	AS SHOWN
Drawn:	AS SHOWN

A 201



1939 Photo one of Earliest Known
supplied by Debbie Adams, Vinton History Museum



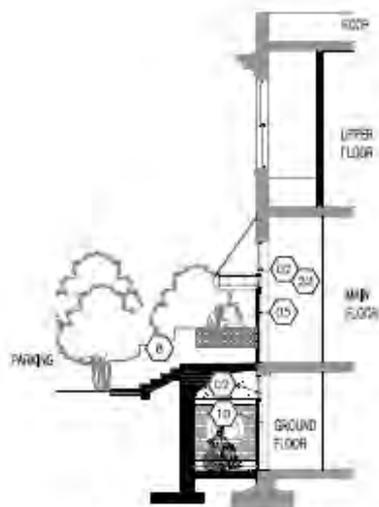
1938 Photo one of Earliest Known
supplied by Debbie Adams, Vinton History Museum



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Construction
Landscape Architecture
1210 Longleaf Ave. #101
Savannah, GA 31404
478-333-1234 www.hillstudio.com

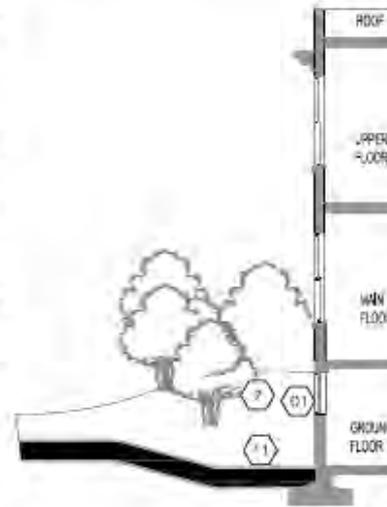
WILSON & COOK
LOFTS
WINN
VIRGINIA



1 SECTION
A 301 A 302 3/16" = 1' FOOT



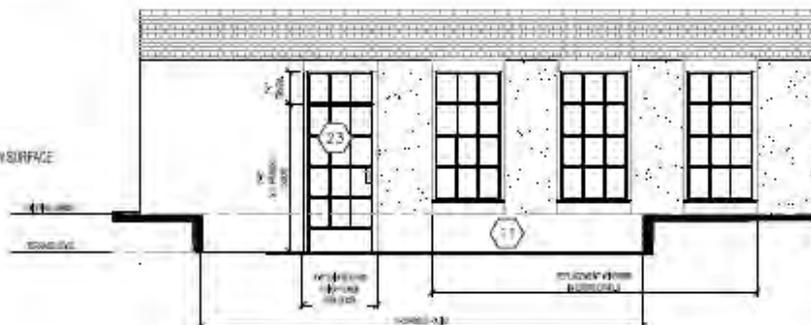
2 SECTION
A 201 A 301 3/16" = 1' FOOT



3 SECTION
A 201 A 301 3/16" = 1' FOOT

WORK KEYNOTES:

1. REPLACE WINDOWS IN WINDOW OPENINGS TO REMAIN (04).
2. PROPOSED TRANSOM IN EXPANDED EXISTING WINDOW OPENING.
3. PROPOSED 30" X 80" INSUL. MTL. LITE DOOR IN EXPANDED EXISTING WINDOW OPENING.
4. PROVIDE INTERIOR STORM GLAZING AT ALL EXTERIOR TRANSOMS TO REMAIN.
5. PROPOSED 30" X 10" INSUL. MTL. FULL LITE DOOR IN EXPANDED EXISTING WINDOW OPENING.
6. PROPOSED ENTRY STEPS.
7. PLANTINGS.
8. ENTRY SIDEWALLS AND GUARCS.
9. PROPOSED ENTRY RAMP BYND.
10. LOWER LEVEL ENTRY - 30" X 10" INSUL. MTL. DOOR WITH SIDELIGHT.
11. PAINT.
12. PROPOSED ENTRY RAMP IN SECTION.
13. REPAIR AND PAINT CANOPY.
14. REFORMED STANDING SEAM METAL ROOF.
15. REPAIR AND PAINT ALL WOOD ASSEMBLES THIS ELEVATION AND AREA.
16. REPAIR, CLEAN, AND REPOINT MORTAR JOINTS.
17. REPAIR AND REPAIR PARKING APPLYING NEW TO NEWLY EXPOSED FOUNDATION SURFACE.
18. PROPOSED STEPS TO LOWER LEVEL ENTRANCE.
19. REPAIR METAL COPING - FINISH TO PROVIDE CONTIGUOUS LOCK.
20. REPAIR OR REPLACE METAL FLASHING AS NEEDED.
21. REPLACE MEMBRANE ROOF.
22. PROPOSED CANOPY OVER ENTRANCE.
23. PROPOSED STL. AND GLASS DOOR WITH DOUBLE LIGHTS AND TRANSOM ABOVE IN EXISTING OPENING.



4 ELEVATION - LOWER FRONT TERRACE
A 201 A 301 3/16" = 1' FOOT



FOR REVIEW ONLY
NOT FOR
CONSTRUCTION

ELEVATIONS/
SECTIONS

Date:	11.03.2011
Author:	AM
Check:	AM
Scale:	AS SHOWN

A 301



Roland E. Cook Lofts
Vinton Town Council
Old School Partners, LLC
Roanoke County
November 17, 2015

ORDINANCE NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, NOVEMBER 17, 2015, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

AN ORDINANCE to approve the petition of Old School Partners, LLC, an authorized agent for Roanoke County Board of Supervisors, to rezone the former Roland E. Cook School property, from R-2 Residential to Mixed Used Development (MUD), to convert the existing vacant school building to twenty one (21) residential apartments with supporting recreational/small business uses, located at 412 S. Poplar Street, tax map number 060.16-09-39.00 and 060.16-09-40.00.

WHEREAS, at the October 8, 2015, work session of the Planning Commission, the rezoning request was presented by the Petitioner and discussed by the Commissioners; and

WHEREAS, on October 12, 2015, an open house was held for the general public at Vinton Wesleyan Church by the Petitioner about the proposed rezoning and redevelopment of the former vacant Roland E. Cook School building; and

WHEREAS, on October 19, 2015, a letter was mailed to surrounding property owners notifying them of the rezoning request and informing them of the dates and times of the public hearings of the Planning Commission and Town Council; and

WHEREAS, pursuant to the provisions of Section 15.2-2204 of the 1950 Code of Virginia, as amended, the legal notice for the public hearings has been advertised in The Vinton Messenger and on RVTV-3; and

WHEREAS, at the November 3, 2015, regularly scheduled meeting of Town Council, the Council members were presented with the rezoning request by the Petitioner during a work session; and

WHEREAS, the Planning Commission held a public hearing on November 5, 2015, and voted unanimously to recommend that the rezoning of Old School Partners, LLC be approved with the proffered conditions as submitted by Old School Partners, LLC; and

WHEREAS, the Vinton Town Council held a public hearing on November 17, 2015.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Vinton, Virginia that the petition of Old School Partners, LLC, an authorized agent for Roanoke County Board of Supervisors, to rezone the former Roland E. Cook School property, from R-2 Residential to Mixed Used Development (MUD), to convert the existing vacant school building to twenty one (21) residential apartments with supporting recreational/small business uses, located at 412 S. Poplar Street, tax map number 060.16-09-39.00 and 060.16-09-40.00 be approved with the following proffered conditions submitted by the Petitioner, and which the Council of the Town of Vinton, Virginia hereby accepts.

The Petitioner has proffered that the Roland E. Cook building, as a historic property, will be redeveloped in accordance with the Secretary of the Interior's Standard for Rehabilitation, as follows:

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

This Ordinance 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 17, 2015

Department

Administration

Issue

Consideration of public comments regarding a proposed ordinance to grant a twenty (20) year Gas Franchise to Roanoke Gas Company commencing on January 1, 2016.

Summary

The current franchise agreement with Roanoke Gas Company is set to expire on December 31, 2015. The Town has published the required legal notice soliciting proposals to provide natural gas services to the Town of Vinton customers. Town staff has also reviewed our current agreement with our neighbors, including Roanoke City, Roanoke County and the City of Salem. The consensus of the managers of each locality is that the overall structure and financial tax structure is fair and equitable. The structure meets our expectations and provides consistency across corporate boundaries. This allows for a more even playing field for customers and prospective industries.

Attachments

Agreement
Ordinance

Recommendations

Conduct Public Hearing and motion to adopt Ordinance

GAS FRANCHISE AGREEMENT

THIS AGREEMENT (“Agreement”), made and entered into this ____ day of _____, 2015, by and between the TOWN OF VINTON, VIRGINIA, a Virginia municipal corporation (“Grantor”), and ROANOKE GAS COMPANY, a Virginia corporation (“Grantee”).

WHEREAS, Grantor has reviewed the proposal for a Gas Franchise of Grantee; and

WHEREAS, Grantor, at a duly authorized and regular meeting of its Town Council, did vote to grant a renewal of the Gas Franchise to Grantee pursuant to provisions of the State Code and Town Charter.

NOW, THEREFORE, in consideration of said grant of renewal of the Gas Franchise, the parties agree as follows:

1. **GRANT**. Grantor hereby grants to Grantee and Grantee hereby accepts a franchise to construct, reconstruct, operate, maintain, repair, and extend a Gas Distribution System within Grantor’s Territorial Limits in accordance with the terms and conditions set forth below (“Franchise”). The Franchise is granted pursuant to Grantor’s Franchise Ordinance (Ordinance No. _____), adopted _____, 2015, (“Ordinance”), which is incorporated by reference herein, including any applicable definitions.

2. **TERM**. The term of the Franchise shall be twenty (20) years, commencing on January 1, 2016.

3. **FRANCHISE FEE**.

(a) Grantee shall pay to Grantor a Franchise Fee which shall be calculated pursuant to this Section. It is understood that Grantee has or will enter into franchise agreements with the City of Roanoke (“Roanoke”) and the City of Salem (“Salem”) and the Town of Vinton (“Vinton”) (Grantor, Roanoke and Salem being hereinafter sometimes collectively referred to as the “localities” and singularly as a “locality”) with fee provisions identical to this one, and that the total annual Franchise Fee to be paid to the three localities in aggregate is \$98,196 for calendar year 2016 (“base year total annual Franchise Fee”). Grantor’s Franchise Fee shall be a percentage share of the base year total annual Franchise Fee, which shall be determined on a pro rata basis according to its percentage share of the total dollar value of Grantee’s gas sales occurring within the localities during the calendar year. For each calendar year of the Franchise, each locality’s percentage share shall be determined by the following formula:

$$\text{Locality's percentage share} = \frac{\text{total dollar value of Grantee's gas sales within the Territorial Limits of the locality}}{\text{total dollar value of Grantee's gas sales in the three localities}}$$

For calendar year 2016, the Franchise Fee shall be paid to Grantor on or before March 31, 2017.

(b) For each succeeding calendar year during the term of this Franchise, the total annual Franchise Fee paid by Grantee to the localities shall be the base year total annual Franchise Fee increased by three (3) percent compounded annually over the term of the Franchise. For each calendar year during the term

of this Franchise, Grantor's percentage share shall be determined pursuant to this Section, and paid to Grantor on or before March 31 of the succeeding calendar year.

4. BUSINESS OFFICE. Grantee shall during the term of this Franchise maintain at least one business office within the Territorial Limits of Grantor. Such office shall be open at least forty (40) hours per week for the conduct of business between Grantee and its customers.

5. NONDISCRIMINATION. Grantee shall not discriminate on the basis of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Grantee.

6. NOTICE. All notices required under this Agreement or the Ordinance shall be in writing and shall be deemed validly given, unless otherwise required, when sent by certified mail, return receipt requested, or by a nationally recognized overnight courier, addressed as follows (or any other address the party to be notified may have designated to the sender by like notice):

Grantor:

Town of Vinton
Attention: Town Manager
311 S. Pollard Street
Vinton, Virginia 24179

Grantee:

Roanoke Gas Company
Attention: President
519 Kimball Avenue, N.E.
P.O. Box 13007
Roanoke, Virginia 24030

The parties may, by notice given under this Section, designate such other addresses as they may deem appropriate for the receipt of notices under this Agreement.

7. EFFECTIVE DATE. The effective date of the Franchise will be January 1, 2016.

SIGNATURES APPEAR ON FOLLOWING PAGES

IN WITNESS WHEREOF, the parties hereto have signed this Agreement by their authorized representatives.

WITNESS:

ROANOKE GAS COMPANY

By _____
John S. D’Orazio, President and CEO

Printed Name and Title

WITNESS:

TOWN OF VINTON, VIRGINIA

By _____
Christopher S. Lawrence, Town Manager

Printed Name and Title

ORDINANCE NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, NOVEMBER 17, 2015 IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO ROANOKE GAS COMPANY FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING, MAINTAINING, REPAIRING, AND EXTENDING A GAS DISTRIBUTION SYSTEM WITHIN THE TOWN OF VINTON, VIRGINIA

WHEREAS, the Town of Vinton, Virginia (“Town”) entered into a gas franchise agreement with the Roanoke Gas Company (“Company” or “Grantee”) on January 1, 1996, granting said company a non-exclusive franchise to construct, reconstruct, operate, maintain, repair, and extend a gas distribution system within the Town of Vinton, Virginia; and

WHEREAS, said gas franchise agreement will expire on December 31, 2015 and the Town and Company desire to renew said agreement on similar terms and conditions;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Vinton, Virginia that the renewal of the gas franchise agreement between the Town of Vinton, Virginia, and the Roanoke Gas Company be executed upon the following terms and conditions, and such other terms and conditions as may be proper and necessary:

SECTION 1. DEFINITIONS.

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are always mandatory, not merely directive or indicative. The word "may" is permissive and indicative and not mandatory.

- a. "Town" shall mean the Town of Vinton, Virginia.
- b. "Town Manager" shall mean the person appointed Town Manager by the Vinton Town Council pursuant to the Vinton Town Charter or the Town Manager's designee. In the absence of the Town Manager, the term shall include a duly authorized Acting Town Manager.
- c. "Franchise" shall mean the formal agreement which authorizes the specific Grantee to construct, reconstruct, operate, maintain, repair and extend a Gas Distribution System in the area defined by, and pursuant to the terms and conditions of, this Ordinance.
- d. "Franchise Fee" shall mean the fee paid by the Grantee to the Town in consideration of the use of its Streets and administration of this Ordinance and the Franchise.

- e. "Gas Distribution System" or "System" shall mean the complete system in a physical sense including gas distribution lines, pipes, manholes and all other actual appliances and appurtenances necessary and incidental to the usual operation and maintenance of a gas works, or any portion of the System, installed within and owned by Grantee in the Streets within the Territorial Limits of the Town.
- f. "Grantee" shall mean the Person granted a Franchise pursuant to the Franchise Agreement and this Ordinance and Grantee 's agents, servants, employees, contractors, subcontractors and any other person or entity authorized by the Grantee to act on its behalf.
- g. "Ordinance" shall mean this Franchise Ordinance.
- h. "Person" shall mean any person, firm, partnership, association, corporation, company, organization or other entity.
- i. "Street" shall mean the surface of and the space above and below any public street, road, highway, avenue, sidewalk, way, bridge, viaduct, alley or other public non-paved surfaces, now or hereafter held by the Town for the purpose of public travel, communications, alarm, street lighting, power distribution or similar public use.
- j. "Territorial Limits" shall mean the corporate limits of the Town as such corporate limits now exist or may hereafter be extended or otherwise altered.
- k. "Work" shall mean Grantee's use of the Streets of the Town; the acquisition, construction, reconstruction, erection, installation, operation, maintenance, repair or extension of Grantee's Gas Distribution System; and the exercise of any right or privilege granted by or under this Ordinance or any Franchise.

SECTION 2. GRANT OF AUTHORITY.

The Franchise granted by the Town and accepted by Grantee pursuant to the Franchise Agreement and this Ordinance shall provide to Grantee the right, privilege and authority to construct, reconstruct, operate, maintain, repair, and extend a Gas Distribution System in the Territorial Limits of the Town for the term specified in the Franchise Agreement.

SECTION 3. STREET AND RIGHT-OF-WAY USE NOT EXCLUSIVE.

For the purpose of constructing, operating, maintaining and extending a Gas Distribution System in the Territorial Limits of the Town, Grantee may erect, install, construct, repair, replace, relocate, reconstruct, remove and retain in the Streets within the Territorial Limits of the Town such pipes, lines, manholes, and any and all other additional appliances and appurtenances necessary and incidental to the usual operation of a Gas Distribution system, provided that all applicable permits are applied for and granted, all fees paid, and all other applicable local ordinances, codes and regulations are otherwise complied with. Subject to state law, the right to use and occupy the Streets for the purposes set forth herein is not exclusive. The Town reserves the right to grant one or more additional Franchises or other authorizations for similar use to any other Person at any time.

SECTION 4. PUBLIC WORKS.

The rights and privileges granted by this Ordinance shall not be in preference or hindrance to the rights of the Town and any other lawful governmental authorities having jurisdiction to perform or carry out any public works or public improvements. Should the Gas Distribution System interfere with the construction, maintenance or repair of such public works or improvements, Grantee, at its expense, shall protect or relocate the Gas Distribution System, or any applicable part thereof, as directed by the Town or other governmental authorities having jurisdiction.

SECTION 5. USE OF STREETS.

- a. General control. Grantee, in any opening it shall make in the Streets of the Town, shall be subject to the provisions of this Ordinance and to all applicable ordinances, codes and regulations of the Town. The Gas Distribution System of the Grantee shall be located so as not to interfere with the public safety or with the convenience of persons using the Streets.
- b. Right of designation. The Town reserves the right by resolution of the Town Council or otherwise through proper representatives of the Town to specifically designate the location of the Gas Distribution System of Grantee with reference to municipal facilities, such as sewer and water mains, drainage facilities, fiber optic cable, signal poles and lines and similar services, other facilities such as public telephone utilities, public electric utilities, public cable television utilities, and railway communication and power lines, in such a manner as to protect the public safety and public and private property and to facilitate the creation of convenient, attractive and harmonious community. Failure by the Town to so designate does not relieve Grantee of its responsibilities in matters of public safety as provided in this Ordinance. Grantee shall construct, maintain and locate its Gas Distribution System so as not to interfere with the construction, location and maintenance of sewer, water, drainage, electrical, signal and fiber optic facilities of the Town. Any designation of location required or authorized by this Ordinance shall be accomplished by the Town so as not to unnecessarily delay the Grantee in any of its operations.
- c. Notice to Town. Except in the cases of emergencies under Subsection (d) of this Section, Grantee shall not move, alter, change or extend any of its Gas Distribution System in any Street unless prior written notice of its intention so to do is given to the Town Manager and permission in writing so to do is granted by the Town Manager or such requirement is waived by the Town Manager. Such permission shall not be unreasonably withheld, but shall be conditioned upon compliance with the terms and conditions of this Ordinance, with such other terms and conditions- as will preserve, protect and promote the safety of the public using the Streets, and as will prevent undue interference with or obstruction of the use of the Streets by the public, the Town or by any other public utility or public service corporation for their respective purposes and functions, and shall not be unreasonably withheld.
- d. Written permits. The Town Council may require that written permits, in any and all cases, be obtained by Grantee whenever it becomes necessary for Grantee to excavate in the Streets in order to install, construct, maintain or extend the Gas Distribution System. Such permits, if required, may be made applicable to any and all types of excavations in the Streets, as prescribed by Town Council, and Town Council may, by resolution, establish a fee for each excavation made in a Street by a public utility. Such permits may state the particular part or point of the Streets where construction or excavation is to be conducted, the length of time in which such permit shall

authorize such work to be done and the hours of each day during which such work shall be undertaken. A single permit may be issued for multiple excavations to be made in Streets; provided, however, any Street opening excavation fee established by Town Council shall apply to each excavation made in Streets of the Town. Exceptions to the requirement for a written permit shall be allowed in cases of emergencies involving public safety or restoration of service. In the case of emergency excavations made in the Streets without permit, Grantee shall make a report of each such excavation to the Town within two (2) working days and pay such fee as may be established by Town Council for excavations in Streets by public utilities. Any permit applications and inspections related to repair of excavations shall be promptly acted upon by the Town so as to not unnecessarily delay the Grantee in efficiently discharging its public service obligation. Any fees for permits or inspections charged by the Town shall be based on the Town's actual costs of administering the program of issuing permits and conducting inspections.

- e. Restoration of Streets. Immediately after installation, repair or extension of the Gas Distribution System or any portion thereof or any pavement cut by Grantee in any Street of the Town, the incidental trenches or excavations shall be refilled by Grantee in a manner reasonably acceptable to the Town Manager. Pavement, sidewalks, curbs, gutters or any other portions of Streets damaged, disturbed or destroyed by such work shall be promptly restored and replaced with like materials to their former condition by Grantee at its own expense; however, where it is necessary, and if authorized by the Town in order to achieve the former conditions, Grantee shall use materials whose type, specification and quantities exceed or are different from those used in the installation, and Grantee at its own expense shall provide such different materials. Where a cut or disturbance is made in a section of sidewalk paving, rather than replacing only the area actually cut, Grantee shall replace the full width of the existing sidewalk and the full length of the section or sections cut, a section being defined as that area marked by expansion joints or scoring. Grantee shall maintain, repair and keep in good condition for a period of one (1) year following such disturbance all portions of Streets disturbed by Grantee, provided such maintenance and repair shall be necessary because of defective workmanship or materials supplied by Grantee.
- f. Removal of obstructions and defects. Grantee shall promptly remove or correct any obstruction or defect in any Street which may have been caused by Grantee in the installation, operation, maintenance or extension of Grantee's Gas Distribution System. Any such obstruction or defect which is not promptly removed, repaired or corrected by Grantee after proper notice so to do, given by the Town to Grantee, may be removed or corrected by the Town, and the cost thereof shall be charged against Grantee and may be enforced as a lien upon any of Grantee's properties or assets. Any expense of damage, relocation or replacement to the Town water, sanitary sewer, storm sewer, storm drainage or communication facilities resulting from construction or maintenance of Grantee's Gas Distribution System shall be borne by Grantee and any expense incurred in connection therewith by the Town shall be reimbursed by the Grantee.
- g. Minimum inconvenience; protection of public. Grantee shall not open, disturb or obstruct, at any one time, any more of the Streets, than reasonably may be necessary to enable it to proceed with advantage in laying or repairing its Gas Distribution System. Neither shall Grantee permit any Street so opened, disturbed or obstructed by it in the installation, construction, repair or extension of its Gas Distribution System to remain open or the public way disturbed or obstructed for a longer period of time than reasonably shall be necessary. In all cases where any Street shall be excavated, disturbed or obstructed by Grantee, Grantee shall take all precautions necessary or proper for the protection of the public and shall maintain adequate warning signs, barricades,

signals and other devices necessary or proper to adequately give notice, protection and warning to the public of the existence of all actual conditions present.

- h. Relocation of Town facilities. Whenever the Town shall widen, reconstruct, realign, pave or repave any Street, or shall change the grade or line of any street, or shall construct or reconstruct any water, sanitary sewer, storm sewer, drainage or communications facility of the Town, it shall be the duty of Grantee to move, alter or relocate its Gas Distribution System or any part thereof as requested by the Town at Grantee's cost and expense. Upon written notice by the Town Manager of the Town's intention to perform work as specified above, Grantee shall within a reasonable period of time accomplish its obligation in accordance with and to conform to the plans of the Town for such construction, reconstruction or improvements. Should the Grantee fail, refuse or neglect to comply with such notice, the Gas Distribution System or any part thereof may be removed, altered or relocated by the Town, the cost of which shall be paid by Grantee, and the Town shall not be liable to Grantee for any damages resulting from such removal, alteration or relocation. In cases where Grantee believes the costs of relocation by Grantee would be cost prohibitive and an alternative location of the Town's facilities would be feasible, the Town and Grantee shall jointly evaluate whether Grantee could reasonably pay any additional costs to the Town of the alternative Town facility location in lieu of relocating Grantee's facilities. Grantee shall not be required by the Town to relocate its Gas Distribution System when any Street in which such System is located is vacated, closed or abandoned by the Town for the convenience of abutting property owners and not as an incident to a public improvement. The Town shall give Grantee notice in writing of such proposed abandonments or Street closing to allow Grantee to protect its access interests.

SECTION 6. SERVICE STANDARDS.

The rights and privileges granted and conferred upon the Grantee are granted upon the express condition and understanding that Grantee will render to the public and the Town of Vinton at all times during the term of this Franchise adequate and efficient gas service at reasonable rates and that it will maintain its properties, works, structures, facilities and the Gas Distribution System located within the Town in good order throughout the term of this Franchise. By accepting this Franchise, Grantee expressly agrees that the State Corporation Commission of Virginia shall have jurisdiction, to the full extent and in the same manner now or hereafter during the life of this Franchise provided by law, to require Grantee to render efficient service as aforesaid at reasonable rates and to maintain its properties in good order throughout the term of this Franchise and otherwise enforce, together with the Town in the Circuit Court for the County of Roanoke, the provisions of this Franchise to the full extent provided by law.

SECTION 7. SAFETY STANDARDS.

Grantee shall at all times employ a high standard of care and shall install and maintain in use approved methods and devices for preventing failure or accidents which are likely to cause damages, injuries or nuisances to the public.

SECTION 8. RESTORATION OF IMPAIRED SERVICE.

In the event of any interruption or impairment of service by reason of force, nature, act of God, strike, breakdown, accident or other happening beyond the control of Grantee, Grantee shall use every reasonable effort and shall exercise prompt diligence to restore such service with as little interruption as reasonably possible and, in all events, within a reasonable time, but any such interruption or failure of service caused by any of the aforementioned reasons shall not, of itself, constitute a breach of this Franchise.

SECTION 9. COMPLIANCE REQUIRED.

Grantee shall comply with all applicable Town, State and Federal laws, ordinances, regulations and codes.

SECTION 10. POLICE POWER.

All rights and privileges granted hereby are subject to lawful exercise of the police power of the Town to adopt and enforce local laws, rules and regulations necessary to the health, safety and general welfare of the public. Expressly reserved to the Town is the right to adopt, in addition to the provisions of this Ordinance, the Franchise and existing laws, such additional ordinances and regulations as are necessary for the lawful exercise of its police power, for the benefit and safety of the public.

SECTION 11. TAXES.

Nothing contained in this Ordinance or in the Franchise shall be constructed to exempt Grantee from any tax, levy or assessment of the Town which is now or may hereafter be authorized by law.

SECTION 12. GRANTEE TO OWN SYSTEM.

Grantee shall, at all times during the term of this Franchise, have full possessory rights to all facilities and property, real and personal, of the Gas Distribution System, whether by ownership, lease, license or otherwise. Grantee may discard or replace any property, real or personal, as long as Grantee can satisfy its obligations hereunder.

SECTION 13. APPROVAL OF TRANSFER.

No sale, assignment or lease by Grantee of the Franchise or of the privileges granted under this Ordinance shall be effective until approved by the State Corporation Commission and until Grantee's successor shall have agreed in writing with the Town to accept the terms and conditions of this Ordinance and the Franchise and to perform in accordance with their terms and conditions.

SECTION 14. LIABILITY.

Grantee agrees and binds itself to indemnify, keep and hold the Town free and harmless from liability on account of injury or damage to persons or property growing out of or directly or indirectly resulting from: (a) Grantee's use of the Streets of the Town; (b) the acquisition, construction, reconstruction, erection, installation, operation, maintenance, repair or extension of Grantee's Gas Distribution System; (c) the exercise of any right or privilege granted by or under this Ordinance or any franchise; and (d) the failure, refusal or neglect of Grantee to perform any duty imposed upon or assumed by Grantee by or under this Ordinance or any franchise. In the event that any suit or proceeding shall be brought against the Town at law or in equity, either independently or jointly with Grantee on account thereof, Grantee, upon notice given to it by the Town will defend the Town in any such action or other proceeding, at the cost of the Grantee. In the event of a final judgment being awarded against the Town, either independently or jointly with Grantee, then Grantee will pay such judgment or will comply with such decree, pay all costs and expenses of whatsoever nature and hold the Town harmless therefrom.

SECTION 15. INSURANCE AND BOND REQUIREMENTS.

- a. Requirement of insurance. Grantee shall, at its expense, obtain and maintain during the life of its Franchise the insurance and bond required by this Section. Any required insurance and bond shall be effective prior to the beginning of any work by Grantee under its Franchise.
- b. Commercial General Liability. Grantee shall maintain during the life of its Franchise commercial general liability insurance coverage insuring against all claims, loss, cost, damage, expense or liability from loss of life or damage or injury to persons or property arising out of the Grantee's work under its Franchise. The minimum limits of liability for this coverage shall be \$10,000,000.00 combined single limit for any one occurrence.
- c. Contractual Liability. Grantee shall maintain during the life of its Franchise broad form contractual liability insurance including the indemnification obligation set forth in Section 14 of this Ordinance.
- d. Workers' Compensation. The Grantee shall maintain during the life of its Franchise workers' compensation insurance covering Grantee's statutory obligation under the laws of the Commonwealth of Virginia and employer's liability insurance for all its employees engaged in Work under its Franchise. Minimum limits of liability for employer's liability shall be \$100,000.00 bodily injury each occurrence; \$500,000.00 bodily injury by disease (policy limit); and \$100,000.00 bodily injury by disease (each employee). With respect to the workers' compensation coverage, the Grantee's insurance company shall waive rights of subrogation against the Town, its officers, agents and employees.
- e. Automobile Liability. The Grantee shall maintain during the life of its Franchise automobile liability insurance. The minimum limit of liability for each insurance shall be \$1,000,000.00 combined single limit applicable to owned or non-owned vehicles used in the performance of any work under its Franchise.
- f. Umbrella Coverage. The insurance coverages and amounts set forth in subsections (b), (c), (d) and (e) of this Section may be met by an umbrella liability policy following the form of the underlying primary coverage in a minimum amount of \$10,000,000.00. Should an umbrella liability insurance coverage policy be used, such coverage shall be accompanied by a certificate of endorsement stating that it applies to the specific policy numbers indicated for the insurance providing the coverages required by subsections (b), (c), (d) and (e), and it is further agreed that such statement shall be made a part of the certificate of insurance furnished by Grantee to the Town.
- g. Evidence of Insurance. All insurance shall meet the following requirements:
 - (1) The Grantee shall furnish the Town a certificate or certificates of insurance showing the type, amount, effective dates and date of expiration of the policies. Certificates of insurance shall include any insurance deductibles.
 - (2) The required certificate or certificates of insurance shall include substantially the following statement: "The insurance covered by this certificate shall not be cancelled or materially altered, except after thirty (30) days written notice has been received by the Town of Vinton."

- (3) The required certificate or certificates of insurance shall name the Town of Vinton, its officers, agents and employees as additional insured.
 - (4) Insurance coverage shall be in a form and with an insurance company approved by the Town which approval shall not be unreasonably withheld. Any insurance company providing coverage under this Ordinance or any Franchise granted under this Ordinance shall be authorized to do business in the Commonwealth of Virginia.
- h. Ranges and Limits. At the end of ten (10) years, the Town shall have the right to require increases in the amounts of insurance specified above. Any adjustments shall bear a reasonable relation to any change in the cost of living or cost of repair or replacement, as measured by changes in the Consumer Price Index of the United States Bureau of Labor Statistics applicable to the Commonwealth of Virginia or comparable measure if the Consumer Price Index is no longer being issued.
- i. Bond. Grantee shall post and maintain for the life of its Franchise a performance bond in favor of the Town in the amount of \$25,000.00. The bond shall be issued by a bonding company approved by the Town.

SECTION 16. REPORTS, MAPS AND PLATS.

- a. Grantee shall file annually with the Town Manager a copy of Grantee's annual report, which report shall contain and reflect the audit and financial statement as pertains to the business operations of Grantee for the immediately preceding business year. Grantee's books and systems of account showing the gross income derived by Grantee from its supply and sale of gas service in the Town shall be made available at all reasonable times for inspection and verification by a duly authorized officer or agent of the Town.
- b. Grantee shall, upon written and reasonable request at any time from the Town Manager, make available or furnish to the Town Manager maps, plats or plans, or copies thereof, showing the location of any or all of its Gas Distribution System located in any Street of the Town.

SECTION 17. LIEN OF TOWN.

All debts, penalties or forfeitures accruing to the Town under the terms of this Ordinance shall constitute a lien upon the property and Franchise of Grantee within the Town subject, however, to then-existing prior liens.

SECTION 18. JURISDICTION OF GOVERNMENTAL REGULATORY COMMISSIONS.

If any provision of this Ordinance shall be in conflict with any constitutional provision, or any federal, State or local law, or any lawful rule of the State Corporation Commission of Virginia, or of any other duly constituted body or commission legally authorized to prescribe rules governing the conduct of Grantee within the Town, so that Grantee cannot reasonably comply with both the provisions of this Ordinance and such provision, law or rule of such commission or body, then Grantee shall comply with such specific provision, law or rule instead of with the conflicting provision of this Ordinance, but Grantee shall comply with each and all of the provisions of this Ordinance where such can be done without violating constitutional provisions, valid laws or rules of the said commission or body. Whenever Grantee has knowledge of such a conflict, Grantee shall immediately notify the Town Manager in writing.

SECTION 19. NON-DISCRIMINATION.

Grantee shall not discriminate on the basis of race, religion, color, sex or national origin in its employment practices, contracting or provision of services.

SECTION 20. NOTICE.

All notices required under this Ordinance shall be given as provided in the Franchise Agreement.

SECTION 21. FAILURE TO PERFORM WORK.

On any failure of Grantee to commence or complete any construction, maintenance, or restoration work required by this Ordinance or any existing or future ordinance, resolution or regulation of the Town, or by state or federal law, the Town may at its option cause such work to be performed by its employees or a designated agent or contractor. The cost of any such work will be indicated in an itemized report to be furnished to grantee. Grantee shall reimburse the Town for costs so incurred within 30 days after receipt of any such report.

SECTION 22. FORFEITURE.

Each right and privilege granted under this ordinance shall, without the passage of any resolution or ordinance by grantor, be null and void on the failure of Grantee to comply with any of or all of the terms and conditions specified in this Ordinance or in the Franchise Agreement. Grantee will be given thirty days, unless otherwise provided, following receipt of notice of noncompliance in which to make corrections or take other required actions.

The rights granted to the Town under this section shall be cumulative and in addition to any other rights or remedies available under this Ordinance. The failure to exercise any right or remedy under this Ordinance shall not constitute a waiver of that right or remedy, or of any other right or remedy available to the Town.

SECTION 23. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on January 1, 2016.

This Ordinance 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 17, 2015

Department

Administration

Issue

Consider adoption of a Resolution approving the one-time payment of \$2,748.75 to Vinton Baptist Church and authorizing the Town Manager to execute the Parking and Paving Contribution Agreement formalizing the agreement between the two parties.

Summary

For years the Town of Vinton has worked closely with Vinton Baptist Church to have their parking lot available to the public for special events and downtown parking. As their maintenance needs have developed we have discussed the current relationship further. To this end, the church has requested a financial contribution to assist in the maintenance activities, including crack sealing, spray sealant over the entire parking lot and restriping. Use of the parking lot has been a critical component of the Dogwood Festival, Fall Festival, other parades and events, and most recently a request for the Roanoke County Library grand opening for a shuttle service.

As proposed, the town would contribute a one-time payment of \$2,748.75 which is 50% of the total bill already incurred.

Attachments

Draft Agreement
Resolution

Recommendations

Motion to adopt Resolution

PARKING AND PAVING CONTRIBUTION AGREEMENT

THIS AGREEMENT is entered into this _____ day of November, 2015, by and between the TOWN OF VINTON (hereinafter, "TOWN"), 311 South Pollard Street, Vinton, VA 24179 and the VINTON BAPTIST CHURCH, (hereinafter, "CHURCH"), 219 Washington Avenue, Vinton, VA 24179.

WITNESSETH:

WHEREAS, TOWN requested permission for the public to use the CHURCH's parking lot located at 291 Washington Avenue in the Town of Vinton for public parking for the Dogwood and Fall Festivals and the library grand opening; and

WHEREAS, the CHURCH agreed to allow its private parking lot to be used for public parking for these events; and

WHEREAS, in consideration of this agreement with the CHURCH, the TOWN agreed to contribute \$2748.75 to pay for parking lot maintenance;

NOW, THEREFORE AND IN CONSIDERATION of the above, the parties memorialize their agreement as follows:

1. **PARKING.**

CHURCH agrees that it shall allow the general public to use its private parking lot for attendance at the Dogwood and Fall Festival and the library grand opening events to be held in the Town of Vinton. In addition, CHURCH shall allow the public to use its parking lot for such other Town of Vinton events as may be agreed to by the parties.

2. **PARKING LOT MAINTENANCE ASSISTANCE.**

TOWN agrees to pay CHURCH a one-time fee of Two Thousand Seven Hundred Forty-Eight and 75/100 Dollars (\$2, 748.75) to assist with the cost of resealing, restriping, and maintaining the CHURCH parking lot.

3. **TERM OF AGREEMENT.**

TOWN and CHURCH agree that this Agreement will take effect upon payment by the TOWN of the contribution for parking lot maintenance as set forth herein, and shall continue for a period of twelve (12) months thereafter, with automatic one-year renewals until terminated by one or both of the parties as set forth below.

4. **TERMINATION.**

Either party may terminate this Agreement by giving the other party written notice at least thirty (30) days prior to the expiration of this Agreement or any subsequent renewal thereof.

5. NOTICES.

All notices pertaining to this Agreement shall be in writing and shall be transmitted either by personal hand delivery or through the U.S. Postal Service by certified mail, return receipt requested. The addresses set forth above for the respective parties shall be the places where notices shall be sent, unless written notice of a change of address is given.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed this _____ day of _____, 2015.

TOWN OF VINTON

VINTON BAPTIST CHURCH

By
Its: Town Manager

By
Its:_____

RESOLUTION NO

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 17, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, for many years, the Town of Vinton (“Town”) has worked closely with Vinton Baptist Church (“Church”) for the public to use the Church’s parking lot at 291 Washington Avenue for special events and downtown parking; and

WHEREAS, because of the Town’s use of said parking lot, the Church has requested a financial contribution to assist in the maintenance to include crack sealing, spray sealant over the entire parking lot and restriping; and

WHEREAS, the Town has agreed to pay the Church a one-time fee to assist with said parking lot maintenance in the amount of \$2,748.75 which is 50% of the total cost; and

WHEREAS, Town staff recommends that a Parking and Paving Contribution Agreement be executed to formalize said agreement between the parties.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby approve the one-time payment of \$2,748.75 to the Church and authorize the Town Manager to execute the Parking and Paving Contribution Agreement as presented to Council and approved as to form by the Town Attorney.

This Resolution adopted on 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



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Administration

Issue

Consider adoption of a Resolution appropriating funds in the amount of \$6,000 received from the Roanoke County Friends of the Library for street lighting.

Summary

The Roanoke County Friends of the Library committed a donation of \$6,000 to the streetscape improvements to South Pollard Street, specifically the installation of two decorative street lamps. They did similar commitments to the South County and Glenvar Libraries with the donation of art structures. Our decorative street lamps help complete the overall investment of lamps along S. Pollard Street and Lee Street. They include hanging basket arms, banner poles, and electrical power for decorations or extension cords during special events. The Library official opening will be Wednesday, November 18th where we plan to publically recognize and thank the Friends for their partnership and contribution. Finally, a bronze type marker will be installed on these two street lights to visually acknowledge and thank the Friends for their generosity.

Attachments

Resolution

Recommendations

Motion to adopt Resolution

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 17, 2015 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA 24179.

WHEREAS, the Roanoke County Friends of the Library made a donation to the Town of \$6,000 for decorative street lights; and

WHEREAS, the donation supported the installation of the two street lights along the South Pollard Street frontage which supported town's vision to enhance the visual appearance and the synergy of a revitalized downtown area; and

WHEREAS, the donation has been received into the Revenue Account 200.1899.018 – Gifts and Donations in the amount of \$6,000; and

WHEREAS, it is necessary for the Vinton Town Council to appropriate the funds from the Revenue Account 200.1899.018 – Gifts and Donations to the Expenditure Account – 200.8150.346 – CDBG Match Grant Expenditures.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby approve the following transaction.

FROM:

200.1899.018	Gifts and Donations	\$6,000.00
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TO:

200.8150.346	CDBG Match Grant Expenditures	\$6,000.00
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This Resolution was adopted on 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



Town Council Agenda Summary

Meeting Date

November 17, 2015

Department

Administration

Issue

Appointment of Theresa Fontana as Town Attorney retroactive to January 1, 2015

Summary

On January 1, 2015, Theresa Fontana became the Town's Attorney when Elizabeth Dillon was appointed as a U. S. District Judge for the Western District of Virginia. Pursuant to our Town Charter, Chapter 4. – Appointive Officers, Section 4.5 – Town attorney, we need to formally appoint Ms. Fontana with said appointment being retroactive to January 1, 2015.

Attachments

None

Recommendations

Motion to appoint Theresa Fontana as Town Attorney retroactive to January 1, 2015