

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, JULY 21, 2009 IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Robert R. Altice  
Carolyn D. Fidler  
William W. Nance  
William E. Obenchain, Jr.

STAFF PRESENT: Chris Lawrence, Town Manager  
Consuella Caudill, Asst. Town Manager  
Elizabeth Dillon, Town Attorney  
Darleen Bailey, Town Clerk  
Anita McMillan, Planning Director  
Ben Cook, Police Lieutenant  
Mike Kennedy, Public Works Director  
Beth Austin, Human Resource/Safety Manager  
Barry Thompson, Finance Director/Treasurer  
Joey Hiner, Assistant Public Works Director  
Barry Griffin, Communications Officer  
Craig Sheets, Communications Supervisor/EMS Coordinator

Agenda

- A. 7:00 P.M. – Roll Call and Establishment of a Quorum
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG
- D. CONSENT AGENDA
  - 1. Approval of Minutes: Regular Meeting of July 7, 2009
  - 2. Resolution Reappointing Mary Beth Layman to the Roanoke Valley Cable Television Committee  
ACTION: ADOPT RESOLUTION NO. 1832
  - 3. Approve Appropriation of Funds for the Bureau of Justice Recovery Grant  
ACTION: ADOPT RESOLUTION NO. 1833
  - 4. Amend Employee's Flexible Benefits Plan to Add Use of Debit Cards  
ACTION: ADOPT RESOLUTION NO. 1834
- E. AWARDS, RECOGNITIONS, PRESENTATIONS
  - 1. Recognize James "Barry" Griffin on the Occasion of His Retirement – Resolution No. 1835
  - 2. Recognize Police Officer of the Month for June, 2009, Master Police Officer Craig R. Frye
  - 3. Recognize Dispatcher of the Quarter, James "Barry" Griffin
  - 4. Presentation by Lawrence Garland – Proposed Eagle Scout Project Concept
- F. CITIZENS' COMMENTS AND PETITIONS

- G. TOWN ATTORNEY
- H. TOWN MANAGER
  - 1. Appropriation of Funds – Vinton Ford Feasibility Study – Resolution No. 1836
  - 2. Report on Building Assessments – Spectrum Engineers
  - 3. Authorization to Solicit Bids for Vinton Fire House Repairs – Resolution No. 1837
- I. MAYOR
  - 1. Reminder that August 4<sup>th</sup> Meeting will be Cancelled to Allow Council to Attend the “National Night Out” Celebration
- J. COUNCIL
- K. ADJOURNMENT
- WORK SESSION
  - 1. Discussion of a Special Use Permit Request for a Two-Family Dwelling at 345 South Preston Road

<p>Mayor Grose called the regular meeting to order at 7:00 p.m. Following roll call, Barry Thompson gave the invocation and Boy Scout Troop 584 led the Pledge of Allegiance to the U.S. Flag.</p>	<p>Roll call, invocation and Pledge of Allegiance to U.S. Flag.</p>
<p>The Consent Agenda was approved on a motion by Councilman Nance and was seconded by Vice Mayor Obenchain and approved with all in favor.</p>	<p>Approved Consent Agenda</p>
<p>Mayor Grose presented Barry Griffin with Resolution No. 1835 recognizing him on his retirement from his position as a Communications Officer in the Vinton Police Department. The Mayor read a letter from Gerald Messingill, retired Superintendent for the Virginia State Police, commending Mr. Griffin for his years of service to the Commonwealth of Virginia, the City of Salem and the Town of Vinton.</p>	<p>Recognized Barry Griffin on his retirement and for being named Dispatcher of the Quarter</p>
<p>Mayor Grose read a letter from Chief Cooley naming Mr. Griffin as Dispatcher of the Quarter ending June 30 2009, for the fifth and final time.</p>	
<p>Mr. Nance read a letter recognizing Craig Frye as Police Officer of the Month for the month of June, 2009.</p>	
<p>Eagle Scout Lawrence Garland, who is with Boy Scout Troop 136 in Bonsack, presented a proposal to provide a new picnic area beside the Municipal Building on property belonging to Carilion where two old picnic tables are presently located. He noted that the picnic tables are in disrepair and need to be replaced.</p>	<p>Discussed Eagle Scout project to put in a picnic area beside the Municipal Building.</p>
<p>Mr. Garland stated that his plan for the area consists of two picnic tables and two benches in a mulched area with landscaping bricks and azalea bushes to “trim-out” the area. One table option he discussed was a concrete table that was eight feet long that cost \$2,651 including shipping costs. Another option was a “Rivendale” style metal table that would cost \$1,702 including shipping.</p>	

Mr. Garland pointed out that the company that had the concrete table offered to lower the cost to \$1,573 when the sales person learned that it was an Eagle Scout project. The cost for a stationary bench for the area was \$1,020 including shipping.

He asked that Council look at the plans he had submitted and to let him know which option they preferred or if they would like for him to look at a less expensive option. Mr. Garland reported that he would need approximately 40 landscaping bricks that are \$.38 each at Lowe's as well as up to three truck loads of organic mulch and plastic to keep the area free of weeds. Another item he wanted to include was stepping stones that would lead to the tables and benches.

Mr. Lawrence reported that he had spoken with Dr. Rhea at Carilion who supported the idea and felt confident that Carilion's real estate office would agree to the plan. Mr. Garland advised that after Council makes their decision as to what option they prefer, he would have to submit the plan to the Eagle Scout Board for their approval.

Ms. Fidler asked if anyone had checked with Public Works to see if they could get any of the supplies for the project at a lower cost. Mr. Lawrence replied he would talk with the Public Works Director and Assistant Public Works Director to see the items could be purchased at a better price.

Mr. Obenchain pointed out that one of the companies that Mr. Garland looked at is located in Lexington, Virginia and asked if someone could pick up the picnic tables to save the shipping fees, and Mr. Kennedy, the Public Works Director, agreed. Mr. Lawrence stated that Dr. Rhea had advised him that Carilion might be able to come up with some funds for the project also. There was a consensus of Council to go ahead with the Eagle Scout project.

Mr. Lawrence encouraged the Boy Scouts from Troop 584 to let him know if any of them are ever interested in Eagle Scout projects.

Ms. Fidler read a letter from Frances and Clyde Deets recognizing three Public Works employees, Kevin Craighead, Don Hamilton and Mark Atkins for the work they did on July 10<sup>th</sup> behind the Red Jasmine Restaurant.

Mr. Lawrence reported on a request to adopt a resolution to appropriate funding for the Vinton Motors' Mixed Use and Mixed Income Feasibility Study. He pointed out that he had advised Council earlier in the month that the Town had received a grant of \$10,000 from the Virginia Housing Development Authority. He noted that staff had asked for a \$15,000 grant as they were aware the study would cost a little more than \$10,000.

Adopted Resolution No. 1836 appropriating funds for a feasibility study for the Vinton Motors Building

The Town Manager reported that this piece of property is critical to the downtown area and has been vacant for over a year. He further reported that the grant presented an opportunity to work with Mr. Billy Vinyard, owner of the property, to assess what building conditions are and the utilities around it. He went on to say that

two options for the property would be to renovate the building and possibly add another floor or to replace the building. He added that the feasibility study would evaluate the property to see what could be done with it.

Mr. Lawrence advised that the feasibility study would cost \$18,300 and would be done by Wiley and Wilson and Hill Studios. He further advised that the Town would have to fund \$8,300 of the costs for the study out of the unappropriated fund balance.

Mr. Nance asked if the mixed use study would limit it to just those types of uses. Mr. Lawrence replied that the study gives them the opportunity to look at multiple uses for the property but pointed out that the grant is intended to encourage a mixed use and mixed income building. He added that this project would "dovetail in" with the downtown study. Mr. Nance questioned whether the property owner had shown some interest in a mixed use building. Mr. Lawrence stated that he had talked with Mr. Vinyard three or four weeks ago and Mr. Vinyard had agreed to the concept and that he "very much wanted to be a part of the process".

Ms. Fidler asked when the project would get underway and was advised that once the money is allocated, Wiley and Wilson will put the project on their schedule. Mr. Obenchain commended Mr. Vinyard for his willingness to talk with the Town about a use for the building.

Mr. Altice moved to adopt proposed Resolution No. 1836 appropriating \$8,300 toward the Mixed Use and Mixed Income Feasibility Study for the former Vinton Ford Building. The motion was seconded by Ms. Fidler and passed unanimously on a roll call vote.

Consuella Caudill, Assistant Town Manager, introduced Granville Grant, Project Manager from Spectrum Design who reported on a building assessment and indoor air quality for the Municipal Building and the Fire House that was completed in May of this year. Ms. Caudill pointed out that the indoor air quality study was an immediate need and was done to address concerns in the Police Department's Dispatch Center and other areas in the Municipal Building and Fire House. She noted that the air quality study at the Fire House would be discussed following this report.

Report on building assessments

Mr. Grant advised that his firm evaluated the buildings as they currently exist. He reported on their deficiencies and provided recommendations on how to address those deficiencies. He pointed out that staff of both buildings were interviewed and the information received from them was helpful in evaluating the buildings.

Mr. Grant reported that both buildings are in fairly good condition, however, there were issues identified that need to be addressed. He noted that the south sloping parapet wall has displaced brick and could fail in a strong wind. He advised that it would cost approximately \$20,000 to repair and is number one priority on the list. Mr. Grant stated that there were also problems with the north parapet wall but it is not as bad as the south parapet wall. The cost to repair the north parapet is estimated at \$2,500.

He pointed out that some re-pointing of brick is necessary due to cracking and that the roof deck is not properly attached to the roof framing and needs to be repaired.

Mr. Grant advised that one of the biggest problems is roof leaks that have been on-going. He added that the building was not designed to accommodate the handicapped and one of the most expensive issues would be to put in handicapped accessible restrooms at a cost of \$30,000. He quoted the cost to add an elevator to allow access to both floors would be \$150,000. Mr. Grant acknowledged that handicap access to the Dispatch area on the lower level, making repairs to doors, and providing interior public signage, also needed to be addressed.

Mr. Grant stated that the Planning and Zoning Department is in need of security that would be improved if a service counter was added costing approximately \$3,000. He noted conditions in the Police Department involving lockers which need to be refinished and repaired.

In regards to plumbing and fire protection issues, the engineer noted that the building was constructed before sprinkling systems were required, however, there is a requirement that storage areas and mechanical areas are required to have a sprinkler system. He advised that the dispatch area, which was once a storage area, does have a sprinkler system but it's above the ceiling and needs to be modified.

Mr. Grant reported that the roof drains have had some issues where they have gotten clogged with debris. He went on to say the strainers in the drains need to be replaced and kept free of debris. He noted that there are some minor plumbing issues listed in the report. One of the biggest needs in the plumbing area is the replacement of plumbing fixtures to accommodate the handicapped that is estimated to cost \$20,250.

The engineer noted that the mechanical system for the Municipal Building needs to be replaced due to issues with temperature control and humidity control as well as small office spaces that do not have any temperature control. He recommended that a new mechanical system be installed that would be energy efficient and would address humidity and temperature control. Mr. Grant noted that a new HVAC mechanical system for the upper floor of the Municipal Building was estimated to cost \$215,000 and for the lower floor the estimate was \$135,000.

Mr. Grant advised that the building's electrical systems are original to the building and do not meet current energy codes. He listed the following issues and the cost to correct them:

Install fire alarm system	\$12,000
Correct wiring issues	1,000
Plenum rated cable (if HVAC not replaced)	30,000
Ground fault receptacles	1,500
Replace interior/exterior lighting	95,000

Install exit lighting	10,000
Replace telephone wiring	15,000
Provide receptacles for front plaza	7,500
Replace E-911 facility electrical gear	5,000
Replace all electrical gear	45,000
Install parking lot lighting	16,000

At the Vinton Fire House, he reported that the biggest problem is leakage from the roof that has occurred on the upper level in the dormitory area. He also reported that some of the exterior walls need stabilization and that there is superficial cracking of the brick that needs to be repointed. Based on current fire station standards and current codes regarding the structural integrity of the building, Mr. Grant recommended that the structural condition of the fire house building be thoroughly studied because it is a life safety building.

The engineer recommended that the roof be replaced on the fire house due to some major leaks that has caused air quality issues. He also recommended that the windows be sealed and some door hardware replaced as well as replacement of the acoustical tile that has been damaged by the roof leaks. He reported that the handicap accessibility issues need to be addressed.

Mr. Grant advised that a sprinkling system should be added to mechanical rooms and storage rooms that are not currently protected and also recommended replacement of the plumbing fixtures to meet ADA requirements and water conservation requirements. He estimated these improvements will cost approximately \$25,000.

He pointed out that the HVAC system in the firehouse is worn out. He went on to say that separate HVAC systems should be installed in the different areas of the building. Electrically speaking, he advised that the firehouse needs a fire alarm system, some wiring repairs, light fixtures and electrical gear.

Mr. Grant stated that he was aware that his recommendations would require a large capital outlay but they do need to be considered seriously as the two buildings need to be maintained and kept in the best possible condition that meets current code requirements. He went on to say that in 2003, the building code was amended to require that all buildings be brought up to code although some areas may be grandfathered.

Mr. Lawrence asked Mr. Grant about other Town buildings that his firm would be assessing and was advised that they had already done the assessment on the Health Department building and were currently in the process of writing the study. He noted the Health Department building is in very good condition but there were some handicap accessibility issues in the building. He added that their report to Council should be ready by August 8<sup>th</sup>.

Mr. Lawrence reported that a request to solicit bids for Vinton fire house repairs was

Adopted Resolution No.

a direct result of the building assessment done by Spectrum Design. Ms. Caudill advised that Mr. John Owen from Spectrum Design did an indoor air quality assessment in the fire house and found mold that had formed in the upstairs Training Room due to a water penetration issue in the building. She further advised that the immediate remediation for the mold was to install a hepa filter filtration system in that room and to limit occupation of the room until the mold problem is fully remediated.

1837 authorizing the Town Manager to solicit bids for the mold remediation at the fire house.

She asked that Council adopt proposed Resolution No. 1837 authorizing staff to solicit bids for the work needed to remediate the mold problem at the fire house. She noted damage to the ceiling tiles and dry wall but was not sure if there was further damage to the supporting structures behind the wall. Ms. Caudill added that the cost for the project should be between \$3,000 and \$7,500 according to Spectrum Design. Mr. Nance asked about the source of the money for the project and was advised by the Assistant Town Manager that it would have to come from the Unappropriated Fund Balance.

Mr. Altice moved to adopt proposed Resolution No. 1837. The motion was seconded by Mr. Nance and passed unanimously on a roll call vote.

Mayor Grose advised that the regular meeting scheduled for August 4<sup>th</sup> would be cancelled to allow Council to attend the National Night Out celebration at the Farmers Market.

The Mayor thanked Boy Scout Troop No. 584 for attending the meeting. He also thanked Mr. Thompson for giving the invocation.

Mr. Nance questioned where they stood regarding the requested change in bus routes. Ms. Caudill reported that staff had gone back to Valley Metro and asked them for more information regarding some changes to the proposed route to see if it could be altered to obtain more cost savings. She advised that she had not heard back but would bring the issue back to Council as soon as she gets that information.

Mr. Nance pointed out that the storage buildings located behind the Municipal Building looked shabby and needed refurbishing. He stated that if the little improvement projects could be done in the downtown area, it would greatly improve the area's image.

As there was no further business, Mayor Grose adjourned the meeting at 8:10 p.m.

## **Work Session**

- 1. Discussion of Special Use Permit for a Two-Family Dwelling at 345 South Preston Road**

Ms. McMillan thanked the Town Attorney for agreeing to stay for the work session and she also thanked the Associate Planner, Karla Turman, for the huge amount of work she has done on a petition by Danny and Tammy Dillon for a Special Use Permit to allow a two-family dwelling at 145 South Preston Road.

She noted that letters had been sent out to notify adjoining property owners but no one had contacted her office regarding the petition. Ms. McMillan reported that the residence is currently being used as a duplex and that her office received a call from the Post Master in February advising that the property owner had requested a second address for the property. She went on to say that Roanoke County records show the property as currently being a single-family residence but had been used as a duplex in the early 80's.

Ms. McMillan explained that the former owners had purchased lots 14, 15 and 16 in July, 1981 and had given her a letter stating that the house was a duplex when they purchased the property. She noted that at that time, lots 14 and 15 were considered one parcel which would have made the duplex legal. The Planning Director explained that during the 2000 Hardy Road Improvement Project, lot number 14 was sold to VDOT to be used as part of the detention pond area. She went on to say that after lot 14 was sold, the house, which sits on lot 15, no longer met the requirements for a two-family residence.

Ms. McMillan advised that she was informed that the second water meter was apparently installed some time in the 1980's when permits were not required. She went on to say that the residence currently has two separate dwellings but former co-owners of the property has stated that when the property was sold, it was not sold as a two-family dwelling.

Ms. McMillan reported that when the Planning Commission held their public hearing on the request, the four members present unanimously voted to recommend that the Special Use Permit be approved with the condition that parking would not be allowed in the yard fronting on Hardy Road or on Preston Road. She noted that Mr. and Mrs. Dillon agreed with the condition and would use the existing driveway.

Ms. McMillan stated that the Planning Commission advised the property owners that Roanoke County may require a firewall between the two units. She also stated that if it had been known that the house was a duplex, lot 14 would not have been sold to VDOT.

Mr. Altice pointed out that this request was similar to the one Mr. Cranwell made a couple of years ago. Mr. Obenchain asked if there were any other properties in Town that could make the same request and Ms. McMillan responded there were but that this was the first one since Mr. Cranwell's request. Mr. Obenchain questioned whether they could approve the request without the firewall and Ms.

Dillon advised him that because Council does not enforce the building code, this issue would not affect their decision. She went on to say that the Building Commissioner would make the decision on the firewall. Mr. Lawrence advised that the only thing that Council needs to consider is whether or not to approve the Special Use Permit that would allow the residence to be used as a duplex.

The Mayor asked if the petitioner felt the parking condition was acceptable and Ms. McMillan replied that it was acceptable. Mr. Nance asked if there would be any documentation that would include the reason why the petition was or was not granted. He noted that he did not want to see a “domino effect” if the petition is approved. Ms. Dillon recommended that Council include the reason why the petition is or is not granted in their comments during the upcoming public hearing so that it will be reflected in the minutes. She referred to the provisions of Section 7-31 of the Zoning Ordinance that shows the general requirements for approval of special use permits. Ms. Dillon pointed out that Council could state in their motion that their reason for approving is based on the reasoning set forth in the staff report. Ms. McMillan pointed out that the property is zoned for R-2 use and the Future Land Use Plan designates the property as medium density. She also pointed out that across the street on Hardy Road, there are three sets of adjoining duplexes.

Mr. Obenchain made the statement that the Town increased the square footage needed for a duplex so this use could be controlled. Ms. Dillon assured him that Council can put conditions on the special use permit that would have to be agreed upon by the property owner if the permit is granted. The Mayor stated his feelings that granting the special use permit seems reasonable to him. Mr. Lawrence stated that it is fairly well documented that this property has been used as a duplex for at least 20 years. He noted that the public hearing on this issue would be held at their regular meeting on August 18<sup>th</sup>.

The work session adjourned at 8:40 p.m.

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

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Darleen R. Bailey, Town Clerk