

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, JULY 7, 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
Gloria Morgan, Administrative Clerk
Anita McMillan, Planning Director
Herb Cooley, Chief of Police
Ben Cook, Police Lieutenant
Mike Kennedy, Public Works Director
Mary Beth Layman, Special Program Coordinator
Beth Austin, Human Resource/Safety Manager

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 June 16, 2009 and Budget Work Session for April 27, 2009
- E. AWARDS, RECOGNITIONS, PRESENTATIONS
- F. CITIZENS' COMMENTS AND PETITIONS
- G. TOWN ATTORNEY
 - 1. Amendment to Vinton Town Code, Section 90-2, Adoption of State Law, and Section 90-9, Disposition of Juvenile and Domestic Relations Cases; Driving While Under the Influence of Alcohol or Drugs; Adoption of State Laws – Ordinance No. 889
 - 2. Amendments to Town Smoking Policy – Ordinance No. 890
- H. TOWN MANAGER
 - 1. Contract Renewal for Electric Service with Appalachian Power Company – Resolution No. 1830
 - 2. A.R.R.A. Assistance to Firefighters Fire Station Construction Grant Proposal – Resolution No. 1831
- I. MAYOR
- J. COUNCIL
- K. ADJOURNMENT

WORK SESSION

1. Use of Alcohol on Town Property Policy
2. Valley Metro Service to North Hampton and South Hampton

Mayor Grose called the regular meeting to order at 7:00 p.m. Following roll call, Anthony Conner gave the invocation and Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

Roll call, invocation and Pledge of Allegiance to U.S. Flag.

The Consent Agenda was approved on a motion by Councilman Nance and was seconded by Councilwoman Fidler and approved with all in favor.

Approved Consent Agenda

Heather Sparks of 228 W. Cleveland Ave urged Council to support the forming of a non-profit organization for the youth of Vinton. She expressed concern about the closure of the skate park and possible closure of the swimming pool. Ms. Sparks feels that it is important for the youth of Vinton to have extracurricular activities available during the summer and after school.

Citizen Heather Sparks urged Council to support the forming of a non-profit organization for the youth of Vinton

Ms. Sparks noted that she has sent out letters to local businesses and churches as well as speaking with Town citizens to receive feedback. She also noted that she is working with Cal Johnson who is the executive director at the Roanoke City YMCA. Ms. Sparks explained that Mr. Johnson has been very helpful in giving advice and guidance on the formation of a non-profit youth facility. She also explained that she is researching the possibility of Federal grant money that might be available.

Ms. Sparks tentatively suggested that the Roland E. Cook and old William Byrd High school building sites might be suitable facilities to consider. Mr. Lawrence commented that to his understanding the Roanoke County School Board has plans to utilize both buildings for several more years. Pat Patterson of 4224 Twin Mt. Circle stated that he would be happy to work with Ms. Sparks on this project and suggested the Craig Recreational Center as a possible facility site.

Town Attorney, Elizabeth Dillon reported on proposed Ordinance No. 889 amending Vinton Town Code according to changes in State Laws that occurred during the 2009 General Assembly session. She explained that Ordinance No. 889 will amend disposition of Juvenile and Domestic Relations cases and driving while under the influence of alcohol or drugs. Ms. Dillon asked that Council approve Ordinance No. 889 to update Vinton Town Code effective July 1, 2009.

Adopted Ordinance No. 889 amending Vinton Town Code, Section 90-2 and 90-9

Mr. Obenchain moved to adopt proposed Ordinance No. 889. The motion was seconded by Mr. Altice and passed unanimously on a roll call vote.

Town Attorney, Elizabeth Dillon asked that Council approve Ordinance No. 890 amending the Town smoking policy. She explained that Town Code currently requires private employers to obtain written agreement based on vote of employees. She noted that repeal of this antiquated section of Town Code would allow employers more freedom. Mr. Lawrence explained that a local company currently looking to ban smoking was awaiting this change to Town Code prior to implementation of a new

Adopted Ordinance No. 890 amending Town Smoking policy

smoking policy.

Ms. Fidler moved to adopt proposed Ordinance No. 890. The motion was seconded by Mr. Altice and passed unanimously on a roll call vote.

Mr. Lawrence asked that Council adopt Resolution No. 1830 to renew the Town contract with Appalachian Power Company. He explained that this contract was negotiated by the VML/VACo Steering Committee and lays out the rate schedules for a three year period that started on July 1, 2009. Mayor Grose clarified this is a contract between the Town and Appalachian Power and is separate from any proposed rate increases for citizens. Mr. Nance inquired if this contract would impact or restrict future plans the Town might have to invest in more anethetically and visually appealing lamppost designs for the downtown area. Mr. Lawrence noted that this contract would not restrict installation of new lamppost in the downtown area.

Adopted Resolution No. 1830 to renew contract with Appalachian Power Co.

Ms. Fidler moved to adopt proposed Resolution No. 1830. The motion was seconded by Mr. Nance and passed unanimously on a roll call vote.

Assistant Town Manager, Consuella Caudill asked that Council adopt Resolution No. 1831 to approve submission of an application to the American Reinvestment and Recovery Act Assistance for the Firefighters Fire Station Construction Grant. She advised that the Public Safety Commission had recommended the Town apply for this grant and include a resolution of support from Council with the application. She explained that this grant issues two hundred and ten million dollars across the United States for fire station construction grants with no required match. Ms. Caudill explained that the grant application would include building assessment information indentifying deficiencies in the fire station building. She also noted that upon approval of Council, a signed copy of Resolution No. 1831 would be included in the grant application packet.

Adopted Resolution No. 1831 approving application for the Firefighters Fire Station Construction Grant

Mayor Grose thanked staff for all their hard work especially given the short period of time given to prepare paperwork for this grant. He noted that even though this application is a very long shot he feels it is very important that the Town try to obtain this grant. Mr. Obenchain thanked Consuella for all her work and noted with the repairs that need to be completed on the fire station building, it is very important that the Town apply for this grant. Mayor Grose also mentioned contacting our congressmen and senators to enlist their help in obtaining the grant.

Mr. Altice moved to adopt proposed Resolution No. 1831. The motion was seconded by Mr. Obenchain and passed unanimously on a roll call vote.

Mayor Grose expressed his appreciation to staff for their efforts and hard work on the 4th of July celebration. Mayor Grose also noted that he appreciated Ms. Sparks's concerns and efforts on behalf of the youth of the Vinton community. Ms. Fidler expressed her appreciation to everyone that turned out for the 4th of July celebration and thanked Mary Beth Layman for all her hard work in organizing this event. Mr. Nance commented that his family greatly enjoyed the celebration and he felt this was

Comments from the Mayor and members of Council

an example of small town America at its best.

There was no further business and Mayor Grose adjourned the regular meeting at 7:35 p.m. | Adjournment

WORK SESSION

1. Use of Alcohol on Town Property Policy

Mr. Lawrence noted that the Town of Vinton does not currently have an alcohol policy for outdoor venues held on Town property. Mr. Lawrence explained that staff had met over the past several weeks to look at this issue and after much discussion, had recommended formulation of a policy that included evaluation of these components;

1. If alcohol should be allowed or not (*once decision is made to include alcohol the following issues come into play*)
2. Define area (*physical location of beer garden / will the event be open to everyone or certain age group*)
3. Event type (*part of a festival or a separate event perhaps similar to First Friday*)
4. Event location
5. Event organization (*who runs the actual event such as a non-profit organization*)
6. Charges for the use of property (*larger events / frequent events will incur more cost to the Town for items such as employee overtime, rental of barricades, etc. – look at cost the Town will need to share*)
7. Liability Insurance
8. Risk Management
9. Security

Mr. Lawrence stated that staff would prepare a proposal based on the information and direction obtained in this work session and present it back to Council by the September 1st meeting. Mr. Obenchain commented that he would like to hear comments from the citizens in the audience.

Local business owner, Mr. Anthony Conner encouraged Council to give thought to this proposal as he felt this was a great opportunity for the community to attract more people to the downtown area. He noted that with more storefronts becoming vacant, more activities are needed to bring people to downtown to spend money and spur economic development. He commented that he has attended various outdoor events that serve alcohol around the Roanoke Valley and has observed a calm, controlled environment.

Mr. Barney Arthur of 204 Minnie Bell Lane, a retired alcohol agent with the ABC Board, urged Council to consider the image the Town of Vinton wishes to project to the community. He strongly urged Council to take a stand on this issue to uphold moral and family values. He stated that as a Town citizen and former law enforcement officer, he was concerned about the negative effects of alcohol and encouraged Council members to consider the example of Enchanted Eve, a non-alcohol event, which continued to be a thriving success for the community. Mr. Nance asked Mr. Arthur to clarify if his objections were for the use of alcohol at inside or outside events. Mr. Arthur stated that he objected to the use of alcohol in open places on public Town property.

Penny Grose, Bill Tyree and Todd Bailey of the Vinton Dogwood Festival Committee spoke to Council about the recent Dogwood Festival beer garden that was held at the Farmers Market. Ms. Grose stated that there were no incidents during the event and the main focus of those attending seemed to be on the band rather than alcohol. She noted that the attendance at this event was fairly large as about 500 people attended.

Mr. Bailey also noted that the event was orderly and incident free and many families with children attended. Mayor Grose inquired whether Mr. Bailey felt the event would have been as successful as an adult only event with no children allowed. Mr. Bailey stated that he really could not say as this was a public event where it was the parent's decision whether or not allow their children to attend. Ms. Grose explained that stringent ABC guidelines were followed and commented that she did not see the difference between an event such as this and parents drinking at tables in local restaurants with their children in attendance. Ms. Grose also noted that making money had not been the main focus of this event the main focus had been having fun and the community coming together.

Mr. Nance expressed concern that placing a limit for age 21 and over was not family friendly and may encourage a nightclub atmosphere. He also commented that he felt that with responsible guidelines and supervision, these events could remain family friendly and not have a negative effect on the community's image. Mr. Nance also expressed concern about inclusion of detailed and restrictive language being included in the policy as that limited the flexibility, ideas and better ways of doing things that others may have.

Mr. Obenchain commented that he had attended many events around the Roanoke Valley and had not encountered problems. He also commented that Ms. Grose had made a good point in noting that these events were more regulated than if an individual visited a local restaurant and had a beer. Mr. Obenchain noted that he would rather take the time to get this policy right the first time.

Mr. Altice stated that he felt the Town needed an alcohol policy but would like to withhold comment until he had received and reviewed a draft of the policy.

Mr. Fidler commented to her understanding the beer garden at this year Dogwood Festival was intended for adults only and not children. She expressed disappointment that children had been allowed in the beer garden area. She explained that she had a problem with setting aside a beer garden area that was for adults only and then allowing children in and out of that area also. She further explained that she was not against having alcohol at an event. However, she felt that it was important that the Town have a policy that addressed all issues.

Mayor Grose thanked Mr. Arthur for sharing his comments and concerns. He stated that he was aware that alcohol was dangerous and that abuse of alcohol in society was a problem. The Mayor went on to say that he had attended the Dogwood Festival beer garden event and had not observed any problems. He stated that he saw nothing out of line, only responsible adults consuming alcohol beverages within a controlled environment. Mayor Grose expressed concern that placing a limit for age 21 and over may lead to a focus on drinking at such events. He pointed out that after listening to the evening's discussion, one of the critical issues appeared to be concern with where the beer was being sold. Mayor Grose suggested that the drafted policy define and regulate the area where alcohol is sold.

2. Valley Metro Service to North Hampton and South Hampton

Ms. Caudill spoke with Council about proposed fixed bus routes that included the North Hampton and South Hampton area. She noted that the town homes and apartments in this area have always indicated a desire to have mass transit. She pointed out that with the addition of the new Porter Haven units, there will be older individuals that might benefit from public transit.

Ms. Caudill handed out two bus route proposals that Valley Metro had prepared for the Town. She explained that these handouts show the proposed bus route additions and route deletions to the current Valley Metro routes within the Vinton area. Ms. Caudill noted that Valley Metro routes have a thirty minute turnaround time in which they have to depart from the Campbell Avenue bus depot location and return. She explained this creates a challenge as Valley Metro must define the route and stops that can be made within the complete thirty minute loop.

Ms. Caudill stated that the monthly cost to deliver the service for both proposed routes comes to approximately \$13,700 which is about a \$3,900 increase. She noted that based on ridership numbers, Valley Metro estimates the Town would need an additional 4,700 passengers to make the cost neutral so the Town would not need to pay anything extra. Ms. Caudill reported that Valley Metro is amendable to a pilot program on this route and is also open to the idea of waiting until the Porter Haven units open to see how ridership develops.

Ms. Caudill clarified that this cost for the fixed bus route does not include Star bus service. She explained that there is a federal mandate that requires the Town to offer the Star bus route within three quarters of a mile of any fixed bus routes. Mr. Lawrence commented that the proposed route to North and South Hampton does open up a larger three quarter of mile section that would be able to utilize the Star service. Mr. Obenchain noted that the South Hampton and Porter Haven communities would likely have more citizens in need of the Star bus system versus the fixed bus route. Ms. Caudill explained that the increase in the Town budget for Valley Metro was due to heavy utilization of the Star service by Town citizens.

Mr. Obenchain inquired how often the Star contract was re-negotiated. Ms. Caudill explained that Valley Metro was looking at re-negotiating contract with Star this year but to her understanding that this contract had not been looked at for quite some time. Ms. Caudill pointed out that Roanoke County has a contract with Cortran, a service similar to Star that is also available for use by the residents of the Town. Mr. Lawrence suggested educating citizens and advertising the options between the Star and Cortran service.

Mr. Nance expressed concern that at a time when the Town was cutting cost this was adding service.

Ms. Caudill stated that if Council is interested in this proposal, staff can continue to research and evaluate providing this bus service to the citizens. Mr. Nance noted that at a time when the Town is working to cut the budget this is adding a service and costs for that service. Ms. Fidler commented that she was disappointed at the cost to add an area that has not been served by a bus route that probably ought to be. Ms. Fidler inquired if the big buses could travel up the 3rd

Street hill and Ms. Caudill responded that they could, however, there is some hesitation about the wintertime.

Mr. Lawrence announced that the Dept of Housing and Community Development had approved the request for the Town's \$35,000 downtown revitalization grant.

The work session adjourned at 9:44 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Darleen R. Bailey, Town Clerk