

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, FEBRUARY 17, 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
Elizabeth Dillon, Town Attorney
Gloria Morgan, Administrative Clerk
Karla Turman, Associate Planner
Ben Cook, Police Lieutenant

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: February 3, 2009
 - 2. Resolution No. 1813 Re-appropriating Funds to Purchase Four (4) Mobile Data Terminals and Two (2) Vehicles for the Vinton Police Department
- E. AWARDS, RECOGNITIONS, PRESENTATIONS
 - 1. Police Officer of the Month
- F. CITIZENS' COMMENTS AND PETITIONS
- G. TOWN ATTORNEY
- H. TOWN MANAGER
- I. MAYOR
 - 1. Approval of Vinton Volunteer Fire Department Officers
- J. COUNCIL
- K. ADJOURNMENT

WORK SESSION

- 1. Roanoke Valley Resource Authority Members Use Agreement Amendment
- 2. FY 2008/2009 Budget Amendments
- 3. Sign Ordinance Changes
- 4. Agency Requests for FY 2010 Budget

Mayor Grose called the regular meeting to order at 7:00 p.m. | Roll call, invocation
Following roll call, Mr. Matthew Hare gave the invocation and the | and Pledge of

children of Mr. Hare and the children of Amy Beecher led the Pledge of Allegiance to the U.S. Flag.

Allegiance to U.S. Flag.

The Consent Agenda was approved on motion by Mr. Nance that was seconded by Ms. Fidler and approved with all in favor.

Approved Consent Agenda

Mr. Nance read a letter from Police Chief Cooley recognizing Chris W. Harris as Police Officer of the Month.

The Town Manager acknowledged that Council would be asked to consider the Water/Sewer System Development fees and the water rate ordinance on March 3rd. Mayor Grose asked if a letter informing the citizens of the proposed changes, would be sent out soon and Mr. Lawrence replied that the letter was currently at the printers and would be included in the next utility bill mailing along with an invitation to the Town's 125th Birthday Celebration on March 17th at the War Memorial.

Mr. Altice moved to approve the newly elected slate of officers for the Vinton Volunteer Fire Department. The motion was seconded by Ms. Fidler and passed unanimously on a roll call vote.

Approved Volunteer Fire Department Slate of Officers

Mayor Grose thanked the volunteers for the work they do. Mr. Nance thanked the Fire Department for their efforts and also Mr. Hare for giving the invocation and the young citizens who led the Pledge of Allegiance to the U.S. Flag.

Mayor Grose announced that Vinton Town Council would be going on a tour of Roanoke County facilities on February 20th and would leave the Vinton Municipal Building at 8:00 a.m.

Mayor Grose adjourned the regular meeting at 7:15 p.m.

WORK SESSION

1. Roanoke Valley Resource Authority Members Use Agreement Amendment

Mr. Dan Miles, CEO for the Roanoke Valley Resource Authority, briefed Council on a request for Vinton Town Council to approve an amendment to the Resource Authority's Members Use Agreement. Mr. Miles explained that under the current Use Agreement, all waste is to be hauled to the Smith Gap Landfill. If an emergency situation occurred where waste could not be taken to the Smith Gap Landfill, the three member agencies of the Roanoke Valley Resource Authority would each have to hold emergency meetings to get approval to transfer the waste to another location. Since this process could take up to a week at best, he advised

that his board feels it would be prudent to develop a back-up arrangement to avoid any delays.

Mr. Miles stated that the City of Salem, who has the same problem, uses Waste Management to haul their waste by tractor trailer to Amelia County. He reported that he had worked out an agreement with Salem that they (Resource Authority and City of Salem) would serve as each other's back-up in a temporary emergency situation. Mr. Miles asked that the wording in the Members Use Agreement be changed to allow for the emergency back-up plan for both agencies.

Mr. Miles identified another instance where language needed to be added to the Members Use Agreement that would allow the Resource Authority to put in a permanent household hazardous waste facility at the Transfer Station by July 1st. He asked to also include this language in the proposed amendment noted above.

Mr. Nance inquired as to whether the Amelia County location was the only location they could use in an emergency situation and Mr. Miles replied that it was the closest location and the most cost effective one. Ms. Fidler asked if the household hazardous waste facility would include electronics. Mr. Miles replied that it is not currently in the plans but would hopefully be included sometime in the future. Mr. Lawrence asked about phone book recycling and was advised by Mr. Miles that there is no market in this area for phone books, glass and some other fiber products and it would be too costly to try to transport them to another location that would accept them.

Mr. Lawrence advised that the issue would be placed on the March 3rd Consent Agenda.

2. **FY 2008/2009 Budget Amendments**

Mr. Lawrence reported on budget reductions for the 2008/2009 budget to cover the expected \$270,000 shortfall in revenue for the current budget. He noted that a top priority was to make sure none of the proposed budget cuts would affect service to citizens. He assured Council that the cuts proposed by staff are not just short term simple fixes, they are also looking at ways to change the way the Town does business that will reduce costs on a permanent basis. The Town Manager pointed out a couple ways to cut costs; to freeze positions and to limit travel and training to those things that are required for certifications. He advised that personnel reductions were not currently being considered. The Town Manager also stated that there were a couple Capital Improvement projects that can be delayed for a year.

Mr. Lawrence reported that staff has identified \$296,000 in reductions and savings. He further reported that this is a little more than the projected shortfall but would cover any further shortages that might come up before the end of the budget year. He highlighted some departmental reductions that are being proposed and

commented that most of the burden for the reductions fall back on the organization and the employees and would not impact service delivery. The issue will be presented to Council for their consideration at the March 3rd meeting.

Ms. Fidler asked if cuts were made in the swimming pool and parks account for maintenance and repairs and Mr. Lawrence responded that there were cuts but staff feels comfortable there will be enough left to make any needed repairs for the filtration system. Ms. Fidler asked if the cuts would affect salaries for the pool staff and the Town Manager replied that no salaries would be cut. She then questioned whether there would be any savings in the salary account if the pool is closed for the summer that could be used at the Senior Center for some alternative programs for the Town's young people. Mr. Lawrence replied that this alternative could be looked at by staff.

Mr. Obenchain stressed that citizens need to know that staff did not come up with \$296,000 of "fat" in the budget, that the cuts being proposed would make it much more difficult for the Town's employees to do their jobs. He asked to get a tentative date for this year's budget meetings. Mr. Obenchain expressed his appreciation for the work staff has done to make the budget cuts.

In a discussion regarding next year's budget, the Town Manager made the statement that the new budget will need to be \$500,000 less than the current budget. Mayor Grose and Mr. Altice thanked staff for the work they have done to make the budget cuts. Regarding a comment made concerning the possibility of closing the pool for the summer, he remarked that when economic situations are difficult as there are now, there is a segment of the population that is even more dependent on things such as the swimming pool and the Seniors Program. He felt these items should be a high priority

Mr. Lawrence advised Council that this issue would be on the March 3rd meeting agenda.

3. **Report – Proposed Sign Ordinance**

Karla Turman reported on the proposed changes to the Sign Ordinance that have been recommended by the Planning Commission, most of which are housekeeping items such as clarification of terms that were confusing and adding a definition that was left out of the last update. More changes that are proposed are:

- Changing the time lime for temporary signs from 20 days to 21 days
- The sizes of certain signs
- Changing all window coverage from 30% to 25%
- For buildings that have multiple tenants, no tenant will be denied the right to have less than 32 square feet of signage

In a discussion regarding the last item listed, Mr. Obenchain pointed out that if there are several tenants in a building and one or more tenants has several signs, it should be the responsibility of the property owner to make sure all tenants have a fair amount of area to display signs and not the Town of Vinton. He was concerned that including a section in the sign ordinance guaranteeing any new tenant in the building the right to have a sign no matter how much sign area is already being used on the property, could lead to a proliferation of signs in buildings with multiple tenants. The Mayor also expressed his concerns about this change and he too, felt it was the property owner's responsibility to make sure each of his tenants would be able to have a sign. Ms. Turman pointed out that this requirement would be applicable only in General Business districts and Industrial districts.

In further discussion regarding signs for buildings with multiple tenants, Mayor Grose recommended that available sign size should be based on the size of a tenant's space, in other words, if one tenant has 25 feet of frontage and another has 75 feet of frontage, the tenant with the 75 foot frontage should be allowed more space for his signs. Mr. Lawrence agreed that this would be the fairest way and stated that he would have staff go back and look at the Town's "signage philosophy" to determine how to balance this with a new business. He went on to say that the Town needs a fair, consistent, reasonable sign ordinance. Mayor Grose commented that he was a little uncomfortable changing the ordinance before the Corridor Study and the Regional Commission Way-Finding Study are completed. Mr. Lawrence agreed that if the proposed ordinance contains modifications that changes the Town's signage philosophy, it should be delayed until the studies are completed. He went on to say that the proposed ordinance contains mostly administrative type of changes that would help staff better administer the Code, but it also contains a couple sections that do fundamentally change the philosophy. The Town Manager reported that these sections can be removed and dealt with later.

Following comments from Council that property owners should divide up the allowed sign area for his tenants in a multi-tenant building, Mr. Lawrence pointed out that the Town gets the blame when a business in one of these buildings is not allowed to have a fair amount of sign space. Mr. Obenchain replied that he would rather have the Town blamed for it than have signs everywhere. Mr. Lawrence stated that this piece of the ordinance needs more work and evaluation that would allow staff to come up with a proposal that will work and if they find it will not work, it should be taken out so that Council can move forward on the other things. Mr. Altice asked if they should send it back to the Planning Commission, and Mr. Lawrence replied that it would be up to Council to send it back. If they come up with something that deviates significantly, it would be worth sending it back.

Mrs. Turman reported that during a work session in December, one of the Planning Commissioners said he would like to see Council allow portable and temporary signs for a longer period of time even if it meant raising the fee to cover the longer display period. She further reported that the Planning Commission felt that 120 days per year was not long enough as some businesses depended on portable and temporary signs to advertise their business, Both Mr. Obenchain and Mayor Grose responded that if businesses are depending on portable signs, they needed a permanent sign.

In explaining the reasoning for the Town to allow new businesses to have a sign when the allowable sign space has been used up by other tenants, Mrs. Turman stated that staff was trying to find a way for new tenants to be able to have at least a small sign. Mayor Grose responded that the only way to guarantee that a new tenant would be able to have a sign is have square footage reserved for him forever. In summing up Council's comments, Mr. Lawrence stated that a solution to the problem identified is not to figure out a way for the tenant to get that one small sign but to rethink the signage philosophy of how much is allocated to a piece of property and a building. If that's the case, it's very different than the purpose of the ordinance on which they are working. He advised that the issue needs more analysis, discussion and public input because it would change the philosophy of how signage is regulated and distributed among businesses. He recommended pulling this section out of the proposed ordinance and waiting for the corridor study to be completed so the Town would have some policy direction.

Mrs. Turman reported that Tommy Wood has a unique problem as he owns a building on Washington Avenue that has three tenants. Two of the tenants both have permitted signs and one tenant obtained a permit for one sign but has put up multiple signs on the property. She went on to say that the tenant now wants a permit for the multiple signs but, according to the current sign ordinance, she cannot issue him a sign permit for those signs. Mr. Wood replied that he preferred for the Town to have a required square footage for signs.

Mr. Obenchain asked about the number of businesses that are not able to put up a sign because of there is no allowable sign space available. Mrs. Turman reported that she has not run into this problem lately.

Mr. Obenchain advised that he felt they should wait until the corridor study is completed before making any big changes in the ordinance. The Mayor stated he is very concerned with the appearance and image of the Town as far as signs are concerned, but is aware that businesses do have a legitimate need to have signage. Mr. Lawrence added that staff needs to look at whether there a reasonable way to deal this individual issue without changing the whole philosophy before handing the ordinance back to Council. In summing up what Council wanted, it was his understanding the issue would be taken out of the ordinance for now and sent back to the Planning Commission. Council could then move forward with the administrative changes. Mrs. Turman added that changes also needed to be made to the Definitions section of the ordinance. She pointed out a couple of changes in that section. Mr. Nance acknowledged that Mrs. Turman's job was very difficult and thanked her for her patience and "dogged determination" to make sure the ordinance is properly enforced.

4. **Agency Requests for FY 2010 Budget**

Mr. Lawrence reported that letters were sent out as part of the budget process advising non-profit agencies and non-governmental organizations to submit their budget requests by the end of February. He reported that a list of those agencies and their

requests is enclosed in the budget package. Ms. Fidler asked that Council consider increasing the Needy Family contribution due to the increased number of families in the Town that are struggling during these difficult times.

Mayor Grose reminded the Council members to go get their costumes fitted for the Vinton Birthday Celebration. It was noted that there would be a reception at the War Memorial on March 17th, from 3:00 p.m. until 6:00 p.m. and an art show at the Municipal Building from 6:00 p.m. until 7:00 when the regular meeting begins.

The Mayor commented on the difficulty of trying to schedule ministers to perform the invocation at Council meetings. He reported that the Town Clerk had sent out letters to local ministers inviting them to call and schedule a meeting date to conduct the prayer, but had received very few responses. He recommended that Council members each select a month and invite two ministers to give the invocation for that month's meetings. He asked Council members to let him know how they feel about this. Mr. Obenchain commented that it does not have to be a minister, that anyone can do it.

The meeting adjourned at 9:29 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Darleen R. Bailey, Town Clerk