

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, SEPTEMBER 6, 2011, 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
Matthew S. Hare
William W. Nance

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Elizabeth Dillon, Town Attorney
Susan N. Johnson, Town Clerk
Michael Kennedy, Public Works Director
Ben Cook, Police Chief
Stephanie Dearing, Human Resources/Safety Manager
Lauren Hodges, Facilities Manager
Barry Thompson, Finance Director/Treasurer

The Mayor called the work session to order at 6:00 p.m. The Town Clerk called the roll with Council Member Altice, Council Member Hare, Council Member Nance and Mayor Grose present.

Roll call

The Town Manager recognized Ben Cook, Police Chief, who made brief comments concerning the renovated Police Department. Council then left Chambers and took a tour of the Department's interview room, EOC room and records room.

Council Member Fidler arrived at 6:20 p.m. At 6:45 p.m. Council returned to Council Chambers to continue their work session.

Lauren Hodges gave a Power Point presentation on the new website being created for the Vinton War Memorial by Imprint, the same company that created the original website four years ago. However, staff will now be able to make most changes rather than having to contact Imprint. Some improved features are functionality and navigation along with the addition of more photographs and added buttons for Twitter, Facebook and YouTube. Council Member Hare stated that keeping this website current as well as the Town's website is very important.

Mayor Grose asked what the procedure would be to put the electronic message board sign on the next agenda. After questions and comments from Council, the Town Manager indicated he would draft a formal agreement to present to Council and recommended that Council as well as the Roanoke County School Board take action to approve. Council advised the Town Manager to place the item on the next agenda for Council's consideration.

Mayor Grose called the regular meeting to order at 7:00 p.m. Rev. William Booth of Vinton Baptist Church gave the invocation and Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

Under consent agenda, upon motion by Mr. Hare, seconded by Mr. Altice, with a 5-0 vote, Council approved the minutes as presented.

Ben Cook, Police Chief, made comments on the Department's First Place Award for Highest Safety Belt Use during the Click It or Ticket campaign that ran from May 22 until June 2, 2011. The DMV receives grant money that funds this campaign.

Rev. William Booth, of Vinton Baptist Church, complimented Mike, Barry and the Police Chief for doing a good job.

Under unfinished business, the Town Manager explained that this Resolution regarding the Agreement between the Town and Roanoke County for the future Roanoke Vinton Branch Library was on the June 21, 2011 agenda and Council decided to wait for Roanoke County to take action. The matter was to be placed on the July 5, 2011 agenda, but was omitted. The Agreement has already been executed and Council needs to take action to adopt the Resolution. Upon motion by Mr. Nance, seconded by Ms. Fidler, with a 5-0 vote, Council adopted the Resolution as presented.

The Town Manager gave brief comments on the Resolution expressing Council's displeasure with the new pneumatic gun law which was discussed by Council.

Council asked why the Resolutions were not numbered and the Clerk explained to Council that at her suggestion in the future all Resolutions and Ordinances will be numbered after they are adopted. This will allow the Resolutions and Ordinances to be kept in sequence in the event one is tabled or defeated.

Upon motion by Ms. Fidler, seconded by Mr. Altice, with a 3-2 vote, Council defeated the Resolution to express Council's displeasure with the new pneumatic gun law.

The next item was an Ordinance to amend § 62-83, Discharging airgun, bow, gravel shooter, of Article V, Weapons, of Chapter 62, Offenses and Miscellaneous Provisions, of the Vinton Town Code and providing for an effective date. Upon motion by Mr. Altice, seconded by Mr. Nance, with 5-0 vote, Council adopted the Ordinance as presented.

Approved minutes of August 2, 2011 and August 16, 2011

Adopted Resolution No. 1927 authorizing the Town Manager to execute Agreement between Town and Roanoke County for future Roanoke Vinton Branch Library

Defeated Resolution expressing Council's displeasure with the pneumatic gun law.

Adopted Ordinance to amend § 62-83, Discharging airgun, bow, gravel shooter, of Article V, Weapons, of Chapter 62, Offenses and Miscellaneous Provisions, of the Vinton Town Code and providing for an effective date - Ordinance No. 917

The Town Manager commented on the Ordinance to update and amend Article II, Noise, of Chapter 34, Environment, to reflect the Supreme Court of Virginia's ruling in Tanner v. City of Virginia Beach. He indicated that as Council requested a distance of 50 feet was added to Section 34-26 (6). Police Chief Cook responded to comments on noise complaints on Jefferson Street that they have a quick response and extra patrol. The problems they are facing are delay in reporting and noise from a vehicle.

Adopted Ordinance to update and amend Article II, Noise, of Chapter 34, Environment, to reflect the Supreme Court of Virginia's ruling in Tanner v. City of Virginia Beach – Ordinance No. 918

Mr. Hare asked if Section 34-26 (8) would also cover glass packs. Chief Cook said if the vehicle is on the highway, they can cite them. On private property, because of the noise, they will extend beyond the 50 foot distance requirement. Mr. Hare also asked about Section 34-26 (10) concerning dogs and what clarified harassment. The Town Attorney indicated it would mean to provoke the animal.

Mr. Hare asked about Section 34-26 (12) regarding alarm systems. Police Chief Cook said either the alarm companies can deactivate the alarms or the property owners have to have someone that can deactivate the alarm.

The Town Attorney stated that a committee of local government attorneys and law enforcement officers worked on this Ordinance to make it workable and constitutional.

Upon motion by Mr. Nance, seconded by Mr. Hare, with 5-0 vote, Council adopted the Ordinance as presented.

Barry Thompson, Finance Director/Treasurer made comments concerning the current software service/support agreements with ACS and support on the AS400. During the budget process, the Finance Department discussed the possibility of hosting the financial software because of the age of the AS400 and the ability to create a disaster recovery plan. Last year an agreement was reached with the Town of Rocky Mount for a backup in the event of a system failure. However, hosting the software on the internet is a better solution for the next three years. Also, updates are behind and there are some additional features that the Department can take advantage of.

Adopted amended Resolution authorizing the Town Manager to execute an Application Hosting and Technology Support Systems and Services Agreement with ACS, said Agreement to be amended to include additional State statutes as required and expend the necessary funds as set forth by this Resolution – Resolution No. 1933

The Agreement with ACS is a three year agreement and the funding for the first year has been included in the FY12 budget. The other two years will need to be appropriated in the upcoming budgets.

Mr. Thompson indicated in talking with the Town Attorney that there are some State of Virginia statutes that need to be added to the Agreement and Council is being asked to approve the Agreement with the understanding that these provisions will be added before finalized.

Mr. Hare asked about the agreement with the Town of Rocky Mount and the Town Attorney indicated she would review the agreement.

The Mayor asked about the AS400 machine and Mr. Thompson said he is contacting some other users to see if they would like to purchase it and if there is any value in it. There are also two line printers that go with it. It was mentioned that it could be used for parts.

Mr. Nance reminded Council that we are agreeing to future expenses that we cannot get out of for at least three years. Mr. Thompson said the current costs of software support and maintenance on the AS400 will go away and this amounted to an additional \$17,000. In addition, we will now have a disaster recovery plan that we did not have before.

Upon motion by Mr. Hare to amend the Resolution to authorize the Town Manager to execute an Application Hosting and Technology Support Systems and Services Agreement with ACS and expend the necessary funds as set forth, said Agreement to be amended to include additional State statutes as required, seconded by Ms. Fidler, with 5-0 vote, Council adopted the Resolution as amended.

With regard to the Recycle and Win! Program Agreement, the Town Attorney indicated that the Agreement will be in proper form before it is executed. This is an education and prize program.

Mike Kennedy, Public Works Director, advised Council that he currently has 40 bins in stock and in anticipation of seeing some spike in the number of recyclers that 50 more bins be purchased at a cost of \$700.00. The Town Manager stated if they do run out of bins, you can still recycle in other containers in the interim.

Upon motion by Mr. Altice, seconded by Ms. Fidler, with 5-0 vote, Council adopted the Resolution as presented.

The next item on the agenda relates to a settlement with Verizon Virginia, Inc. The Town Attorney explained to Council that she had talked with Verizon's counsel before the meeting and he had still not gotten confirmation from Verizon that they would remove the confidentiality provisions from the Agreement. He assumes that they will do so because he talked with them about it before but has not gotten official approval. Council is being asked to authorize the Town Manager to sign the agreement if the confidentiality provisions are removed.

The settlement funds have been received and they are of public record.

Adopted Resolution authorizing the Town Manager to execute a Recycle and Win! Program Agreement with CCBCC Operations, LLC. – Resolution No. 1934

Adopted amended Resolution approving a settlement with Verizon Virginia, Inc. and authorizing the Town Manager to execute a Settlement Agreement provided the confidentiality provisions are removed – Resolution No. 1935

Upon motion by Ms. Fidler to amend the Resolution approving a settlement with Verizon Virginia, Inc. and authorizing the Town manager to execute a Settlement Agreement provided the confidentiality provisions are removed, seconded by Mr. Nance, with 5-0 vote, Council adopted the Resolution as amended.

The Town Manager highlighted Charity Cottage, which is opening on Friday, September 9, 2011, on Pollard Street, and Jassercize which has expanded and is relocating at the shopping center at the Bingo Hall.

The Mayor mentioned the new Boards/Commissions/Committees booklet and asked Council to let the Clerk know by the end of the week of any nominees or objections to the current vacancies. The Clerk will also email any current applications she has on file for their consideration. The Town Manager indicated that RVTV is a resource to advertise any vacancies the Town has and he plans to utilize it. Mr. Hare asked if this information could be placed on the Town's website and the Clerk said that a condensed version would be placed on the website.

Ms. Fidler said if anyone else was interested in serving on the CEDS Committee, she would be glad for them to serve.

Mr. Hare said that anyone who now serves on the Greenway Commission will have to complete a Financial Disclosure Statement in the future.

The Mayor indicated he and the other Council members had received a note from Pastor Rodriguez thanking them for allowing the Church to help with the Vinton Pool this year.

Mr. Hare gave a report from the Finance Committee. The unaudited Financial Report ending June 30, 2011, showed a balance of \$46,471.00 in the black. This reflects a lot of very hard work on the part of staff to get down to the details and manage their budgets line by line. Mr. Nance mentioned that the rate increase was absolutely necessary.

The Utility Fund came in \$25,000 in the hole. The fee increase was to try and close a \$300,000 gap as well as cutting back expenses. It shows that the steps taken were necessary. Mr. Thompson said the water/sewer revenues were increased \$120,000.

Relating to cash, we are \$232,000 more favorable this year than the same time last year. Cash flow is increased due to less spending and timing. Accounts receivable and bad debt have increased and the Finance Committee is looking at ways to keep these from continuing to grow.

Approved the June 30, 2011 unaudited financial report and the July 2011 report

Mr. Hare also pointed out that the CIP fund has a negative balance which will be reflected in the cash account where it belongs and Council will need to take action at some point.

Upon motion by Mr. Hare, seconded by Ms. Fidler, with 5-0 vote, Council approved the June 30, 2011 unaudited financial report and the July 2011 report as presented.

The Town Manager gave a report from the Public Works Committee. Concerning the water and sewer rate study, the Committee needs to gather some additional information and will be in an position to present to Council at the September 20, 2011 work session the process side of the study. At a second meeting in October, Council will be briefed on the findings.

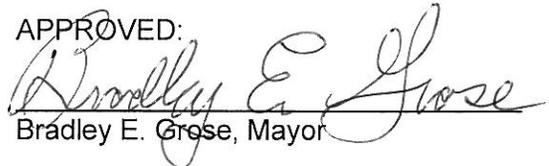
Comments from Council Members - Mr. Altice wanted to know if we could post a sign on properties that have code violations. The Town Manager made comments about the notification process and he will work with Anita McMillan and report back to Council. Mr. Nance mentioned in either the 1200 or 1300 block of Ruddle there is a tree that is leaning over the road and may eventually fall into the road.

The Town Manager advised Council that Steve's Garage will be demolished in two more weeks. The time was extended to allow items to be removed, donated and listed on the surplus site before the demolition is completed.

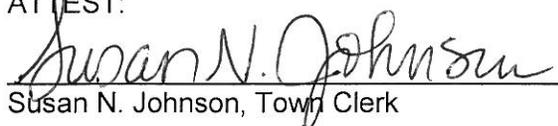
The Mayor advised that Council needed to go into a Closed Meeting pursuant to Section 2.2-3711 (A) (1) of the Code of Virginia, as amended, for discussion of recruitment process for the Police Chief position. On motion by Mr. Nance, seconded by Ms. Fidler, with a vote of 5-0, Council went into Closed Meeting at 8:38 p.m.

At 9:10 p.m., the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Mr. Nance, seconded by Mr. Altice, with a 5-0 vote, the meeting was adjourned at 9:15 p.m.

APPROVED:


Bradley E. Grose, Mayor

ATTEST:


Susan N. Johnson, Town Clerk