

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, APRIL 1, 2014, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
William W. Nance, Vice Mayor
I. Douglas Adams, Jr.
Robert R. Altice
Matthew S. Hare

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Susan N. Johnson, Town Clerk
Elizabeth Dillon, Town Attorney
Ryan Spitzer, Assistant to the Town Manager
Barry Thompson, Finance Director/Treasurer
Gary Woodson, Public Works Director
Anita McMillan, Planning & Zoning Director
Joey Hiner, Assistant Public Works Director

The Mayor called the work session to order at 6:20 to hear a review of the Town of Vinton Stormwater Management (SWM) and Storm Sewer System Illicit Discharge Ordinance as required under the Virginia Stormwater Management Program (SAMP) Permit Regulations and the Virginia Stormwater Management Act, Section 62.1-44.15:27 of the Code of Virginia (1950) as amended.

Anita McMillan began by commenting that on January 15th a draft of the stormwater ordinance was submitted to DEQ. Localities that are not an MS-4 locality can opt out and use the State or the Regional Planning District Commission to handle their interpretation of the stormwater. Because the Town is an MS-4 locality, we cannot opt out and are required to adopt the stormwater management program and administer certain components of it. Some of the components we can contract out like the review and inspections of the stormwater management facilities. The draft of the Roanoke County stormwater ordinance that has been provided with the agenda is 38 pages. Ours will be only two pages and will identify who is the Town's administrator for the program, which will be the Town Manager, and the fact that we cannot transfer the enforcement or any request for a variance. Roanoke County will review the plan, but the final decision will be made by the Town Manager. Ms. McMillan gave an example of a recent variance that was given to the Vinton Laundry Mat.

Mr. Hare commented on the process of approving a variance. According to the draft Ordinance, Roanoke County is overseeing the program and the Town Manager is the administrator. However, if the County denies a variance an appeal can be made to the Town Manager, but then looking at Section 15.1-4.1, it appears that Town Council gets involved in the process. Mr. Hare asked if Council can override all those levels, even the County who is technically over us. The Town

Manager responded that the ordinance states that an appeal above the Town Manager goes to the Roanoke County Circuit Court. Ms. McMillan responded that the Town Manager can make a decision and if Town Council agrees with his decision, then the applicant can appeal it to the Circuit Court. Vice Mayor Nance commented that item C of the same section states that only a record of the proceedings will be filed with Town Council, but does not state a right of appeal to Council. The only right of appeal is to the Circuit Court.

Vice Mayor Nance asked what would keep the Town Manager from granting variances to everyone and the Town Manager responded that Council would know of those because the record of the hearing before the Town Manager would be filed with Town Council. Ms. McMillan stated that she would get clarification on this part of the Ordinance from the Roanoke County attorney prior to its adoption. Ms. McMillan commented that she asked the State if the enforcement of the program could be transferred to the County and they response was no.

The Town Manager next commented that the discussion and the study have included two parts. The ordinance which is the State Code for the stormwater which we are mandated to do and have completed by June 15th. The other part relates to stormwater utility fees and is a separate item. Our recommendation is to proceed with the adoption of the ordinance and the idea of any type of stormwater fee, if required or needed to fund our compliance requires more deliberation and study. This is in concert with the County at this point.

Ms. McMillan then commented that we are required to adopt the stormwater ordinance and the illicit discharge ordinance by June 15th. The County will have their first public hearing on April 8th and the second reading on April 22nd. In May they will be presented the stormwater citizen advisory committee recommendation as far as how to fund the TMDL requirement and the MS-4 requirement. Currently she understands that whatever needs to be completed by July will be handled by the County under the General Fund. If they do decide to implement a utility fee, it would become effective July 1st of 2015 and it needs to be fair to everyone. Roanoke City has implemented a fee of \$0.90 per 500 square feet, but they have staff that has digitized every property in the City so they have an accurate amount of how much pavement and square feet each property has. The County does not have GIS at that level nor the staff. The Mayor asked if what Roanoke City is doing, is that what other larger localities are doing and the response was yes.

The Mayor commented that he understood that we have to adopt the ordinance by June 15th, but not necessarily any funding. So, are we saying that we are going to have this ordinance in place, but we will not be doing any major projects

for a while. The Town Manager responded that was correct because we do not have money in our General Fund to shift over to start on any type of capital project related to stormwater. The Mayor then commented that we will have the regulations in place so that any type of construction that takes place will have to meet the new requirements.

Ms. McMillan referred to the items that were with the agenda including a Schedule of Fees. These fees are exactly what the State allows for the services with no increase or decrease. One way a locality can recoup some costs is for the County and the Town to consider increasing the site plan review fee.

The Mayor asked about the burden on our staff and is it mainly when new construction occurs and will Roanoke County also be involved. Ms. McMillan responded that they are trying to streamline and make the process easier and the County has been providing training because everything has to be done electronically. The State does not have the program on-line yet, but it is supposed to be completed by April 30th.

Vice Mayor Nance commented that when individuals develop or redevelop property, they are now going to have to account for the lack of drainage and controlling that. It is also about the management of the retention ponds. Ms. McMillan responded that he was correct. Mr. Nance then asked about the existing homes and businesses and how would they be affected by this. Ms. McMillan responded that existing property owners under the MS-4 have to submit inspections verifying they are maintaining their stormwater facility and the locality has to inspect every five years. This applies to any property that is an acre or more.

Mr. Nance then commented on the estimated yearly cost for the Town at \$379,000 in the Committee's report. Ms. McMillan responded that figure was based on one of the MS-4 requirements of addressing all the stream bank erosion to reduce the amount of sedimentation that is going into the creek. That figure also includes the equipment costs and personnel. We are supposed to inspect our own facilities once a year and also screening of our drainage and to maintain it. One of the MS-4 requirements also is that we have a nutrient management plan for the War Memorial which costs around \$22-30,000. You have to have a certified nutrient management planner to prepare that plan. This relates to how we apply our fertilizer and pesticide to be sure they do not pollute our downstream.

Ms. McMillan continued by commenting that we have to have standard operating procedures in place and we have been working with the Public Works Department to put together a 40 page manual. Also for each facility of the Town we are required to have a Stormwater Pollution Permit Plan and to provide training for employees. Once trained, employees will

have a checklist to go by if they see any violations of the stormwater program while out in the town performing their jobs.

The Work Session ended at 6:55 p.m. and Council took a recess.

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

Roll Call

Under upcoming community events/announcements, the Mayor announced that the Dogwood Festival will be April 23-27. This Thursday at 10:00 a.m. will be the ground breaking ceremony for the new library and other upcoming projects in Town. On Saturday, April 12th, the Vinton Museum will be having an open house and a special celebration for its 25th anniversary at 10:00 a.m. The Arbor Day Celebration will be at the Craig Center on April 17th at 4:00 p.m.

Anita McMillan announced that Saturday is the annual Clean Valley Day and so far five groups that will be working in the Vinton area. The event will be from 9:00 a.m. to 12 Noon.

Vice Mayor Nance made a motion that the consent agenda be approved as presented; the motion was seconded by Mr. Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

Approved minutes of the regular Council meeting of March 18, 2014

The Mayor next recognized the GFWC Woman's Club of Vinton. Katherine Sowers, on behalf of the Club and Sue Basham and Jane Banton, first thanked the Town for allowing them to plant the pinwheel garden in the front of the Municipal Building again this year. She also thanked the Vinton Police Department for partnering with them for the planting of the pinwheels prior to the Council meeting. Ms. Sowers then commented briefly regarding the pinwheel garden and its purpose to promote Child Abuse Awareness Prevention Month.

The next item was a Proclamation declaring April 1, 2014 as Mayor's Day of Recognition for National Service. The Mayor first recognized individuals in the audience who were from AmeriCorps as part of the local Advancement Foundation. Samantha Lukasiewicz, who works for the Advancement Foundation, Martin Kester, from Springfield Virginia, serving at Freedom First Credit Union; Owen Larson, from Oklahoma, serving with the Advancement Foundation and working with information technology; and Karen D'Angelo, from Norfolk, also serving with the Advancement Foundation. The Mayor commented that he and Mayor Bowers of Roanoke City attended an event today at Rebuilding America and then read the Proclamation.

The next item on the agenda was a request for funding presentation by Brain Injury Services of SWVA. Mae Johnson, Development & Marketing Director, began with first making comments regarding what life is like for individuals with a brain injury and how the organization helps those individuals at no cost to them. Last year the organization served four families in the Town of Vinton and this year they are requesting \$500 which is five percent of what it costs to serve a client each year.

At this time, Chief Cook introduced Wayne Guffey as the new Police Services Assistant coming from the Roanoke County Communications Center.

The next item on the agenda was a request for funding presentation by the Vinton Dogwood Festival. Billy Tyree began by thanking the Town of Vinton, Town Council, Public Works, Police and all of the first responders for their support of the Dogwood Festival over the last 58 years. The funding is also appreciated and would appreciate consideration again this year. Last year the Festival cost \$39,000 and the Committee started with a balance of just over \$4,000. This year they are starting with \$4,200 to put on a \$40,000 festival. He then presented a schedule for this year's festival, the 59th and commented that this year there will be all local talent performing during the festival.

The Dogwood Festival began as a fundraising event for uniforms for the William Byrd High School Band. This year presented a challenge in that Spring Break fell during the same time as the Festival. The Committee tried to change the schedule, but it did not work. So, this will be the first year that the actual WBHS Band will not be in the parade. However, the WBHS Band Alumni has organized a group and will be a part of the parade. Vice Mayor Nance and the Mayor both expressed appreciation for the Committee's hard work on the Festival every year.

Under citizen comments and petitions, Larry Mattox of Lee Avenue, commented on the Farmer's Market. He has an office across the street and would like for Council to reconsider the restrictive guidelines of the vendors who can set up at the Market. He introduced Mr. Barton and a gentleman named "Gabbie" who formerly set up at the Market from April until October selling hanging baskets and other items. On behalf of Mr. Barton, he would like for Council to reconsider these guidelines.

Mr. Hare asked what we do not allow. Mr. Mattox responded that Mr. Barton would bring his products consisting of produce, hanging baskets and would use half of the market space. A couple years ago a decision was made that vendors could set up at 7:00 a.m., but the products had to be removed from the Market at 3:30 p.m. With the amount of produce and hanging baskets that Mr. Barton would bring

with him, by the time he unloaded, it would almost be time to load them back up again and leave. He is willing to come and bring his merchandise, but he needs the availability to leave it there overnight. Mr. Mattox also commented on the intersection at the Farmer's Market being the third busiest in the Town and that if the Market were open more, people would stop there.

The Mayor then commented that he understands that Mr. Barton would like to leave his produce overnight and also over the weekend and Mr. Mattox responded that is correct. The Mayor then asked about weekends where there are special events such as the Chamber's Mingle at the Market on Saturdays and would it work to have the produce removed on those occasions. Mr. Mattox responded that for six years it did not pose a problem and people that attended the Mingle at the Market actually bought produce when they left the event. Mr. Adams commented that five years ago, they did not have Mingle at the Market and Mr. Mattox corrected himself by saying that whatever functions were there at the time. After further comments regarding the Mingle at the Market events, Mr. Mattox stated that he did not feel like Mr. Barton would have any problem with the one weekend out of the month. The Mayor referred the matter to staff for review of the current regulations and to report back to Council.

The next item on the agenda was to consider adoption of Resolution appropriating funds in the amount of \$4,822.55 for the receipt of an insurance claim made on a Town vehicle involved in the snow storm of February 2014. The Town Manager commented this relates to an accident with one of our snow plows and our insurance reimbursement. The vehicle has been repaired and is back in operation. Mr. Altice made a motion that the Resolution be adopted as presented; the motion was seconded by Mr. Adams and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

Adopted Resolution No. 2058 appropriating funds in the amount of \$4,822.55 for the receipt of an insurance claim made on a Town vehicle involved in the snow storm of February 2014

The next item was to consider the financial report for February 2014. Mr. Hare began by commenting that the Finance Committee met yesterday regarding the report. The General Fund is pretty much on target, but we do expect to miss our projected revenues due to the shortfall in the gain sharing and cigarette tax by approximately \$200,000. We do expect to recover some of this in higher revenues in other areas such as sales tax, meals tax and in our investments. Also, the actions that our staff have taken to basically stop any CIP projects as well as putting a hold on all non-essential spending has helped to shorten the gap. The Utility Fund is doing okay.

We did review the financial report for the War Memorial and as of February, it has exceeded its revenue goals. There

was a target of \$147,000 in the budget and it is at \$151,000. This figure does include a lot of pass-through costs, so overall the subsidy to the War Memorial is down about \$10,000 at this point.

Mr. Hare next commented that the Committee discussed some of the audit comments that we have had the past several years. There were five that we wanted to try to get removed, most relating to processes and controls. Four of those have been addressed with an action plan and this information has been sent to our auditors for their review.

Mr. Hare made a motion that the Financial Report for February be approved as presented; the motion was seconded by Mr. Altice and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None.

Approved Financial Report for
February 2014

The Mayor commented that Council will face some challenges with the upcoming budget. He mentioned that he would like for Council to have a retreat in the Fall and asked each of them to be considering some topics for discussion. He also expressed condolences to the family of Lynn Hale.

Comments from Council: Mr. Adams asked for an update on the issue of the 24-hour fire coverage. He also wanted to clear up a misconception about this issue in a recent newspaper article. He wanted to make it perfectly clear that at no time was he or any member of Council not respecting the paid Fire and EMS and volunteers with our comments. We need to make sure we have the protection we need in the Town and East Roanoke County, but we cannot give up one program for the other.

The Town Manager commented that he, the Mayor, Clay Goodman and Jason Peters met and came up with three ideas to help alleviate the second medic truck concern. Those ideas were brought back to County staff with Chief Burch and they have evaluated them and we are setting up a meeting for next week with the Mayor, Mr. Adams, representatives from the County Board of Supervisors as well as myself and Mr. Goodman to make sure that the two elected official bodies can come to some agreement of what level is within our resources to try and best address that concern. He expects to be able to make a presentation at the next Council meeting of that proposal. Renovations are also part of the whole package. We had a proposal and were asked to consider another idea to try and find a solution that allows us to have a longer-term ability to house all of our staff together if we had to add more staff in the future. We met again and had an architect meet with us. The architect will present us with some schematics this Friday to have for our meeting next week.

Mr. Adams commented that he attended the Junior ROTC competitions at William Byrd of which his grandson was a part. They came in second overall and he congratulated them. Mr. Altice commented that he feels that we will be able to work out the issue regarding the EMS service and the service will not be penalized at all.

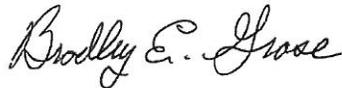
Vice Mayor Nance commented that he and Mr. Hare went by the After Prom Party at William Byrd before the event happened and they were amazed. He expressed thanks to all that put the time and effort in the event.

Mr. Nance also commented that the current financial report is not as bad as some reports we had three or four years ago. One revenue stream did not work so well and then our projection on what we were to receive on gain sharing was not where we expected it to be. However, the revenue streams from our businesses are positive in the Town. We have had to step back on some CIP items and staff has done a great job in managing the budget. Council is committed to provide 24-hour paid fire and we realize that for public safety reasons we have to provide it. We have some tough decisions, but we will be able to meet those challenges with the outstanding staff that we have and the will of this Council to do the right thing for this Town,

The Mayor in closing commented that he is proud to live in Vinton and that we have a staff and Council that works hard and cares as much about the Town as they do.

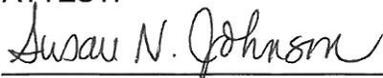
Vice Mayor Nance made a motion to adjourn the meeting; the motion was seconded by Mr. Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None. The meeting was adjourned at 8:15 p.m.

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, Town Clerk