

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, OCTOBER 18, 2016, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

MEMBERS PRESENT: Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
Keith N. Liles
Sabrina McCarty
Janet Scheid

PLANNING COMMISSION
MEMBERS PRESENT: David R. Jones
Keith N. Liles
William E. Booth
Dawn M. Michelsen
Robert A. Patterson

STAFF PRESENT: Barry W. Thompson, Town Manager
Susan N. Johnson, Executive Assistant/Town Clerk
Theresa Fontana, Town Attorney
Anne Cantrell, Interim Finance Director
Anita McMillan, Planning & Zoning Director
Joey Hiner, Public Works Director
Tom Foster, Police Chief
Pete Peters, Assistant Town Manager/Director of Economic Development
Karla Turman, Associate Planner/Code Enforcement Officer
Brandon Gann, Financial Services Analyst

The Mayor called the regular meeting to order at 7:00 p.m. The Town Clerk called the roll with Council Member Liles, Council Member Scheid and Mayor Grose present, which constituted a quorum. Council Member McCarty and Vice Mayor Hare had not yet arrived at the meeting. Anita McMillan called the roll for the Planning Commission with Chairman David Jones, Vice Chairman Keith Liles, William Booth, Dawn Michelsen and Robert A. Patterson present.

Roll call

After a Moment of Silence, Council Member Liles led the Pledge of Allegiance to the U.S. Flag.

Under upcoming community events, Council Member Scheid reminded everyone of the Roanoke Valley Greenway annual picnic on Sunday starting at 3:30 p.m. at the Farmer's Market and Twin Creeks Brewing Company. Council Member Liles announced that the Mingle at the Market originally

scheduled for the Fall Festival would be held on Saturday, November 5th, at 7:00 p.m. The Mayor announced that Council would be having their annual Fall Retreat on October 24th.

Under requests to postpone, add to or change the order of agenda items, the Town Manager announced that Delegate Head would not be able to attend the meeting tonight due to a scheduling conflict. He will be in attendance at the November 1st Council meeting.

Council Member Scheid made a motion to approve the Consent Agenda as presented; the motion was seconded by Council Member Liles and carried by the following vote, with all members voting: Vote 3-0-2; Yeas (3) - Liles, Scheid, Grose; Nays (0) – None; Absent (2) – McCarty, Hare.

Approved minutes of the Regular meeting of September 20, 2016 and Regular meeting of October 4, 2016

The next item on the agenda was recognition of the Officers of the Month for September. Chief Foster first read a Memo recognizing Sergeant Fabricio Drumond, Corporal Michael Giles and Officer Matthew Stafford. All were present at the meeting.

Vice Mayor Hare arrived at the meeting at 7:07 p.m.

Chief Foster next read a second Memo recognizing Sergeant Tim Lawless, Corporal Michael Caldwell and Officer Silas Chapman. Corporal Michael Caldwell was present at the meeting.

The next item on the agenda was a report on the Vinton Volunteer First Aid Crew for September. Chief Guffey reported the volunteer truck hours were 482 out of a possible 456 for 105%. The truck was marked up 87% for ALS and 13% for BLS. They responded to 93 out of 126 calls and handled 89. The numbers were low for this month due to 26 second emergency calls which was higher than normal. The fractile response time was 10.06 and they had 1,600 man hours for the month. He expressed thanks for the Town for the continued support of the Crew and reported that they have four new members.

Anne Cantrell introduced Brandon Gann as the new Financial Services Analyst.

The next item on the agenda was a joint Public Hearing with the Vinton Planning Commission to consider public comments regarding the joint petition of Robert O. and Linda M. Quam, owners of Lot 1, Block 12; and Sherman E. and Barbara B. Sligh; owners of Lot 7, Block 9, of Plat Book 6, Page 30 showing Map of Section Number 4, Bali Hai Subdivision, property of W.E. and Olney G. Cundiff, prepared by C. B. Malcolm & Son and dated August 31, 1964, recorded in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, on January 5, 1965, to abandon, vacate and deed a fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way, known as Daleview Drive, to the adjoining property owners. They also requested that this undeveloped portion of the right-of-way never to be used as a street or road to any other property at any time in the future.

The Mayor opened the Public Hearing at 7:15 p.m.

Public Hearing opened

Anita McMillan first commented that the Planning Commission and Council were provided a Staff Report as part of the agenda package.

The process began in October of 2012 when staff was contacted by the City of Roanoke regarding a proposed subdivision of the property owned by the Overbays and staff was informed that the City was considering waiving certain requirements because the lot could only be accessed from the Town of Vinton-one from the undeveloped portion of Daleview Drive and one to the north of Olney Road.

In 2013, a request to vacate Daleview Drive was submitted by the Overbays to the Town with the stipulation that the Slighs and Quams were to deed to them a 20 feet wide access easement. At the May 2013 Planning Commission meeting, John Patterson, counsel for the Overbays, requested that the application be withdrawn due to concerns that were brought up by the Slighs and other property owners on Olney Road.

On September 11, 2013, a request was received by the Slighs and Quams for the undeveloped portion to be vacated along with a petition from the property owners along Olney Road indicating that they were in agreement for the right-of-way to be vacated. At the December 10, 2013 Planning Commission Public Hearing, the Planning Commission voted to table the request for 60 days in order for the Overbays, the

Slighs and Quams to reach an agreement regarding the use of the undeveloped right-of-way and whether or not to vacate it.

On December 13, 2013, a letter from Richard Cranwell, legal counsel retained by the Slighs and the Quams, was delivered to the Town Manager requesting a continuance of the Public Hearing on the proposed vacation. In the interim, the Overbays submitted a subdivision plat to the City of Roanoke showing the two lots (A & B) to be accessed from Olney Road. The plat also showed a right-of-way coming from Olney Road and an access easement to Lot B from Lot A. In addition to the access easement, there was shown a waterline easement for Lot B. These two lots are to be serviced by the Town of Vinton's water services, but not public sewer. All other services are to be provided by the City of Roanoke. In May of 2016 the lots were purchased by Michael Henderson.

Council Member McCarty arrived at the meeting at 7:15 p.m.

On June 24, 2016, a third petition was submitted by the Slighs and Quams requesting the right-of-way to be vacated. Council was briefed by staff on October 4th. Also, a written statement was received by Michael Henderson opposing the request which was provided to each member of Council and the Planning Commission. Ms. McMillan commented that Mr. Henderson was present at the meeting. This morning staff received a written statement from Judy Harless of 619 Olney Road indicating that she was unable to attend the meeting, but agreed with the request to vacate. The petitioners were also present and along with their legal counsel, Mr. Cranwell and Mr. Bullington. As part of Ms. McMillan's report, she shared a Power Point presentation. (A copy of the presentation is on file in the Town Clerk's Office and will be made a part of the permanent record.)

During the public comment section, the first speaker was Michael Henderson of 1832 Blenheim Road, SW, Roanoke, Virginia. He commented that he had recently purchased the property from the Overbays and was told by the attorney that closed the loan and the Overbays that he could use the access road to the first tract of land. He then read a prepared statement in opposition to the vacation of the right-of-way. He plans to build a home on the property and closing the right-of-way would prevent him from

having safe and easy access to his property in case of a life-threatening event. He then made additional comments.

Dave Jones commented that three years ago the Planning Commission heard the matter and asked the property owners to get together and come to some type of agreement and then asked what became of that. Mr. Henderson responded that he was told that the Slighs and Quams were agreeing on a joint easement through the property and told the Overbays there was not a question about closing the easement or abandoning it, but that they wanted a 20 foot right-of-way into their properties. Then, Mr. Sligh and Mr. Quam came to the Public Hearing and indicated they had changed their minds and requested not to have it vacated and closed. Ms. McMillan commented that signed letters were received; however, prior to the meeting, staff received a fax from the Overbays surveyor, but it was not signed nor notarized. At that time staff was informed by Mr. Sligh that they did not get all of the information and were opposed to the right-of-way being closed.

David Bullington, counsel for the petitioners, referred to the subdivision plat "Map of Section No. 4, Bali Hai, remaining property of Bush" from 1964, which was provided to Council and the Planning Commission. On this plat was a 150 foot paper street to connect to what was shown as the remaining property of the Bush to reserve the right to do additional subdivisions with that property. The property was never developed.

In 1972, the Quams put in their driveway and when the Slighs moved in their house in 1990, their driveway was already there. Mr. Quam had indicated that Mr. Cundiff told him that the property was not going to be developed. They have maintained and improved this property for a combined time between them of close to 70 years.

This proceeding has a somewhat complex history and Mr. Bullington commented that only a couple of key points are relevant. What initiated the proceeding in 2012 was that the former owners, the Overbays, approached the Town about developing this 25 acre tract. The 2012 subdivision plat was included in the agenda package showing there was no access for those two lots. The plat had each lot going right in the middle of Daleview Drive. The Council and Commission members at that time were trying to be

solicitous to the Overbays at that time that arguably had no other access to a road. At the 2013 hearing, Council heard from Attorney Kevin Oddo that the property owners would be irreparably harmed because they would not have access.

Mr. Bullington next commented that the Overbays did in fact obtain subdivision approval to divide the property with a right-of-way to Olney Road. It does not provide for access through Daleview Drive. A key point is that the plat states this tract will not be further subdivided. Initially the consideration was to access this property through Daleview Drive. Now the entire Daleview Drive would be on one single residential lot which already has access. In light of this, there is virtually every reason to vacate this street and no compelling reason to leave the paper street out there.

Mr. Bullington further commented that it would be improper for any access to be allowed that did not meet basic if not secondary road standards and there is no reason to have this liability for maintenance and upkeep on the Town when there is no corresponding tax basis. He respectfully requested that the vacation be granted.

Mr. Richard Cranwell spoke next and commented he served as the Town Attorney in the late 1960s. During that period of time the Cities of Salem and Roanoke were seeking annexation that would eliminate Roanoke County as a political subdivision and divide the County between the two cities. The three judges rejected the grand plan to divide Roanoke County, but did grant a very modest annexation. Unfortunately, when the judges drew their line, they placed the property in question in the City of Roanoke. It should be in Roanoke County and in the Town of Vinton.

If any road is put in, there will not be any taxes or fees paid to the Town and since Roanoke City will be providing the services, this will cause wear and tear on the road. He also commented that the Town's Fire/EMS and Police would respond to this property if they needed to and would probably be the first to respond. He requested that the property be vacated and revert back to the adjoining property owners.

Melvin Bennett of 709 Olney Road next spoke and commented that nothing is written in stone and what would happen if in the future someone wanted to put 200 town homes on this property and Roanoke City

agreed to it.

In rebuttal, Mr. Henderson mentioned the comments that were made concerning dollars and cents. He also commented on a time he was on his property and injured and the ambulance could not find him. He was not asking about opening up a road, all he wants is an easement down to his property. A 50 foot road with all the traffic that has been mentioned was never his desire. The Mayor commented that if the road was opened up, it would have to be built to state standards as is Olney Road. Mr. Henderson then commented that he is interested in having access to the one lot.

William Booth commented on the fact that Mr. Henderson did not want to build a street, but he just wanted access to his property. He further commented that could not be done because of the existing driveways. Mr. Henderson responded that they could give an easement across their property, but it is not their property, it is Town property.

Mr. Booth next asked Mr. Henderson how closing this right-of-way would alienate him and discriminate against him and be a liability to him and the Town. Mr. Henderson responded that if he is the only one of the three property owners to not have access to the right-of-way that was deeded to be shared among all three of them, it would be very discrimination.

Planning Commission Member Liles referred to the recorded subdivision plat dated March of 2016 and asked Mr. Henderson when he bought the property. Mr. Henderson responded in May of 2016. Mr. Liles next commented to Mr. Henderson that he bought the property knowing that his easement was from Olney Road. Mr. Henderson responded that was for the water. He was told when he bought the property that Lot A could have access through the paper right-of-way on Daleview and that the recorded plat was only showing that there was another alternative way to get to his property. There is nothing there that vacated his right to use the Daleview right-of-way.

Council Member Scheid commented to Mr. Henderson that he bought a piece of property that had been legally subdivided by the City of Roanoke that had access from Olney. For him to desire a different access is understandable, but the fact of the matter is he has access from Olney to both of his lots. No one is denying him access to his property.

Council Member Scheid asked Ms. McMillan how the subdivision plat got approved in the City of Roanoke and how much frontage is on the north end of Olney. Ms. McMillan commented that he has at least 50 feet on Olney. The City of Roanoke stated that these two properties are zoned agriculture and they waived a lot of the requirements because of being only two lots and that it can only be accessed through the Town. Council Member Scheid further commented that someone when to a great deal of trouble to get the subdivision plat approved in the City. She agreed that the critical point is that Mr. Henderson has legally granted access from another point on Olney and when he bought the property he knew that.

Vice Mayor Hare commented that Mr. Overbay misled the entire community and had them sign petitions that they did not know what they were signing. To Mr. Henderson, he commented that he was either falsely led or did not have good counsel when he was purchasing the property from the Overbays because they knew full well that Daleview Drive was in dispute in this community. His concern all along has been for this neighborhood and what could possibly be built on the property.

Vice Mayor Hare further commented that if this had been voted on four years ago, he would have voted to have it vacated. He has not seen anything new that would make him change his mind other than the line getting moved slightly. He was also pretty confident that the Vinton Fire and EMS would be able to access the property.

The Mayor commented that he had the same conclusion as he did four years ago that there is access to those properties. Also, Mr. Henderson has access to the finest Fire/EMS and Police probably in the State and does not feel that he will be in any danger. The Town would have to maintain a road that will have to be built to state standards and the citizens will have to bear the expense of accessing a Roanoke City property. The information that Mr. Henderson received or did not receive when he purchased the property unfortunately has no bearing on the legal plat that shows access to that property. His position has not changed.

Hearing no further comments, the Mayor closed the Public Hearing at 8:15 p.m.

Public Hearing closed

Planning Commission Member Michelsen made a

motion to recommend the adoption of the Ordinance as presented; the motion was seconded by Planning Commission Member Patterson and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Patterson, Michelsen, Booth, Liles, Jones; Nays (0) – None.

Planning Commission recommended adoption of Ordinance as presented

Council Member Scheid commented that she would like to have some discussion regarding the sale of this property. There is no language in the Ordinance about an assessed value of the property and the sale of the property. She personally did not believe that the Town should be in the business of giving away public property. The Town Attorney commented that the law does provide that Council can ask that the Town be reimbursed, but the Ordinance was prepared prior to this meeting. She suggested that the action can be tabled so a negotiation on the sale of the property could take place.

After comments from Mr. Cranwell, the Town Attorney commented that the Ordinance could be approved contingent upon a successful negotiation of the sale of the property. Vice Mayor Hare asked if that negotiation would be made public. Mr. Cranwell commented that once a number is arrived at that it would come back to Council for approval. Council Member Scheid asked if it had to come back to Council, why not just wait on taking any action. The Town Attorney commented that the Ordinance could also be amended properly.

Council Member Scheid made a motion to table the Ordinance as presented to the next Council meeting; the motion was seconded by Council Member Liles and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Tabled Ordinance as presented to the next Council meeting

Planning Commission Member Booth made a motion to adjourn the Planning Commission; the motion was seconded by Planning Commission Member Patterson and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Patterson, Michelsen, Booth, Liles, Jones; Nays (0) – None. The Planning Commission was adjourned from the meeting at 8:24 p.m.

Planning Commission adjourned

The next item on the agenda was a Public Hearing to consider public comments regarding the request from Audley Robinson, 222 Highland Road, to purchase the vacated and undeveloped portion, 25

feet wide by 138.52 feet long (3,463 square feet) of Glencoe Street right-of-way.

The Mayor opened the Public Hearing at 8:31 p.m.

Public Hearing opened

Karla Turman commented that Council had previously been briefed on this request. Glencoe Street was closed by Ordinance in 1993 at which time one-half went to Mr. Robinson and one-half was incorporated into 350 Highland Road, known as Gearhart Park.

Mr. Robinson has requested to purchase this portion of property to add an addition to his home along with handicapped ramps which would allow him to meet the setback requirement. This property is 3,463 square feet and he is willing to pay for the property.

Since this portion is a part of Gearhart Park, Ms. Turman commented that she did look at the distances from the softball field to the property and it appears to be approximately 225 feet at the front of the property and 160 feet at the back. Roanoke County Parks and Recreation commented that they did not have any concerns.

With regard to the assessment value of the property, staff took the land value of Gearhart Park, came up with a per square foot amount and figured a purchase price of \$1,280.00. The assessed value is 93% of a property value. However, staff was advised that a locality could add an additional seven percent, which would make the amount \$1,369.00.

Mr. Robinson was not able to attend the Public Hearing, but his brother who has been handling this on his behalf had another commitment and also could not attend.

In response to a comment by Vice Mayor Hare, Ms. Turman showed a drawing from Mr. Robinson of his plans for the addition and handicapped ramp. Vice Mayor Hare asked if there would be any danger of visitors to the Park trespassing on his property. Ms. Turman commented that once Council approves the sale of the property and he builds the addition, it would be more apparent where the property line is.

William Booth asked why there would be a charge for the purchase of this property since there was no value to it as far as the Town was concerned. The Mayor commented that Council is setting a precedent

and if we give this property away, there may be other cases where this same question would come up. We do not want to be in a position to give away property owned by the taxpayers. Our policy in the future is going to be that we have to receive some sort of compensation on behalf of the taxpayers.

Council Member Scheid commented that this property does have value and it is public property. She does not think it is Council's role to give away public property.

Hearing no further comments, the Mayor closed the Public Hearing at 8:43 p.m.

Public Hearing closed

Council Member Liles made a motion to adopt the Ordinance as presented.

Vice Mayor Hare commented that the Ordinance provides for a purchase price of 93% of the assessed value and that would be the precedent that is being set. Ms. McMillan commented that this is 100% of the assessed value. However, Roanoke County indicated that they assessed in the property at 93% of the market value. The Town could add seven percent. The 100% of the market value would be \$1,369.00. Without the seven percent addition, the amount is \$1,280.00. Mr. Thompson commented that the 93% of market value is the amount that the property is taxed on.

Adopted Ordinance No. 979 approving the request from Audley Robinson, 222 Highland Road, to purchase the vacated and undeveloped portion, 25 feet wide by 138.52 feet long (3,463 square feet) of Glencoe Street right-of-way

After discussion, the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) - None.

The next item on the agenda was a Public Hearing to consider public comments on the proposed ordinance to grant a fifteen (15) year Telecommunications Franchise to Lumos Networks, Inc. commencing on October 18, 2016.

The Mayor opened the Public Hearing at 8:46 p.m.

Public Hearing opened

The Town Manager commented that in October 1990, Lumos Networks, Inc., a Virginia Corporation, fka Roanoke & Botetourt Telephone Company was granted a telecommunications franchise in the Town of Vinton. This franchise has expired and they have requested that the franchise be renewed. The Franchise renewal period will be for a fifteen (15) year period from the effective date of the agreement. The

franchise is not an exclusive franchise and does not prevent the Town from granting to any other person, firm or corporation the same or similar franchise rights and privileges to be exercised in or upon its streets. It gives Lumos the right to use the streets of the Town to operate and maintain a fiber optic telecommunication system within and along the streets of the Town. Council was briefed on the franchise agreement at their October 4, 2016 meeting.

The Town Manager further commented that he heard from Robert Wallace, a project engineer with Lumos. He was not able to attend the meeting, but stated that Lumos looked forward to a continued relationship with the Town over the new franchise period.

The Town Clerk commented that the Public Hearing Notice in The Vinton Messenger did solicit other bids for this franchise and no other bids were received.

The Town Manager commented that the Town Attorney drafted this Agreement and it was reviewed by Lumos. The Town receives approximately \$260 per year on this franchise. Their service territory is very small and is in the midway area of Town. Vice Mayor Hare asked if anyone in that area had made any complaints. The Town Manager responded that he had not received any and Joey Hiner commented that they had not received any.

The Town Attorney commented that this is the essentially the same agreement, but it has been updated. Basically, the Town was able to charge franchise fees directly, but now the State regulates what can be charged.

Hearing no further comments, the Mayor closed the Public Hearing at 8:50 p.m.

Vice Mayor Hare made a motion to adopt the Ordinance as presented; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was a briefing on a proposed Performance Agreement with Waukeshaw Development Inc., and the Roanoke County Economic Development Authority as part of an Economic Development Incentive Package to

Public Hearing closed

Adopted Ordinance No. 980 granting a fifteen (15) year Telecommunications Franchise to Lumos Networks, Inc. commencing on October 18, 2016

redevelopment of the former William Byrd High School. Pete Peters commented that recently this property was rezoned to Mixed Use Development which has cleared the way for the purchase of the property by Waukeshaw Development and the proposed conversion of the building into approximately 90 apartments.

During the early phase of the property's conception and the negotiations, Town staff in consultation with the Economic Development Committee and the Town Attorney agreed in principle to a Performance Agreement to incentivize the redevelopment project with terms similar to those offered by Roanoke County and the Roanoke County EDA.

Waukeshaw is expected to close on the property in the coming months and are currently finalizing the internal design and the site plan for the property. They have also recently received preliminary approval for designation on the State and National Register of Historic Places which is a critical step in determining the eligibility for certain tax credits. They have secured the additional financing needed for the project.

The total private investment of the project is anticipated to be in excess of \$10 million and the developer will be required to achieve various construction deadlines and will be held to design and construction standards that will maintain the historic character of the building in order to receive the incentives through the Performance Agreement.

The proposed terms of the agreement include a payment to the developer equal to all applicable Town permitting fees, all water and sewer connection fees and an annual payment equal to the property taxes paid to the Town for a period of ten years. The total financial incentive package is valued at approximately \$30,000.

Council Member Scheid commented on the draft agreement providing for \$9.2 million. Mr. Peters responded that the last presentation provided by Waukeshaw through the rezoning process indicated that the estimate had been revised to in excess of \$10 million. The agreement can be revised to reflect the more current numbers.

The next item on the agenda was to consider adoption of a Resolution to approve an application for an allocation of funds up to \$200,000 to be matched through the Virginia Department of Transportation Fiscal Year 2017-2018 Revenue Sharing Program. Joey Hiner commented that Council was briefed on this application at their last meeting. The pre-application has been submitted to VDOT and the deadline for the Resolution is November 1st.

Council Member McCarty made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Scheid and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was to consider adoption of a Resolution appropriating funds in the amount of \$3,265.09 for the receipt of an insurance claim made on a Dodge Charger (Unit 1137) of the Police Department. Chief Tom Foster made brief comments regarding the damage to the vehicle and that the other party was at fault. The Town's insurance company, VML, issued a check in the amount of \$3,265.09 which was the estimate from Buddy's Auto Body to repair said vehicle less the \$500 deductible.

Vice Mayor Hare asked why we had to pay the \$500 deductible if the Town was not at fault. The Town Manager commented that this was a misprint. The check was received from a third-party insurance carrier and there was no deductible on the Town's part. There were other funds received, but those went directly to Buddy's Auto Body as a result of other damages that they found after the initial check. That check was endorsed over to them because it was made out both to the Town and Buddy's. The check was not from VML, it was from USAA.

Vice Mayor Hare made a motion to adopt the Resolution with the language amended to state that the proper insurance filing was made with the third-party's insurance; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Adopted Resolution No. 2169 to approve an application for an allocation of funds up to \$200,000 to be matched through the Virginia Department of Transportation Fiscal Year 2017-2018 Revenue Sharing Program

Adopted Amended Resolution No. 2170 appropriating funds in the amount of \$3,265.09 for the receipt of an insurance claim made on a Dodge Charger (Unit 1137) of the Police Department

The next item on the agenda was to consider adoption of a Resolution appropriating funds in the amount of \$44,582.00 for the purchase of a replacement vehicle in the Police Department. Chief Foster commented that on July 15, 2015, a 2012 Dodge Charger that was designated as the K9 vehicle was involved in an accident. The insurance settlement payment from VML and ATF funds were used to purchase an SUV Utility vehicle to replace the Chief's vehicle at that time. The Department is down two vehicles, this vehicle and the Impala that became the Town's vehicle for administrative use. Another vehicle just recently was removed due to reaching its useful life expectancy and will be sold at public surplus

They are requesting the ability to replace Unit 1146 with ATF funds to purchase one vehicle. This would be an all-wheel drive utility vehicle that will better meet the needs of the Town.

Vice Mayor Hare commented that this matter was discussed at the Finance Committee meeting and they support this recommendation. The fleet of four-wheel drive vehicles is rapidly aging, so this needs to be done to give the department the capacity during inclement weather.

Vice Mayor Hare made a motion to adopt the Resolution as amended; the motion was seconded by Council Member Scheid and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Vice Mayor Hare asked if the vehicle would be marked and Chief Foster responded yes. However, they are considering a reversal of the current colors by going with a dark charcoal metallic gray with black lettering on the side. He polled the department and the unofficial results are in favor of doing this for this one vehicle to see how it looks and how the public reacts to it. The Mayor commented that he has heard from some citizens that they do not appreciate the black vehicles. Chief Foster further commented that some individuals feel that the solid black vehicles are somewhat intimidating.

The Town Manager commented that Council will be having their Retreat on Monday, October 24th. They were provided an Agenda for the Retreat and

Adopted Resolution No. 2171 appropriating funds in the amount of \$44,582.00 for the purchase of a replacement vehicle in the Police Department

he made brief comments. The homework assignment to complete the SWOT Analysis is due back to Pete Peters on Thursday. Pete Peters commented further on the SWOT Analysis.

The Town Manager next commented that Walnut Avenue is now open from the storm drain repair. The paving company did the paving today and he expressed appreciation to Public Works for their work on the repair.

The Mayor commented on the upcoming Council Retreat and two ribbon cuttings that he recently attended for small businesses that were graduates of the HIVE. He commented on the success of the Fall Festival, the Employee Recognition Event and reminded everyone of the Veteran's Recognition Event on November 6th at the War Memorial beginning at 12 Noon. He also commented on a Proclamation that had been prepared by the Town Clerk in honor of Fred Anderson that will be presented to his family.

Comments from Council: Vice Mayor Hare commented that the last time the Town sold land the proceeds were placed in a restricted fund to use for further investments in the community. He suggested that Council consider doing the same with the proceeds from the sale of the property discussed tonight. Council Member Scheid commented that perhaps it could be included in the new policy that will be developed concerning the sale of Town property. The Town Manager commented that we need a policy that outlines our procedure for the sale of Town property and the formula that we use in calculating the value. It could also include this type of restriction on the use of the funds. That way there will be no question of the intent. The current policy is vague and puts the responsibility on the Town Manager as to whether we should charge or not and it should not be the Town Manager that should make that determination. It was recommended that the Finance Committee review the policy.

Vice Mayor Hare commented on the former Flower Fund that was placed into a restricted account to buy flowers, but funds were needed to replace signs. Council Member Liles asked if that was the beautification grant that was set up by Mr. Vinyard for \$20,000 that is still used today to plant the hanging baskets. Vice Mayor Hare responded that

the fund was consumed and it was used to refurbish the signs which were falling apart.

Council Member Scheid and Council Member Liles expressed appreciation to Public Works and other members of staff who were involved in getting Walnut Avenue back open and keeping Council posted.

Council Member McCarty commented on the success of the Fall Festival. She reminded everyone of the Mingle at the Market on November 5th. She also asked about the items that have been placed on the street on Niagara Road. The Town Manager commented that he is aware of it and they will notify the property owner.

Vice Mayor Hare made a motion to adjourn the meeting; the motion was seconded by Council Member Liles and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None. The meeting was adjourned at 9:36 p.m.

Meeting adjourned

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, Town Clerk