

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 3, 2020, AT 7:00 P.M. BY ELECTRONIC COMMUNICATIONS PURSUANT TO SECTION 15.2-1413, CODE OF VIRGINIA (1950), AS AMENDED, AND ORDINANCE NO. 1016

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Sabrina McCarty, Vice Mayor  
Keith N. Liles  
Laurie J. Mullins  
Michael W. Stovall

STAFF PRESENT: Pete Peters, Acting Town Manager/Director of Economic Development  
Susan N. Johnson, Executive Assistant/Town Clerk  
Jeremy Carroll, Town Attorney  
Anne Cantrell, Finance Director/Treasurer  
Fabricio Drumond, Interim Police Chief  
Anita McMillan, Planning & Zoning Director

**The Vinton Town Council meeting was held via** Zoom with livestreaming on the Town of Vinton, Virginia Government Facebook Page. 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 Mullins, Council Member Stovall, Vice Mayor McCarty and Mayor Grose present and announced there was a quorum of Council. The Town Clerk next announced the names of staff and others present, confirmed that the meeting was being held in accordance with Town Ordinance No. 1016 and Section 4-0.01(g) of Chapter 1289 of the 2020 Acts of the Virginia General Assembly and that everyone present was participating by electronic means.

Roll call

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

**Under upcoming community events/** announcements, Vice Mayor McCarty announced the following: December 3 – 6:30 p.m. – tree lighting following by Vinton Chamber "Reverse" Christmas Parade at 7:00 p.m.; December 5 – 10:00 a.m. – 2:00 p.m. - History Museum Holiday Open House and December 17 – 5-7:00 p.m. - Vinton Chamber Holiday Open House – Charles R. Hill Community Center.

Vice Mayor McCarty then asked Chief Drumond to tell about the Vinton's Bearded Blue Program. Chief Drumond commented that the Police Department along with other Town Departments will be participating in the W. E. Cundiff and Herman L. Horn Elementary Schools Angel Tree Program. The male officers have been encouraged to grow their beards to be more like Santa Claus and the women in the department will be encouraged to put some festive highlights in their hair to promote the holiday season from November 1<sup>st</sup> to December 31<sup>st</sup>.

**The next item on the agenda was a briefing on the proposed Real Estate Property Lease with an Option to Purchase the vacant property located at 307 South Pollard Street (060.15-07-43.00) to encourage the expansion of the restaurant located at 303 South Pollard Street, known as Farmburguesa.** The Acting Town Manager commented that this matter has been discussed on two occasions with the Town's Economic Development Committee. Mr. Peters next reviewed the general terms of the lease agreement and that the agreement will also provide a purchase option for the owners of the building and Farmburguesa. The parties have created an LLC and are anticipating investing \$80,000.00 in a building expansion, outdoor patio and dumpster pad site. We have established a rent of \$250 per year based on the total tax assessment for both town and county taxes. Once they meet their investment goals and generate their estimated revenue, they will have an opportunity to approach the Town to purchase the property and we would bring it back to Council for their consideration.

A Public Hearing will be advertised for the November 17<sup>th</sup> Council meeting and Council will be asked to take action at that time.

Council Member Liles expressed concerns about the location of the dumpster pad being almost adjacent to the drive-thru window. Mr. Peters commented that they want to utilize the existing curb cut, but staff would work with them once we get a more defined set of building plans to make some modifications. He would update Council to make sure everyone is comfortable with the suggestion and what will actually be constructed.

**The next item on the agenda was a briefing on** the proposed Real Estate Property Lease for a portion of the vacant property located at 110 East Lee Avenue (060.16-02-15.00) to encourage the expansion of the restaurant located at 106 East Lee Avenue, known as the Dogwood Restaurant. The Acting Town Manager commented this is the vacant lot that sits between the Dogwood Restaurant and Cyndi's Fashions on Lee Avenue.

The new sidewalk has already been put in that will connect Lee Avenue to the new parking lot at Vinyard Station. Initially when we were getting the design in place, we had to navigate some elevation changes from the sidewalk down to Vinyard Station. This provided an opportunity for some contours that we wanted to protect with the idea that Dogwood had this concept to do an outdoor patio as well. Mr. Peters next commented on the general terms of the lease and that the annual rent would be \$250.

Mr. Peters next commented that they will be expanding their interior space as well as the exterior patio and almost tripling their seating capacity. There are estimating \$20,000 in improvements to include a stone retaining wall, compacted material in the retaining wall with brick paver patio on top and some handrails. They are in the process of finalizing their construction detail to submit their building application. This will also be brought back to the November 17<sup>th</sup> meeting for a Public Hearing and Council's consideration.

**The next item on the agenda was to consider** adoption of an Ordinance approving and authorizing the execution of a Non-Exclusive Wireless Facilities Franchise Agreement and a Wireless Communications Facilities Master License and Pole Attachment Agreement by and between the Town of Vinton and Cox Wireless Access, LLC. The Town Attorney commented the Franchise Agreement is the statutorily required franchise which would allow Cox Communication access to public rights-of-way and public roads for the purposes of telecommunications infrastructure. The Master License and Pole Attachment allows Cox to place small cell facilities, small antennas on town-owned poles and buildings for the purposes of providing wireless communication services.

A question was asked at the last meeting about the fee associated with putting antennas on town-owned buildings. We went back with Cox and addressed that issue and have come to an agreement on a \$200.00 annual fee for antennas attached to buildings. As you may recall from the last meeting, antennas attached to poles were at a \$270 fee and to incentivize placing those antennas on buildings instead of poles, there was a desire to come up with a lesser fee.

The Town Attorney next commented that Council will next be adopting guidelines which are incorporated into this agreement and the proposed locating of antennas have to conform to the guidelines and the town will have an opportunity to review those locations to make sure they do comply.

Kevin McNulty is participating in the meeting electronically if anyone has any questions for Cox as well.

The Mayor commented that he understood that Attachment A to the Pole Attachment Agreement would give the Town the right to limit the equipment that would be mounted on our streetlights. The Town Attorney responded that was correct.

Council Member Liles made a motion to approve the Ordinance as presented; the motion was seconded by Council Member Mullins and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None.

**The next item on the agenda was to consider** adoption of a Resolution approving the Small Cell Infrastructure Design Guidelines. Anita McMillan commented that these Guidelines would apply to any wireless providers that would want to reach an agreement with the Town. The Guidelines on Page 5, Bullet No. 3 discourage providers from putting their equipment on the ornamental pedestrian lighting downtown and encourage them to co-locate on an existing building by providing an incentive. The Guidelines also address a concern about the maintenance of the wireless equipment on Page 9 that after 90 days if the equipment is no longer in service, the provider has to remove it. If it not removed, the Town can remove it and send a bill.

Adopted Ordinance No. 1023 approving and authorizing the execution of a Non-Exclusive Wireless Facilities Franchise Agreement and a Wireless Communications Facilities Master License and Pole Attachment Agreement by and between the Town of Vinton and Cox Wireless Access, LLC.

Vice Mayor McCarty made a motion to approve the Resolution as presented; the motion was seconded by Council Member Liles and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None.

Adopted Resolution No. 2385 approving the Small Cell Infrastructure Design Guidelines

**The Acting Town Manager commented that due** to the collapse of the Norfolk Southern bridge, trash cannot be transported from the Hollins and Salem Transfer Stations to the Smith Gap Landfill. They are not sure how long the re-routing is going to take, but the Town is currently taking all of its refuse to the Salem Transfer Station to be hauled to the New River Valley. There is no impact on our citizens, but it is taking longer to get the truck emptied due to the travel distance.

With regard to the Treasurer's Office drive-thru window, it has been closed this week to allow for some curb cutting so vehicles will have better access to the new window that will be installed soon.

Mr. Peters next commented that the Town has received news that the Mountain View Road construction project will be delayed. The COVID-19 Pandemic has kept people from traveling and a lot of the transportation funding is derived from fuel taxes. When people are not driving they are not generating revenue which subsidizes many of the grants that we rely on to do road construction. While it is going to be delayed, they annually update their numbers and it could be that this time next year they re-analyze and we can see some rebound.

The Town has hired a new Chief Mechanic, Jimmy Brown, a native of Bedford County who has moved back to the area. He most recently worked for the New York Department of Transportation. Fred Sink is retiring in November and our other mechanic left the Town in September.

With regard to the Glade Creek Greenway Phase 2B, we received \$380,000 from the TA Grant Program to do that project. This is approximately a \$460,000 project and the difference will be met with in-kind funds and cash. This will allow us to complete the Glade Creek Phase 2 sometime within the next two years.

Mr. Peters next commented that last year we had partnered with Botetourt County, Roanoke County and the City of Roanoke to host the Virginia's Blue Ridge Iron Man 70.3, but unfortunately COVID cancelled that event. It was rescheduled for June 6, 2020 and after posting the entry it was sold out within two weeks. A total of 2,500 athletes have registered for the event and the cycling portion will come straight through downtown.

Council Member Liles and Council Member Stovall commented on the Mountain View Road construction project.

**Under appointment to boards/commissions/committees,** Vice Mayor McCarty made a motion to appoint Sarah Reid to the Planning Commission for a four-year term beginning November 3, 2020 and ending on November 2, 2024; the motion was seconded by Council Member Stovall and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None.

Appointed Sarah Reid to the Planning Commission for a four-year term beginning November 3, 2020 and ending on November 2, 2024

**The Mayor commented on staff, the movie night** for Halloween and expressed appreciation to Debbie Adams with the Vinton Messenger on the article concerning the water and sewer lines.

**Comments from Council Members:** Council Members commented on how they might participate in the upcoming Christmas parade and Vice Mayor McCarty reminded everyone to support our local businesses during the holiday season.

**The next item on the agenda was a request to** convene in Closed Meeting, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia, 1950, as amended, for discussion regarding appointments to boards and commissions and for discussion and consideration of the assignment, duties and performance of the Acting Town Manager and Interim Chief of Police.

**Council Member Liles made a motion to** convene in Closed Session; the motion was seconded by Council Member Stovall and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None. Council went into Closed Session at 7:55 p.m.

**Vice Mayor McCarty made a motion to reconvene in Regular Session;** the motion was seconded by Council Member Mullins and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None.

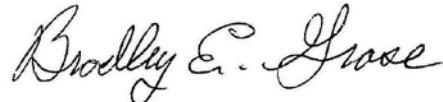
**At 8:16 p.m., the regular meeting reconvened** and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Council Member Liles; seconded by Vice Mayor McCarty and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None.

**Council Member Liles made a motion to adjourn** the meeting; the motion was seconded by Vice Mayor McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, Mullins, Stovall, McCarty, Grose; Nays (0) – None. The meeting was adjourned at 8:18 p.m.

Certification of Closed Meeting

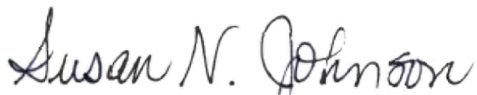
Regular Meeting adjourned

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, CMC, Town Clerk

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 3, 2020, AT 7:00 P.M., BY ELECTRONIC COMMUNICATIONS PURSUANT TO SECTION 15.2-1413, CODE OF VIRGINIA (1950), AS AMENDED**

**CERTIFICATION THAT A CLOSED MEETING WAS HELD  
IN CONFORMITY WITH THE CODE OF VIRGINIA**

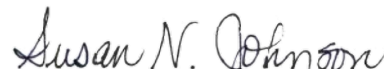
**WHEREAS,** the Town Council of the Town of Vinton, Virginia has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS,** Section 2.2-3712 of the Code of Virginia requires a certification by the Vinton Town Council that such closed meeting was conducted in conformity with Virginia Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Vinton Town Council hereby certifies that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from opening meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies; and
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Motion made by Council Member Liles, and seconded by Vice Mayor McCarty with all in favor.

  
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Clerk of Council