

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, JANUARY 19, 2021, AT 7:00 P.M. BY ELECTRONIC COMMUNICATIONS PURSUANT TO SECTION 15.2-1413, CODE OF VIRGINIA (1950), AS AMENDED, ORDINANCE NO. 1016 AND SECTION 4-0.01(G) OF CHAPTER 1289 OF THE 2020 ACTS OF THE VIRGINIA GENERAL ASSEMBLY

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

STAFF PRESENT: Pete Peters, Town Manager
Susan N. Johnson, Executive Assistant/Town Clerk
Jeremy Carroll, Town Attorney
Anne Cantrell, Finance Director/Treasurer
Fabricio Drumond, Police Chief
Anita McMillan, Planning & Zoning Director
Nathan McClung, Principal Planner
Mandie Baker, Executive Assistant to the Police Chief

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 commented that the Dogwood Committee will be making an announcement soon about the 2021 Festival and the Chamber is considering some changes to their events in March and May and will be making an announcement in the near future.

Vice Mayor McCarty made a motion to approve the Consent Agenda as presented; the motion was

Approved minutes of the Regular Council Meeting of December 15, 2020 and the

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.

Regular Meeting of January 5, 2021; adopted Resolution No. 2404 transferring salaries and benefits in the amount of \$983,508.00 reimbursed by the CARES Act Funding from the General Fund to the Capital Fund; adopted Resolution No. 2405 appropriating funds in the amount of \$1,509.00 received to satisfy a five-year commitment for façade improvements to property recently sold and located at 107 South Pollard Street to the Façade Grant Account; adopted Resolution No. 2406 appropriating funds in the amount of \$500.00 received from AMVETS to the Vinton War Memorial Operating Supplies Account

Under awards, introductions, presentations and proclamations, Chief Drumond made brief comments and introduced Brandon Settles, the new Police Officer in the Department, who was present at the meeting electronically. Chief Drumond next recognized Officer Brandon Alterio, who was recently chosen as one of the Roanoker Magazine's Top 40 under 40. Officer Alterio was present at the meeting electronically. Chief Drumond next recognized three officers who were recently promoted to Corporals in the Department. After brief comments, Chief Drumond recognized Corporal Brandon Alterio, Corporal Dustin Bray and Corporal Andrew DiCarlo, who were all present at the meeting electronically.

The next item under awards, introductions, presentations and proclamations was the presentation of Certificate of Distinguished Budget Presentation Award for the Fiscal Year beginning July 1, 2020 awarded to the Treasurer/Finance Department. Anne Cantrell commented that this was the fifth year that the Department has received the award and expressed appreciation to all Town staff that contributed to the budget document.

The next item on the agenda was a briefing to update on the meter and software upgrade project in the Utility Fund. Anne Cantrell reviewed a timeline, which was part of the agenda package and will be on file in the Town Clerk's Office as a part of the permanent record. Ms. Cantrell commented that a rate study was done with Davenport & Company in 2019, which was presented to Council and adopted

in November of 2019. After that date, staff became concerned due to the fact that one of the Town's top five customers reduced their consumption by 80%. Also, with the COVID-19 Pandemic beginning in March of 2020, there was another concern because the Roanoke County Schools are the Town's top customer.

Ms. Cantrell next commented that staff began having teleworking capability potential with the CARES Act funding and one of the eligible expenses was items that would improve an employer's ability to telework. This presented a great opportunity since our employees are out in the field and oftentimes are being approached by customers. By going to a radio-read system, it will allow them to telework once the upgrade is complete. Approximately \$365,000 was funded from the CARES Act to get the project started. On February 2, 2021, Davenport & Company will present debt options to the Town since we now feel more comfortable with our revenues and have a portion of the project accomplished with the CARES Act funding. By the first of May, we should have all of the funding from the debt and can begin paying to complete the remainder of the project.

Ms. Cantrell further commented the hope is to have the project completed by Fall of 2021. The Finance Department is also doing an ERP software upgrade to include utility billing software and will be moving to Tyler MUNIS, which should be complete by January 2022. Ms. Cantrell next turned the meeting over to Dave Miller with Core & Main for his presentation.

Mr. Miller next reviewed a PowerPoint presentation, which was a part of the agenda package and will be on file in the Town Clerk's Office as a part of the permanent record. The presentation included an overview of the meter replacement project.

The next item on the agenda was a briefing on proposed Ordinance to amend Article I, In General, of Chapter 62, Offenses and Miscellaneous Provisions, of the Vinton Town Code. Nathan McClung next reviewed a PowerPoint presentation, which was a part of the agenda package and will be on file in the Town Clerk's Office as a part of the permanent record. Mr. McClung commented that the amendments specifically refer to the sections that deal with grass and storage and accumulation of trash and garbage. The amendments also include

noxious weeds which are already banned by the Virginia State Code.

The two main amendments would allow for our Code Enforcement Officer or any Town official in the Code enforcement realm to charge either the owner or the occupant for violations. Previously, all code enforcement violations went against the property owner regardless of who was held responsible.

Mr. McClung next commented on the major hurdles to enforcement with our current ordinance. The amendments would also introduce a civil penalty system which would allow fines to be imposed for violations. Currently when there is a violation present on the property for grass, one letter is sent per season. If the violation is for trash, sometimes they get a notice after the first initial warning that they are in violation. For those cases that are non-compliant, the only avenue is through the court system, which is a timely process. With the amendment, after there is a violation, there will be a notification and if it is still non-compliant, a civil penalty can be imposed of \$50 for the first offense and \$200 for every other offense after that within a year. At no point in time during a year period will someone be charged more than \$3,000. The ultimate goal is compliance and there is a provision for a court hearing if the need does occur.

Mr. McClung further commented that a provision has also been added for parcels that are more than one acre stating that natural vegetation would not constitute a violation as long as it is maintained within fifty feet from every property line.

The Mayor commented these amendments will be a big improvement because the continuing problem over the years has been by the time we take someone to Court either they have taken care of the situation or it has continued and gotten really bad. Mr. McClung commented that the Town Attorney was able to find a provision in the State Code that allowed towns to have this option, but not counties.

The next item on the agenda was to consider adoption of an Ordinance to amend Section 78-16 of Article I, In General, and Section 78-43 of Article III, Penalties, of Chapter 78, Solid Waste, of the Vinton Town Code. The Town Manager first commented that it has been approximately a year and a half

since we changed our solid waste ordinance. The most identifiable change to the citizen was the use of town-provided refuse carts. In working with several citizens, members of the Public Works Committee and our Public Works staff, both administrative and the refuse crew, we feel like we have enough information to make some modifications that will help us continue to provide a good service to the citizens and have a process that they can better understand.

The Town Manager next commented on the proposed amendments to Section 78-16. With regard to revisions in Section 78-43, the Town Manager commented that in the current ordinance, there were three notifications of violations. The amendments will refine the violations so that upon the first and second violation, the citizen will receive a tag notifying them of the violation. With the third violation they will also receive a tag, but in addition they will receive a visit from the Code Enforcement Officer. The tags have been updated and provide a duplicate which will be given to the administrative team to keep a running log of the violations. Once the third violation is reached that will trigger a visit from our officer.

When the Code Enforcement Officer makes the visit, we are hoping there will be a dialogue with the resident to explain there has been a history and a pattern that has developed and advise that on the fourth or any subsequent violation after that they would be issued a \$50 civil penalty. The amendments also provide that if the penalty is not paid within 14 days, it can be referred to the General District Court and removes the reference to a Class 4 misdemeanor.

The Public Works Committee reviewed this item at their meeting on January 13th and the Committee has recommended that Council consider approving these amendments.

The refuse team has already begun to implement the new tag procedure as a means to start communicating to the residents what violations have occurred. The tags include items such as contact information and additional options to correct the violation such as rental of an additional cart or the 12 free visits per year to the Tinker Creek Transfer Station. By allowing up to four violations for each

household, we are giving some forgiveness if someone makes a casual mistake of forgetting to put their cart out or has an excessive amount of trash on a rare occasion.

Council Member Liles commented that it was discussed in the Public Works Committee meeting that the violations list would reset every year and asked if that was correct. The Town Manager responded that the residents will have the opportunity for forgiveness throughout the year and would not hold them accountable forever, but would give them some future discrepancies.

In response to a question about the information being available on the Town's website, the Town Manager commented the information is easily accessible on the website and included on our annual Town calendar.

Council Member Mullins made a motion to adopt the Ordinance 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.

The next item on the agenda was to consider adoption of a Resolution opposing Boat Landing Access Fees by the Virginia Department of Wildlife Resources (DWR). The Town Manager commented this law took effect on January 1, 2021 and passing this Resolution does not necessarily mean that we are going to affect or change the outcome. We have talked with several of our legislators and they are reconsidering making some revisions. This Resolution supports a further review of the law in order to receive feedback from citizens and stakeholder groups associated with recreational paddling in the State and particularly in our area.

The Town Manager next commented that anyone who possesses a motorized boat, fishing or hunting license or any similar licenses would be exempt. Those who do not have these licenses would have to pay this fee to get a permit to use a public water access on a lake, water or stream that is either owned and/or managed by DWR, formerly the Department of Game and Inland Fisheries (DGIF). Some of the concerns is that the fee is targeted toward recreational paddlers, which often tend to be

Adopted Ordinance No. 1028 amending Section 78-16 of Article I, In General, and Section 78-43 of Article III, Penalties, of Chapter 78, Solid Waste, of the Vinton Town Code

families looking for affordable or free recreational opportunities which typically have always been free. For example, the Tinker Creek Canoe Launch in Vinton is owned and operated by the Town, but is listed on DWR's website as a public access. The average citizen may not know who operates that public access and because it is listed on the DWR site, they may be confused on whether they need the permit or not. This is replicated as a number of different access points throughout our area and the region.

The Town Manager further commented that other concerns relate to little or no outreach to local landowners who own public access sites of the possible financial and operational impacts on their businesses to incorporate these new permitting procedures, no specific indication of where the funding being generated will be allocated and the potential for individuals to trespass on private properties for access. Other localities are adopting similar Resolutions to encourage our legislators to revise this new law.

Council Member Stovall asked if DWR could control our access point. The Town Manager responded they would not, but it would be confusing to the average citizen to know if they needed a permit or not if they do not know the difference between a Town operated and managed access versus a DWR access.

Council Member Liles made a motion to adopt the Resolution 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.

Council Member Stovall left the meeting at 8:06 p.m.

The next item on the agenda was to consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding Personal Property delinquent taxes and Vehicle License Fees over five years old from the active records to a permanent file. Anne Cantrell commented that these taxes and fees are for the year 2015 and the State does not allow them to collect after five years. This year they are writing off

Adopted Resolution No. 2407 opposing Boat Landing Access Fees by the Virginia Department of Wildlife Resources

\$5,005.65 and when compared to what was billed, there was a 99.02% collection rate. With regard to the Vehicle License Fee, which replaced the decal several years ago, the amount to write off is \$12,284.13 compared to a 91.57% collection rate.

Vice Mayor McCarty made a motion to adopt 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 4-0; Yeas (4) – Liles, Mullins, McCarty, Grose; Nays (0) – None; Absent (1) - Stovall.

The next item on the agenda was to consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding water and sewer delinquent bills over five years old from the active records to a permanent file. Anne Cantrell commented this write-off is not required by State Code, but is recommended by our auditors so we do not have an unrealistic accounts receivable balance on the books. This year the amount is \$14,260.79. They billed out \$3.4 million for 2015, which amounts to a 99.59% collection rate.

Vice Mayor McCarty made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Mullins and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – Liles, Mullins, McCarty, Grose; Nays (0) – None; Absent (1) - Stovall.

The Town Clerk commented that Council Member Stovall had advised that he would need to leave the meeting and it would be documented in the minutes.

The Town Manager first commented on the ribbon cutting today for the opening of Our Daily Bread and that Joe Goodpies at Vinyard Station will open on January 28th. Council should have received an invite from the Town Clerk for the February 19th Council Retreat. We are planning for a half-day retreat in the afternoon for a preliminary review of the upcoming budget, discussion of both the FY22 Capital Improvement Plan (CIP) and some opportunities for some current year funds being allocate toward immediate CIP items including traffic signals and an update on the Strategic Plan that was adopted by Council in July of 2020.

Adopted Resolution No. 2408 allowing the Town Treasurer/Finance Director to remove outstanding Personal Property delinquent taxes and Vehicle License Fees over five years old from the active records to a permanent file

Adopted Resolution No. 2409 allowing the Town Treasurer/Finance Director to remove outstanding water and sewer delinquent bills over five years old from the active records to a permanent file

The Town Manager next reviewed a PowerPoint presentation on the Public Works Fleet leased vehicles through Enterprise, which will be on file in the Town Clerk's Office as a part of the permanent record.

The Town Manager next reviewed a PowerPoint presentation on the CARES Act updates to the Municipal Building, which will be on file in the Town Clerk's Office as a part of the permanent record. Chief Drumond commented on the improvements that have been made in the Police Department. The Town Manager expressed appreciation to Council for their support in making these improvements to create a safer and nicer working environment for our employees and for the citizens who come to the building. The Mayor commented that a majority of the improvements were funded by the CARES Act funds and was that correct. The Town Manager responded there were some Town funds that were re-appropriated toward non-CARES Act eligible items and the Police Department used some of their Asset Forfeiture Funds for some of their improvements, but the CARES Act covered most of them. The Town Manager further commented that also the Finance Department has had improvements to the front counter and the drive-thru window to better serve the citizens. The Mayor commented in closing that the CARES Act is a government program that worked by putting funds back into the economy, which was what it was designed to do.

Under reports from Council Committees, Anne Cantrell provided a report on the Finance Committee which met on January 11, 2021. Ms. Cantrell next reviewed a PowerPoint presentation, which will be on file in the Town Clerk's Office as a part of the permanent record. Ms. Cantrell commented under other items that the Committee approved a request from the Vinton First Aid Crew for reimbursement from the funding set aside in the FY21 budget for merchandise for the volunteers. With regard to the Vinton Business Center Revenue, this was a stand-alone revenue for FY21 that was previously included in the Gain Sharing Agreement and we were never been able to know the full amount. When Roanoke County calculated the Town's 50%, it was \$122,000, which has been received and should be a continuing revenue as long as the Vinton Business Center stays occupied.

Council Member Liles made a motion to adopt the Resolution as presented; the motion was seconded by Vice Mayor McCarty and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – Liles, Mullins, McCarty, Grose; Nays (0) – None; Absent (1) - Stovall.

Approved the November 2020 Financial Report

Under reports from Council Committees, the Town Manager commented that the Public Works Committee met on January 13, 2021 and then reviewed a PowerPoint presentation, which will be on file in the Town Clerk's Office as a part of the permanent record. The Town Manager commented that Bo Herndon briefed the Committee on cost estimates that he is getting to update the traffic signal lights. There are 11 intersections in the Town, all of which are at least 50 years old and, in some cases, older. This information will be shared with Council at the Retreat on February 19th to get some guidance on what you might want to tackle with current year funds or program in the future CIP.

There are some larger scale paving projects needed on our primary roads through the Town such as Virginia Avenue from Pollard to Hardy and then Hardy down to the town limits by Wolf Creek and a large section of Washington Avenue from Pollard to Preston. We are getting cost estimates and this would take care of all of our primary travel routes in the Town. We have done a good job over the past several years in getting our neighborhoods paved, but these primary roads have not been paved in over 40-50 years.

The refuse ordinance updates were discussed and Council took action on this item earlier in the meeting. The Committee was also updated on operational adjustments that have been made when we have a violation which allows the crew to collect the trash and leave a tag rather than not collect the trash and leaving a tag.

With regard to bulk and recycling updates, the Committee was given an update on where we are with bulk collection since the change was made in August to go to bi-weekly bulk and alternating with recycling. As they transition out of the fall months and the Christmas season, they feel like they can get a better handle on a typical month collection cycle and will be collecting more data over the next few months. This data will be brought to the Committee

and Council in the Spring or early Summer for consideration as to whether we want to make additional modifications to our bulk collection schedule.

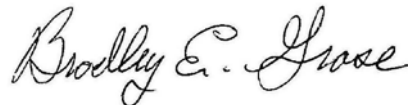
The Mayor expressed appreciation to staff for their hard work and all of the reports that were given tonight, the economic development still going on and how the leasing of the vehicles will help with employee morale. The Mayor in closing asked Council to look at bill SB1157, which would remove the opportunity for local governments to hold elections anytime other than in November and to let our representatives know how we fee. The Mayor indicated that he is adamantly opposed.

Comments from Council: Vice Mayor McCarty commented on the items that were covered during the meeting and although 2020 was bad, we did not let it get us down. We have the best staff around. Council Member Liles commented on the opening of Our Daily Bread and the leasing of the vehicles which will hold employees accountable but also will boost morale and gives them a sense of pride. Council Member Liles next commented that he does support the Mayor in wanting to keep our May elections, that it would be difficult to stand out in an election that has multiple people on the ballot and that he would respond to our legislators. Council Member Mullins commented on the assistance from Town staff this past week and the building renovations.

Vice Mayor McCarty made a motion to adjourn the meeting; the motion was seconded by Council Member Mullins and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – Liles, Mullins, McCarty, Grose; Nays (0) – None; Absent (1) - Stovall. The meeting was adjourned at 8:56 p.m.

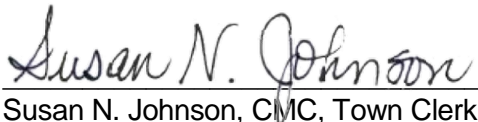
Meeting adjourned

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, CMC, Town Clerk