

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, AUGUST 17, 2010, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Robert R. Altice  
Carolyn D. Fidler  
Matthew S. Hare  
William W. Nance

STAFF PRESENT: Chris Lawrence, Town Manager  
Elizabeth Dillon, Town Attorney  
Darleen Bailey, Town Clerk  
Barry Thompson, Finance Director/Treasurer  
Herbert Cooley, Police Chief  
Mike Kennedy, Public Works Director  
Mary Beth Layman, Special Programs Director  
Anita McMillan, Planning Director  
Stephen Doyle, Police Sergeant  
Jesse Schmale, Intern

Agenda

- A. 7:00 P.M. – Roll Call and Establishment of a Quorum
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG
- D. CONSENT AGENDA
  - 1. Request to Approve Minutes for Regular Meetings of June 15 and July 6, 2010
- E. AWARDS, RECOGNITIONS, PRESENTATIONS
  - 1. Presentation by Roanoke City Mayor David Bowers Recognizing Town Council's Contribution to Rebuilding Together
  - 2. Recognize Police Officer of the Month (July) – Sergeant Steven Doyle
- F. CITIZENS' COMMENTS AND PETITIONS
- G. OLD BUSINESS
  - 1. Proposed Amendments to the Town of Vinton Zoning Ordinance, Article V, Supplementary Regulations, Division 3, Section 5-5, Exceptions to Yard Requirements and Section 5-11, Visibility at Intersections, relating to the placement and height of fences, walls, arbors and trellises within Residential Districts – Proposed Ordinance No. 903
- H. TOWN ATTORNEY
- I. TOWN MANAGER
  - 1. Request to Approve Purchase of Leaf Vacuum System from Roanoke City – Resolution No. 1887
- J. MAYOR
- K. COUNCIL
- L. ADJOURNMENT

WORK SESSION

1. Presentation on Farmers Market Business Plan
2. Discussion – Mowing Complaint Regarding Riparian Buffer Adjacent to Tinker Creek

Mayor Grose called the regular meeting to order at 7:00 p.m. Following roll call, the Mayor gave the invocation and Councilman Altice led the Pledge of Allegiance to the U.S. Flag.

Roll call, invocation and Pledge of Allegiance to U.S. Flag.

The consent agenda was approved on a motion by Mr. Hare and seconded by Mr. Nance. The motion passed with all in favor

Approved Consent Agenda

Roanoke City Mayor, David Bowers, who was representing the Board of Directors for Rebuilding Together, presented the Mayor with a framed certificate in appreciation for the donation made by the Town to Rebuilding Together. He explained that this organization is similar to Habitat for Humanity but instead of building homes, Rebuilding Together rehabilitates houses for citizens who are unable to do the work themselves.

He noted that Rebuilding Together for the Roanoke Valley has worked on 350 houses during the past 10 years and hoped to be able to work on another 50 homes before the year is out. He also noted that Rebuilding Together is the coordinator for other groups such as Transformers and World Changers.

Mr. Nance read a letter from Police Chief Herb Cooley naming Sgt. Stephen Doyle as Police Officer of the Month for July.

Anita McMillan reviewed work completed by the Planning Commission regarding an amendment to the Town's fence ordinance. In her report, she noted that at their July 20<sup>th</sup> meeting, Council referred the proposed ordinance back to the Planning Commission to take a second look at the 5 foot front yard setback requirement for fences. She went on to say that the Planning Commission stood by their initial recommendation since Council has the option to make any changes they believe are necessary.

Motion to adopt an amended Ordinance No. 903 failed

Ms. Fidler advised the Mayor that she planned to enter a motion that proposed Ordinance No. 903 be approved with an amendment to remove the 5-foot front setback requirement.

Mr. Altice felt that any safety issues could be handled without the need for an ordinance. Mr. Lawrence replied that currently, the Town can only deal with safety issues if it is within the sight triangle.

In response to an inquiry by Mr. Nance as to the number of fencing issues handled by the Town each year, Ms. McMillan reported that the issue came up at least three times last year. Mr. Nance questioned whether the proposed ordinance would magnify the problem because most property owners are not aware that a zoning permit is required. He felt the proposed ordinance would just add additional bureaucracy to the process and pointed out that he had a basic problem with telling citizens what they can and cannot do in their own front yards.

Following further discussion on what should be taken out of the ordinance, Ms. Fidler made a motion to approve proposed Ordinance No. 903 with the following amendments:

1. Remove the 5-foot front yard lot line setback requirement and, thus, maintain the current 0 setback requirement
2. Remove language dealing with arbors and trellises

The motion was seconded by Mr. Altice and failed with the following 3 – 2 vote.

Mr. Altice	Yes
Ms. Fidler	Yes
Mr. Hare	No
Mr. Nance	No
Mayor Grose	No

Mayor Grose asked if there were any further motions and there were none.

The Town Manager reported that a gentleman missing from the Berkshire Nursing Home had been found by the Vinton Police Department on Monday. He expressed his appreciation to the Police Department, the Vinton and Roanoke County Fire and Rescue Departments and a number of community volunteers for their efforts in the search.

Mr. Lawrence noted that Council had been briefed at the last Council meeting on the purchase of a used leaf vacuum system from Roanoke City. He pointed out that staff had found money in the current budget, partly through savings found during an audit of the Town's phone services. The Town Manager noted that to avoid delaying the purchase any further and risk losing out on the opportunity to purchase the City's leaf vacuum, money would be temporarily taken out of surplus funds and replaced when the audited savings are realized.

Passed Resolution No. 1887 approving the purchase of a leaf vacuum from Roanoke City

Mr. Altice moved to approve proposed Resolution No 1887 approving the purchase of the leaf vacuum and challenged staff to replace those funds taken out of the reserves. The motion was seconded by Mr. Altice and passed on a unanimous roll call vote.

Mr. Lawrence reported that he would report back to Council at their next meeting on how the money in the reserve fund will be replaced.

Mayor Grose noted that he had signed a proclamation designating September 3<sup>rd</sup> as "Hokie Pride Day" in the Town of Vinton. The Mayor congratulated the Town Departments that had a hand in locating the lost senior citizen.

Mayor Grose stated that he would like to formally thank Thrasher Memorial United Methodist Church for their efforts in the public/private partnership with the Town's pool operations this summer. He went on to say that the church set a good example of how a private/public partnership can work in the Town and looked forward to developing other similar partnerships.

Mr. Hare thanked the Police Department for a very successful "National Night Out" event.

Mr. Nance echoed Mr. Hare statements regarding "National Night Out". He also thanked Mary Beth Layman as well as Thrasher Memorial United Methodist Church for the success experienced at the swimming pool this summer.

Mr. Nance reported that he and Ms. Fidler met with Hal Mabe informally as the Sign Sub-Committee concerning Mr. Mabe's recommendation that the Town display banners advertising special events in the Town. Mr. Nance advised that because of the current economic situation, some of the larger projects recommended by Mr. Mabe would not be possible at this time. He went on to say that he agreed with Mr. Mabe's request for the Town to be a little more aggressive in placing small banners at the Town's entrance ways.

Mr. Nance noted that a large bush almost obscures the Town's welcome sign located near Jerry's Restaurant on Washington Avenue and recommended that someone trim it back. He requested an update on the plans for a plaque honoring the late Vice Mayor, Billy Obenchain.

Mr. Nance moved to recommend that Craig Sheets be appointed by the Roanoke County Circuit Court to serve as an alternate member on the Vinton Board of Zoning Appeals when there is an opening.

The motion was seconded by Ms. Fidler and passed with all in favor. Mr. Lawrence explained that Mr. Sheet's appointment will have to go through the Circuit Court process. Ms. Dillon reported that the process takes time as each Circuit Court judge has to sign off on the appointment.

Mr. Altice asked who would replace Mr. Sheets as Emergency Services Coordinator since he is no longer employed by the Town and Mr. Lawrence responded that he would serve in that position since he is Emergency Services Director.

Mr. Altice expressed his appreciation to Mary Beth Layman for representing the Town at a function in Daleville.

Ms. Fidler gave a brief report on events taking place on the weekends at the Farmers Market.

Mr. Lawrence reported that construction plans for O'Reilly's, a new auto parts store, had been approved with the pre-construction meeting taking place on the following Thursday. Hen reported on the start-up of a couple of other new businesses in the Town. Ms. McMillan briefly outlined some issues that the new car wash on Washington Avenue had encountered.

Mr. Lawrence reported that this is the 10<sup>th</sup> year for the Fall Waterways Cleanup that will be held on October 2<sup>nd</sup>.

Mr. Hare inquired as to whether there would be some type of event to celebrate the new sign at the Vinton Business Center. The Town Manager advised that he would meet with Ms. Caudill to discuss some type of celebration to acknowledge the new sign.

Mary Beth Layman gave an update on the Veterans Memorial construction project.

Mayor Grose adjourned the regular meeting at 8:00 p.m.

## **WORK SESSION**

### **1. Presentation on Farmers Market Business Plan**

Jesse Schmale, an intern working for the Town this summer from Virginia Tech's Masters in Public Administration Program, gave an overview of a business plan she had prepared for the Farmers Market. She advised that in her report, she had highlighted recommendations for the Market and reviewed what is going on at other Farmers Markets in the Roanoke Valley, in Virginia and around the country.

Ms. Schmale discussed the purpose and functions of the Farmers Market. She noted that her research involved operations, marketing, finance, governance and management.

She made the following recommendations to improve and increase the use of the Farmers Market:

- recruit vendors
- form an advisory committee
- implement an evening market
- create an accounting system
- support a part-time manager

Ms. Schmale reviewed the highlights of her internship and pointed out some of her accomplishments: assisted Special Programs with promotional activities; worked with the Planning Department to assist Roanoke County in doing address verifications in Vinton; went on a “ride along” with a police officer and shadowed different departments to learn what occurs on a day-to-day basis.

As a part of her work, Ms. Schmale advised that she created a Vinton Farmers Market Business Plan and a Farmers Market resource CD that listed all of the resources she was able to collect throughout the summer. She went on to say that the internship gave her many skills that she will be able to build on such as public speaking, strategic business planning, market research, and management in local government.

At the conclusion of her report, she thanked everyone who had assisted her with the project. Mayor Grose thanked her and wished her the very best in her future endeavors. Mr. Nance asked her about the number of farmers markets she had visited while compiling her report and was advised by Ms. Schmale that she had visited farmers markets in Richmond, Roanoke City, Williamsburg, and Salem. She noted that she had spoken with managers of several other markets as well. Mr. Nance asked how Vinton’s farmers market compares aesthetically with the other markets and was advised that since some markets have no structure, she felt that Vinton’s Farmers Market was a very attractive market.

## **2. Discussion – Mowing Complaint Regarding Riparian Buffer Adjacent to Glade Creek**

Mr. Lawrence gave a brief history on the implementation of the riparian buffer adjacent to Glade Creek. Following his comments, he noted that the Town had received complaints regarding the need to mow the area where trees were recently planted as a part of a riparian buffer next to Glade Creek.

Ms. McMillan gave a definition of a riparian buffer and explained that its purpose is to control flooding and drought, reduce erosion and improve the habitat of fish. She pointed out that the area comprising the riparian buffer cannot be mowed if it is to

function the way it is intended to function. Ms. McMillan explained that the buffer's vegetation traps elements such as oil, sedimentation and various chemicals in the water coming off of the roadway and prevents it from running into the creek. She advised that because Glade Creek is an impaired creek, DEQ (Department of Environmental Quality) wants to improve the water quality of the creek so that it will meet the state standards and would be fishable, swimmable and drinkable. She further noted that this is important because most of the City of Roanoke's water supply comes from surface water. Ms. McMillan also pointed out that having the trees, bushes and other vegetation growing there would slow down the flow of water and allow some of it to soak into the ground and protect the creek bank.

Following a discussion regarding the riparian buffer on Wolf Creek, Mr. Hare asked if any promises were made by the people who applied for the grant as to whether the area would be kept mowed or not. Ms. McMillan replied that during their conversations, the group had made it plain that the area would not be mowed. Mr. Lawrence added that the application was written based on the area being left in a natural state. Mr. Nance asked if the staff had promised that the area would remain natural and was told by both Mr. Lawrence and Ms. McMillan that they had made that promise as it was the justification for the grant. Mr. Nance asked what the ramifications would be if the Town broke that promise and mowed the area. Mr. Lawrence replied that it would put the Town in a negative light for other grant requests.

Ms. Fidler noted that she had attended the neighborhood meeting and recalled that the only area to be mowed would be the area where the children played with the rest remaining in a natural habitat. In response to a question from Mr. Nance as to how the neighborhood had been notified about the buffer, the Town Manager reported that everyone in the neighborhood had received a hand delivered flyer.

Mayor Grose asked about the number of complaints received by the Town from the neighborhood and was advised that staff had received two complaints. Mr. Lawrence made the statement that budget constrictions had nothing to do with whether the area is mowed. He did note that if the area is to be mowed, rocks, dirt and other debris would have to be removed. He reiterated that if the area is mowed, it would significantly reduce any benefit that was intended for a buffer zone and could damage the Town's chances of getting other grants.

Mr. Drewery stated that he understood from the meeting that the area would look like the area at PFG where they planted their trees. He felt that the un-mowed area had increased the number of ground hogs on his property and requested that the area be mowed. Mr. Hare asked Mr. Drewery what he thought would be a reasonable outcome for the situation. Mr. Drewery responded the he would like to see the height of the vegetation to be kept at 12 inches or less and to reduce the buffer from 85 feet to 20 or 30 feet.

Following further discussion on remedies that would be acceptable to the neighborhood and to the Town as well, Mayor Grose stated that he felt information

about the riparian buffer was not communicated to the community as well as it should have been. Mr. Lawrence asked Council how much of the buffer they felt should be mowed. Mr. Hare recommended mowing another 20 feet of the buffer.

The Mayor questioned whether the group that provided the trees might have suggestions on how to deal with this situation. Mr. Lawrence stated that he did not believe the people who provided the grant would have an issue with the Town mowing 20 to 25 feet of the buffer area. Mr. Nance stressed that he had a problem with the Town going back on what was promised when the grant funds were accepted. Ms. McMillan stated that she would contact everyone involved in the grant process to see if a compromise can be worked out.

Mr. Nance stated that he did not want the Town go back on its word even if that meant he would not be elected in the next Council election. He thanked Mr. Drewery for bringing the issue to Council.

### **3. Council Retreat**

Council agreed to hold a retreat at the Vinton War Memorial on September 22<sup>nd</sup>, from 5:30 to 8:00 and on September 23<sup>rd</sup>, from 8:00 a.m. until 4:00 p.m.

The work session was adjourned at 9:45 p.m.

APPROVED:

---

Bradley E. Grose, Mayor

ATTEST:

---

Darleen R. Bailey, Town Clerk