

The minutes for the regular meeting and work session of December 1, 2009 were approved on motion by Ms. Fidler and seconded by Mr. Nance, with all in favor.

Approval of Consent
Agenda

Stephanie Merlin of 502 Tinker Avenue, Vinton, spoke to Council concerning the proposed community garden for her neighborhood. She stated that she recently spoke with Mark Powell and he had informed her that the Town had already approved this project. She also stated that Mr. Powell had told her that a small shed would be placed next to her property for garden tools and people would be coming and going during the daylight hours of 6am to 9pm to work in the garden.

Citizen Comments and
Petitions

Ms. Merlin expressed concern about the additional vehicle and foot traffic in a neighborhood that has lots of children and noted that parking is already very limited in this area. She noted that the neighborhood has a lot of wildlife especially skunks and felt that additional vegetation would agitate the existing skunk issue. She explained that the skunk problem is so bad she has been working with the animal control officer on the issue. Ms. Merlin also stated that Mr. Powell had told her that the fire hydrant in front of her house could be utilized to help water the garden project. She was very concerned about this because she already has issues with the water supply and stated that the quality of her water was already very poor.

Joan Drewrey of 454 Tinker Avenue also spoke to Council about the proposed community garden. She stated that because there are no parks in the Midway neighborhood, children use the proposed community garden site to play football, soccer and baseball. She explained that this is a safe area for children to play that is watched by the neighbors.

Ms. Drewrey questioned whether this was a good location for the community garden and suggested other locations such as Walnut Avenue. She pointed out this area is located in a floodplain and you cannot put up a fence to direct the flow of water or use fertilizer or chemicals on the garden as that will pollute the water in the adjoining creek. She also questioned whether it was a good idea to place a garden shed with tools and a portable john in an area where kids might break items or steal tools. Ms. Drewrey pointed out that the neighborhood has elderly people and other individuals who work the night shift that need sleep during the day and suggested that the additional noise created by garden tillers would not be desirable. In addition, she noted that the neighborhood has a lot of deer, groundhogs and skunks that will be attracted to the garden's vegetation.

Sue Overstreet who lives at 458 Tinker Ave also expressed concerns about the possibility of a community garden being located in the neighborhood. She also noted that the proposed site is a safe area where the neighborhood children currently play. Ms. Overstreet stated that traffic is already bad in the afternoon and this situation will create additional traffic and parking issues within the neighborhood.

Mayor Grose thanked the citizens for their comments and stated that he felt each of them had brought up valid issues. He explained that the community garden project was still in the very early planning stage of what would be a lengthy public process that would allow Town citizens to have input. He noted that he had no idea that the

land was being used by the neighborhood children and was sorry that that Ms. Merlin was having an issue with her water. Mayor Grose stated that Council would have Mr. Kennedy look into Ms. Merlin's water issue.

Councilwoman Fidler explained that the idea of a community garden had been initiated to provide a service for people who would like to have a small garden and may not have the opportunity to do so anyplace else. She noted that research had found that the vandalism and crime rate usually goes down with the addition of a community garden or greenway. Ms. Fidler stated she had talked with Mr. Powell earlier that day and he had explained he was now at the stage where they come in and talk with the community and set up public community meetings to discuss details on what the project would entail. She stressed that to her knowledge no final decision has been made of any exact location and this is a first try at the project. Ms. Fidler commented that she could appreciate how the citizens feel and she had no idea the proposed site was being used as a park by the kids in the neighborhood. She stated that a final proposal of something of this magnitude would require a public hearing notice which would be in the newspaper as well as on the Town website.

Mr. Nance reiterated that Mr. Powell was in the very early stages of the proposed project and nothing was set in stone. He explained that when Mr. Powell pitched the idea to Council during a work session he and other members of Council had thought this sounded like a good idea to explore. He stated he felt this would be an asset to the community and really did not see the negative side that it would have on a specific neighborhood. Mr. Nance referred to work session minutes which explained that the first step for Mr. Powell would be to get out in the surrounding community and talk to people to determine the amount of interest in developing a community garden. He stated that he was appreciative of the feedback and encouraged citizens to continue to interact with both Counsel and Mr. Powell.

Town Manager, Chris Lawrence reiterated that Mr. Powell came to a work session about eight months ago and explained that this type project had been done successfully in Roanoke City in two separate locations. Mr. Lawrence commented that for a project of this type to be successful it must have value to the proposed neighborhood and be supported by that neighborhood. Mr. Lawrence noted that if there is not an interest in this particular neighborhood he will encourage Mr. Powell to look in another neighborhood within the town. He also stated that he will work with the animal control officer to see if there are any solutions to the wildlife issue in this neighborhood.

Mr. Lawrence reported that a steering committee comprised of both Town and Roanoke County leadership recommended that Council move forward with the proposed merger of the Emergency Communication centers. He stated that this merger of Emergency Communications centers will result in service improvements and long term savings for both localities. He also reassured Council that no employee jobs are being eliminated as a result of this merger.

Adopted Resolution No. 1851 to merge with Roanoke County's Emergency Communication Centers

Mayor Grose stated that he wanted to thank everyone and express his appreciation for all of the hard work and details generated from the steering committee research. He noted that citizens demand and deserve for governments to operate as efficiently

as possible and he felt this merger will increase and enhance service as well as place the locality in a better position to receive grants that enhance the 911 system. Mr. Nance also expressed his appreciation to staff and noted that there appears to be a very strong economic incentive to complete this merger.

Mr. Nance moved to adopt proposed Resolution No. 1851 to enter into a memorandum of agreement with Roanoke County to merge Emergency Communications Centers. The motion was seconded by Mr. Altice and unanimously approved on a roll call vote.

Mr. Lawrence expressed his deep appreciation to Craig Sheets, Emergency Services Coordinator, the Public Works department, the Police department and Emergency Services for all their hard work during the recent storm event where sixteen inches of snow fell. He commented that initial estimates come in at around \$40,000 thousand dollars to respond to this weather event and noted that due to declaring a state of emergency we will hopefully be able to be reimbursed for some of the cost from FEMA. Council also expressed their appreciation to staff for all their hard work during this historic snow event.

Town Manager comments

Mr. Lawrence reported that the traffic light issue at the intersection of Rt. 24 Bypass and Washington Avenue had been narrowed down to a circuit or wiring problem and should be fixed by tomorrow. He noted that the control unit had been replaced in April 2009 and was still under warranty.

Mayor Grose commented that one of the things he would remember most about Vice Mayor Billy Obenchain was his love of people and noted that Billy was actually the one that led the battle to bring staff salaries up to a competitive level with the other governments in the valley. He talked of Billy's courage in battling cancer, his integrity and fairness and noted that Billy was a man who stood behind his convictions no matter the cost.

Comments from the Mayor and members of Council

Mayor Grose shared that one of his most meaningful memories of Billy occurred approximately a year or so ago during a particularly late Council session where news that was not very encouraging, was received. The Mayor stated that as he and Billy were walking out of the municipal building and he was running down the list of huge challenges facing local governments, Billy looked over at him and said "You know some day we are going to be in a place where we will not have to worry about any of these problems." Mayor Grose reflected that it reminded him that that he needed to get back on track, let him know that Billy had faith, his priorities straight and knew things were going to be all right eventually. Mayor Grose closed with the statement "I just want to say that it was indeed a privilege, an honor and an advantage to know Bill Obenchain, I am going to miss him."

Mr. Nance stated that he had prepared a statement to read. In this prepared statement he shared that Vice Mayor Obenchain was a hard working man who kept his priorities of faith, family and community straight. He noted that Billy's life was filled with examples of his service to others, whether it be with the Roanoke City Fire Department, Vinton Town Council or on the individual level of providing friends items from his garden or even providing a newcomer to local politics invaluable advice

about how to serve the community better.

Mr. Nance noted that Billy's service to his community and its members did not lag with his illness instead Billy continued to give and serve his community until God called him home. He stated that these characteristics of Billy are much like those of Vinton itself, unpretentious, hardworking and never forgetting what makes this community great, its people. In conclusion, Mr. Nance noted that the Town lost one of its finest sons in Billy Obenchain and he felt that all of Vinton will miss Billy's humor, friendship and leadership.

Mr. Altice stated that he had known Billy practically all his life. He noted that Billy never changed and was always dedicated to whatever goals he set. He commented that Billy was very dedicated to the Town of Vinton and always interested in everything that went on. In conclusion, Mr. Altice commented that Billy knew people, liked people and was a people person.

Ms. Fidler stated that this had been a very sad time and unfortunately there was nothing she could say about Billy that everybody else hadn't already said and keep a straight face. She reported that Council was in the process of filling the vacancy on Council but not replacing Billy, because that could never be done. Ms. Fidler explained that in the process of filling a vacancy on Council they had discovered that the Town Charter allows only 30 days to fill the vacancy. She noted that this is an extremely short time period and expressed concern about whether 30 days really gives enough time to open the process up to give it the attention that it deserves to have. She stated that upon further research it was noted that State code allows 45 days which would add an additional 15 days to the process.

Ms. Fidler asked that Council pass a Resolution to request that the State Legislature file a bill during the 2010 General Assembly session to amend the Town Charter to allow 45 days to fill vacancies on Council. She clarified that the only change to the Town Charter would be section 3.2 which states that vacancies on the Council shall be filled with in 30 days. The language '30 days" would be deleted and replaced with "45 days".

Mayor Grose noted that a motion had been made by Ms. Fidler to apply for a change to the Town Charter from 30 days to 45 days for the placement of Council members. The motion was seconded by Mr. Altice and unanimously approved on a roll call vote.

Mr. Lawrence reported that he had been in contact with Senator Smith and he was open to co-sponsoring the bill with Delegate Ware. He explained this would introduce the bill to both the House and Senate for consideration.

The regular session adjourned at 8:05 p.m.

Mr. Lawrence requested that the work session item for the Walnut Avenue bridge replacement be heard before Council convened in closed session. Mr. Kennedy gave a brief report to Council concerning the options available during the construction of a new bridge on Walnut Avenue. He stated that the existing bridge does need to be replaced as it is very old. He reported that current traffic volumes on Walnut

Adjournment of Regular Session
Work Session on Walnut Ave. Bridge Replacement Detour

Avenue equal to about 7300 vehicles per day and about 1% or 73 of those vehicles are trucks. He explained that about half of the truck count belongs to Southern State vehicles. He further explained that the Southern States trucks are too high to fit under the existing low water bridge connecting into Roanoke City.

Mr. Kennedy explained that one option is for the Town to build a temporary bridge located on the south of the existing bridge which could be torn down at a later date. He noted that the cost of building the temporary bridge and associated expenses are estimated to be approximately \$300,000 dollars. He explained that a permit will have to be obtained for the temporary bridge with traffic routed through the bridge as a detour while the permanent bridge is built.

Mr. Kennedy noted that another option would be to just detour the traffic. He explained that a detour would have an impact on the Southern States plant and traffic going towards the Midway area. He stated that Roanoke City is willing to work with us on the traffic situation.

Council members indicated that they are interested in allowing VDOT to begin design work on a permanent bridge. They indicated that final Council approval would be subject to input received from public hearings on the subject.

The work session adjourned at 8:22 p.m.

Adjournment of Work Session

Mr. Nance moved to convene in a closed meeting pursuant to § 2.2-3711 (A) 1 - of the Code of Virginia, as amended, for discussion or consideration of the appointment process and prospective candidates for an interim appointment to Town Council. The motion was seconded by Mr. Altice and passed on a unanimous roll call vote.

Convened in a closed meeting

Following the closed session, Council reconvened and the Certification that the Closed Meeting was held in conformity with State Law was approved on motion by Mr. Nance, seconded by Ms. Fidler and approved unanimously on a roll call vote.

Adopted Certification of Closed Meeting

There was no further business and Mayor Grose adjourned the closed meeting at 9:15 p.m.

Final Adjournment

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Darleen R. Bailey, Town Clerk