

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, JULY 6, 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
Darleen Bailey, Town Clerk
Elizabeth Dillon, Town Attorney
Barry Thompson, Finance Director/Treasurer
Herbert Cooley, Police Chief
Ben Cook, Police Captain
Joey Hiner, Asst. Public Works Director

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. APPOINTMENTS:
 1. Appointive Officers:
 - a. Town Manager
 - b. Town Treasurer
 - c. Town Clerk
 - d. Town Attorney
 - e. Chief of Police
 2. Council Committees:
 - a. Budget/Finance – Councilman Nance & Councilman Hare
 - b. Public Works - Vice Mayor Fidler & Councilman Altice
 - c. Public Safety Committee – Mayor Grose & Councilman Hare
 3. Election of Vice Mayor
- E. CONSENT AGENDA
 1. Request to Approve Minutes for Regular Meeting of May 18, 2010
 2. Cancel August 3, 2010 Regular Council Meeting Due to National Night Out Celebration
 3. Confirm Vinton Volunteer First Aid Crew Officials
- F. AWARDS, RECOGNITIONS, PRESENTATIONS
 1. Recognize Outstanding Dispatcher of the Quarter – Rachel Jones
 2. Recognize June's Police Officer of the Month – Paul "Matt" Harris
- G. CITIZENS' COMMENTS AND PETITIONS
 1. Hal Mabe, Vinton Area Chamber of Commerce – Banner

H. 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. 902

ACTION: REFER BACK TO THE PLANNING COMMISSION

- I. TOWN ATTORNEY
- J. TOWN MANAGER
- K. MAYOR
- L. COUNCIL
- M. ADJOURNMENT

WORK SESSION

1. Discussion of Economic Development Program Strategies and Expectations
2. Discussion of Proposal to Change Start Time of Regularly Scheduled Town Council Business Meetings.

Mayor Grose called the regular meeting to order at 7:00 p.m. Following roll call, Tom Philpott 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.

Mayor Grose reported that certain town officials need to be appointed by Town Council every two years at the first meeting in July after a Council election in May.

Nominated Vice Mayor, approved appointed Town officials and Council committee members

A motion was made by Mr. Altice to approve the following appointments:

1. Chris Lawrence as Town Manager
2. Herbert Cooley as Police Chief
3. Barry Thompson as Town Treasurer
4. Elizabeth Dillon as Town Attorney
5. Darleen Bailey as Town Clerk
6. Councilman Nance to the Budget/Finance Committee
7. Councilman Hare to the Budget/Finance Committee
8. Vice Mayor Fidler to the Public Works Committee
9. Councilman Altice to the Public Works Committee
10. Mayor Grose to the Public Safety Committee
11. Councilman Hare to the Public Safety Committee

The motion was seconded by Mr. Nance and passed unanimously on a roll call vote.

In response to the Mayor's call for nominations for the office of Vice

Mayor, Councilman Altice nominated Carolyn Fidler to serve as Vice Mayor for the next two years. The nomination was seconded by Councilman Hare and was approved unanimously on a roll call vote.

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

Approved consent
agenda

Mr. Hare read a letter from Police Chief Cooley recognizing Rachel Jones as the Dispatcher of the Quarter. Mr. Nance read a letter from Chief Cooley recognizing Paul "Matt" Harris as June's Police Officer of the Month.

Mr. Hal Mabe, a member of the Vinton Area Chamber of Commerce, spoke on the need to be able to notify citizens of the Vinton area and to those who pass through the Town, when special events are taking place in the Town. He discussed several options he felt would remedy this problem, one of which would be a large banner that would be hung across Pollard Street or a location to be determined.

Another option he discussed was a large welcome sign. Mr. Mabe felt the best location for the sign would be in the right of way at the Bypass Road stop light. He explained that the lower part of the sign should consist of a material that would allow temporary banners to be hung that would advertise upcoming Town or Chamber events. He also described an electronic sign that he had seen in Fredericksburg. Mr. Mabe noted that the Chamber would control the banner.

Both Mr. Nance and Mayor Grose felt the idea was something Council needs to consider. Mayor Grose advised that he would have the Sign Committee (Mr. Nance and Vice Mayor Fidler) work with staff on the issue before involving the Chamber of Commerce.

Mr. Roger Overstreet, operator of a vehicle repair business on South Pollard Street, stated that he had spoken with the Town Manager earlier in the day regarding zoning problems. He complained that the Planning Office had advised him that he can not park vehicles that are in need of repair, on his lot. He stated that he is located in an M-2 zone and that other businesses in the area are allowed to park inoperable vehicles on their property. Mr. Overstreet noted that staff in the Planning Office is requiring him to pave his lot if he is to continue conducting business at that location. He pointed out that if he does have to pave his lot, the pavement would constantly be damaged by the heavy equipment that he parks on his lot.

Comments by Mr. Overstreet and Mr. Cosmoto regarding the Town's Planning and Zoning Department

Mr. Overstreet stated that he is not allowed to park any vehicles within 25 feet of the alley. Mr. Altice advised Mr. Overstreet that the

Town Attorney and Karla Turman in the Planning Office would need to review the situation before any action could be taken, and that he needed to report any other business or property owner that was in violation of the Town's Zoning Ordinance. Mr. Overstreet replied that he had advised Ms. Turman of the other violations when she and a Police Officer had visited his place of business. He went on to say that when he had asked them about other businesses in violation, the Police Officer had told him not to worry about other businesses, that he needed to worry about his own violations.

Ms. Dillon, the Town Attorney, advised that she would be glad to speak with Ms. Turman about the issues. Mr. Lawrence responded that he had followed up with Ms. Turman after his conversation with Mr. Overstreet, earlier in the day, and felt that there were very legitimate issues that Ms. Turman had been working on for the past year. He went on to say that he will be working with the Town Attorney to determine what the grandfathered laws are with regard to this property and whether or not they apply. He added that Ms. Turman is also working with other business owners in the area on their violations. Mr. Lawrence assured Council that the Town does get complaints from area property owners when violations occur.

Mr. Overstreet pointed out the fact that when he obtained his zoning permit prior to opening his business, he was not informed that he needed to pave his lot.

Mr. Nance asked Mr. Lawrence about the time line for bringing the issue back to Council. Mr. Lawrence replied that he would speak with Ms. Turman the next day to discern what the issues are and then will check with the Town Attorney to see what options the Town has. Mr. Nance asked that staff continue to work with Mr. Overstreet until the issues are resolved.

Mr. Patrick Cosmoto, owner of the property where Mr. Overstreet's business is located, commented on the atmosphere within the Town of Vinton. He advised that there is a perception within the Town's business community that the Planning Department impedes business from locating in the Town. He advised that he felt this has been done through various tactics such as stretching the technicality of the law to where it is harassment. He went on to say that for Ms. Turman to bring an officer of the law to visit Mr. Overstreet was intimidation. Mr. Cosmoto went on to say that many business have left Vinton primarily due to their "dealings" with the Town's Planning and Zoning Department. He remarked that he felt the problems began just before 1995 when zoning was changed. He noted that he feels the laws are selectively enforced.

In response to critical remarks made by Mr. Cosmoto toward the Planning staff, Mayor Grose advised him that he would not listen to any personal attacks on Town staff. He asked staff to look into Mr. Overstreet's complaints.

In response to an earlier comment by Mr. Cosmoto, Mr. Lawrence advised Council that Ms. Turman took a police officer with her that afternoon because he had instructed her to not to go alone and there was no one else available to accompany her. He went on to say that he does not want any female employee to go on a site visit to handle a complaint without someone accompanying her. He went on to say that he had asked Lieutenant Vault to go with Ms. Turman because he had been working with a number of other property owners in that area and understood their issues. He stressed that there was absolutely no intent to intimidate Mr. Overstreet or anyone else.

The Town Manager advised that he would have an answer for Mr. Overstreet and Council by the end of the week.

Mayor Grose assured Mr. Overstreet that he had taken his comments seriously. He asked Mr. Cosmoto to provide him a list of businesses that have left the Town due to planning and zoning issues. He stated that he did not believe that any one on Council or on the Town's staff wants to harass anyone and he would not tolerate it.

Ms. Fidler pointed out that the Town is in the process of developing a program to ensure that the process for new business would be as efficient and uncomplicated as possible. Mayor Grose added that the Assistant Town Manager would be responsible for developing this process.

Mr. Hare asked Mr. Cosmoto and Mr. Overstreet if they had noticed any improvements in the Department's customer service in the last three or four months and both gentlemen replied that they had not seen a change.

Mr. Lawrence advised that it was staff's recommendation to send the proposed amendments to the fence ordinance back to the Planning Commission.

Mr. Hare inquired as to the reason for sending the proposed amendments back to the Planning Commission. The Town Manager advised that since it appears that Council is not ready to make a decision on the matter and the fact that the August 3rd meeting has been cancelled, the 90-day deadline imposed by the State for a final

Approved recommendation to refer the proposed amended fence ordinance back to the Planning Commission

decision on the matter, would not be met. He recommended that the issue be sent back to the Planning Commission to allow Council more time to come to a consensus on the matter. Also, it would give the Planning Commission the opportunity to come up with a different option for the proposed front yard setback for fences or to re-affirm their original recommendation.

Mr. Altice stressed that Council cannot dictate to the Planning Commission, they would need to request that they review the issue again.

Following further discussion, Mr. Altice moved to refer the matter back to the Planning Commission. The motion was seconded by Ms. Fidler and passed unanimously on a roll call vote

Ms. Dillon thanked Council for re-appointing her as Town Attorney as did the Town Manager.

Mr. Lawrence announced that a community meeting had been scheduled for July 13, 2010 from 4:30 – 6:00 p.m. to discuss a request from Tony Montuori to close a portion of Spruce Street.

The Mayor thanked everyone involved in the 4th of July celebration. He noted that it was a great event that was very well attended. The Town Manager thanked Public Works for coming out the following morning to pick up the shrapnel left from the fireworks display at Vinyard Park.

Mr. Hare inquired as to what has been done regarding Mr. and Mrs. DeLoatch's request for the Town's assistance in extending sewer service to their property. He pointed out that the Town might possibly consider changing the way existing property owners are treated with regards to extending the Town's sewer lines to their property. He felt it was unfair to require the new system development fees for an existing home that had been on the property for a very long time. He recommended that the Town use a different approach for existing homes. The Mayor suggested that maybe the Finance Committee might want to discuss the issue.

Mr. Lawrence stated that staff is currently working on a policy and has most of the issues worked out except for a way to handle the loan process. He noted that the final recommendation will be taken to the Finance Committee and then to Council as soon as possible.

Mr. Nance commented on his concerns with the issue of extending loans to residents who have requested sewer service to existing

houses due to a failure of their septic systems. He noted that during the two years he has been on Council, it has been necessary to cut the budget dramatically. He went on to say that the Finance Department is already overwhelmed and those employees are overworked. He pointed out that if they are going to be given the responsibility of having to handle and collect loan payments, they will need more employees to do the work. He questioned the wisdom of granting high risk loans at a time when the Town can not afford to take on more duties.

Mr. Nance congratulated the First Aid Crew's new officers that had been installed at a dinner the week before. He also commented on the difficulty that some of the attendees at the 4th of July celebration had viewing the fireworks.

Mr. Nance mentioned the poor condition of the slide at the War Memorial playground. Mr. Lawrence explained that a section of the slide needs to be repaired and is on order. He added that it will be repaired as soon as the part comes in.

Mr. Hare questioned the time frame for the Finance Committee to examine the budget, if it should be on a monthly basis or if it should be done on a quarterly basis. Mayor Grose recommended examining the budget on a quarterly basis. Mr. Altice commented that he felt that any problem areas found by the Finance Committee should be flagged and brought to Council. Mr. Hare stated that a quarterly review would not give Council an opportunity to react quickly enough. Mr. Thompson recommended that the Finance Committee review the budget on a monthly basis. After further discussion, it was the consensus of Council that a report from the Finance Department be made to Council every other month at a regular meeting so that it can be formally approved.

There was a brief discussion on how to make sure everyone has a good view of the fireworks. Hal Mabe commented on the success the Town's July 4th celebration that took place at William Byrd High School a few years ago.

Mayor Grose adjourned the regular meeting at 8:16 p.m.

WORK SESSION

1. Discussion of Economic Development Program Strategies and Expectations

Ms. Caudill reported that she needed to get clarification from Council as to what their expectations are with respect to her new responsibilities as Director of Assistant Town Manager/ Director of Economic Development. She noted that when the Town Manager's Office was reorganized, much of the Assistant Town Manager supervisory authority was taken out of her job description and given to the Town Manager. Ms. Caudill went on to say that her new job description primarily focuses on economic development.

Ms. Caudill gave a brief report of her perspective of the economic development part of her responsibilities and what she perceived Council's priorities to be. She noted a number of ways to entice prospective business to locate in the Town.

At Ms. Caudill's request, Council discussed what their individual expectations were for her new economic development responsibilities.

In response to a discussion by Council members regarding possible causes for expressions of anger made by some of the Town's business people, Ms Caudill commented that it appears to be a public relations problem, and that she will need to determine what the issues are, what the causes are, and how to mitigate those problems. She explained that she will be working with Roanoke County to assure that prospective business owners easily get the information they need on a timely basis. She felt it was important to ensure that they get the same information on an issue from everyone involved and not "five different answers from five different people".

Ms. Caudill discussed her ideas for getting the word out that the Town does have business property available. She noted that she is contacting businesses to advise them that she is a resource for them when they have issues that involve the Town.

Mayor Grose questioned whether the problems stemmed from the Town's ordinances or if it was an enforcement issue. Ms. Caudill questioned whether Council felt there was a congruence between the current zoning and the changes that have been made by the Planning Commission during the past six years. She asked Council members what their vision or expectations are in relation to the development of what they perceive as an effective, successful economic development department. For example, she pointed out that she is aware of a request to make the Town's Zoning Ordinance more business-friendly.

Ms. Caudill discussed a few conflicts she has seen with the way staff perceives the direction that Council has given them versus what Council has approved in the Zoning Ordinance and the Land Use Plan.

A discussion ensued as to whether Ms Caudill's new job description should be very narrowly focused or if it should have a broader approach.

Following Ms. Caudill's report, Mayor Grose stated that he felt their biggest problem was the perception that the Town is not business friendly. Mr. Nance agreed with the Mayor's statement.

Ms. Caudill requested Council's clarification on her new job responsibilities within the next couple of weeks.

2. Discussion of Proposal to Change Start Time of Regular Council Meetings

Council discussed the possibility of moving up the time of regular Council meetings from 7:00 p.m. to 6:00 p.m.

The work session adjourned at 9:57 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Darleen R. Bailey, Town Clerk