

Town Council Regular Meeting - April 11th, 2023

The Altavista Town Council held their April 2023 Regular Meeting in Council Chambers of the Town Hall/J.R. Burgess Municipal Building, 510 Seventh Street, on Tuesday, April 11th, at 6pm.

1. At six o'clock p.m., Mayor Mike Mattox called the regular meeting to order and presided.

Council Members

Present: Vice Mayor Reginald Bennett
Mr. Timothy George
Dr. Scott Lowman
Mayor Michael Mattox
Mr. Wayne Mitchell

Absent: Mr. Jay Higginbotham
Mr. Tracy Emerson

Town Staff present: Mr. Gary Shanaberger, Town Manager
Mr. Mathew Perkins, Assistant Town Manager
Mrs. Tobie Shelton, Treasurer/Finance Director
Mr. Thomas Merricks, Altavista Chief of Police
Ms. Sharon D Williams, Community Development Director
Mr. Tom Fore, Public Services Director
Mr. Paul Hill, Assistant Public Services Director
Mr. Jeff Arthur, Public Works Manager
Mrs. Crystal Hailey, Assistant Town Clerk
Mr. John Eller, Town Attorney

Mr. Tom Fore, Altavista Director of Public Services, gave the invocation for this evening.
After the invocation, Mayor Mattox led the meeting in the Pledge of Allegiance.

2. Agenda Adoption

Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the April 11th Town Council Meeting Agenda, of which there were none.

Councilman Scott Lowman made a motion, seconded by Vice Mayor Reggie Bennett, to approve the April 11, 2023, Altavista Town Council Meeting Agenda as presented.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

3. Recognitions and Presentations

3.a Town of Altavista Personnel Changes:

- Milestone:
Carlton Francis, ACTS Bus Driver – 10yr anniversary
- New Hire:
None in March
- Departure:
None in March

3.b Resolution of Service – Marvin Clements

Mayor Mike Mattox shared that he learned a lot from Mr. Clements, and it was an honor for him to present Mr. Clements with the following resolution:

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WHEREAS, Marvin L. Clements was first appointed to serve on the Altavista Planning Commission in 2016, for an unexpired term. He was reappointed to the Commission in 2018 to a 4yr term, which expired December 31st, 2022; and

WHEREAS, Mr. Clements faithfully served the Town of Altavista as a Planning Commissioner for six years and is respected by his colleagues; and

WHEREAS, the Planning Commission provides an important service to the Town of Altavista through its mission of planning for the future and making recommendations to Town Council on the development of the community; and

WHEREAS, Mr. Clements was instrumental in helping to improve the Town and shape its future through the use of proper planning and zoning techniques; now

THEREFORE, BE IT RESOLVED, the Altavista Town Council hereby commends Marvin L. Clements for his years of service on the Altavista Planning Commission, and thanks him for his many contributions to the betterment of the Altavista community.

Adopted this 11th day of April 2023.

With a motion by Councilman Tim George, seconded by Vice Mayor Reggie Bennett, Town Council adopted the Resolution of Service for Mr. Marvin Clements.
Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

4. Citizen's Time

There were no citizen comments on this date.

5. Town & Community Partners - Updates

There were no updates on this date.

6. Consent Agenda

- TOA Monthly Financial Reports - March 2023
- Town Council Meeting Minutes - March 14, 2023
- Town of Altavista Metered Fire Protection Policy for Town Businesses

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Wayne Mitchell, to approve the April 11, 2023, Consent Agenda as presented.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

7. Public Hearings

Altavista's Director of Community Development, Sharon D. Williams, presented both of the following public hearings:

ORDINANCE AMENDMENT OA-23-05: An ordinance to amend *Sec. 86-32: Use Types* of the Town of Altavista's Zoning Ordinance, to amend the definition of Utility Service, Major.

Ms. Williams referenced a request Staff recently received to amend Altavista's Town Code to allow a utility-scale solar development, and the Town's decision to deny the request. She said, while discussing the matter at the January 2023 BZA Meeting, it was consensus that the Town's Zoning Ordinance was unclear on utility-scale developments.

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Ms. Williams stated, to eliminate any perceived ambiguity in the definition, the Planning Commission and Staff recommended an amendment to the definition of Utility Services, Major, to add "This use type shall not include utility-scale solar facilities". She informed Council that the Planning Commission held a Public Hearing, as required, on March 3, 2023, with a unanimous vote to recommend Town Council approve the proposed text amendment.

Mayor Mattox opened this public hearing at 6:10pm for public input.

With no public comments offered for this matter, Mayor Mattox closed the public hearing at 6:11pm, and asked Town Council if they had any questions pertaining to the proposed text amendment, of which there were none.

Councilman Wayne Mitchell made a motion, seconded by Councilman Scott Lowman, to accept the Planning Commission's and Staff's recommendation, and approve the proposed amendment to *Sec. 86-32: Use Types* of the Town of Altavista's Zoning Ordinance, to amend the definition of Utility Service, Major to exclude large/utility-scale solar development. Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

ORDINANCE AMENDMENT OA-23-06: to amend Sections 86-192(6), 86-352(6), and 86-382(6) of the Zoning Ordinance, to delete Recycling Center as a permitted use in Altavista's R2-Medium Density Residential, C2-General Commercial, and M-Industrial Zoning Districts; and to amend *Sec. 86-566*, to delete the parking requirement for this use.

Ms. Williams stated that Staff was proposing an amendment to the Town of Altavista's Zoning Ordinance to eliminate recycling centers as a permitted use.

Ms. Williams reminded Town Council that, under the guidance of Staff, the Planning Commission was currently in the process of reviewing and updating the town's Zoning Ordinance. She said, while reviewing permitted uses for industrial zoned properties, Staff discussed whether recycling centers should be permitted uses in the Town of Altavista; which was currently permitted in the Industrial (M) Zoning District with a Special Use Permit

Ms. Williams stated that it was the opinion of Staff that the use could become a nuisance and should be prohibited. She shared with Town Council photos of household, metal, and tires recycling bins, that all fall under the use for these centers.

Ms. Williams stated, to eliminate any perceived ambiguity in what might be classified as a recycling center, Staff recommended the use be stricken entirely from the Zoning Ordinance. She informed Council that the Planning Commission held a public hearing, as required, on March 3rd, 2023, and unanimously recommended Town Council approve the text amendment.

Mayor Mattox opened the public hearing at 6:12pm for public comment.

With no public comments offered, Mayor Mattox closed the hearing at 6:13pm and asked Council if they had any questions regarding this request, of which there were none.

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Wayne Mitchell, and Town Council accepted Staff's recommendation to approve ORDINANCE AMENDMENT OA-23-06: to amend Sections 86-192(6), 86-352(6), and 86-382(6) of the Zoning Ordinance, to delete Recycling Centers as a permitted use in Altavista's R2-Medium Density Residential, C2-General Commercial, and M-Industrial Zoning Districts; and to amend *Sec. 86-566*, to delete the parking requirement for this use. Motion carried.

Vote:	Mr. Wayne Mitchell	Yes		
	Vice Mayor Reggie Bennett	Yes	Mayor Mike Mattox	Yes
	Mr. Tim George	Yes	Dr. Scott Lowman	Yes

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8. New Business

There were no new business items to discuss at this meeting.

9. Unfinished Business

FY2024 Draft Budget and FY2024-2028 Draft Capital Improvement Plan (CIP)

Background: The town budget is the spending plan that identifies revenues and expenditures needed to carry out a variety of services offered to town citizens. Once adopted, the budget directs the expenditures of Staff. At this evening's meeting, Staff seeks input and direction from Town Council to begin finalization of the FY2024 Budget and CIP.

Town Manager Gary Shanaberger shared with Town Council the draft document that showed revisions requested by Council at their March Work Session, which included decreasing the AEDA's annual appropriations, and decreasing the Bedford Avenue - Decorative Streetlight Project by \$25,000. He stated there were funds remaining in Reserves (\$418,000), that were initially allocated to, but not needed, for the Town's PCB Remediation Project, and, under Council's direction, a portion of those funds were utilized to balance the FY2024 Budget.

Mr. Shanaberger stated that it was not a "best practice" to use Reserve Funds to balance a budget, and recommended that Town Council consider options that would help build the Town's revenue stream, without using Reserves. He shared examples for Council's consideration that included Real Estate Taxes and the Altavista's Meals Tax.

Mayor Mattox shared that he was not in favor of using Reserve Funds to balance a budget and stated that he was open to considering increasing the aforementioned taxes.

Councilman Tim George stated that it was his understanding the remaining PCB project funds would be used to complete the loop on Eagle Trail in English Park.

Mr. Shanaberger stated it was still the Town's desire to do so, and would continue to be an option, depending on Council's budget decisions for whether the funds were needed elsewhere.

Vice Mayor Reggie Bennett referenced information given to Council that showed the Town's revenue verses expenses over the last 10yrs. He said, while revenue stayed the same, inflation had caused expenses, such as equipment, gas, and insurance to increase tremendously.

Mr. Bennett reminded everyone that Altavista's Personal Property Taxes had been the same percentage since the year 1990. He said the Town strived to offer its citizens affordable amenities such as garbage, bulk, and brush pickup, the splash pad in English Park, and Dalton's Landing; but also needed to have a balanced budget each year to protect the Town's longevity.

Councilman Wayne Mitchell asked where the funds for the PCB Remediation Project initially originated - from the General Fund or Reserves.

Mr. Shanaberger stated that he would need to consult with the Town's Finance Director, Tobie Shelton, to answer that question, and to confirm how the unused funds could be reallocated.

Mr. Mitchell shared his appreciation for the hard work that Town Staff accomplishes each year during the Town's annual budget process.

Mayor Mattox also thanked Staff for their hard work and due diligence to help balance the FY2024 Budget. He stated that, if needed, Council would increase taxes in small steps, but the goal was not to have to increase taxes.

There was a consensus of Town Council for Staff to recalculate the Draft Budget to include an increase to Real Estate Tax (from .08 cent to .14 cent), and increase Meals Tax from 7% to 8%; and not to include any surplus funds from the PCB Remediation Project, until the Town Manager could retrieve additional information for Council's consideration. All other items to remain the same as presented that evening.

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10. March 2023 Departmental Reports, Project Updates, and Communications

- TOA Finance Reports
- Utilities – Project Updates
- Public Services Monthly Report
- Community Development Report
- Altavista Police Department Reports
- Town Council Monthly Meeting Calendars – April and May

Departmental Reports and Council Meeting Calendars were delivered to Town Council with their April 11th Meeting Agenda Pre-Packet.

Mayor Mattox asked the Town Manager and Department Directors if they had any project updates or comments pertaining to their monthly reports, of which there were none.

11. Matters from Council

- Councilman Wayne Mitchell referenced the March 2023 Community Development Report, given to Council in their April 11th Agenda Packet. He specifically referenced a request by a local bank to erect a temporary informational sign. He shared his concerns that there were multiple businesses in Town that had exceeded the limitations specified in the Town’s Zoning Ordinance for the number of signs businesses were allowed.

The Town Manager informed Mr. Mitchell that he could contact Staff with businesses that he believed were in violation of the Town Code, and Staff would investigate the matter.

- Mayor Mattox said the meeting that evening was very productive, and he thanked Town Council and Town Staff for their hard work and dedication to balance the Town Budget.

12. Closed Session

Town Council went into Closed Session under State Code, Section 2.2-3711(A)(1), Section 2.2-3711(A)(3), and Section 2.2-3711(A)(7).

With a motion made by Vice Mayor Reggie Bennett, seconded by Councilman Tim George, the motion carried, and Council began their closed session at 6:34pm

VOTE:	Dr. Scott Lowman	Yes	Vice Mayor Reggie Bennett	Yes
	Mr. Timothy George	Yes	Mr. Wayne Mitchell	Yes
	Mayor Mike Mattox	Yes		

Notice was given that the Town Council was back in regular session at 7:30pm.

FOLLOWING CLOSED SESSION:

A motion was made by Vice Mayor Reggie Bennett, seconded by Councilman Tim George, to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with provisions of The Virginia Freedom of Information Act; and WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED the Town Council hereby certifies, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council.

VOTE:	Dr. Scott Lowman	Yes	Vice Mayor Reggie Bennett	Yes
	Mr. Timothy George	Yes	Mr. Wayne Mitchell	Yes
	Mayor Mike Mattox	Yes		

Town Manager Gary Shanaberger informed Staff that the Altavista Town Council did not make any official actions as a result of their Closed Session.

13. Adjournment

Mayor Mattox asked Town Council if they had any additional comments or concerns, of which there were none. He adjourned the meeting at 7:34pm.

Michael Mattox, Mayor

Gary Shanaberger, Town Clerk/Town Manager