

Regular Council Meeting—September 8, 2015

The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on September 8, 2015 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor David Sage, Grace Community Church, gave the invocation.

Council members

present: Mayor Michael Mattox
Mrs. Micki Brumfield
Mrs. Beverley Dalton
Mr. Tracy Emerson
Mr. Timothy George
Mr. Jay Higginbotham

Council members

absent: Mr. Charles Edwards

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Daniel Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Mr. Dennis Jarvis, Economic Dev. Director
Mr. David Garrett, Public Works/Utilities Director
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

3. Mayor Mattox advised asked if there were any questions regarding the agenda.

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, to approve the agenda as amended.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

4. Recognitions and Presentations

- a. Mark Thomas, Community Relations Coordinator, Southside Cooperative

Mr. Mark Thomas, Community Relations Coordinator for Southside Cooperative addressed Council advising of the work Southside Cooperative does in the community. He advised Southside Electric began in 1937 and is headquartered in Crewe, Virginia; they provide power to approximately 55,000 homes, farms and businesses in portions of 18 counties. He noted Southside is committed to supporting the communities they serve; including local events and scholarships for area seniors. Mr. Thomas noted Southside Cooperative will be building in a new location close to the present location on Dearing Ford Road.

5. Public Comment

Mayor Mattox asked if anyone would like to speak on anything not listed on the agenda.

Mrs. Carol Day, 1403 Bedford Avenue addressed Council and asked the last time they traveled on Main Street. She referred to the newly installed traffic lights and

Regular Council Meeting—September 8, 2015

stated they look like a bridge is being built. She felt like this was destroying a town that we are trying to make look nice and could not believe it was being allowed to happen. Mrs. Day referred to the signs everywhere stating the next thing the town would be called “the sign city”. She asked how VDOT would be allowed to do the things they have done. Mrs. Day asked about the Consent Agenda and questioned the “Department Reports” stating before each department head reported on their department now citizens don’t know what’s going on. Mrs. Day asked when something would be done in the alley behind her home noting she has been told for three years this was in the budget but nothing has been done.

6. Consent Agenda

- a) Minutes- Regular Meeting August 11th; Work Session August 25th –The Council approved the minutes of the Council meeting and work session.
- b) Monthly Finance Reports-Council approved the monthly reports
 - i. Invoices
 - ii. Revenues & Expenditures Report
 - iii. Reserve Balance/Investment Report
- c) Departmental Reports-Council approved the departmental reports

A motion was made by Mr. Emerson, seconded by Mrs. Dalton, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

7. Public Hearings

- a. Certificate of Public Convenience and Necessity-Vehicle for Hire

Mayor Mattox opened the public hearing in regards to the Certificate of Public Convenience and Necessity-Vehicle for Hire at 7:11 p.m.

Mr. Coggsdale advised Mr. Thomas Kathan has made application for a certificate of public convenience and necessity to operate a “vehicle for hire” service in the town. Pursuant to Chapter 82 of the Town Code, a Certificate of Public Convenience and Necessity (PCN) must be obtained to operate or cause to be operated public vehicles within the town. He noted applications for Certificates PCN are normally filed between October 1 and 15 of each year, with Town Council hearing said requests between October 15 and December 31 annually. The Code provides that Council may grant additional certificates during the year, to expire on December 31 annually, but only after proper advertisement in the paper and a public hearing. Mr. Coggsdale noted outside of that window, Council must conduct a public hearing. He advised this has been advertised in accordance with the ordinance. The application indicates that such certificate would be utilized to provide transportation between Altavista and the Lynchburg area. A certificate granted at this time would expire on December 31, 2015.

Mrs. Dalton questioned if the applicant was present.

Mr. Coggsdale responded that Mr. Kathan was not present.

Mrs. Dalton asked if Council were to certify there is a need or that this provides a convenience is that all Council needs to do.

Mr. Coggsdale responded that is all Council would need to do.

Regular Council Meeting—September 8, 2015

Mr. Higginbotham questioned the 15 day window in which to reply.

Mr. Coggsdale stated this Code section needs revisiting.

Mrs. Brumfield questioned who would issue the business license.

Mr. Coggsdale advised the business license would be issued by Town Hall if Council deems this to be a legitimate business.

Mr. Higginbotham questioned if one person needs a ride to Lynchburg does that make a need.

Mr. Coggsdale stated that is what Council needs to determine.

Mrs. Brumfield stated unfortunately we all live in the mercy of social media; advising this vehicle has already been used and it was not for a trip to Lynchburg.

Mayor Mattox asked if anyone would like to comment.

Mrs. Harriet Hardy, 1617 Melinda Drive, addressed Council stating she is very blessed to have a car but there were years that she lived outside of town with four children and no means of transportation. She would rather see this vehicle bring business to Altavista but if a doctor or eye specialist is needed she would have appreciated a way to get there.

Mr. Emerson asked if a meter would be on this vehicle and what the payment schedule is.

Mrs. Brumfield advised the advertisement on Facebook stated a \$100 deposit and \$25 per hour for local trips, anything further would be determined by owner or driver. She advised there was no mention of this vehicle being used for medical appointments. It was strictly for people to go to ball games or functions where there would be alcohol and they would need transportation to and from.

Mr. Emerson asked Mr. Eller if he knew if a meter would be on the vehicle or if this was required in the code.

Mr. Eller responded that it was not discussed how he would charge.

Mr. Emerson advised it is illegal to run a taxi without a meter and felt Council needed to know this information.

Mr. Coggsdale stated Section 82.36 says you must display the rates.

Mrs. Brumfield noted the name of the person has to be displayed as well.

Mr. Coggsdale advised the application states “providing transportation to the Lynchburg area and back to the Altavista area”.

Mrs. Brumfield questioned if Council grants this request and the vehicle is used for things other than going back and forward to Lynchburg who is going to monitor this. She stated if they are asking for the usage to be one thing but uses it for another she has a problem with that.

Mayor Mattox stated it was his preference to put this item on the September 22 work session agenda and ask the applicant to address Council in regards to his request.

Regular Council Meeting—September 8, 2015

Mrs. Dalton asked what precludes this person from being a designated driver if after hours a group wants to go to a football game. She was not sure Council has the right to say you have to do one or the other.

Mr. Higginbotham felt Council's jurisdiction is the town limits and that would be all that they could be control.

Mr. Coggsdale advised all Council is being asked is if the need exist.

Mrs. Dalton felt there were people in the Town that needs transportation to and from Lynchburg.

Mrs. Brumfield stated if they do the things as listed on Facebook then they got the certificate under false pretenses.

Mayor Mattox closed the public hearing at 7:24 p.m.

8. New/Unfinished Business

a. Recreation Committee Recreation-English Park Loop Road Modification

Mr. Coggsdale advised staff was requested to work with a citizen in regard to increasing opportunities for individuals to enjoy the Staunton River in English Park. At the August 25, 2015 work session, Town Council reviewed the Recreation Committee's recommendation in regard to slight modifications to the pedestrian loop road in English Park that could assist in the citizen's request. Following discussion, Council directed staff to place this item on the September 8, 2015 Town Council Regular Meeting agenda.

A motion was made by Mrs. Dalton, seconded by Mr. George, to accept the Recreation Committee's recommendation and direct staff to make the modification as presented.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mr. George requested some of the lower branches be cut off the trees in that area as well.

b. Police Residency Incentive Policy

Mr. Coggsdale advised previously Council discussed the possibility of implementing a policy that would provide an annual incentive for police officers living in the town limits. This policy would apply to all sworn officers that have completed their certification training and field training satisfactorily. The incentive would be \$1,500 per year. At the August Town Council Work Session this item was discussed and staff was to bring back a policy that would incorporate a Residency Incentive Program. Council was presented with a draft policy for review. Based on current residency of law enforcement personnel this will impact the budget annually in the amount of \$4,500.

A motion was made by Mr. Emerson, seconded by Mr. George, to accept the Law Enforcement Residency Incentive Policy as outlined in the policy with an effective date of October 1, 2015 and the allocation of the corresponding funds for implementation of the policy.

Regular Council Meeting—September 8, 2015

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

c. Delinquent Taxpayer's List Publication and Write Offs

Mr. Coggsdale advised at the August Town Council Work Session, staff presented the Delinquent Tax List for 2014. Council was presented with a memorandum from the Finance Director requesting that the actions outlined be taken in regard to advertisement of the list and the requested write offs.

Mr. Higginbotham asked Mrs. Shelton if she had analyzed the cost of running the advertisement in the paper and the probable return.

Mrs. Shelton advised last year's advertisement was approximately \$1,100 and from the time an article was written about the delinquent taxpayers' names been in the paper \$5,000 was collected. After the 2013 taxes were advertised, \$22,000 was cleared off the books.

Mayor Mattox asked if the advertisement cost would create a loss to the Town.

Mrs. Shelton advised the cost of the advertisement is divided by the number of names posted in the ad and passed on to the delinquent taxpayers.

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, that the Delinquent Tax List be printed in the Altavista Journal. (The Ad would run in October and the cost of the ad would be prorated to the delinquent taxpayers, upon payment.) Delinquent Taxes: Real Estate: \$15,203.96 Personal Property: \$20,940.66

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, that the Delinquent Personal Property Taxes for deceased individuals be written off, in the amount of \$781.54.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, that the Delinquent Personal Property Taxes under \$20.00 be written off, in the amount of \$14.31.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes

Regular Council Meeting—September 8, 2015

Mr. Tracy Emerson	Yes
Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes

A motion was made by Mr. George, seconded by Mrs. Brumfield, that the 2009 Delinquent Taxes be written off, due to statute of limitations, regarding personal property taxes in the amount of \$3,325.67. (Collection efforts will continue on 2010 taxes until June 2016, after which staff will write off all uncollected 2010 personal property taxes.)

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

d. Economic Development Marketing-Town's Tagline

Mr. Coggsdale advised at last month's Town Council Work Session, staff provided an update on ongoing activities associated with marketing the community. One of the items mentioned was the process of reviewing and considering a change to the Town's current tagline: *A Place to Live, A Way to Live*".

Mr. Jarvis addressed Council and presented them with an additional tagline option to consider along with the options sent in the packet. He noted the Economic Development Department is entertaining a new marketing initiative; a copy of a quality of life brochure has been approved and he is working on an economic development piece. Mr. Jarvis advised a video will be filmed soon which will focus on economic development. He presented Council with three options to consider for a new tagline to build a new identity for the town. He noted he would be opening these options up to public comment and vote. It is the hope that organizations such as the Altavista Chamber of Commerce, Altavista on Track and others will utilize this tagline when they market themselves. Mr. Jarvis noted if it is Council's desire to not change the current tagline, it does not change the marketing approach. He added he could publicize to get the public's input as well.

Mr. George asked if this would bind us with what the public comes up with.

Mr. Jarvis stated the public's opinion would be factored in with the needs and wants of the town.

Mayor Mattox asked if public suggestions should be obtained before Council votes and suggested going through a two tier process; obtaining community suggestions picking the top ones from that and then present to Council.

e. VDOT "HB2" Transportation Funding Application Update/Resolution

Mr. Coggsdale advised at last month's Town Council Work Session, VDOT staff provided an update on the new process, House Bill 2 (HB2), by which to apply for funding for highway projects. In addition, the Town's projects were reviewed and VDOT staff recommended that the Town proceed with two local projects in regard to the HB2 application process, they were: 1) Lynch Mill Road/Elementary School; and 2) Lynch Mill Road/Main Street "Right Turn Lane". Mr. Coggsdale advised staff is in the process of developing the applications for these two projects and requested Town Council to consider adoption of the resolution for inclusion in the application packet.

Regular Council Meeting—September 8, 2015

A motion was made by Mr. George, seconded by Mrs. Dalton, to adopt the resolution regarding the Town Council's support for the transportation projects as identified.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

RESOLUTION IN SUPPORT OF HB2 APPLICATION FOR TOWN OF ALTAVISTA:

- LYNCH MILL ROAD & ALTAVISTA ELEMENTARY SCHOOL TURN LANES
- MAIN STREET & LYNCH MILL ROAD DEDICATED RIGHT TURN LANE

WHEREAS, Lynch Mill Road is a major collector road for the Town of Altavista; and

WHEREAS, the section of Lynch Mill at the Altavista Elementary School has two intersections, truck and bus traffic in addition to car traffic transporting students to school creating an unsafe roadway for travelers; and

WHEREAS, the intersection of Lynch Mill Road and Main Street does not have a designated right hand turn lane which impedes the flow of traffic; and

WHEREAS, the Town's Comprehensive Plan has as two of its goals to (1) maintain and improve the primary and secondary road system and (2) upgrade existing roadways as required by increased traffic volumes and other changing conditions; and

WHEREAS, conditions have changed due to the Altavista Commons commercial development and continued industrial development along Frazier and Ogden Roads; and

WHEREAS, both projects were identified and contained in the Town of Altavista 2035 Transportation Plan dating back to 2008; and

WHEREAS, it is the opinion of the local governing body for Lynch Mill Road to be a safe road at all times for truck, bus and passenger cars these two projects are necessary;

NOW, THEREFORE BE IT RESOLVED BY THE ALTAVISTA TOWN COUNCIL that it supports the HB2 application for the improvements at both stated locations.

Adopted the 8th day of September, 2015.

Michael Mattox, Mayor
Town of Altavista

Attested:

J. Waverly Coggsdale, III, Clerk

9. Reports

a. Town Manager's Report

Town Manager's Report – For Month of August 2015

Bedford Avenue Waterline Project (Project 1A)

- Waterline installation is complete.
- Sidewalks are being installed
- Executed Change Order for Milling and Paving
- Substantial Completion Date: August 3, 2015 Final Completion Date: September 2, 2015

WWTP EOP – PCB Remediation

- Dr. Scott Lowman (IALR) will be conducting sampling of his “pot study” as well as sampling for re-characterization of the pond on September 14th – 16th.
- Responded back to DEQ in regard to Wednesday, October 28th as the Town’s preferred date for the Informal Fact Finding (IFF) Proceeding. The Mayor and Vice Mayor have indicated their interest in representing the Town at this meeting.
- Mr. Garrett will provide an update on his planning activities in regard to Dr. Schnoor’s (University of Iowa) berm request.

Mr. Garrett advised he is still working on a couple of concepts for getting out into the pond to build the berms; one option is to use a trackhoe or another option would be to use a crane. He felt the better option is to use a long reach trackhoe and advised he is working to put together pricing.

Mr. Emerson questioned if the EPA should be made aware of any activity in the pond.

Mr. Coggsdale responded the EPA wants to know what is being done. He noted a discussion will take place Friday, September 11, 2015.

Mayor Mattox asked how the water plant was progressing.

Mr. Garrett advised it was coming slowly; contractors have all the piping back together and are working in the clearwell. He noted the engineers are working on the electrical as well to verify what is needed for the upgrade.

Mr. Higginbotham questioned in the new pipelines the booster pump not being sufficient.

Mr. Garrett advised when Bedford Avenue was built and designed, the pipe was designed to go up to the water tank and then up to the other side of the booster pump to West Road. When everything was connected and running, it didn’t work and alterations had to be made. He advised the long term solution is to make a connection directly out of the tank to the attitude values.

10. Informational Items/Late Arriving Matters

- a. Correspondence/Articles
- b. Calendars- September & October

11. Matters from Town Council

Mrs. Brumfield advised a citizen has reported to her a sign located in the English Park that was installed by the Boy Scouts with sharp edges.

Mayor Mattox called for a consensus to direct staff to come up with a simplified Robert’s Rules of Order for consideration.

Mr. Higginbotham did not feel there was a simplified Robert’s Rules of Order; either Council would use Robert’s Rules of Order or something else.

It was the consensus of Council to ask staff to look into this matter.

Regular Council Meeting—September 8, 2015

12. Closed Session

I move that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950 as amended, for the following purpose:

Section 2.2-3711 (A)(1) – Discussion or consideration of prospective candidates for appointment to the Altavista Economic Development Authority.

A motion was made by Mrs. Dalton, and seconded by Mr. George.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Council went into closed session at 7:55 P.M.

Notice was given that council was back in regular session 8:05 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Dalton, seconded by Mrs. Brumfield, 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 the 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 that the town council hereby certifies that, 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.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mr. Emerson, seconded by Mrs. Brumfield, to appoint Mr. Wayne Mitchell to the open seat on the Economic Development Authority Board with his term ending November 2018.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Regular Council Meeting—September 8, 2015

Following continued discussion from earlier, the Town Manager discussed with Council the previous proposal from Major Security Consulting in regard to services related to oversight and assistance with policy documents for the police department.

On motion of Vice Chair Dalton, seconded by Councilman George, the Council approved the Town Manager to finalize and execute an agreement with Major Security Consulting, per the Manager's recommendation."

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

13. Adjournment

Mayor Mattox asked if there was anything else to bring before Council.

The meeting was adjourned at 8:11 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk