

## Regular Council Meeting—July 14, 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 July 14, 2015 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor Stephen Rabon, Crosspoint Church, gave the invocation.

### Council members

present:

- Mayor Michael Mattox
- Mrs. Micki Brumfield
- Mrs. Beverley Dalton
- Mr. Charles Edwards
- Mr. Timothy George
- Mr. Jay Higginbotham

### Council members

absent:

- Mr. Tracy Emerson

### Also present:

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

3. Mayor Mattox advised of the deletion of an item (Request from Altavista on Track for use of the Trade Lot for a Town wide Sidewalk Sale) on the agenda and asked if there were any questions regarding the amended agenda.

A motion was made by Mr. George, seconded by Mrs. Dalton, to approve the agenda.

### Motion carried:

|       |                      |     |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox   | Yes |
|       | Mrs. Micki Brumfield | Yes |
|       | Mrs. Beverley Dalton | Yes |
|       | Mr. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

## 4. Recognitions and Presentations

- i. James Goggins-Police Department -5 years of service

Mayor Mattox advised Officer Goggins has been with the Police Department for 5 years and is an excellent police officer; very community oriented and does an excellent job.

- ii. Kenneth Moorefield-Police Department-10 years of service

Mayor Mattox advised Lt. Kenneth Moorefield has been a member of the Altavista Police Department for 10 years. He is a local resident, knows Altavista and the citizens, and thanked him for his service to the town.

Mayor Mattox recognized and welcomed Mr. Tim Dalton, editor of the Altavista Journal.

## 5. Public Comment

Mayor Mattox asked if anyone would like to speak to anything not listed on the agenda. No one came forward.

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### 6. Consent Agenda

- a) Minutes- Regular Meeting June 9<sup>th</sup>; Continued Meetings June 17<sup>th</sup> and 18<sup>th</sup>; Work Session June 23<sup>rd</sup> –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
- d) Approval of Proposal from Gay & Neel for preliminary engineering assessment-boat ramp property-Council voted to accept the proposal from Gay & Neel in an amount not to exceed \$3,500.

A motion was made by Mr. George, 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. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

### 7. Public Hearings

- a. Comprehensive Plan-Future Land Use Map (FLUM) Amendment Request

Mayor Mattox opened the public hearing at 7:06 p.m.

Mr. Dan Witt advised staff requests that the Town Council conduct a public hearing on amending the Town Comprehensive Plan's *Future Land Use Map (FLUM)* for 1502 Avondale Drive, Parcel ID 83A-17-1 and take action on the proposed amendment that changes said parcel from "Mixed Use" to "Industrial". He advised staff is recommending approval of the amendment to the Town Comprehensive Plan's *Future Land Use Map (FLUM)*. The Planning Commission recommended approval of the amendment to the Town Comprehensive Plan's *Future Land Use Map (FLUM)* at their June 1, 2015 meeting. Mr. Witt noted this has been properly advertised and all adjoining and adjacent property owners have been notified.

Mayor Mattox asked if anyone would like to speak in regards to the amendment request.

Mr. Marvin Clements, 1707 Avondale Drive, addressed Council advising he has been living at this location since 1988. Mr. Clements asked Council to consider not approving this rezoning request due to his concern that it may have an adverse affect on property values in the area. He referred to the conditions of the street and the width to accommodate additional traffic that an industrial zoning might permit. He was concerned of what might come in the future if residential property is zoned for industrial use. He stated the zoning request stated something about light industry and he is not sure what light industry constitutes and asked could it be something like a junk yard or something of that nature. He asked what could come in the future. Mr. Clements stated he was also concerned for the safety of the children in the neighborhood with the traffic. He referred to Avondale Drive stating in adverse weather, residents park on the street and only one vehicle can pass through at a time.

Mr. Mark Younkin, 1419 Hillcrest Drive, addressed Council advising he has been a resident of the town for 9 years but has led a company in Altavista for 17 years.

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Mr. Younkin advised he was on the original reuse committee for the Armory. Mr. Younkin stated he wanted to share his thoughts on the rezoning because he knew who was moving into the building and spoke favorably of them. He felt they would serve Altavista and their neighbors well. He felt the armory building will be a much better place with someone residing in it then sitting there as a derelict property.

Mayor Mattox closed the public hearing at 7:12 p.m.

### b. Rezoning “Conditional” Request-1502 Avondale Drive

Mayor Mattox opened the public hearing at 7:14 p.m.

Mr. Witt advised the first public hearing was for Council to consider staff’s request to change the Town Comprehensive Plan’s *Future Land Use Map* with the second public hearing to receive comment on the proposed rezoning application for 1502 Avondale Drive, Parcel ID 83A-17-1 totaling approximately 6.2 acres and changing the zoning from Residential R-1 to Industrial “Conditional”. Mr. Witt noted the property is situated along the southwest side of Avondale Drive, just north of Frazier Road, and is owned by the Town of Altavista and is commonly known as the Armory. Mr. Witt advised Select Air Mechanical and Electrical submitted the rezoning application along with proffers as listed:

- All equipment and materials will be stored behind the building.
- A 6ft. (minimum) fence with shades will be placed along the right side of the building to block the view of the holding area.
- The building will be used for the sole purpose of operating Select Air & Mechanical on a daily basis. This includes operating a Sheet Metal Fabrication Shop, office for daily operations, HVAC, Electrical and Plumbing work only.
- In the future, if any other operations need to be conducted from the building, we understand that we will need additional approval.
- The office area of the current building will be used for office personnel.
- The current gym space will be used as a sheet metal shop.
- All fabrication will be done inside of the building.
- Business operation days will be Monday-Friday
- Normal operating hours for the office will be 7:30 a.m. to 5:00 p.m.
- Normal operation hours of the sheet metal shop will be 8:00 a.m. to 5:00 p.m.
- Any company vehicles left overnight will be parked behind the building. Technicians and Mechanics drive the vehicles from their home to jobsites but should a circumstance call for a vehicle to be left over night, it will be behind the building.
- Building and grounds will be clean, maintained and landscaped.
- All scrap metal will be hauled away for recycling.
- Sign will be affixed to the building at the roof line on the left corner (looking at the building from the parking lot). It will be non-illuminated. We will have a spot light on the ground that illuminates the flag pole and sign.
- We would like to keep the “National Guard Armory” lettering in its current location because of the history behind the building itself and to honor the many men and women of the National Guard Armory. The building has been a fixture in the Town for many years and we would like to preserve that by keeping the lettering.

Mayor Mattox questioned if the Planning Commissioners voted unanimously in favor of the rezoning.

Mr. Witt advised it was a unanimous vote and no one spoke in opposition at either public hearing.

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Mayor Mattox asked Mr. Witt to clarify “conditional” rezoning.

Mr. Witt explained “conditional” rezoning means while it is zoned industrial the only industrial zoning that is being permitted is the specific one at hand. If Select Air moved out, the only entity that can move in would be another very similar type of manufacturing with very similar conditions that have been proffered.

Mayor Mattox asked if anyone would like to speak

Mr. Marvin Clements, 1707 Avondale Drive, felt Mr. Witt covered most of his concerns although he did not hear anything about the safety and traffic issues. He asked if anything would be done to Avondale from Ogden to the armory because the street narrows. He did not feel the street would accommodate heavy trucks.

Mr. Don Bryant, co owner of Select Air, addressed Council. He advised he lives at 1616 Melinda Drive and he will see trucks coming through on that street because the GPS leads them that way. He would prefer that truckers not use that street. He advised he has spoken with the vendors and told them they do not want the truckers using Avondale but has asked that the truckers use Frazier Road to Lola Avenue and on to the armory. He stated Select Air would do their best to control the truck traffic and would address any problems.

Mayor Mattox closed the public hearing at 7:23 p.m.

A motion was made by Mr. George, seconded by Mr. Edwards, to approve the amendment to the Town Comprehensive Plan’s *Future Land Use Map (FLUM)* as presented.

Mr. Higginbotham asked Mr. Garrett if he was familiar with the stretch of road Mr. Clements was referring to that narrows.

Mr. Garrett advised he would look into this matter.

Mr. George asked if a lot of tractor trailer delivery is expected.

Mr. Bryant responded there would be a lot of traffic with the delivery of the equipment. He would make sure the stipulations cover traveling on Frazier Road for these deliveries.

Motion carried:

|       |                      |     |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox   | Yes |
|       | Mrs. Micki Brumfield | Yes |
|       | Mrs. Beverley Dalton | Yes |
|       | Mr. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

A motion was made by Mrs. Dalton, seconded by Mr. George, to approve rezoning “conditional” of Parcel ID 83A-17-1 (1502 Avondale Drive) from R-1 Low Density Residential to Industrial “Conditional”.

Mrs. Dalton advised Mr. Clements he had the word of the Council that they would seek to resolve any problems.

Mr. Edwards stated he was elated that someone is willing to come in and take care of the property to keep it from falling down on its own.

Motion carried:

|       |                      |     |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox   | Yes |
|       | Mrs. Micki Brumfield | Yes |
|       | Mrs. Beverley Dalton | Yes |
|       | Mr. Charles Edwards  | Yes |

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|                      |     |
|----------------------|-----|
| Mr. Timothy George   | Yes |
| Mr. Jay Higginbotham | Yes |

Mayor Mattox thanked Mr. Bryant, his partners and employees for attending the meeting.

- c. Text Zoning Ordinance Amendment-Sections 86-32, 86-322 and 86-457  
“Microbrewery/Brewpub”

Mayor Mattox opened the public hearing at 7:30 p.m.

Mr. Witt advised staff requests that the Town Council conduct a public hearing on proposed text amendments to the C-1 (Local Commercial), C-2 (General Commercial), and DRO (Downtown Revitalization Overlay) Zoning Districts and take action on the proposed amendments to add definitions for microbrewery and brewpub and include these as use types in the stated districts. Mr. Witt advised staff is recommending approval of the text amendments to The Code of the Town of Altavista, 2002, Chapter 86 as presented; the Planning Commission recommended approval of the text amendments at their June 1, 2015 meeting and brought the recommendation to Council.

Mayor Mattox asked if anyone would like to speak. No one came forward. He closed the public hearing at 7:33 p.m.

A motion was made by Mr. Edwards, seconded by Mr. George, to approve the text amendments to the C-1, C-2 and DRO Zoning Districts in Chapter 86 of the Code of the Town of Altavista, 2002, as presented.

Motion carried:

|       |                      |     |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox   | Yes |
|       | Mrs. Micki Brumfield | Yes |
|       | Mrs. Beverley Dalton | Yes |
|       | Mr. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

8. New/Unfinished Business

- a. Request from Altavista on Track for Use of the Trade Lot for a Town-Wide Sidewalk Sale
- b. Update on Main Street Waterline Replacement (Project 1B)

Mr. Coggsdale advised the bid opening for this project was conducted on June 25<sup>th</sup>; the lowest bid was \$750,000+ over the engineer’s estimate. He provided correspondence from the engineer detailing their assessment of this situation. In addition he provided notes of a meeting between the Town, VDOT and the engineer that was held to review the project in an effort to find ways to hopefully reduce the bid amounts once the project is put back out to bid. It is the engineer’s recommendation that the bids be rejected and that the Town modify several criteria in the original bid request in an effort to attract lower bids.

Mr. Higginbotham questioned if base asphalt would be used and asked if VDOT would be satisfied.

Mr. Garrett answered affirmatively noting it would be 10” of base and 1 ½” of overlay that VDOT would mill out and add the top. Mr. Garrett stated in the modifications they are working towards having two work zones.

Mr. Coggsdale advised they are trying to strike a balance between the efficiency of the job and keeping businesses in operation during this project.

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Mr. Garrett noted the challenge would be maintaining the business entrances during this process.

Mayor Mattox questioned the reasoning for not doing the construction at night.

Mr. Garrett stated it really has not been looked at as a night project.

Mr. Coggsdale suggested looking at this as an alternative bid option.

Mr. Higginbotham stated it would be more expensive and there is not good quality work.

Mr. George questioned if someone had addressed Council previously and discussed the idea of restructuring Main Street.

Mr. Coggsdale advised several different items were discussed and stated he has been in touch with Mr. Youngblood with the Virginia Department of Transportation in regard to these discussions.

Mr. Edwards expressed disappointment that the engineers did not direct staff a little better.

A motion was made by Mr. Edwards, seconded by Mr. George, to reject bids for Main Street Waterline Replacement and rebid the project.

Motion carried:

|       |                      |           |
|-------|----------------------|-----------|
| VOTE: | Mr. Michael Mattox   | Yes       |
|       | Mrs. Micki Brumfield | Yes       |
|       | Mrs. Beverley Dalton | Abstained |
|       | Mr. Charles Edwards  | Yes       |
|       | Mr. Timothy George   | Yes       |
|       | Mr. Jay Higginbotham | Abstained |

### c. Update on VDOT Urban Development Area (UDAs) Technical Planning Grants

Mr. Coggsdale advised he recently attended a VDOT Education Meeting on HB2 and its impact on the selection of transportation projects at the local level. It is apparent that there are still many unanswered questions and the town may need to address planning issues to assist with potential funding in the future. He presented Council with excerpts from an email from VDOT talking about land use planning and the role of Urban Development Areas (UDAs). By designating UDAs or other growth areas, localities can maximize opportunities for funding through HB2. Mr. Coggsdale added staff would like to explore this and noted there are technical assistance grants available through August 31, 2015, to help localities that are considering amending their comprehensive plan to include UDAs or UDA-like areas.

It was the consensus of Council to allow staff to investigate the opportunity for designation of an Urban Development Area and potential submission of a grant application for technical assistance.

## 9. Reports

### a. Town Manager's Report

#### **Bedford Avenue Waterline Project (Project 1A)**

- Waterline installation is complete.

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- Sidewalks are being installed
- Monthly Construction Meeting Notes
- Substantial Completion Date: July 24, 2015 Final Completion Date: August 25, 2015

### **WWTP EOP – PCB Remediation**

- Institute of Advanced Learning & Research Workshop was held June 17<sup>th</sup> & 18<sup>th</sup> (Danville and Altavista).
- DEQ is in the process of drafting the notice letter that is required for the Informal Fact Finding (IFF) Proceeding.

Mr. Edwards questioned an article that stated Altavista could be subject to a \$30,000 a day fine in regards to the PCB cleanup and from his understanding DEQ would likely impose this fine if the town did not satisfactorily complete the VRP. Mr. Edwards stated if this is case, Council needs to be made aware of this.

Mr. George mentioned this was in the report submitted by Gay & Neel.

Mr. Coggsdale stated there is potential for any regulatory agency but being specific to our agency this was the first time he had heard about this penalty. He felt the article coincided with a visit to the Emergency Overflow Pond. Mr. Coggsdale stated he would ask specifically when discussions come about on the fact finding.

Mayor Mattox felt all could agree that there has been no official notification of such potential fine.

### **“Altavista Alerts” Notification System**

Mr. Witt gave Council an update on the Everbridge Notification System advising the system is up and running; noting at no cost, the white pages and yellow pages have been purchased for the Town of Altavista (Any one that has a landline phone is in the system). He added he would prefer not to use this method unless it is a dire emergency. The notification system has been marketed and promoted with only 119 citizens to sign up. Mr. Witt advised some different marketing options are being considered. Mr. Witt mentioned there is a component that includes the Town employees to notify them of emergency situations. He stated he would like to see 800 to 1,000 citizens voluntarily sign up and suggested a possible incentive to encourage sign up.

#### b. Calendars-July/August

#### 10. Informational Items/Late Arriving Matters

#### 11. Matters from Town Council

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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) (5) – Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the businesses’ or industry’s interest in locating or expanding its facilities in the community.

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

Motion carried:

|       |                      |     |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox   | Yes |
|       | Mrs. Micki Brumfield | Yes |
|       | Mrs. Beverley Dalton | Yes |
|       | Mr. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

Council went into closed session at 8:09 P.M.

Notice was given that council was back in regular session 8:28 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Dalton, seconded by Mr. Edwards, 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. Charles Edwards  | Yes |
|       | Mr. Timothy George   | Yes |
|       | Mr. Jay Higginbotham | Yes |

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

The meeting was adjourned at 8:29 p.m.

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Michael E. Mattox, Mayor

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J. Waverly Coggsdale, III, Clerk