

COUNCIL WORK SESSION AUGUST 22, 2017

The work session 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 August 22, 2017 at 5:00 p.m.

Council members

present:

Mayor Michael Mattox
Mrs. Beverley Dalton
Mr. Tracy Emerson
Mr. Timothy George
Mr. Jay Higginbotham
Mrs. Tanya Overbey

Council members

absent:

Mrs. Micki Brumfield

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
Chief Michael Milnor, APD
Mr. David Garrett, Director of Public Works
Mr. Tom Fore, Director of Public Utilities
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

1. Mayor Mattox called the meeting to order and presided.
2. Mayor Mattox advised of an addition to the agenda: New Prospect Baptist Church “Relay for Life” Event Request.

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

Motion carried:

VOTE:

Mr. Michael Mattox	Yes
Mrs. Beverly Dalton	Yes
Mr. Tracy Emerson	Yes
Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes
Mrs. Tanya Overbey	Yes

3. Public Comments—Agenda Items Only

Mayor Mattox asked if anyone would like to speak on anything listed on the agenda.

No one came forward.

4. Introductions and Special Presentations

- a. Rotary Club-Flag Presentation-“Flag Project”

Mr. Steve Farmer, business owner and member of the Altavista Rotary Club, addressed Council advising the Altavista Rotary has purchased 50 United States of America flags for the decorative street lamp poles along Main Street and would like to place them in one area of Main Street. He noted there are 122 decorative street lamp poles and the Altavista Rotary would eventually purchase the remainder. The cost of these flags are approximately \$44.00 each. Mr. Farmer stated they would be contacting other organizations and private citizens that may be interested in helping with this project. The request of the Rotary Club is that the town employees install the brackets on the designated poles. The Rotary Club would provide the flags and be

COUNCIL WORK SESSION AUGUST 22, 2017

responsible for putting them up and taking them down noting the flags would be put up on at least 7 occasions. Mr. Farmer felt the flags would beautify the town.

Council was in agreement that this was a great idea.

Mayor Mattox asked if Council was willing to help with the remaining flags as a match of funds.

Mr. Farmer noted they plan to contact the Altavista Chamber of Commerce, Altavista on Track, the Town and concerned citizens in regards to supporting this project.

Mr. Emerson suggested asking Mr. Farmer to advise if assistance is needed after contacting the other organizations.

Mrs. Dalton motioned, Mr. Emerson seconded, to honor Mr. Farmer's request that the Town's employees install the brackets on the designated poles.

Mrs. Dalton amended her motion, Mr. Emerson seconded, to allow the Town's employees to install brackets on all of the decorative poles.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverly Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes
	Mrs. Tanya Overbey	Yes

5. Items for Discussion

a. Bedford Avenue Park Discussion (Tennis Courts)

Mr. Coggsdale advised last month, Council considered a previous recommendation from the Recreation Committee regarding the removal of the tennis courts at the Bedford Avenue Park. Discussion focused on whether to remove the courts or repair/reconstruct them. He advised staff contacted Dr. Robert Johnson, Superintendent of Campbell County Schools, concerning their policy of public use of school facilities during the school year/hours. Dr. Johnson indicated that it is their practice to not allow school facilities, including tennis courts, to be used during school hours throughout the school year. This period would run from approximately mid-August to late May/early June from the hours of approximately 8:00 a.m. to 3:00 p.m.

Mr. Coggsdale stated staff also spoke with Mr. Steve Jester, Executive Director of the Altavista Area YMCA, who indicated that he would consider public use of the YMCA's courts if it were a request of Town Council. Mr. Coggsdale stated previously staff reported to Council that the cost to reconstruct the tennis courts at the high school was approximately \$122,000, which included their four courts. There are only two courts at the Bedford Avenue Park. Staff has received a quote to reconstruct the courts and is seeking another for comparison purposes. He noted the options included: 1) Repair/reconstruction of the tennis courts; 2) Removal of the tennis courts; or 3) Removal of the tennis courts and relocation of new tennis courts.

Mr. Coggsdale presented Council with recommendations from the Recreation Committee which included their previous recommendation of having the courts removed, reseed the area and possibly adding benches and picnic tables along with a sidewalk.

Mr. George noted soon the town will hire a firm for the Master Plan and they will survey citizens to see what is wanted. There is still the option to build tennis courts at

COUNCIL WORK SESSION AUGUST 22, 2017

English Park if that is what is wanted. He felt the consensus is there is not a large demand for tennis.

Mr. Coggsdale advised he visited the park and there are two half basketball courts. He measured the courts for the consideration of pickle ball courts but found them not to be wide enough.

Mrs. Dalton asked what would happen to the existing courts while Council is waiting for the planning and surveying to occur.

Mr. Coggsdale advised the Recreation Committee suggests removing the courts.

Mr. George stated they would like to turn it into a green space with trees, benches and picnic tables. He stated they would also like to get away from the parking issue; although there is parking on Bedford Avenue people are parking in the grass along Myrtle Lane and the alley. He added the chain-link fence around the basketball court at English Park is being removed, except for the back fence near the railroad tracks.

Mayor Mattox asked if it was the consensus of Council to wait until the Master Plan has been reviewed before making a decision.

Mr. George stated he is ready to move forward.

Mr. Coggsdale stated the Recreation Committee is ready to move forward with the Bedford Avenue Park and build new courts if needed.

Mr. George stated there was discussion if something was done for one neighborhood park was Council obligated to go above and beyond for the other parks.

Mrs. Dalton stated she was on Council when the neighborhood parks were discussed and there was never a discussion about having them exactly alike. The discussion was to make each one the best it could be, where it could be. Mrs. Dalton felt the tennis courts needed to be left there and it might be less dollars to reconstitute them there before ripping them out. She felt they should be left as they are until the planning is finished.

Mayor Mattox suggested waiting until the Master Plan is completed before anything is done.

Mrs. Dalton stated her other thought about the tennis court is that it is probably not the most popular sport at the moment.

Mr. George stated he is prepared to go along with Council but another set of tennis courts is redundant when other courts are available and felt spending the money on other courts is not money well spent.

Mayor Mattox asked about signage at the park regarding the roughness of the courts.

Mr. Coggsdale stated there are wide cracks but not unevenness. This makes the tennis court not the best for playing on but not a major issue in terms of safety noting staff could take some precautions with signage in that area.

Mr. Eller felt filling the cracks and signage such as "Play at your own risk. Rough Surface" would be appropriate.

Mr. Emerson questioned the Master Plan details; when would this take place.

COUNCIL WORK SESSION AUGUST 22, 2017

Mr. Coggsdale advised the RFP is due August 31, 2017. Council will be advised at their September work session and it should be implemented next spring or summer. Mr. Coggsdale stated hopefully Council will have data that will help with the creation of the CIP for next year's budget.

Mr. Emerson stated he is fine with this but it seems everything that is done takes years to accomplish which is concerning.

Mayor Mattox asked for a consensus to keep things as they are, repair the cracks, add some signage and wait for the Master Plan.

Mr. George requested that "No Parking" signs be added in the grassy area at the Bedford Avenue Park.

Mr. Coggsdale clarified what area.

Mr. George suggested in the alley and the areas surrounding the park. He noted there is a yellow strip there which would indicate "No Parking" but did not feel people would know that. Mr. George stated he visited the other parks and there are plenty of "No Parking" signs.

Mr. Coggsdale advised staff would take care of the "No Parking" signs.

Chief Milnor stated the officers are presently giving warnings about the parking instead of tickets at the Bedford Avenue Park area at this time.

It was the consensus of Council to keep things as they are, repair the cracks, add some signage and wait for the Master Plan.

b. Nuisance/Blighted Property Discussion

Mr. Coggsdale advised Council directed staff to identify several nuisance properties and present those to Council for consideration of further action. He noted staff is providing seven (7) structures for discussion.

Mr. Witt presented Council with a PowerPoint presentation of these nuisance properties.

With the first property shown, Mr. Higginbotham asked Mr. Witt for his recommendations.

Mr. Witt did not feel the house was repairable. He stated in the past, Council has allocated \$10,000 for a no interest loan; this was not being used and was not put in the budget. He asked Council to consider re-establishing this line item in the budget. The no interest loans were for a period of 3 years and the average loan was between \$3,000 and \$3,500. He felt at the least the house on Hughes Street needs to be boarded up with bushes and overgrowth removed.

Mr. Coggsdale felt Council would be back in 6 months discussing derelict properties because doing the minimum will lead to a second process. He stated it might be good to contact the property owner and let them know there is a problem.

Mr. Witt confirmed with Mr. Gary McGyver, Campbell County Building Inspections, the statewide building code states every opening (windows and doors) has to be boarded up.

Mr. Emerson questioned if this is for a period of six months then the property owner has to do something different.

Mr. Witt stated they have to come back to Council with a plan.

COUNCIL WORK SESSION AUGUST 22, 2017

Mrs. Dalton asked what if the property owner comes back after six months of boarding up the property and says they don't have a clue what they plan to do.

Mr. Coggsdale stated staff cannot tell them what to do with the property until it is declared a derelict property.

Mrs. Dalton asked what the harm would be in telling a property owner that the property could be declared derelict property.

Mr. Coggsdale stated this would not be a problem.

Mrs. Dalton stated if she was a property owner and was told that she needed to board up a building which would be dollars out of her pocket, then six months later would have to show staff a plan and what if she intends to turn this house into a livable structure.

Mr. Witt responded it would be to renovate or remove.

Mrs. Dalton asked if staff is going to tell this all at once. She suggested advising the property owner from the beginning.

Mr. Witt referred to one structure that was livable up to 2016 when it caught fire and gutted the inside of the home. He was unsure if the homeowner did not have insurance or if he chose not to fix it.

Mr. Emerson asked if this structure was condemned and suggested staff contact the Fire Marshal.

Mr. Higginbotham suggested talking to the homeowner to see if they plan to restore or tear down noting there needs to be communication.

Mrs. Overbey stated she is in agreement with Mr. Emerson that the Fire Marshal should be contacted.

Mr. Witt advised he would be in contact with the Fire Marshal.

Mr. Eller advised of the procedure used by former Councilman Coleman and Mr. Witt. They would look at these structures and Council would then decide if it is a possible nuisance under the procedure (ordinance) then send a letter to the owner and tell him he needs to come to the next Council meeting and discuss whether or not it should be declared a public nuisance. Council would make that determination. He noted the property that Mr. Witt showed on Hughes Street would be considered a public nuisance because it is overgrown and not secure. He mentioned some previous nuisance properties and only the windows/doors that were broken out were boarded up. Mr. Eller stated the derelict building ordinance states the building has to be of apparent danger to one's health and safety

Mr. Coggsdale noted the definition of a derelict building is it has to be boarded up.

Mrs. Dalton stated the property owner needs to be made aware they need to make the structure safe and after six months they need to present a plan.

Mr. Emerson asked why Council needs to see all the pictures. He felt the pictures need to come after staff has done all they can do.

Mayor Mattox stated staff is following the procedure that has been followed in the past. The code states staff will identify properties, then before Council can declare a nuisance the property owner has to be given the opportunity to come before Council with a plan.

Mr. Emerson did not feel this was private showing Council the properties before contacting the property owner.

Mr. Eller stated when the property maintenance code was put together Section 21-1 says the town has the right to remove, repair, secure any buildings which might affect public health or safety to residents, including doing maintenance work and other things. The

COUNCIL WORK SESSION AUGUST 22, 2017

owner has to be notified by certified mail. Council advised they wanted to know of any property that Section 21-1 would be used on. This is the reason for this preview.

Mr. Emerson asked if staff had done everything required before showing the slides of the houses.

Mr. Coggsdale stated Council can't make someone paint their houses, etc. Section 21-2 requires a reasonable notice to the property owner. He stated there is nothing in the code that says staff can go to a property owner and say "you have got to do these things".

Mr. Emerson asked if a letter could be sent first and let the owner know, staff is preparing to look at your property and there is an interest in knowing what you are doing to clean up the site.

Mrs. Dalton stated the last time Council dealt with houses, staff was told Council wanted to know about them.

Mr. Witt advised Council has been presented with an ordinance from another locality that may cover the needs as it outlines what staff can and cannot do.

Mr. Eller noted he has provided one that he prepared that says much of the same thing.

Mayor Mattox asked who would make the decision on whether or not a structure has reached the threshold of being under inspection of the Town of Altavista; should staff do this or Council.

Mr. Fore stated as being on the Amherst County Board of Supervisors, they allowed the Building Inspector to make this determination. The Building Inspector trained a Law Enforcement official as a county enforcement inspector. This person would inspect and make a recommendation back to the Board of Supervisors.

Mr. Eller noted once a property maintenance code is passed, Council would be able to do this.

Mr. George stated this has been discussed in the Planning Commission meetings and there are no codes to allow them to move forward with property maintenance.

Mrs. Overbey did not feel there was sufficient code and agreed with Mr. Emerson that staff should decide on which property owners should get letters. She stated if you drive through this town with fresh eyes, it is pretty unsightly and hard to bring new businesses or residents to this community with this. Mrs. Overbey stated she has confidence in staff to make these common sense decisions.

Mayor Mattox reminded Council staff is doing what was requested of them at the last meeting and asked if they wanted to continue with the PowerPoint presentation.

Mrs. Dalton asked to proceed.

Mr. Witt advised previously he would send the property owners a letter declaring the property a public nuisance and would give them 30 days to abate the items as listed. The property owner was told to contact Mr. Witt and if he did not hear from them, he would then approach Council. A time was set to allow for the abatement and if not he would have the property cleaned up and bill the property owner.

Mr. Coggsdale did not feel staff had direction on what Council wants them to do.

Mr. Emerson felt letters need to be sent out to the property owners.

Mr. Witt proceeded with the Power Point presentation. He advised he would send "warning" notices offering an opportunity to talk with them about their plans and a timeframe. He will offer them the no interest loan. He stated he will update Council in a report type format.

Mayor Mattox asked if it was the consensus of Council that staff have contact with the property owner before bringing before Council. Council agreed.

COUNCIL WORK SESSION AUGUST 22, 2017

Mr. Witt asked Council to consider increasing the no interest loan line item by \$5,000.

Mrs. Dalton suggested this item be placed on the September 12, 2017 Council meeting agenda.

c. Ordinance Discussion (Junk, Debris Trash, Etc.)

Mr. Coggsdale advised in an effort to address situations that appear to be unsightly, staff has found that the different ordinances at our disposal lack clarity about achieving the objective of staff, as well as some Council members. This discussion will seek to address areas that are lacking in the ordinances and what can be done to resolve that issue. It will also be an opportunity for Council to convey their vision for the preferred state of properties in Town. He presented Council with an ordinance developed by John Eller, Town Attorney and an existing ordinance from the Town of Dayton, VA. Mr. Coggsdale asked if toys laying in a front yard is a violation as opposed to tires in the front yard. He stated to some people it is not.

Mr. George asked if this is something that can be discussed at the Retreat noting some of these are grey areas.

Mr. Eller noted all of the ordinances have to be tied to public health and safety.

It was the consensus of Council to discuss this matter at the September regular meeting.

d. Canoe Launch Site Development Update

Mr. Witt advised he has worked with Gay & Neel and they have provided a power point of the site plan for the Canoe Launch. He noted the site plan has been changed which is advantageous for the Town. The site work has been reduced from \$90,000 to \$10,000. The location of the canoe launch is being moved down stream and the launch will be placed at a 45 degree angle. The size of the paving area was reduced which also reduces cost and the need for a retention pond. Mr. Witt noted there are 20 parking spaces along with spaces for vehicles pulling trailers.

Mr. Higginbotham suggested angling the parking spaces more.

Mr. Witt presented Council with the updates of the actual process. He stated with the grant opportunities he is going to reach out to Cynthia Waymack to determine if this grant can be applied for. Last year the minimum cost for the project had to be \$400,000; the project came in at \$429,000. The probable cost is down \$45,000.

Mayor Mattox asked on the grant, if there is some wiggle room for enhancements that would allow the town to apply for the grant.

Mr. Coggsdale advised when the figure is provided, staff can provide some options on how to get there.

e. Delinquent Tax List

Mrs. Shelton provided the annual listing of delinquent taxpayers as required by Section 70-3 of the Town code. This year's outstanding taxes total \$26,807.28 (as of 8/18/17); an increase of \$5,600 over last year's listing. Personal Property taxpayers account for the majority of the listing totaling \$22,647.75 - most of which are taxes on vehicles. She noted as in the past, the Department of Motor Vehicles has been authorized to place stops on all active vehicles owned by these taxpayers. Currently, there is a \$40 administrative fee for a stop to be removed once taxes are paid; half of the revenue remains with the Town and half is forwarded to DMV. She advised DMV will be raising their fee associated with the VRWP from \$20 to \$25 effective

COUNCIL WORK SESSION AUGUST 22, 2017

9/01. Beginning 9/01/2017, the new fee to release a stop will be \$45.00. The remainder of the tax listing accounts for outstanding real estate taxes totaling \$4,159.53.

Mrs. Shelton requested permission from Council to advertise the presented listing of delinquent taxpayers in the Altavista Journal and to prorate the cost of the ad to the delinquent taxpayers. Over the last 11 years, an average of 98% of taxes billed were collected prior to running the ad and placing stops on vehicles. After aggressive collecting efforts, the collection rate over these 11 years increased to an average of 99.72%. She noted according to the auditors, Robinson, Farmer, Cox Associates, based on their experience auditing local governments, most localities are around the mid 90's for a percent of tax levy collected.

Mrs. Shelton requested permission from Council to write-off delinquent Personal Property taxes for deceased individuals in the amount of \$638.83, delinquent Personal Property and Real Estate taxes under \$20.00 in the amount of \$76.62 and uncollectible Real Estate taxes on two parcels in the amount of \$1,483.20. She noted a lien was placed on both properties. The properties sold but did not bring enough to pay the town the taxes due.

Mrs. Shelton stated due to the statute of limitations regarding Personal Property taxes, the 2012 taxes in the amount of \$3,992.87 are due to be written off. She requested permission from Council to write-off the 2012 delinquent personal property taxes with collection efforts continuing thru June 2018.

It was the consensus of Council to place these items on the consent agenda.

f. Region 2000 Hazard Mitigation Plan

Mr. Coggsdale advised the Town of Altavista participated in the Region 2000 Hazard Mitigation Plan process in 2012 with adoption in 2013. In order to be eligible for mitigation funding either pre-disaster or post-disaster, the Town must participate in the Mitigation Planning process. The Town's share is \$2,500, which may be split over two budget years. (FY2018 and FY2019). He noted it is staff's recommendation to participate in the process.

Mr. Higginbotham questioned the benefit of this.

Mr. Coggsdale advised should there be a hazard impacting housing, they have the ability to apply for funds. Without this plan, the option is not available to the citizens.

It was the consensus of Council to place this item on the consent agenda and pay the total cost in full.

g. Charlotte Drainage Project & 7th Street Sidewalk Project Bid Review

Mr. Coggsdale presented Council with a letter from Hurt & Profitt, Inc. regarding the Charlotte Drainage and 7th Street Sidewalk Projects and the results of the bidding process. They noted the low bidder was Best GC.

It was the consensus of Council to place this item on the consent agenda.

h. Urban Archery Update

Mr. Witt advised the Urban season opens on September 2 through October 6 and January 7, 2018 through March 25, 2018. As previously reported, archery hunters reported harvesting 11 deer on Town owned properties during last year's season. Fifteen (15) hunters were given permission to hunt on the four (4) identified properties, Greenhill Cemetery, dead end of 11th Street, property at the corner of Franklin Ave., 10th Street and the acreage north of the wastewater treatment plant. With the acquisition of the Donald Holland property, he asked that Council consider including this property (approximately 47 acres) in the town owned urban archery program and increase the number of permits

COUNCIL WORK SESSION AUGUST 22, 2017

that may be issued up to 20. Mr. Witt noted the state has now implemented the “Earn a Buck” program.

Mr. George asked if the property has been surveyed.

Mr. Witt responded it is pretty well known and felt it was a safe area. He noted he has not given permission for anyone to hunt from the ground on town property; it has to be from a tree stand only.

It was the consensus of Council to allow Mr. Witt to move forward with including the recently purchased land into the hunting locations and to increase the number of permits to 20.

i. Retreat Update

Mr. Coggsdale presented Council with the agenda for the Planning retreat.

Mr. Coggsdale advised he has received a request from New Prospect Baptist Church Relay for Life Team, Mrs. Karen Mattox, to use the English Park for a 5K fundraiser. The event would be a Halloween “Glow” run/walk for the American Cancer Society and held on October 28th at 6:00 p.m. The closing hours of the park would have to be extended for this event.

It was the consensus of Council to allow New Prospect Baptist Church Relay for Life Team to use the English Park for a 5K fundraiser.

Mayor Mattox thanked Mr. Garrett for repairing the Library clock.

j. Project Updates

Mr. Garrett gave an update on the alleys that are being paved.

Mr. Coggsdale confirmed approval of removing the fencing around the basketball courts at English Park.

Mr. Higginbotham questioned the amount being spent to repave the basketball courts.

Mr. Garrett did not have the figure available.

Council was in agreement.

6. Public Comments

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

Mayor Mattox asked if anyone else would like to speak. No one came forward.

7. Adjournment

Mayor Mattox adjourned the meeting at 7:01 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk