

COUNCIL WORK SESSION JULY 24, 2018

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 July 24, 2018 at 5:00 p.m.

Council members

present:

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

Council members

absent:

Mrs. Tanya Overbey

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Daniel Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Officer Justin Wyatt, Altavista Police Department
Mr. Tom Fore, Public Utilities Director
Mr. John Eller, Town Attorney
Ms. Emelyn Gwynn, Main Street Coordinator
Mrs. Mary Hall, Administration

1. Mayor Mattox called the meeting to order and presided.

Mayor Mattox extended condolences to the family of Dr. Larry Jewell, DDS. Dr. Jewell served on the Altavista Town Council and the Altavista Planning Commission as well as other boards. Mayor Mattox called for a moment of silence in remembrance of Dr. Jewell.

2. Mayor Mattox advised of some amendments to the agenda: AEDA Update, Zoning Decision at 812 Broad Street.

Mr. Emerson, seconded by Mrs. Dalton, motioned to approve the agenda as amended.

Motion carried:

VOTE:

Mr. Michael Mattox	Yes
Mrs. Micki Brumfield	Yes
Mrs. Beverly Dalton	Yes
Mr. Tracy Emerson	Yes
Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes

3. Public Comments—Agenda Items
4. Introductions and Special Presentations

- a. Introduction of New Police Chief

Mr. Coggsdale introduced the new Police Chief, Thomas E. (Tommy) Merricks noting he will join the Altavista Police Department on September 3, 2018. Mr. Merricks previously worked for the Danville Police Department with 28 years of experience.

Mr. Merricks addressed Council and thanked them for the opportunity to serve as the next Police Chief stating he was looking forward to being a part of the community.

b. Altavista on Track Update

Ms. Gwynn addressed Council to provide an update on the Altavista on Track (AOT) events. She introduced Ms. Lori Johnson, AOT Board President noting Ms. Johnson has been a member of the Board for five years. She stated Mr. Nate Perrow and Ms. Jamie Glass have rotated off the board as their terms were complete. Ms. Gwynn advised Rev. Ed Soto is now Vice-President, Ms. Emily Correa, Treasurer, and Ashley Holloway, Secretary, are part of the Executive Committee along with a variety of small business owners. Ms. Gwynn stated AOT's main goals are design, economic vitality, promotion and organization. She advised they are presently looking at designing a "LOVE" sign for Altavista to market the town. When this is built and placed, it will be listed on the Virginia Tourism website. She advised AOT is partnering with the Staunton River Garden Club to purchase some snowflakes to place along Main Street during the holidays. For economic vitality, AOT received a grant to hire a consultant to develop a plan and market analysis to see if Altavista could be a possible location for a Children's Museum or Children's Playhouse. Ms. Gwynn stated if this concept works for Altavista, they would like for it to be located in the downtown area. She reported they continue to partner with the Altavista Chamber of Commerce to host training classes. She noted in regards to promotions, two food truck events have been held which were well attended with the businesses along Broad Street benefitting. She advised of future promotions being sponsored by the AOT. Ms. Gwynn noted a billboard is being leased for six months on Route 29 north promoting Altavista. She thanked Council for supporting Altavista on Track.

5. Items for Discussion

a. Public Nuisance – 1515 Pine Grove Court

Mr. Coggsdale advised at the July 10 Town Council Regular Meeting, a hearing in regard to an apparent public nuisance related to 1515 Pine Grove Court was conducted. After hearing from several individuals, the Town Council adopted a motion with the finding that a public nuisance existed. Council deferred setting the required abatement measures until tonight's Town Council Work Session.

Mayor Mattox advised he was absent from the July 10, 2018 Town Council meeting and excused himself the discussion.

Vice-Mayor Dalton asked if anyone on Council has a suggestion as to how to abate this issue. She was in hopes that the parties involved could have resolved the issue themselves adding these cats are someone's pets and are also an aggravation to the complainant.

Mr. Emerson stated he spoke with the Chief Animal Control Officer with Campbell County and his recommendations were for the complainant to file a complaint each time that it happens and after a number of times the pet owner will be fined. Mr. Emerson indicated he did not know the answer to this situation but at the end of the day, you have to fall back on the law.

Mr. George advised he drove by the home and didn't see any cats the day he was there.

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Ms. Anna Craig, 1512 Pine Grove Court, addressed Council and advised the cats are let out at certain times. They are at her house late in the evening and early the next morning. She advised the cats were at her home on Saturday but she had not seen them since. She felt when she went home they would be there again. Ms. Craig stated the pet owners won't do anything they are told to do. She stated she trapped a cat and the owner came onto her lot, got the cat and shut the trap so another one couldn't get in it. Ms. Craig stated she was informed to go to the Magistrate and take out a warrant. She indicated she has sent the pet owners certified letters and talked to them. The pet owner is at her home taking pictures all the time.

Mr. Emerson told Ms. Craig she could seek a warrant against the property owner of the cat and noted it may end in Court if need be.

Mr. Higginbotham suggested for such complaints, Town Hall staff should have this information available for the complainants.

Mr. Coggsdale offered staff can make the complainant aware but noted the Town has its own regulations as well.

Mr. Emerson noted from what he was told the first episode is a smack on the hand from the Judge but the penalty gets stronger with the complaints, up to \$500.00.

Mr. Coggsdale stated the Town's regulations allows Council to decide what abatements look like. If the abatement is not achieved, then there are civil penalties.

Vice-Mayor Dalton asked if the requirement that the cats stay off of the complainant's property was considered an abatement.

Mr. Eller advised he visited the mobile home park and there is no defined area to say where one person's property starts and ends.

Vice-Mayor Dalton asked if dogs are allowed in this mobile home park.

Ms. Craig stated she has one little dog and the neighbor is trying to get rid of it. She noted dogs were allowed when she moved there 20 years ago and cats were not allowed. She stated there were no problems in the park until three years ago.

Vice-Mayor Dalton noted the Town's ordinance refers to dogs and they have to be in the owner's presences. It does not address cats.

Mr. George stated it would be interesting to know what the landowner thinks about all of this. Mr. George felt because there was not complete evidence proving the cats are not where they are supposed to be, it is one person's comments against another person's comments.

Vice-Mayor Dalton referred to the July 10th, 2018 Town Council meeting and advised Council concluded that this was a public nuisance and now Council has to abate the problem.

Mr. George suggested the cats not be allowed to go outside unless under the owner's control.

Vice-Mayor Dalton asked if this could be an issue for the landowner and if the landowner has any regulations regarding animals.

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Mr. Coggsdale advised if there are regulations in the park then it becomes an issue between the landlord and the tenant but if animals are allowed then it becomes a Town issue.

Vice-Mayor Dalton suggested the landowner be contacted to find out the regulations.

Mr. Higginbotham stated Ms. Craig has followed the code and filed three complaints and it has been declared a nuisance. He felt a letter should be sent to the pet owner advising of the situation with a timeframe to correct the problem. He told Ms. Craig in the meantime to take dated pictures and go before the Magistrate. He added it is unfortunate but Ms. Craig will need to get the process going on the town side and the county side.

Ms. Craig stated the pet owner will bring the cat and sit it in front of her house adding the pet owner is the problem. She stated she did not know what to do.

Vice-Mayor Dalton stated Council will try to help with the cat issue. She felt Council needs to hear from the landowner about what the rules are. She agreed with Mr. Higginbotham in regards to sending a letter to the pet owner telling them to keep the cats away from Ms. Craig's property.

Mr. Coggsdale suggested the letter be sent to the pet owner with a copy to the landowner.

Vice-Mayor Dalton asked Mr. Coggsdale to come up with the parameters.

Mrs. Brumfield was in agreement with Mr. Emerson and felt Ms. Craig should go before the Magistrate and swear out a warrant.

Mrs. Dalton, seconded by Mr. George, motioned that a letter be sent to the pet owners with the directive to keep the cats off of Ms. Craig's property as defined by the parameters that the town manager defines. This is the abatement. This abatement is effective immediately.

Motion carried:

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

b. Former EMS Building Follow up

Mr. Coggsdale advised at the last Town Council Work Session on June 26th, staff presented a Facility Assessment for the building for Council's review. Staff was directed to seek a value assessment for the building and review past utility costs. Mr. Coggsdale provided this information to Council.

Mr. Higginbotham asked what the issues are noting Avoca has requested use of the building as well as DAWN.

Mayor Mattox noted there are other entities that may be interested in the building.

Mr. Coggsdale noted staff has not looked at potential uses as they were requested to provide information on the utility costs and value of the building.

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Mayor Mattox stated he didn't want the building to have a negative cash flow for the Town of Altavista. He suggested that an RFP be issued to see who might be interested in the building noting whoever uses the building will have to maintain and keep up the building and grounds.

Mr. Higginbotham asked Council to take into consideration that the building is located strategically next to the Avoca Museum.

Mr. Emerson noted there are two more commercial buildings located there too. He asked if there has been other interest besides Avoca Museum and DAWN.

Mr. Coggsdale advised there is a private company/business that is interested.

Mr. George clarified if the building is sold, the money would be set up in a fund for Avoca Museum's usage.

Mr. Eller stated this is what is stated in the deed.

Mr. George asked if this would be a savings to the Town as expenditures for Avoca could come from this fund.

Mayor Mattox called for clarification of the deed language.

It was consensus of Council to ask staff to view the legal aspects of the deed.

Mr. Higginbotham felt Council should lean towards Avoca's request.

Mayor Mattox stated he would like to look at all the options. He suggested an RFP be put out to see what people are interested in and what can be done for the best interest of the community.

It was consensus of Council to seek out request for proposals for the usage of the EMS building.

c. Special Event Policy Follow up

Mr. Coggsdale advised at the last Town Council Work Session on June 26th, staff presented a draft Special Event Policy for Council's review. At that time, staff was directed to seek the cost of insurance for events. He presented Council with some insurance cost noting there are mechanisms for getting insurance for events. It is hard to say what the cost will be because it is dependent on what the activity is.

Mr. Higginbotham suggested asking Scott Insurance if the Town buys the policy what is the cost and divide that amount by the number of events. He felt an annual premium would be cheaper.

Mr. Coggsdale asked what a second policy would provide that the first one doesn't.

Mr. Higginbotham stated it would provide an umbrella policy.

Mr. Emerson stated he would hate to require an individual to get insurance for a small birthday party. He asked what about the people that show up and use the pavilion without renting it.

Mr. Coggsdale suggest two different areas are being brought up; private events and public events.

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Mayor Mattox suggested the proposed policy be reviewed and placed on a future work session for discussion. He asked staff to check with peers to see how they handle special events.

Mr. Eller stated it would depend on who is sponsoring the event.

Mr. Coggsdale asked for a date to place this item on the work session.

Mayor Mattox stated as soon as the insurance data is gathered and asked for a sufficient amount of time in a work session.

d. FY2018 Budget Amendments/Departmental Transfers

Mr. Coggsdale advised of Budget Amendments that need to be addressed in preparation for the annual audit and presented the FY2018 Budget Amendments that need to be acted upon.

It was the consensus of Council to place this item on the August 14, 2018 Regular Town Council Meeting's Consent Agenda.

e. Declaration of ACTS bus as Surplus

Mr. Coggsdale presented Council with Mr. Witt's request to declare an ACTS bus as surplus and the criteria. Mr. Coggsdale advised if the bus is sold for \$4,999, these monies can be used towards the purchase of the next bus. If sold for more than the \$4,999 there is a penalty.

It was the consensus of Council to sell the bus as a surplus to nonprofits at a cost of \$4,999 and if there is more than one interested there will be a drawing.

Mr. Coggsdale advised staff would move forward with the process but asked at the August meeting Council declare the bus surplus.

f. Procurement Items

i. Bedford Avenue Tennis Courts

Mr. Coggsdale provided Council with "quotes" for the demolition of the two existing tennis courts and the reconstruction of one court at the Bedford Avenue Park. Based on the quotes, staff recommended awarding this project to Boxley Materials Company in the amount of \$75,533.

Mayor Mattox asked that this item be placed on the consent agenda.

ii. Avoca HVAC

Mr. Coggsdale advised Avoca staff has been dealing with a failing HVAC system located in the museum/office building for the past week. This is one of two units that is slated for replacement in the FY2020 Capital Improvement Program. Town staff seeks to move forward with replacement of the HVAC unit for this location immediately. The remaining unit would continue to be scheduled for replacement in next year's budget. He suggested that Mr. Hudson be asked to obtain quotes for this work in an amount not to exceed of \$7,500 and staff move forward with having the work completed with Council's approval at the August 14th meeting.

It was the consensus of Council that staff move forward with obtaining quotes and replacing the HVAC system in an amount not to exceed \$7,500. This item is to be placed on the August 14th consent agenda.

g. AEDA Update Recommendations

Mr. Bill Gillespie, Altavista Economic Development Authority Chair, addressed Council and advised the EDA has developed a revised scope of work. He noted the EDA was very specific about what was wanted and what the outcome was going to be. He stated this has been trimmed back from a cost standpoint. He advised the CAMOIN has been selected for the Economic Development Strategic Planning Services. Mr. Gillespie stated if the need for an Economic Development Director arises then a plan is in place for he/she to use. The EDA feels like with the smaller community there are other groups that are looking at economic development but all these groups need to be under the same umbrella. Mr. Gillespie stated the members of the AEDA are very busy and do not have time to meet weekly. They would like to hire someone as a liaison (project manager) that would make sure they are meeting the six-month timeline. He noted the scope of work is a five-year plan with very specific goals and will bring together the Altavista Chamber, Altavista on Track and the Planning Commission.

Vice-Mayor Dalton advised the EDA has taken a considerable amount of time to review three consultants with the end result being CAMOIN to fine tune the scope of work. She noted the EDA is being cognizant that Altavista is a small community and small communities can be more creative at times. She was in agreement that a project manager is needed to keep the scope of work moving along and keep all the groups focused.

Mr. Coggsdale added in the FY2019 Budget is \$148,000.

Mr. Higginbotham asked how much information has been built up between the first Economic Development Director and the second Economic Development Director.

Vice-Mayor Dalton stated the only measuring tool they have is the strategic plan and both Economic Development Directors worked to this plan. She noted a lot has happened in growing existing businesses. She noted should Council decide to hire a new Economic Development staff person; this scope of work will be completed and in place. That person will be hired to do this specific body of work. This six months of work is to develop the program.

Mayor Mattox asked if Council was in agreement with the concept.

Vice-Mayor Dalton suggested Council review the concept.

Mayor Mattox asked that this item be placed on an August Council meeting agenda.

Vice-Mayor Dalton added the EDA group is a very engaging and experienced group.

Mr. Coggsdale advised funds were received from the USDA to establish a revolving loan fund. There has been a request to look at the language. The proposed modifications would allow applicants to seek loans up to the balance of the loan program; the current maximum level is \$10,000.

Mayor Mattox asked that this item be placed on the August 14th, 2018 Regular meeting consent agenda.

h. Zoning Issue-812 Broad Street

Mr. Coggsdale advised Mr. Joe Emerson, 812 Broad Street, approached Council after receiving a notice of violation letter in regards to a deck built on his home at 812 Broad Street. He asked Council to look at the issue. Mr. Coggsdale advised staff has reviewed the issue and stated Council can take some policy action or an application can be filed to the Board of Zoning Appeals (BZA). He noted there is a 20-foot setback requirement that is not being met.

Vice-Mayor Dalton asked if Council has the authority to grant a variance in specific cases.

Mr. Coggsdale advised this would fall under the BZA's authority.

Mr. Eller added an appeal is to the Circuit Court and not to the Council.

Mr. Higginbotham asked if 5 feet of the right of way can be vacated.

Mr. Coggsdale stated if 5 feet of the right of way were vacated he would still be 5 feet short of meeting the setback.

Vice-Mayor Dalton asked Mr. Eller what options the BZA might have.

Mr. Eller advised the rules to grant a variance is very strict and if they follow those rules, there's not much they can do. You either qualify with the criteria or you don't. He noted the BZA has been very faithful to the law but because of the odd things with the right of way, this might be a circumstance that could be considered. Something that was unavoidable and not known by Mr. Emerson. Mr. Eller pointed out the effect on a variance is that if it is allowed it does not affect any other areas of the town.

Mr. Joe Emerson addressed Council and advised the zoning and building permits were obtained on the 16th of March. Mr. Witt signed off on the zoning permit that it was good and the inspector signed off on it as well. Mr. Emerson stated he should have been told before the deck was finished that it was illegal. He did not know anything until June.

Mayor Mattox told Mr. Emerson that Council did not feel this was intentionally done and they are working to find a solution. Mayor Mattox asked Mr. Emerson to decide if he wants to file an application with the BZA or rebuild his deck on a smaller scale and asked that he let Council know his decision.

6. Public Comment - Non-Agenda Items

7. Closed Session

8. Booker Building Visioning Session (Site Visit)

Mayor Mattox rescheduled the Booker Building site visit to the August 28th work session at 5:00 p.m.

9. VDOT SmartScale Public Input Hearing (7:00 p.m.)

Mr. Coggsdale presented Council with photos of the proposed SmartScale projects located at Lynch Mill road/Altavista Elementary School turn lanes and Lynch Mill/Clarion Road. He advised a requirement of the application process is a public

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hearing to allow the public the opportunity to comment on the proposed projects and, if desired, make suggestions for future projects.

Mayor Mattox opened the public hearing at 7:23 p.m. and asked if anyone would like to speak. No one came forward. Mayor Mattox closed the public hearing at 7:24 p.m.

Mr. Emerson, seconded by Mrs. Dalton, motioned to adopt the resolution in support of the HB2 application for town of Altavista; Lynch Mill Road and Altavista, Lynch Mill Road and Clarion Road intersection improvements.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mrs. Beverly 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 AND SAFETY UPGRADES
LYNCH MILL ROAD & CLARION ROAD INTERSECTION IMPROVEMENTS

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 Clarion Road is identified in the Town of Altavista 2305 Plan as an intersection that needs improvements for line of sight and turning radius to assist with 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 24th day of July, 2018.

Michael Mattox, Mayor
Town of Altavista

Attested:

J. Waverly Coggsdale, III, Clerk

10. Adjournment

Mayor Mattox adjourned the meeting at 7:28 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk