

TOWN OF SCOTTSVILLE

Town Council

Working Session

Tuesday, November 13, 2007

Victory Hall

401 Valley Street

Scottsville, Virginia

Mayor

R. Stephen Phipps

Town Council

Nancy E. Gill

James P. Hogan

Jeannette E. Kerlin

Robert E. O'Halloran

John R. Snoddy

Craig N. Stratton

MINUTES

Mayor Phipps called the meeting to order at 7:00 p.m. Present were Ms. Gill, Ms. Kerlin, Mr. O'Halloran, and Mr. Snoddy. Mr. Stratton arrived shortly thereafter, and Mr. Hogan was absent. Also in attendance were Town Administrator Clark Draper and Town Clerk Amy Moyer. The items discussed were as follows:

Construction inspection fee: Mayor Phipps noted that Volkert & Associates, Inc., requested approval of an additional \$10,000 for construction inspection. Jack Hodge explained they had sufficient inspection funds through May, when additional funds were approved, but Linco still had not finished. Mr. Hodge stated that inspection rates were changed from lump sum (per week) to hourly, with approximately \$6,000 of inspection fees outstanding.

Mr. Hodge reported that street paving was postponed to the end of November to allow the Embarq contractor to run an additional 15 feet of conduit to reach a pole that was moved. Mr. Snoddy asked what would happen if the weather did not accommodate paving so late in the season; Mr. Hodge indicated that they would have to patch around the drop inlets and wait until spring to put down the final surface.

Mr. Hodge noted that inspector Stephen Short was scheduled to be on site for paving, removing poles, and final flat work. Mr. Hodge stated that he did not expect inspection fees to exceed \$10,000, as Mr. Short would not have to be on site all the time. Ms. Gill asked why inspection fees exceeded the line item amount in the proposal. Mr. Hodge stated that the time included in the contract was exhausted, the town agreed to change the contract to hourly, and VDOT required full-time inspection. Ms. Gill asked whether this requirement was stated in writing; Mr. Hodge answered affirmatively. Ms. Gill reiterated her objection to payment in excess of the contract amount. Mr. Snoddy commented that an AEP inspector had provided pictures of broken, duct-taped conduit; he said he was hesitant to allocate additional inspection funds if this work was done under the view of the inspector. Mr. Hodge stated that Mr. Short notified Linco that the bases were done incorrectly, and Linco eventually redid them.

Ms. Gill asked whether Linco's final bill would exceed the contract amount. Mr. Hodge said the final amount was not yet known, but a semi-final estimate was due; he noted that liquidated damages were stopped because the contractor cannot complete work until asphalt is complete and poles are removed.

An appropriation of \$10,000 for construction inspection by Volkert & Associates, Inc., was

placed on the regular session agenda.

Architectural Review Board Report: Ms. Gill reported that the ARB did not meet in November. She reported that Jeffrey Plank was currently reviewing the ARB guidelines. Ms. Gill displayed an Albemarle County brochure that she thought would be a good model for sharing information with real estate agents and property owners. Mr. Stratton inquired regarding the Presbyterian Church's plans to provide handicap access by increasing the size of a window; Ms. Gill said that the church should file an application, and the alteration might also require DHR review.

Planning Commission Report: Ms. Kerlin reported that the Planning Commission held a public hearing on an application to rezone 225 West Main Street and the adjacent parcel; the commission recommended approval by Town Council. Ms. Kerlin commented that some concerns were later voiced by others regarding the possible construction of a parking lot next to the playground. Property owner Pamela Layman spoke from the audience to note that the parking lot at Dorrier Park is an equal distance from the playground area. Mayor Phipps noted the need for a public hearing before Town Council on this application. Ms. Kerlin reported that Kevin Denby had spoken to the commission regarding his plans for the former bus station; Mr. Denby was seeking a special use permit to continue the property's commercial use. Ms. Kerlin reported that TJPDC was working on the Comprehensive Plan update and planned to attend the December meeting. Ms. Kerlin also noted that Mr. Grove had raised the issue of a truck bypass, a plan for which was previously presented to Town Council. Discussion ensued regarding bypass alternatives, and Mr. Draper was directed to follow up with VDOT. Ms. Kerlin noted that the commission also discussed used car lots and derelict buildings. Ms. Gill asked that all applicants be reminded of ARB review requirements.

Treasurer's Report: Mr. Draper reported that October receipts included insurance reimbursement for the sluice gate. Mr. Stratton inquired regarding Streetscape funding. Mr. Draper said that the exact amount of remaining funds would not be known until receipt of Linco's final invoice; change orders would go to VDOT for approval, but VDOT participation in this contract was limited to \$500,000. Mr. Draper estimated that \$600,000 in grant funds would be available for Main Street.

Mayor's Report: Mayor Phipps noted holiday events scheduled for December 8.

Tourism Committee Report: Mr. O'Halloran reported that Laurel Greene had inquired regarding the use of Canal Basin Square for additional Rhythm on the River concerts. He reported that the VHTA distribution contract was renewed. He commented that the Arnett Muldrow presentation was fairly favorably received, and a special meeting should be scheduled to discuss how to pursue their recommendations.

Public Safety Committee Report: Mr. Stratton reported that VDOT had considered placing a guardrail at the north end of Valley Street, but this option was declined for aesthetic reasons, so permission was obtained to install no parking signs. Mr. Stratton commented that people could still pull in there for construction work. Mr. Stratton said that the town can tow any vehicle parked within the right-of-way, but the property owner must arrange for towing of vehicles on

private property. Mr. Stratton recommended that Warren Street residents with access issues place signs at their steps or call the Fire Department. He commented that Mr. Meeks has provided off-street parking for tenants in this area, and residents should be encouraged to use off-street parking and park extra vehicles in public parking lots. Mr. Stratton also reported that ECC was having difficulty acquiring the radio repeater, the sluice gate stem was scheduled for delivery the next week, and an evacuation drill was being planned. He passed along a recommendation from Chief Layman for a security light behind Citgo. Mr. O'Halloran inquired regarding noise problems when restaurants close at 2:00 a.m.; Mr. Stratton directed him to call 911 if the disturbance is excessive. Mr. Stratton noted his objection to scheduling other meetings at the same time as a standing committee.

Government Services Committee Report: Mr. Snoddy reported that the October meeting was cancelled. He reported that the postmaster had sent an email affirming his estimate of the number of cluster boxes required. Ms. Gill suggested dividing the clusters among high-density residential areas. Ms. Kerlin asked whether platform size could be limited, thereby limiting the number of boxes that could be placed at the farmers' market site. Mr. Stratton inquired whether the area would be covered and who would pay for lighting. Mr. Snoddy agreed to relay these questions, as well as a request for trash receptacles. Mayor Phipps noted that the town had agreed to provide a pad for the mailboxes.

Town Administrator's Report: Mr. Draper reported that he was scheduled to meet with David Puckett regarding the farmers' market site design on November 16, and he planned to ask him to work the cluster boxes into the site plan. Mr. Draper said he had spoken to RSWA regarding recycling; RSWA was currently able to collect only newspaper but planned to work on finding funds for collection of other materials. Mr. Draper requested permission to draft an ordinance to impose a fee for returned checks; this matter was referred to the Government Services Committee.

Town Attorney's Report: Mr. Bowling planned to attend the regular session. Mr. Stratton inquired as to the status of sanitation fee litigation. Mr. Draper reported that Mr. Bowling had responded to Mr. Dorrier's motion to dismiss, and the next hearing was scheduled for November 28.

Farmers' market grant: A resolution of signatory authority was placed on the consent calendar authorizing Mayor Phipps to execute agreements with the USDA pertaining to the Rural Business Enterprise Grant.

Police Department air conditioner repair: Mr. Draper reported that Albemarle Heating & Air recommended correcting duct issues rather than replacing the unit, and an estimate was expected within the week.

Post office cluster boxes: This item was addressed during the Government Services Committee Report.

Marketing study update: Mayor Phipps reported that Arnett Muldrow's presentation from

November 7 was available online.

FY 2009 Budget: Mayor Phipps asked members to submit budget requests by the January 2008 work session.

No Parking signs along Valley Street and Warren Street: This item was addressed during the Public Safety Committee Report.

ACSA easements – Holman Street and Main Street: Mr. Draper explained that ACSA has requested two easements for replacement of water and sewer lines on Poplar Spring Road; one is a temporary construction easement, and the other is a permanent easement. ACSA easements for Holman Street and Main Street were originally placed on the regular session consent calendar but then deferred for further consideration.

ZA-07-01 – Request to rezone 225 West Main Street [TMP 130A2-73] and adjacent parcel [TMP 130A2-74]: A public hearing on this application was scheduled for December 17, 2007.

Closed Session: Ms. Kerlin moved to meet in closed session for discussion of Police Department personnel matters, pursuant to Code of Virginia Section 2.2-3711(A)(1). Mr. Stratton seconded the motion, which was unanimously approved.

Upon reconvening in open session, Mr. Stratton moved to adopt a resolution certifying the closed session. Mr. Snoddy seconded the motion, and the following resolution was unanimously adopted:

WHEREAS, this council 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(D) of the Code of Virginia requires a certification by the council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, be it resolved that the council hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed, or considered in the meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting to which this certification applies.

The meeting was adjourned at 8:55 p.m.