

TOWN OF SCOTTSVILLE

Town Council
Regular Session
Monday, May 15, 2006
Victory Hall
401 Valley Street
Scottsville, Virginia

Mayor
R. Stephen Phipps

Town Council
Lillian M. Copeland
James P. Hogan
Jeannette E. Kerlin
Robert E. O'Halloran
Craig N. Stratton
James M. Svetich

MINUTES

1. CALL TO ORDER – Mayor R. Stephen Phipps called the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL of Town Council – Clerk of Council Amy Moyer called the roll. All members were present, with the exception of Ms. Copeland, who arrived shortly thereafter. Also in attendance were Town Administrator Barry Clark and several observers.
4. CONSENT CALENDAR
 - 4.1. Financial Report for April 2006 [Tab 1.5]
 - 4.2. Approval of Agenda
 - 4.3. Minutes of Town Council Regular Session of April 17, 2006 [Tab 5.2]
 - 4.4. Minutes of Town Council Special Meeting of April 26, 2006
 - 4.5. Minutes of Town Council Working Session of May 8, 2006

Upon a motion by Mr. Hogan, seconded by Mr. Svetich, the consent calendar was adopted by voice vote.

5. MAYOR'S REPORT – Mayor Phipps reported that applications would be accepted until May 26 for the town administrator position. The post office should be moving to Home Source's location by early fall. The Garden Club of Virginia plans to visit Scottsville in April 2007. Mayor Phipps also thanked the Lions Club for the recent adopt-a-highway trash pickup.
6. PUBLIC FORUM

Mr. Steven Meeks spoke regarding the ARB's request that a variance be issued to allow restoration of 732 Valley Street, which dates to around 1840. Mr. Meeks presented examples of his previous rehabilitation efforts, noting that one of these buildings had been condemned and two others were recommended to be torn down. He commented that some of these structures presented more of a challenge than the house at 732 Valley Street, which a number of people see as restorable. In response to safety concerns, he noted that the door is 11½ to 12 feet from the edge of the pavement. He remarked that he would try to improve the appearance of the house by July 4th.

Mr. Larry Barnett spoke in favor of granting the variance, noting previous restoration work by Mr. Meeks.

Mr. John Koski expressed concern with the current state of 732 Valley Street, stating that the building must either be fixed or removed.

Mr. Denny King spoke in favor of granting the variance, complimenting Mr. Meeks for his efforts to improve Scottsville.

Mr. Larry Stallings spoke in favor of granting the variance, remarking that this building is the first thing one sees when driving through Scottsville.

Mr. Montie Duncan spoke in favor of granting the variance, noting the need for housing of all types. He commented that, in many years of living in the Scottsville area, he could not recall any vehicle incidents in that location; and he complimented the restoration work done by Mr. Meeks.

Mr. Michael Tocci spoke in favor of granting the variance. He stated that productive work by people who want to make the town better should not be stopped.

7. VARIANCE REQUEST FROM ARB FOR 732 VALLEY STREET [Tab 4.3]

Ms. Copeland moved to approve the variance for 732 Valley Street. Ms. Kerlin seconded the motion.

Mr. Clark related that the property lost its grandfathered status by being abandoned for more than two years; a building permit was denied for non-compliance with current setback and off-street parking requirements. The BZA upheld this decision. Mr. Clark explained that Zoning Ordinance section 18.3.5 allows the ARB to request that Town Council issue a variance for preservation purposes.

Mayor Phipps and Mr. Svetich remarked on the quality of Mr. Meeks' work. Mr. Svetich stated that VDOT has plans for widening the road, and this house is on the right-of-way; he expressed concern that allowing improvements would increase the cost to taxpayers to acquire the property for road improvements. Mr. Svetich commented that he would like to see the house saved and moved to another location.

Ms. Copeland referenced legal cases where permit denial was equated with the "taking" of property. She said that the liability incurred is the same as with downtown shops, and historic preservation is a legitimate government objective. Ms. Copeland commented that VDOT improvements could be more than twenty years in the future, if ever, and the property owner was aware of the risk. She stated that allowing the rehabilitation would add to the betterment of the town.

A roll call vote was then conducted.

Ms. Copeland <u>Yes</u>	Ms. Kerlin <u>No</u>	Mr. Stratton <u>No</u>
Mr. Hogan <u>No</u>	Mr. O'Halloran <u>Yes</u>	Mr. Svetich <u>No</u>

By a vote of 2-4, the motion failed.

8. PUBLIC HEARING ON FISCAL YEAR 2007 BUDGET [Tab 3.1]

Mayor Phipps opened the public hearing. No one from the public rose to speak, and the hearing was then closed. Mr. O'Halloran noted that the budget would be discussed further at the next work session.

9. RESOLUTION AUTHORIZING THE RIVANNA WATER AND SEWER AUTHORITY TO APPLY FOR WATER SUPPLY PLANNING GRANT FUNDS AND TO DEVELOP A REGIONAL WATER SUPPLY PLAN [Tab 4.2]

Mayor Phipps related that RWSA and ACSA representatives spoke at the work session regarding the new requirement for a water supply plan. Mr. Svetich moved to adopt the resolution authorizing RWSA to prepare such a plan. Ms. Kerlin seconded the motion. Mayor Phipps read the text of the resolution. A roll call vote was then conducted.

Ms. Copeland <u>Yes</u>	Ms. Kerlin <u>Yes</u>	Mr. Stratton <u>Yes</u>
Mr. Hogan <u>Yes</u>	Mr. O'Halloran <u>Yes</u>	Mr. Svetich <u>Yes</u>

By a vote of 6-0, the following resolution was adopted:

WHEREAS, the Virginia General Assembly has mandated the development of water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process; and

WHEREAS, based upon these regulations, the Town of Scottsville is required to complete a water supply plan that fulfills the regulations by November 2, 2011; and

WHEREAS, the Virginia Department of Environmental Quality (DEQ) has announced the availability of grant funds, subject to inclusion of such funds in the General Assembly's adopted budget for FY 2007, to assist localities in offsetting some of the costs related to development of these plans; and

WHEREAS, DEQ is encouraging localities to submit applications for grant funds to develop regional water supply plans of multiple local government jurisdictions; and

WHEREAS, regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all local government jurisdictions participating; and

WHEREAS, the Rivanna Water & Sewer Authority has previously managed the development of successful regional plans and is a logical entity to organize and manage a regional water supply planning process; and

WHEREAS, the Rivanna Water & Sewer Authority desires to participate in a regional water supply plan that will serve the needs of the Town of Scottsville, Albemarle County, and the City of Charlottesville and desires to secure DEQ grant funds to help offset the cost of the plan development;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Scottsville authorizes the Rivanna Water & Sewer Authority to develop an application for water supply planning grant funds and to develop a regional water supply plan which will meet mandated regulations on behalf of the Town; and be it further

RESOLVED that the Rivanna Water & Sewer Authority is authorized to sign the DEQ grant contract and other appropriate documents related to the source water planning grant and the regional source water supply plan.

10. APPROPRIATION OF \$35,054.60 FOR ADDITIONAL ENGINEERING COSTS BY VOLKERT & ASSOCIATES FOR STREETScape / DRAINAGE IMPROVEMENT PROJECT [Tab 1.4]

Ms. Kerlin moved to appropriate \$35,054.60 for additional engineering costs by Volkert & Associates for the Streetscape Project. Mr. O’Halloran seconded the motion.

Mr. Hogan explained the delays that have resulted in additional engineering costs, including revisions to drainage plans originally supplied by VDOT. Additional costs of \$14,640 were previously billed in September. Mr. Hogan indicated that the federal approval of the plans was expected in the next two weeks, and Jack Hodge attended the work session to explain the additional charges. Mr. Hogan stated that, although he dislikes paying out money that could otherwise go to the project itself, there will be additional fundraising. He requested that the appropriation be approved.

Mr. Svetich commented that he had reviewed the Volkert contract and amendments thereto, and that the town attorney found no legal obligation to make an additional payment. He stated that more than \$291,000 had already been spent on Streetscape design, with excessive engineering costs comprising 22% of the project’s budget. Mr. Svetich stated that he would like to delay voting on the appropriation until the construction bids are received.

A roll call vote was then conducted.

Ms. Copeland <u> No </u>	Ms. Kerlin <u> Yes </u>	Mr. Stratton <u> No </u>
Mr. Hogan <u> Yes </u>	Mr. O’Halloran <u> Yes </u>	Mr. Svetich <u> No </u>

Mayor Phipps cast a tie-breaking vote in the affirmative. The appropriation was approved by a vote of 4-3.

11. REPORTS OF CHARTERED COMMITTEES AND PLANNING COMMISSION

Planning Commission: Mr. Svetich reported that the Planning Commission discussed the Comprehensive Plan. At Mr. Hogan’s request, Mr. Clark reported that a tri-county forum was held May 5, with planners and administrators from Buckingham, Albemarle, and Fluvanna, to discuss the area’s future needs. Attendees indicated a willingness to work

together and expressed concern regarding affordable housing. Mayor Phipps noted that a park-and-ride and a visitors' center were among other ideas discussed.

Public Safety Committee: Mr. Stratton reported that the committee was looking at options to prevent use of Jackson Street as a cut-through. The July 4th parade will follow its usual route, with a different lineup area.

Tourism Committee: Mr. O'Halloran noted several upcoming events. He reported that volunteers are needed for the packet boat at Canal Basin Square, with work to begin soon.

Quality of Life Committee: Mr. Hogan complimented Eleanor Winsor's work with the SCA Photography Show. He reported that the USDA farmers' market grant opportunity would be discussed further next month.

Government Services: Ms. Kerlin reported that that the personnel policy has been expanded to include sexual harassment; the new policy will be reviewed at the June work session. The committee continues its consideration of a noise ordinance.

Historic Preservation: Ms. Copeland reported that Edna Johnson of History Matters was still working on a budget for the inventory publication.

12. TOWN ADMINISTRATOR'S REPORT – Mr. Clark thanked the Town Council and staff members with whom he worked during his tenure.

13. ADJOURNMENT – The meeting was adjourned at 8:15 p.m.