

TOWN OF SCOTTSVILLE

**Town Council
Working Session**
Monday, December 9, 2013
Victory Hall
401 Valley Street
Scottsville, Virginia

Mayor
Jesse B. Grove III

Town Council
Nancy E. Gill
R. Daniel Gritsko
Jeannette E. Kerlin
Elizabeth M. Knotts
Robert E. O'Halloran
Ronald L. Smith

MINUTES

Mayor Grove called the meeting to order at 7:00 p.m. Ms. Gill, Mr. Gritsko, Ms. Kerlin, Ms. Knotts, Mr. O'Halloran, and Mr. Smith were present. Also in attendance were Town Administrator George Goodwin and Town Clerk Amy Moyer. The items discussed were as follows:

Police Chief's report: Chief Layman reported that emergency personnel responded to a report of a bridge-jumper that turned out be unfounded. The Public Safety Committee discussed matching the \$350 donation from the Scottville Community Chamber of Commerce with funds from the police department budget to procure a storage building. They can fit a five-by-eight-foot building and still walk around to access the outdoor storage. Ms. Gill has offered to reorganize the storage room off the Council Chambers to accommodate some file cabinets.

Chief Layman reported that he received a letter from the Office of the Attorney General approving the grant request for the police vehicle and equipment. A memorandum of understanding is expected this week. Mr. Goodwin noted that they need permission to spend the monies as listed by the OAG. Mr. Goodwin would like to place the vehicle order as soon as possible, as there is a 10-week lag time on delivery. This was placed on the regular session agenda.

Chief Layman said that the administrative portion of the request was denied. Mr. Goodwin estimated a cost of \$2,000 for TJPDC to help administer the grant. Mayor Grove asked Mr. Goodwin to look at alternatives to this expenditure.

Chief Layman said the storage building may free up enough space to leave the file cabinets in the police department. The building is in need of sprucing up, paint, and organization. Chief Layman noted there are so many programs the department needs to comply with, and the grant is important because they need the computers and access in their cars to complete the required reports electronically.

Mr. Gritsko commented that the Christmas parade seemed very safe and very nice, and he asked about evening and weekend traffic to businesses. Chief Layman replied that normally this time of year restaurant business declines, but it was extremely busy Saturday night, but not the kind of crowd that causes trouble. Chief Layman suggests modifying the Christmas parade lineup to block fewer streets and ensure emergency access.

Noise complaints regarding James River Brewing: Chris Kyle was present on behalf of James River Brewing. Mayor Grove reviewed the noise issues that were unresolved at the end of the season. Mayor Grove noted that decibel readings by Joey Vagus indicated that it is possible for bands at the brewery to stay within the limits mandated by the ordinance, but the readings were taken after the band was told several times to turn it down. Mayor Grove said that unless they can convince the brewery not to have loud bands they will just have to enforce the ordinance as written, unless an acceptable modification can be drafted.

Mr. Kyle commented that this is not their largest concern at this time, as the new tanks arrive tomorrow and the music will not start again until May. He estimated that in-town business will only be 10 percent of their revenues next year, and the idea behind live music is to bring people to town, which increases meals tax.

Mayor Grove noted the benefit to the town, and a lot of citizens like the music and like it loud. However, as long as a substantial number of citizens are complaining and they have an ordinance on the books, sooner or later they have to enforce it. Mayor Grove advised Mr. Kyle to plan on the ordinance being enforced next season.

Mr. Gritsko asked about different levels for different hours of the week and whether it is possible to test the levels before they open in May. Mayor Grove replied yes, they can amend the ordinance to take account of different treatment for different hours with a proposal and a reasoned explanation.

Mr. Kyle expressed frustration with the restrictiveness of limiting music, noting the midnight cutoff for alcohol. Mr. Kyle said they are not going to have music late at night, which is when people would typically complain because they are trying to rest. Short of that, living in a downtown area, during business hours there are a ton of noise possibilities, not just from music. He was amenable to limiting amplified music to a certain time.

Mr. Smith suggested following the lead of other localities in making this a civil matter and letting the two parties work it out in court.

After further discussion, it was agreed to revisit this issue in February or March. Mr. Kyle expects to begin the music season around Memorial Day weekend, and he felt that it would be much simpler to comply with time limits than decibel limits.

Mr. Goodwin asked Mr. Kyle to give him and Chief Layman two or three days' notice of the tank installation to coordinate traffic control. Mr. Kyle discussed the logistics of the tank delivery.

Chamber of Commerce report: Mr. Smith reported that the Chamber of Commerce wreath sale went well. The Festival of Lights has been extended through next weekend. Cynthia Bruce is finishing her term as president.

Enhancement Projects Oversight Committee report: The committee did not meet due to lack of business.

Architectural Review Board report: Mr. O'Halloran reported that the ARB discussed the playground area at the Methodist Church and asks for consultation with the county building official and approval from the church council before any action by the board. The ARB discussed the building survey and finds that the canal warehouse and 135 Warren Street are in need of urgent attention. Mayor Grove directed the ARB to the enforcement process laid out in the ordinance. Ms. Grill noted that 380 Bird Street is outside the Historic Overlay District and therefore not under the ARB's purview.

Planning Commission report: Mr. Smith reported that the commission discussed the zoning text amendment request for a crematorium at Thacker Brothers Funeral Home and agreed to a recommendation.

ZTA-13-02: Crematory as accessory use to funeral home in Commercial district: Bradley Howdyshell was present on behalf of the applicant, Thacker Brothers Funeral Home. Mayor Grove asked why the Planning Commission recommended adding the use by special use permit rather than by right. Mr. Goodwin said that it could go either way, but the special use permit gives Town Council the ability to have discussion, leeway, and controls. The town attorney prepared two versions of the amendment – one by right and the other by special use permit – and both have been advertised, so the Town Council may consider either version.

Mayor Grove commented that he does not see an advantage to setting up a special use permit procedure, as he does not see six more of these coming along. Mayor Grove's inclination is to take the version that has it by right. Ms. Kerlin and Ms. Gill agreed. Ms. Kerlin remarked that the chair of the Planning Commission was also in favor of by right.

Mr. Smith asked if there are any concerns about locating a crematory in a garage that is attached to a residence. Mr. Goodwin stated that it is not a walk-through. Mr. Smith noted that the residential use in the front was by special use permit. Mr. Howdyshell explained that the SUP was required to allow someone to live in a commercial structure. Council members agreed to place the by-right version of the amendment on the regular session agenda for public hearing.

Ms. Kerlin asked if a different oven is required to cremate pets. Mr. Howdyshell replied yes, this is required by state law and DEQ regulations.

Treasurer's report: Mr. Goodwin reported that the financials are on track for this tight part of the year. Mayor Grove noted that the Caldwell Fund has finally been reconstituted. Mr. Goodwin reported that he received the submittal forms from Hurt & Proffitt for the DCR grant reimbursements for dam inspection and inundation mapping.

Mr. Gritsko asked about snow removal. Mr. Goodwin reported that they have a budget for snow removal on sidewalks and parking lots; VDOT will clear the streets and on-street parking spaces. Mayor Grove noted that they have limited funds and are counting on VDOT help. Ms. Gill asked if the town purchased a snow blade. Mr. Goodwin replied yes, they use it to clear the town parking lots. Ms. Gill suggested disallowing on-street parking during storms.

Mr. Gritsko asked about power outages. Mr. Goodwin said that AEP sends a report on its preparation and outage response. Mayor Grove noted that residents give first notice of power outages, by the town will follow up especially if they think there is a delay. Mr. Goodwin stated that clearing work on Route 20 will allow a dual feed to prevent outages.

Mayor's report: Mayor Grove thanked Barbara and Bob Coleman for organizing the tree lighting, Tavern on the James for the donating refreshments, Foxfire Farms for the tree, and Ron Smith and Pat Pitts for the music. He also thanked the organizers of the Christmas parade and the Festival of Lights. Mayor Grove reported that he has been dealing with delinquent tax issues, the delinquency has been paid, and he stopped the process of obtaining a judgment when the payment was made. Partial payment was received from another delinquent taxpayer, and he has been in dialogue with Jim Bowling about whether the town can revoke a business license. Mr. Bowling advised that Virginia statutes allow the town to refuse to issue a license to a delinquent taxpayer, and he recommends an ordinance adopting that policy. Mayor Grove suggests advertising this ordinance as recommended by Mr. Bowling; council members agreed. Mr. Goodwin noted that there are other collection steps that can be taken.

Government Services Committee report: Ms. Gill reported that the committee will meet this week to discuss the maintenance worker job description.

Town Maintenance Committee report: Ms. Knotts reported that the committee is working on seasonal goal-oriented statements for maintenance. She commended David Becker's hard work in getting on top of invasive species. The committee has been asked Mr. Becker to keep a journal to incorporate into the job description. The committee has also asked Mr. Goodwin for a map of contracted maintenance work. Nancy Bruce has been invited to attend the next meeting to discuss the upkeep of the planter boxes.

Ms. Bruce noted that the planter boxes belong to the Chamber of Commerce, and she does the boxes only, not the mulching around trees. Many of the plants have been donated by Kingsland Greenhouse, but sometimes replanting must wait for money to be available. Ms. Bruce welcomes volunteers for the next planting day.

Tourism Committee report: Mr. Gritsko thanked all who attended the Van Clief Nature Area public meeting. Susan Cable is compiling the information from the meeting, which primarily concerns access, recreational uses, and maintenance. The VCNA work day was well-attended and received good media coverage. Landscape architect Fred Oesch and the James River Association are assisting with the planning. A survey of the entrance area is needed.

Mr. Gritsko reported that he and Mr. Goodwin attended a meeting with local wineries about attracting visitors to Southern Albemarle. He is working to compile a list of area attractions. One concern is the lack of places to stay in the area.

Mr. Gritsko raised the issue of renaming the Van Clief Nature Area to Van Clief Park. Mayor Grove said he would not cross that bridge just yet, as a speaker at last month's meeting noted the tension between creating a park-like use versus a nature preserve. Mayor Grove felt that the

name will be led by the outcome of this use consideration. Mr. Gritsko proposed Mink Creek Lake or Mink Lake as simple names for the impoundment area.

Town Administrator's report: Mr. Goodwin reported that the holiday lighting is up on the streetlamps, but eight poles are out. Two poles must be repaired by AEP, and the others must be restrung. The inundation study is complete. The FEMA study for the levee is complete, but the reviewer has asked for additional information; he will try to work with the USACE on this. The dam inspection is done, and they are continuing to monitor the wet spot. The OAG funding will cover one new car, new radars for both cars, in-car cameras, and file cabinets in the back. Mr. Goodwin noted that FEMA and DCR will require a resolution regarding dam and levee maintenance efforts. Mr. Goodwin requests an appropriation of \$3,500 for installation of backflow prevention devices at all town properties, as required by ACSA. He has tentative approval from Dr. Charles Hurt for a dog park in the flood zone portion of the former Hyosung property.

Mr. Goodwin reported that Dr. Hurt also gave tentative approval for a trail easement along the sewer line from VCNA to Paulett Town, but the town will have to provide a survey. Mr. Gritsko asked whether they should wait on the VCNA master plan. Mayor Grove replied no, they can go ahead with planning on the assumption that they will get it since the offer has been made. Mayor Grove commented that planning should also proceed on the assumption that they will have a right-of-way through Steven Meeks' property to the spillway, outlining legal options to provide for this.

Mr. Goodwin reported that ACSA will grind up the brush it cleared from the sewer line right-of-way and leave the mulch. James River Association has provided its assistance at no charge so far. Mr. Goodwin will proceed with surveying the west and south borders of the park.

Ms. Gill asked about the sandwich board for meetings and the weekly report. She also asked about ACSA maintenance of fire hydrants and whether they are in working condition. Mr. Goodwin replied yes, ACSA owns the fire hydrants, and they are working. He said water was in the hydrants the day of the fire but it was heavily chlorinated, not pressurized, and not usable yet. Mr. Goodwin explained that the fire department, Albemarle County, and ACSA were aware of the issue; there was a plan to dispatch tankers first; and it was an error that anyone ever tried to hook up to the hydrant. The fire department arrived with 12,000 gallons of water within five minutes of the call and used less than half; the house was already too far gone.

Administration of stormwater management program by Albemarle County: Mr. Goodwin reported that staff is still working through this, and Mr. Bowling will have more information.

Resolution recognizing Jessie Dillard: A resolution recognizing Jessie Dillard's retirement was placed on the regular session agenda.

Upon a motion by Ms. Gill, seconded by Ms. Kerlin, the meeting was adjourned at 8:43 p.m. in memory of A. Scott Ward.