

TOWN OF SCOTTSVILLE

Town Council

Working Session

Monday, December 14, 2015

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

Randall J. Nolt

Ronald L. Smith

MINUTES

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

Police Chief's report: Chief Layman was unable to attend.

Chamber of Commerce report: Laara Gervais distributed new contact information for the chamber. She reported that the Scottsville Area Directory has been put to bed, and the winning cover is a snow photo by Tom Green. She hopes to enlarge and frame the cover for display and present the photo at the January regular session. The chamber is continuing member outreach efforts and plans to talk to neighboring towns about combining efforts.

Architectural Review Board report: Mayor Grove reported that the ARB approved a replacement window on Harrison Street, and discussions of old business are reported in the minutes. The ARB requested a 90-day letter for 561 East Main Street.

Jeffrey Plank, ARB chair, spoke regarding plans for a demonstration by Walter and John Neighbors of the craft work techniques they are using in the canal warehouse restoration. Evelyn Edson and the Scottsville Museum are assisting in organizing and promoting the event, which is scheduled for January 23, from 2:00 to 5:00 p.m., at the old Dollar General location. Mr. Plank shared a request from Walter Neighbors for a banner promoting the event if possible. Mayor Grove asked for an item on the regular session agenda to announce the event.

Mr. Gritsko asked if there is a timeframe for completion of the canal warehouse restoration. Mayor Grove replied no, but the ARB gets a monthly illustrated report on the progress.

Planning Commission report: Mr. Smith reported that there was a public hearing on the sign ordinance with no comment, and the commission recommends approval. Mr. Smith reported that Isaac Shelley has proposed a self-storage facility on Route 6, this will go to the Planning Commission and ARB for review, and the applicant would need approval from Fluvanna County as well.

Mayor Grove stated that a zoning text amendment application has been filed, and the Planning Commission will make a recommendation to the Town Council on this. Mr. Gritsko asked Mr.

Smith to identify the location on the zoning map and asked if it would be rezoned. Ms. Gill said no, they are asked for a text amendment, not a rezoning. Mr. Smith noted that there is nothing in the Zoning Ordinance currently that specifically addresses self-storage units. Mayor Grove commented that he has a general concern whether this would constitute spot zoning. Mr. Gritsko noted that this section is Village Residential, not Commercial. Mayor Grove said it also lies within an entrance corridor as well, which means the ARB would have jurisdiction as well, so there is a heightened concern about visual appearance. Mr. Bowling commented that once having allowed this commercial use in a residential area then they are opening themselves up for other proposals that are similar in commercial nature to come to the Village Residential district. Mr. Gritsko suggested using existing open commercial space. Mr. Bowling remarked that the other side of it is that a town is different than county in that land is precious and mixed use is more common. Mr. Gritsko reiterated his reluctance to put something that is commercial in an area that is residential.

Treasurer's report: Mr. Goodwin reported that finances are tracking well year to date, and some items such as meals tax are running ahead.

Mayor's report: Mayor Grove reported that he attended several impressive seasonal events, but he will reserve more detailed comments for the regular session. He attended the rescue squad annual dinner last night, and Mr. Goodwin attended the fire department dinner the previous night. The rescue squad is continuing its membership drive. Mayor Grove reported that he certified the VCNA project for payment purposes at 95 percent completion, and he expects to get to 100 percent within the next week or two. The project is expected to come in on time and on budget. Mayor Grove thanked Mr. Goodwin for being on site every day to make field decisions. He commented that they were fortunate to have a cooperative and fair contractor, and it looks to be high quality work.

Government Services Committee report: Mayor Grove relayed Ms. Kerlin's request for feedback via email on the committee priorities.

Beautification and Maintenance Committee report: Ms. Knotts reported that committee members feel the gazebo looks unfinished without the back filled in. She asked Mayor Grove to ask Seth McDowell about this. The committee is discussing landscaping changes and other spring changes.

Mayor Grove noted that there is a long stretch on the west side of Valley Street with no lights. Mr. Goodwin said these are all up, but some property owners have not turned them on yet.

Completion of packet boat at Canal Basin Square: Dennis Bessette stated that he has been talking back and forth with Mr. Goodwin and Ms. Gill about finishing the boat at Canal Basin Square, and he thinks they came up with a pretty good idea of how to go about it. While they do not have the full funding to finish the boat, Mr. Bessette said they probably have enough to at least get it under roof so that deterioration will stop. Mr. Bessette offered his services in a limited employee status so that they would not have to bid the project.

Mayor Grove explained that the town does not have to bid small projects, as there is an exemption in state law for small towns to do small projects without going through the public bidding process, but it is problematic to add an employee. He said the town can certainly hire a contractor at a negotiated price, either lump-sum or cost-plus. Mayor Grove asked Mr. Bessette to meet with Mr. Goodwin to determine the scope, cost, and whether they propose to do it on a lump-sum or cost-reimbursable basis. Mayor Grove said they have flexibility but they always want to know exactly what scope and cost they are committing to.

Mr. Bessette said they can get to under roof but not the higher-cost items like windows and trim.

Mr. Goodwin commented that he and Mr. Bessette have also discussed refinishing the siding at Canal Basin Square, as well options for replacing the roof at Victory Hall. Ms. Gill said she has asked Mr. Goodwin to come up with a realistic capital improvement schedule for the next fiscal year.

Arts and Culture Committee report: Ms. Gill reported that the committee has no upcoming events. The SCAN Holiday Extravaganza is Sunday, December 20.

Tourism Committee report: Mr. Gritsko commented that seeing VCNA phase one at 95 percent is particularly satisfying, and he thanked all who have participated. He met last Thursday with Dan Mahon about the next phases of the park and trail connections. Efforts in the coming months will focus on bridges or culverts for the Mink Creek Trail. Mr. Gritsko reported that they had a wonderful work day last Saturday on the Pine Road end of the Mink Creek Trail, clearing away debris and an engine block, and they received feedback from the neighbors. A subcommittee led by Susan Cable will work on signage recommendations.

Mayor Grove stated that they have an issue with people hunting in the Van Clief Nature Area. Mayor Grove thinks people now understand that they cannot discharge firearms in that area, but the town does not have an ordinance against hunting per se, and there are bow hunters that may pose a safety hazard. Mr. Bowling said to post the property. Mayor Grove asked if they can just post it, or do they also need to change the ordinance. Mr. Bowling said the town as the landowner can post it. Mayor Grove recommended that signage include this.

Mr. Gritsko asked how to address hunting in the trail easement. Mayor Grove said the town does not have the right to control hunting on the easement property. Mr. Bowling agreed, unless it is addressed in the easement grant; and he suggested asking the property owner for permission to post the property.

Mr. Gritsko stated that they have agreed that after Phase I they will place a second gate closer to the lake, allowing people to park about 150 yards closer, and they will open the first gate during daylight hours. Ms. Knotts asked if the police can walk around there to show a presence. Mr. Gritsko replied yes, he encourages this. Mayor Grove said the police have been up there once they became aware of the firearms discharge. Mr. Goodwin said the police can drive up to the Pine Street gate in their vehicles.

Public Safety Committee report: Mr. Nolt reported that the committee discussed the parade and the lack of coordination with the police escort. Mayor Grove explained that the police car turned right but the parade did not. Mayor Grove asked the committee to consider asking VDOT to eliminate the passing zone on the bridge prior to the 55 mph zone in Buckingham.

Town Administrator's report: Mr. Goodwin reported that they had an excellent run with the contractor working on the Van Clief Nature Area, and there were no contract adjustments other than the bridge. Christmas lights went up about a week later than planned, and there are two broken receptacles on the streetlamp poles. Mr. Goodwin complimented the success of the Festival of Lights event. He reported that several leaks on the Victory Hall roof will be caulked for now, and he is getting two quotes for roof replacement.

Ms. Gill asked about the process for obtaining bids. Mayor Grove replied that they have flexibility on these small projects, but it is always good to get several quotes. Mayor Grove said they typically look for a responsible bidder with a quote that is responsive to what they need, but if they go to formal bids they typically must award to the low bidder unless they have grounds to throw out the bid, so a negotiated bid is more flexible. Mr. Goodwin noted that Dennis Bessette has proposed an alternative product that looks like standing seam. Mr. Goodwin plans to get separate proposals for the entire roof and just the office roof in the back.

Town Attorney's report: Mr. Bowling reported that Albemarle Properties' petition for rehearing has been dismissed, and the case is finally officially over. Mr. Bowling reported that he gave an opinion that the ban on the discharge of firearms within the town limits is enforceable.

Mr. Gritsko asked if the Virginia Land Trust easement has been finalized. Mr. Bowling replied that it has not been recorded yet. Mr. Goodwin said they need to add additional parcels to the easement to cover the full length of the ACSA sewer line. Mayor Grove asked Mr. Goodwin to complete this by the end of this week. Mr. Bowling said he cannot draft the agreement until next week. Mr. Bowling asked for a copy of the necessary plats. Mr. Gritsko asked if anything else is needed for the upper portion. Mr. Goodwin replied no, that is signed and notarized, and they can take the gate down as soon as they have the bollards to place there.

Amendments to Zoning Ordinance Chapter 22 (Board of Zoning Appeals): Amendments to conform to changes in state code have been advertised for public hearing on December 21.

Amendments to Zoning Ordinance Section 4.14 (Signs): Amendments will be advertised for public hearing on January 19. Mr. Bowling suggested review of sections concerning exemptions from ARB review, window sign size limits, requirements, temporary signs, and non-residential uses within residential districts.

VCNA Master Plan: Mr. Gritsko stated that the intention of the VCNA master plan is to have it be part of the Comprehensive Plan, which will be amended in three years. Mr. Gritsko asked for a vote to affirm this. Mayor Grove said that the appropriate motion would be that the council having approved the master plan recommends to the Planning Commission that it be included in the next Comprehensive Plan revision. This will be placed on the regular session agenda.

Mr. Gritsko summarized discussions with a Pine Road landowner regarding the easement area and property lines.

FY 2016 Budget Amendments and Supplemental Appropriations: Mr. Goodwin stated that this list identifies approved appropriations not included in the budget, as well as new supplemental appropriations for the VCNA contract and additional design and engineering fees, litigation expenses, and the butterfly garden gazebo. Ms. Moyer said that most of this represents appropriations that the council has already approved, but the budget needs to be adjusted to reflect that. Mayor Grove said the highlighted items still need approval, and he noted that the total almost equates to the carryover surplus from last year.

Ms. Gill asked if Mr. Goodwin originally said the farmers' market paving would be \$5,000. Mr. Goodwin said they talked \$5,000 early on, but then he called regarding the \$6,000 price to be done with all of it. Ms. Gill recalled that this was to come out of maintenance funds. Mr. Goodwin said they had enough unexpended monies in the maintenance fund within the budget to proceed at that time, but they would need to replace it. Ms. Moyer commented that otherwise they have to cut \$6,000 from the capital improvement appropriations for other things.

Council members agreed to advertise the budget amendments for public hearing without change.

Ms. Gill moved that this council now meet in closed session for consultation with legal counsel regarding probable litigation related to zoning enforcement, as permitted by Code of Virginia Section 2.2-3711(A)(7). Mr. Nolt seconded the motion. The motion was approved, with Ms. Gill, Mr. Gritsko, Ms. Knotts, Mr. Nolt, and Mr. Smith voting in favor and none against.

Upon returning to open session, Mr. Gritsko moved to adopt a resolution certifying the closed session. Ms. Knotts seconded the motion, and a roll call vote was conducted. The motion was approved, with Ms. Gill, Mr. Gritsko, Ms. Knotts, Mr. Nolt, and Mr. Smith voting in favor and none against. The following resolution was 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.

Mr. Gritsko commented that he is encouraged to see the improvements at the Jefferson Street entrance to VCNA on the neighboring private property.

Mr. Smith asked office staff to have a list of upcoming meetings available.

Mr. Gritsko asked to schedule a punch list walk-through with the VCNA contractor.

Upon a motion by Ms. Gill, seconded by Mr. Smith, the meeting was adjourned at 8:40 p.m.