

TOWN OF SCOTTSVILLE

**Town Council
Working Session**
Monday, October 15, 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, and Mr. Smith were present. Mr. O'Halloran was absent. Also in attendance were Town Administrator George Goodwin, Town Attorney James Bowling, and Town Clerk Amy Moyer. Council members agreed to hear the business of visitors first. The items discussed were as follows:

Supervisor candidate: Cindi Burket, a candidate for the Scottsville District seat on the Albemarle County Board of Supervisors, addressed the Town Council.

Police Chief's report: Chief Layman reported that the Public Safety Committee discussed noise and noise complaints, and they are trying out decibel readings to have the necessary information to discuss the issue. The new police vehicle is up and going; the existing radar unit was transferred to the new car due to a delay in the OAG funding. He hopes to get new radar units and computers for the cars. Storage is a continuing issue.

Mayor Grove asked Chief Layman to monitor the closing time of Joe's Sports Bar to ensure compliance with its special use permit.

Chief Layman noted that the Crown Victoria is no longer on state contract, so the options were either a small car or SUV. The monies were similar for both options. The Interceptor is AWD with good reports from other departments about maintenance issues, and it is a utilitarian choice for transport and bad weather.

Mr. Gritsko thanked Officer Morris for his assistance with pedestrian crossing for a recent tour group.

Chamber of Commerce report: Mr. Smith reported that the Chamber of Commerce and the Scottsville Center for Arts and Nature co-sponsored a supervisor candidate debate last week. The chamber encourages merchants to celebrate Halloween. Displays are being sought for the Festival of Lights in December. There have been lots of membership renewals.

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

Architectural Review Board report: Mayor Grove referred council members to the meeting minutes. Mr. Goodwin noted that a tiered COA schedule has been suggested. Mr. Goodwin explained that the forms are being reviewed to be more explanatory and require that the applicant or a representative attend. The design guidelines are also under review. The maintenance survey is underway.

Planning Commission report: Mayor Grove noted that the Planning Commission considered an exception request for the Dollar General concerning setback and parking, voting to recommend approval. This has been advertised for public hearing at the regular session.

Treasurer's report: Mayor Grove noted that the town is still waiting for the final VDOT payment for Streetscape. The request has been approved but payment is still two weeks out, contributing to the low balance in the Caldwell Fund. Mr. Goodwin noted that other outstanding reimbursements include the USDA funds for the farmers' market restrooms and DCR funds for inundation mapping, totaling about \$40,000.

Mayor's report: Mayor Grove reported that he attended the Artisans Fair, commenting favorably about the event.

Public Safety Committee report: Ms. Kerlin had no further report.

Government Services Committee report: Ms. Gill reported that the tax research is not complete, and the committee did not meet.

Town Maintenance Committee report: Ms. Knotts reported that a volunteer project is planned to make the butterfly garden more manageable. Ms. Knotts met with the ARB about the dog park. She thanked SOKS for cleaning up the soccer fields. She inquired about a trap and release program for feral cats.

Tourism Committee report: Mr. Gritsko reported that a dance is scheduled for October 19. The Scottsville spirit tours are the following weekend. Mr. Gritsko noted that Tavern on the James served as a Michie Tavern backup when the government shutdown prompted rescheduling. He commented that the town shows well, and national visitors like to see small towns, but the biggest concern of visitors is the curvy roads. He encourages a long-term effort with VDOT to improve the road between here and Charlottesville.

James River Association proposal for assistance with Van Clief Nature Area Master Plan: Susan Cable explained that this is the time to look ahead and create a vision for the entire property and to make a platform for future funding, setting out the existing conditions and a land-use map to govern the development of the park. A public meeting has been advertised for November 12. Ms. Cable said that, lacking the technical expertise and planning capacity to put together the map and presentation, they talked to JRA. She hopes this will be of mutual benefit because JRA just finished an 18-month initiative regarding the James River. JRA will prepare a PowerPoint presentation with good visuals for the initial public meeting. The resulting master plan would be eventually be incorporated into the Comprehensive Plan. Ms. Cable outlined the proposal for planning assistance, commenting that the facilitated group meetings would be an

efficient and fun process that would add excitement and interest to the project and give practically instant feedback. She felt that the proposal is exceedingly reasonable, noting that JRA's hourly rate is less than that charged by TJPDC.

Mayor Grove asked if this would come from the Tourism budget. Mr. Gritsko said Tourism could cover the full amount if the council chooses to. Ms. Cable feels there is a strong tourism component.

Mayor Grove noted that some of the dates in the proposal have passed, asking if the town has committed money. Mr. Gritsko and Ms. Cable replied no, they postponed. Mr. Goodwin asked if any of JRA's grant funding could cover some of this. Ms. Cable expected that this funding is committed elsewhere, encouraging a prompt decision since the public meeting is a month away. Ms. Knotts commented that the town is getting value. Ms. Gill remarked that planning this is just as important as Streetscape planning, and the price compares well to LPDA. Mr. Smith said there is \$3,000 in the Tourism budget and that should be used to cover this.

Mayor Grove commented that he is not convinced that paying an outreach manager to show PowerPoints is a worthwhile activity, and he is reasonably confident that Mr. Gritsko and his committee can run a meeting just as well. He agreed that it is important to have a master plan to support funding opportunities, they clearly need a landscape architect for this, and Fred Oesch has volunteered for this. Mayor Grove encouraged focusing on the landscape architect and using volunteers as much as possible.

Ms. Cable agreed that they can run the meeting but they do not have the capacity to put together a presentation to show people what it will look like. Ms. Gill noted that it is also time-consuming to put together properly. Ms. Kerlin agreed with watching the money but said sometimes they have to spend to make the relationship work. Mayor Grove noted that they already voted \$3,000 to the committee to spend as it wishes, so no vote is needed on the proposal if it is agreed to fund it from the Tourism budget.

It was agreed to hold the November work session at 6:00 p.m. on November 12, immediately prior to the Van Clief Nature Area planning meeting at 7:00 p.m.

Town Administrator's report: Mr. Goodwin reported that he met with Pat Groot today about grant opportunities. He noted that they do not want to go the VDOT route for the trail. The committees should work on project goals for grant proposals, such as the dog park.

Town Attorney's report: Mr. Bowling reported that the county has ruled that a crematory as accessory use to funeral home is allowed by right, but there are some reasons for towns to impose controls, such as the density and competing uses in close proximity. Mr. Bowling said he does not feel it is a by right use but ultimately it is up to the zoning administrator.

Noise complaints regarding James River Brewing: Mayor Grove related that they may receive the decibel information tonight. The good neighbor cooperation solution was not fulfilled when the owners had a very loud band on Wednesday night, prompting several complaints, with further complaints on Saturday night. Mayor Grove said it is hard to explain to citizens why the

town is not enforcing the ordinance. He noted that Mr. Goodwin and Ms. Kerlin have taken decibel readings.

Ms. Kerlin said that her son has a report, and the reading was 75 dB at the lot line. Mr. Goodwin stated that this is in tolerance but was taken after the brewery was asked three times to turn it down. Mr. Goodwin believes they can work together with the meter to keep it within the limits.

Mr. Gritsko asked about an alternate indoor location for louder performances. Mr. Goodwin commented that this would lose the effect of the beer garden.

Mayor Grove asked if they should authorize Mr. Goodwin to acquire a decibel meter and calibrate it for proper evidence in support of any court action they might take. Mr. Gritsko suggested first sitting down with the brewery owners to explain that the town has to enforce these rules. Council members agreed to invite the proprietors to the next work session.

Levee and pump house maintenance: Mr. Goodwin explained that these monies must be spent to comply with the USACE. Tim Karr has cleared 15 feet from the levee toe and reseeded for a cost of \$4,450 to date. Electrical repairs at the pump house totaled \$1,850. The heaters do not work properly, resulting in huge electric bills for January and February. He estimated \$1,700 to \$1,800 to replace the heaters, noting that the building must be maintained at 50 degrees.

Mayor Grove asked for an appropriation ratifying the expenditures of \$4,450, \$1,850, and \$1,700 as described. This was placed on the regular session agenda. Ms. Gill asked if the town will get half back. Mr. Goodwin replied yes. Mr. Smith noted there should also be a reduction in the January and February heat bills. Ms. Gill asked if there were other items. Mr. Goodwin replied yes, but he hopes to stretch them into next year, noting that there has been a lack of building maintenance for years.

Resolution regarding administration of stormwater management program by Albemarle County: Mayor Grove explained that this is a state requirement. Either the town undertakes the program or asks Albemarle County to do it. Staff feels the best option is for the county to do it. This was placed on the regular session agenda.

Transportation Alternatives Program application: Mayor Grove stated that it may be possible to get a federal grant for Streetscape III, with a scope of work to include sidewalks from Jackson Street to Doug's Maytag, streetlamps as planned, and moving the telephone wire across Valley Street underground. Mayor Grove said that Mr. Goodwin has been talking to VDOT and Pat Groot about a possible application. He noted that it is an 80 percent grant like previous ones, where the town raised funds for its 20 percent. A \$300,000 program would imply \$60,000 town funding, which would be another big chunk of the Caldwell Fund.

Mr. Goodwin noted that another possibility is West Main Street since it was in the original Streetscape plans, but special consideration would be needed due to the narrowness of the sidewalk on the north side of the street.

Council expressed interest in pursuing the grant application. A special meeting was scheduled for October 28 to consider the matter.

FEMA mapping: Mr. Goodwin explained that the USACE used to do the levee inspection, but FEMA now requires a professional engineer to complete a survey to certify the levee. He has been in contact with Mattern & Craig, the firm that designed the levee. The initial price is \$3,000 to \$4,000, but it may cost more.

Mr. Bowling noted that anyone who tries to refinance would have to buy full-rate flood insurance if the town fails to comply with FEMA's requirements.

Mr. Goodwin said that the levee should be three feet higher than the 100-year flood plain mark, but this may be raised. Mr. Gritsko commented that there is an assumption that river flow increases as development increases. Mayor Grove suggests asking the USACE to fix it if it is too low.

Council members agreed to place an appropriation of \$4,000 for engineering services for the levee certification on the regular session agenda.

USACE levee inspection report: Mr. Goodwin reported that the levee inspection went extremely well.

Mink Creek Dam inspection report: Mr. Goodwin reported that the dam inspection came out well. The seepage is being monitored.

Litter grant receipt: Mr. Goodwin reported that the town received a DEQ litter grant for \$1,060.

Police car equipment: Mr. Goodwin reported that the town was awarded funding, but this is in limbo until the federal government goes back to work.

ACSA easement request for the Jackson Street water main replacement: Mayor Grove related that ACSA wants an easement to move a line from West Main Street up Church Street to Jackson Street and carry it on beyond his house. ACSA will repave Jackson Street. The line is necessary for adequate fire protection. Council members agreed to place a resolution authorizing the granting of an easement on the regular session agenda.

Closed session: Ms. Gill moved that this council now meet in closed session for discussion of street department personnel, as permitted by Code of Virginia Section 2.2-3711(A)(1). Mr. Gritsko seconded the motion. The motion was approved, with Ms. Gill, Mr. Gritsko, Ms. Kerlin, Ms. Knotts, and Mr. Smith voting in favor and none against.

Upon returning to open session, Ms. Gill moved to adopt a resolution certifying the closed session. Mr. O'Halloran seconded the motion. A roll call vote was conducted, with Ms. Gill, Mr. Gritsko, Ms. Kerlin, Ms. Knotts, 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.

Staff was directed to prepare appropriations for increased street department personnel costs for consideration at the regular session.

The meeting was adjourned at 9:47 p.m.