

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
March 19, 2015
6:30 P.M.
MINUTES

MEETING CALL TO ORDER – Mayor Griffin called the March 19, 2015 meeting of the Floyd Town Council to order.

ROLL CALL –Vice-Mayor Turner, Councilman LeMay, Councilwoman Bingham, Mayor Griffin, Town Attorney Shortt, and Interim-Town Manager Cox were present. Mayor Griffin informs Council that Councilman Patton will be late to the meeting.

CITIZENS COMMENT PERIOD-Lois Caliri, Outreach Specialist, from Enroll Virginia presented materials concerning special enrollment period of March 15 through April 30 for health care through Healthcare.gov. Her office is located at the Legal Aid Society in Christiansburg, she can be reached at lcaliri@svlas.org or 540-267-4365 for assistance with enrolling.

CONSENT CALENDAR-

Vice-Mayor Turner makes a motion, seconded by Councilman LeMay, to approve the minutes for February 5th Town Council Meeting.

Vice-Mayor Turner-aye
Councilman LeMay-aye
Councilwoman Bingham-aye
Mayor Griffin-aye
Councilman Patton-absent

PRESENTATIONS

- A. Catherine Pauley and Kathleen Ingoldsby presented a film from the Old Church Gallery on the oral history project that they have in conjunction with Dr. Melinda Wagner from Radford University Center for Social and Cultural Research. The project “Roots with Wings” involves the Floyd County High School students interviewing local World War II veterans.
- B. Ms. Paula Alston Library Director from Montgomery Floyd Regional Library thanks the Council and the Mayor for the donation that the Town made to the library. Ms. Alston updates the Council on the local library visits which were 44,681 and that they have sponsored “Little Free Libraries” in Floyd, Willis, Christiansburg, and Blacksburg areas.
- C. Mr. Michael Schumann with the Floyd County Volunteer Fire Department request that the Fire Department be able to use the Warren G. Lineberry Park for a fundraising concert on May 16th. Mr. Schumann requests that the Fire Department be able to display a larger sign on the stage. Mr. Schumann asks for input from the Council concerning the bathroom issues from last year’s event. Mayor Griffin states that the bathrooms will need to be opened this year instead of being closed. Mayor Griffin tells Mr. Schumann that he will need to submit his application and

Interim-Town Manager Cox tells Mr. Schumann that he also needs to provide updated insurance information.

Councilman Patton enters

ITEMS FOR DISCUSSION/ACTION

- A. Mobile Food Vendors-Mayor Griffin addresses the audience about his concerns that the food trucks may have on the brick and mortar establishments in the Town and opens the floor to the members of the audience to speak on this subject. Anga Miller asks what the ordinances are for the Town concerning the subject. Mayor Griffin informs her that the only ordinances are that you have to have a business license to operate a business in the Town of Floyd and that street vending is prohibited and that you must also be on private property. Mayor Griffin tells the audience that the mobile units within Town limits are required to pay the Meals Tax and that the Meals Tax collected by the Town makes up for 45% of the Town's income. Will Hancock, who is opening a new food truck in Town, said that the food trucks are a void that needs to be filled and that they don't offer alcohol or bands so the people that visit the trucks are there solely for food and that he doesn't understand why the Town would try to keep them out. Councilman Patton tells Mr. Hancock that the Council is not trying to keep anyone out that they are just trying to make sure that it is fair for everyone. Mr. Hancock states that if they make it harder for new businesses to start up then there will be less new businesses that will be able to open. Heather Krantz from the Floyd Country Store tells the Council that she believes competition is good but that if there were too many food trucks in Town then it would have a negative effect on the brick and mortar businesses. Haden Polseno-Hensley who sells wholesale and retail states that competition makes you stronger and your products better but that the pool of business in Floyd is limited. Mike Schumann who owns DJ's Drive In states that if we try to limit the food trucks that it may ultimately take away revenue from the Town. Jack Wall says that Floyd is a "food oasis" and that the diversity of the food trucks will add to our variety of choices and bring in revenue for the Town. Anga Miller owner of Dogtown states that the "pie" of business is already small and that if we slice it up even more and let in a lot of food trucks that it will hurt the brick and mortar businesses. Kerry Underwood from Oddfella's Cantina says there has to be a set of rules and regulations for the food truck vendors to follow and that there needs to be a limit on the amount of food trucks in Town. Jon Beegle owner of Bootleg BBQ thinks that keeping to no vendors in the street is huge and that there needs to be a balance between the mobile units and the brick and mortar establishments and that the number of trucks need to be limited. Michael Guiciardo from Mickey G's restaurant states that there needs to be a limit on the number of food trucks. Councilman LeMay suggests that the community be more innovative in the winter months to try and bring more people into Town. Anga Miller says that they try to have events all winter long but that the weather is so unpredictable that you can't count on the business from those events. Mike Schumann says that if he were a food truck owner he would rotate from town to town and that the fees need to be raised to level the playing field. Heather Krantz states that maybe the answer is to have the food trucks committed to a certain amount of time in Floyd, Mayor Griffin says that the issue with that would be enforcement. Pamela Pinto says that the food trucks aren't here every day and that they won't be taking away from the local restaurants every day and that if we

have them pay a higher fee it may deter them from coming to Floyd at all and that would in turn limit the amount of choices for the consumers. Dylan Locke asks how much the meals tax revenue grows from year to year and Mayor Griffin informs him that it grows 4 to 5% every year. Councilman Patton states that what has caused this dilemma is the success of the businesses and that the job of the Council cares about what is right for the Town and its citizens and that he is very grateful to the citizens that came out to speak to the Council. Mayor Griffin thanks everyone for coming and tells the audience that the Council will consider all facets of the discussion and keep it on the agenda for the April 2nd Council meeting so that they can further discuss the issue.

- B. Partnership for Floyd, Trail Update-Mike Maslaney presents a draft copy of the Deed of Easement for the trail property. Town Attorney Shortt informs the Council that the draft will still need to be approved by the County and that if they have changes he will make them and present a new draft to the Council at that time. Attorney Shortt questions the wording in regards to “walking, biking, or similar uses”. Mr. Maslaney states that the use of the trail is a concern of the committee as well. Councilman Patton requests that the wording in the Deed be changed to “walking or running path” to help deter people from riding bicycles and skate boards.

Councilman Patton makes a motion, seconded by Councilwoman Bingham, to change the Deed of Easement to read “walking or running path”.

Councilman Patton-aye
Vice-Mayor Turner-aye
Councilman LeMay-aye
Councilwoman Bingham-aye
Mayor Griffin-aye

- C. Warren G. Lineberry Park request-Karen Grosshands requests that the Rotary Club be allowed to use the park for their annual chili cook-off fundraiser that they have for the Floyd County Rescue and Fire Department.

Councilman Patton makes a motion, seconded by Councilman LeMay, to approve the Rotary Club’s use of the park.

Councilman Patton-aye
Vice-Mayor Turner-aye
Councilman LeMay-aye
Councilwoman Bingham-aye
Mayor Griffin-aye

- D. Financials-Interim-Town Manager Cox informs the Council that she has included in the financials is that the reconciliation statements have been included so that they can see the checks going out. Councilman Patton requests that she continues to include those in future reports. Interim-Town Manager Cox asks the Council if she can use the recycling grant money to

replace the trash can liners that are rusting out and need to be replaced. Mayor Griffin asks Interim-Town Manager Cox to reach out to Doug Thompson at the Floyd County High School to see if it is a possible project for his welding students. Interim-Town Manager Cox asks the Council when they would like to begin looking at the budget for the year; Mayor Griffin asks that they be able to see it as soon as possible so that they can start discussing it on the April 2nd Council meeting. Councilman Patton and Vice-Mayor Turner request that Interim-Town Manager Cox look into prices for parts of trash trucks and prices for new and used trash trucks. Interim-Town Cox Manager suggests getting an additional truck that has a dump bed so that if needed we could still carry out the duties of the public works and save money by purchasing a smaller truck rather than a trash truck.

TOWN MANAGER'S REPORT

Interim-Town Manager Cox shares with the council that Joey Kaylor came to the office wanting to know if a decision had been reached in regard to the street sweeping contract and that he was ready to complete the job whenever the Council authorized him to do so. Vice-Mayor Turner asks Interim-Town Manager Cox to check with VDOT to see if they will come through and sweep the streets for the Town. Councilman Patton asks that we table the discussion and talk about it at the next meeting after we have talked with VDOT.

Interim-Town Manager Cox presents the new quote from Acord Heating & Air in regard to the Town Hall and recommends staying local and having Acord Heating & Air do the work because they already service the Town units.

Councilman Patton makes a motion, seconded by Councilman LeMay, to have Acord Heating & Air install and have the work take place.

Councilman Patton—aye
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

Interim-Town Manager Cox reports that Joey Kaylor is interested in having a the same contract with the Town that he had last year in regard to the street sweeping but that his equipment was damaged in the fire but he does have new equipment on order. Councilman Patton wishes to table the subject until a later date.

Interim-Town Manager Cox reports that the windows in the Town Hall will be replaced March 21st and 22nd. Mayor Griffin suggests getting new blinds to go with the new windows.

Interim-Town Manager Cox asks the Council if it is okay to get the signs in front of the office touched up and smaller signs for the Town Hall and the Town Office to be made also. Council approves.

Interim-Town Manager Cox notifies the Council that she is running an ad in the Floyd Press for two weeks for a part time employee for the Town beautification and that she has reached out to Riverbend Nursery for their assistance is selecting the right plants for the different areas of the Town. Councilman

Patton suggests to Interim-Town Manager Cox to look at all the areas that the Town is responsible for and replace plants and trees where it is needed.

Interim-Town Manager Cox brings the condition of the timber frames of the bathrooms and the stage to the attention of the Council. Interim-Town Manager Cox has contacted Steve Arthur to get guidance on how often the timber needs to be cleaned and re-stained and will update Council when she hears back from Mr. Arthur.

The sign in Lineberry Park that the Council wanted to be revised is being talked to with the parties involved and they are almost to the point of ordering a corrected sign.

Interim-Town Manager Cox has been working with Attorney Shortt concerning a request to be have horse drawn carriage rides in Town and states that the Ordinances don't really say a lot concerning the subject. Jason Rutledge has made the request to have an exclusive right to be the only person allowed to have the horse drawn carriage rides in Town.

Interim-Town Manager Cox brings it to the attention of the Council the situation on Harris Street, there has been a request from Clark Gas & Oil to paint the curb yellow to make it a no parking zone to make it easier for their trucks to get through. Council says that you can't make the whole street no parking. Councilman Patton asks that the subject be tabled until a later date.

Interim-Town Manager Cox reports that she received health insurance information from the County and the costs are increasing this year about 9 ½ % and that they employees have until April 1st to make changes to their plan. Interim-Town Manager Cox asks if the Council wishes to increase what the Town pays to supplement the cost to the employees. Council agrees that they will raise the amount that the Town pays into the health insurance.

Rezoning Update-The Planning Commission has requested having a joint meeting with the Council and to possibly get some outside help with the process.

Interim-Town Manager Cox informs the Council of the Merchants dinner on March 24th.

Mayor Griffin nominates Councilman LeMay for the Planning Commission.

Councilman Patton makes a motion, seconded by Councilwoman Bingham, to appoint Councilman LeMay to the Planning Commission.

Councilman Patton—aye
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

Interim-Town Manager Cox reports that along with Attorney Shortt's assistance that we have collected all of our real estate delinquencies. Interim-Town Manager Cox also reports that the office is down to a

few delinquent Vehicle License Taxes but that DMV stops have been placed on those customers and that we have been collecting some of them as well.

Vice-Mayor Turner asks if there is going to be any work done on the parking lot behind the Mexican restaurant. Interim-Town Manager Cox informs him that she is waiting on the snow to stop before moving forward with any repair work.

Mayor Griffin instructs Interim-Town Manager Cox to start enforcing the sign ordinance for the Town. Mayor Griffin asks Interim-Town Manager Cox to come up with an action plan concerning the sign ordinance.

Councilman Patton asks for an update on Natasha's court case. Interim-Town Manager Cox informs Council that she goes back to court on April 14th.

Councilman Patton asks what the status of the prints of the Lance Terpenney's painting; Interim-Town Manager Cox states that she has contacted Emily Williamson weekly because she needs to be the one to make the digital print.

Councilman Patton asks the Council to mark their calendars on May 13th for the PDC's conference at the Hotel Floyd. Councilman Patton also asks about possibly closing Rick Lewis Way from 5:00 to 10:00 on the day of the event. Vice-Mayor Turner asks that Councilman Patton checks with the Hotel Floyd to make sure that it's not a problem.

Councilwoman Bingham brings two traffic concerns that were brought to her attention from a citizen.

CLOSED SESSION

Councilman Patton makes a motion, seconded by Vice-Mayor Turner, to go into closed session for Section 2.2-3711, Paragraph A.7, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Councilman Patton—aye
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

Councilman Patton makes a motion, seconded by Councilwoman Bingham, and unanimously carried, it was resolved to come out of closed session.

**CERTIFICATION RESOLUTION
CLOSED SESSION**

WHEREAS, this Council convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel in accordance with Section 2.2-3711, Paragraph A.1 of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 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 closed 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.

Councilman Patton—aye
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

This Certification Resolution was adopted.

Interim-Town Manager Cox asks the Council about having a joint meeting with the Council, the Planning Commission, legal counsel, and possibly Kevin Byrd on Wednesday April 1st at the Innovation Center.

Mayor Griffin requests that the food truck issue stay on the agenda for the next meeting and Councilman Patton asks that it be moved until the second meeting in April so that the Council can give more consideration to the budget and have more time to consider all aspects of the food truck issue. The Council agrees.

Councilman LeMay makes a motion, seconded by Vice-Mayor Turner, to recess until Thursday, April 2nd at 6:30 p.m.

Councilman Patton—aye
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

William R. Griffin, Mayor

Chrissy Mandzak, Town Clerk