

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
November 17, 2016
6:30 P.M.
MINUTES

MEETING CALL TO ORDER – Mayor Griffin called the November 17, 2016 meeting of the Floyd Town Council to order.

ROLL CALL –Vice-Mayor Turner, Councilman LeMay, Councilwoman Bingham, Mayor Griffin, Town Attorney Shortt, Town Manager Cox and Town Clerk Mandzak were present. Councilman Patton was absent.

CITIZENS COMMENTS-

Michael Schumann from the Floyd County Volunteer Fire Department informs the Council that the fire department received a grant for the SCBA (self-contained breathing apparatuses) from FEMA for a total of \$397,000, unfortunately FEMA lined out the request for fill stations and the compressors systems that fill the air packs. The grant will give the fire department 60 packs and spare bottles for the fire fighters. Mr. Schumann states that the money still needed would be used to purchase three fill stations countywide. The fill stations cost approximately \$30,000 each. Mr. Schumann informs the Council that the County is providing funds in the amount of \$43,200 to help with the purchase of the fill stations but that the fire department still needs \$47,493. Mr. Schumann asks the Council if the Town would be willing to help purchase one of the fill stations in the amount of \$15, 831. Mr. Schumann explains to the Council that the fill stations are a long term investment and that the ones they currently have are around 40 years old. Mr. Schumann informs the Council that the reason that new bottles have to be purchased is because the safety regulations for the bottles have changed and the tanks they currently have don't meet the requirements. Mr. Schumann explains that the current bottle lasts around 30 minutes of air and the new bottles will allow them approximately 45 minutes. Mr. Schumann states that the air packs that the fire department is getting are interchangeable with the surrounding counties.

Mayor Griffin asks when the fire department needs the funds; Mr. Schumann states that he currently has two grants out to help cover the cost of the fill stations and that they hope to purchase the stations by the first of the year. Mr. Schumann states that the fire department does have the money to purchase the fill stations but that the money is their operating money but that it would make it hard for the next fiscal year. Mayor Griffin states that the Council doesn't have the money in the current budget. Mr. Schumann states that there is a possibility of the fire department taking out a loan on behalf of Floyd County Fire Department, Inc., to try and cover the costs up front and then just hope to receive the funds to put the money back. Mayor Griffin tells Mr. Schumann that the Council will discuss the request and get back to him.

ITEMS FOR DISCUSSION-

- A. Rezoning request-Ms. Darla Vest-** Vice Mayor Turner explains that he has thought about the rezoning request from Ms. Vest and that he feels like under the circumstances, in this particular case he thinks that it would be difficult for anybody to try and sell a lot with two houses on it let alone to try and sell one house. Vice-Mayor Turner states that the Council can revisit the

ordinance on this subject and that he is inclined to let the property be rezoned and that he feels like it is the right thing to do in this situation. Mayor Griffin states that based on Ms. Vest's comments that Ms. Hodges handled a lot the original conditional use permit and that looking back on the situation that the Council probably should have never allowed the granny house to be built due to the size of the parcel of property but that he agrees with Vice-Mayor Turner that they should move forward and allow Ms. Vest to rezone the property. Councilwoman Bingham agrees with Mayor Griffin and Vice-Mayor Turner and states that the Council likes to be good neighbors to their constituents. Councilwoman Bingham also states that Ms. Vest would have a difficult time selling the property as is. Councilman LeMay states that he agrees with Mayor Griffin and Vice-Mayor Turner and that it wouldn't benefit anyone to not approve the rezoning request.

Vice-Mayor Turner makes a motion, seconded by Councilman LeMay to approve the rezoning request submitted by Ms. Darla Vest.

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

B. Parade Permit-Christmas Parade-

Vice-Mayor Turner makes a motion, seconded by Councilwoman Bingham to approve the parade permit submitted by the Floyd Co. Merchant's & Businessmen's Assoc.

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

C. Financials- Council reviews financials provided by Town Manager Cox.

D. Board Appointments- Vice-Mayor Turner states that he didn't have the chance to talk to Mr. Howell and Mr. Faulkner about reappointments but that they were both involved in conversations about future projects so he assumes that would be willing to serve on the board again. Mayor Griffin states that he spoke with Mr. Faulkner and that he is interested in continuing being on the PSA Board and the Planning Commission. Mayor Griffin also informed Council that Mr. Bond and Mr. Maslaney are both willing to remain on the Planning Commission. Mayor Griffin also spoke with Mr. Doug Thompson and he informed Mayor Griffin that he thought it is important for him to remain on the Rec Board to help give the board some stability because they have had some turnover on the board. Mayor Griffin informed the Council that asked Mr. Thompson to possibly come to a Council meeting every once in a while to give the Council and update. Vice-Mayor Turner suggests asking members of other boards to come to a Town Council meeting once a quarter to give updates on different projects that they may be working on. Mayor Griffin asks Town Manager Cox to reach out to Mr. Howell and see if he is still willing be on the PSA board.

Councilman LeMay makes a motion, seconded by Councilwoman Bingham to reappoint Chris Bond, Mike Patton, Doug Thompson, and Otis Howell contingent on Mr. Howell accepting the reappointment.

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

E. Warren G. Lineberry Master Plan-This subject was tabled until later in the meeting.

Mayor Griffin informs the Council that he, Town Manager Cox and Mr. Dylan Locke met a couple of weeks ago in regard to the Summer events in the Warren G. Lineberry Park. Mr. Locke reviews the proposal provided to the Town Council (please see attached). Mr. Locke informs the Council that the difference in budget amount is contingent on the type of events Mr. Locke states that he believes that this type of series requires a long term, methodical commitment for them to be a success and have a return on the investment. Mr. Locke states that for the first year they would hold events every other Thursday night and possibly increase to every Thursday as the events gain more success. Mr. Locke points out the possibility of applying for National Endowment for the Arts's Our Town Grant to help fund the events to help offset the cost of the events. Mr. Locke asks the Council if they want to seriously look at holding these events in 2017 and states that next year would be the 125th anniversary of the incorporation of the Town and that could be factored in with the marketing of the events. Councilman LeMay asks if they are planning on roping off the park and having ticketed events; Mr. Locke states that he didn't budget for ticketed events and that these events hopefully will build interest in the park and will in turn bring in people to rent the park and bring more revenue to the Town. Councilman LeMay asks if Mr. Locke has touched base with Dogtown; Mr. Locke informs Council that he spoke to Dogtown about coordinating events and that they agreeable to working together. Mr. Locke states that he believes that the events can be successful but that the Town needs to make a long-term commitment. Councilman LeMay asks if there will be vendors at the events; Mr. Locke says that vendors are a possibility but vendors need to be able to make money for them to invest in the events. Councilman LeMay asks if there are already performers lined up; Mr. Locke states that he hasn't lined up anything yet but that he would like to showcase different types of music. Mayor Griffin explains to the Council that he would like to make a three year commitment so that Mr. Locke knows that the Council has his back and it gives it time to build up interest. Councilman LeMay states that he thinks the people that were accustomed to going to the Hotel Floyd will come to the events in the park. Vice-Mayor Turner reminds the Council that the County is looking to grow the County Fair and will more than likely ask the Town to partner on their event. Mayor Griffin asks when Mr. Locke will need to start talking to performers; Mr. Locke states that he should start having those conversations as soon as possible. Mayor Griffin thinks that reinvesting the money in the community is the way to go. Mr. Locke informs the Council that they can apply for grants to help subsidize the cost of the events. Mayor Griffin states that this project could be considered economic development and that there is money in that account that the Town could use. Mr. Locke informs the Council that he is fine with waiting until 2018 to begin the events if they want to wait because he doesn't want to do anything halfway and he wants to make sure that everyone is on the same page and he also wants to make sure that they have the resources to do the events the right way. Vice-Mayor Turner asks Town Manager Cox to get in

touch with Pat Sharkey to find out what grants may be available. Mayor Griffin states that the Council will think about the subject more and discuss it again at the first meeting in December.

E. Warren G. Lineberry Master Plan- Council reviews that Warren G. Lineberry Park plan provided by Town Manager Cox. Councilwoman Bingham informs the Council that the park committee discussed starting with the terracing in the park. Councilman LeMay asks if they have any estimates on how much the terracing would cost and how long the project would take; Town Manager Cox states that she got 3 estimates from a local company that ranged from \$8,000 to \$12,000. Town Manager Cox informs Council that the park committee discussed including making sure that any drainage issues were addressed and to also add landscaping. Councilman LeMay states that he would like to see a playground put in for the children and that the park committee discussed putting in two playground areas. Vice-Mayor Turner explains that there are many other playgrounds in Town and that maybe they should start off small and see if the playground would be utilized before adding a second playground area. Vice-Mayor Turner states that he thinks that the terracing and lighting should be first priority. Mayor Griffin explains that he thinks the Council should go to the Warren G. Lineberry Park look at the area and decide how the terracing should be done. Councilwoman Bingham asks Town Manager Cox if the park committee had discussed getting a landscape architect to design the terracing area; Town Manager Cox explains that the Regional Commission informed the park committee that the Council could bid for a landscape architect come in and prepare plans or the Council could simply bid out the project. Council discusses different options for the terracing.

Vice-Mayor Turner makes a motion, seconded by Councilman LeMay to allow Town Manager Cox to advertise a request for proposals for the terracing, landscaping and lighting to be done in the Warren G. Lineberry Park.

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

TOWN MANAGER'S REPORT-

Town Manager Cox informs the Council that the public works crew successfully completed two days of leaf pick-up and is planning for two additional days on December 7th and 14th.

Town Manager Cox states that the Christmas stars will be put up on Monday, November 21st with assistance from Citizens.

Town Manager Cox states that she will email the Council about where and when to meet to ride in the upcoming Christmas parade on November 27th. Vice-Mayor Turner informs the Council that the Fire Department is having a Cajun boil after the parade.

Town Manager Cox informs Council that Beegle Landscaping is donating a Christmas tree again this year to be placed in the Warren G. Lineberry Park.

Town Manager Cox recently spoke with Matt from Draper Aden DEQ and Draper Aden has discussed the project in regards to a stormwater review and that it has been determined that because there is an acre of existing sidewalk the stormwater review is not required. Draper Aden is still waiting to hear back from VDOT in regards to International Marketing's entrance request.

Town Manager Cox informs the Council that the Town trustee Vince Thompson is completing his sentence on Monday and will no longer be working with the Town.

OTHER-

Councilwoman Bingham states that cars are parking in the lined space in front of the Winter Sun building. Vice-Mayor Turner suggests Town Manager Cox speaks to Sheriff Craig about issuing parking tickets within the Town of Floyd.

Vice-Mayor Turner asks Town Manager Cox to request a formal written request of funds from the Floyd County Fire Department Board.

Councilwoman Bingham voices her concerns about the visibility issue when pulling out of West Oxford onto South Locust Street. Vice-Mayor Turner states that Town Manager Cox may want to speak to VDOT about the intersection. Councilwoman Bingham informs the Council that she had a citizen complain about not being able to find somewhere to park in Town on the weekends.

Vice-Mayor Turner informs the Council that the County may be looking for an increase in funds for the County Fair.

CLOSED SESSION-

Vice-Mayor Turner makes a motion, seconded by Councilwoman Bingham, 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" that has been specifically threatened or on which the public body or its legal counsel has 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-absent
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

Councilman LeMay makes a motion, seconded by Vice-Mayor Turner, and unanimously carried, it was resolved to come out of closed session.

CERTIFICATION RESOLUTION

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 consult 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” that has been specifically threatened or on which the public body or its legal counsel has 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 pursuant to Section 2.2-3711, Paragraph A.7 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—absent
Vice-Mayor Turner—aye
Councilman LeMay—aye
Councilwoman Bingham—aye
Mayor Griffin—aye

This Certification Resolution was adopted.

Councilman LeMay makes a motion, seconded by Vice-Mayor Turner to authorize Town Attorney Shortt to proceed with Condemnation Proceedings against Mr. and Mrs. Whitaker at 212 E. Oxford Street for the purpose of taking enough of their property to fulfill the sidewalk project.

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

Vice-Mayor Turner makes a motion, seconded by Councilwoman Bingham, and unanimously carried, to adjourn until December 1, 2016 at 6:30 pm at the Floyd Town Hall.

William R. Griffin, Mayor

Chrissy Mandzak, Town Clerk