

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
October 15, 2015
6:30 P.M.
MINUTES

MEETING CALL TO ORDER – Mayor Griffin called the October 15, 2015 meeting of the Floyd Town Council to order.

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

CITIZENS COMMENT PERIOD-

None.

PRESENTATIONS-

- A. Virginia Department of Transportation**-Mr. Paul Brown thanks Council for their invitation to attend the Floyd Town Council meeting. Mr. Brown states that he will first address issues that had been brought to his attention; one issue being items on the sidewalks that may be in the VDOT in the right-of-way. Mr. Brown states that he and Mr. Will Dotson from VDOT walked the sidewalks in Town along Route 8 (Locust Street) from Oxford Street to Old Hensley Road and along U.S. 221 (Main Street) from Page Street to Barberry to determine potential items that may be in the right-of-way (please see the attached report provided by Mr. Brown). Mr. Brown states that several items were found and they have put them into different categories, those categories are as follows: Noted items (NI) are provided to document items beyond the right-of-way or verify sidewalk, A. Moveable object that may change on a daily basis, B. Fixed object with historic documentation and/or minor adverse effect, C. Fixed object without historic documentation and can easily be adjusted upon discussion with the property owner, D. Fixed objects without historic documentation, not easily adjustable and/or requires addition research or coordination with the property owner, and E. Potential obstruction requiring immediate discussion with property owner and/or action. Mr. Brown states that he is pleased to announce that no items in category E. were found. Mr. Brown states that there were 69 items documented, 18 are noted items (NI), 21 items are in Category A., 17 items in Category B., 5 items in Category C, and 8 items in Category D. Mr. Brown states that the plan of approach will be to work with Town Manager Cox to obtain contact information and addresses based on the building numbers that they have to contact the property owner. At a minimum a letter will be sent out to the property owner as a friendly reminder that items should be kept out of the right-of-way. Letters will also go out to property owners requesting that VDOT have the opportunity to meet with them and discuss the item in person. Mr. Brown states that he realizes that the Council will need time to review the report that he has provided to them and that he looks forward to working with the Town to help get these items resolved. Councilman Patton that he would like more time to review the report and thanks Mr. Brown for providing the Council with the report. Councilman Patton asks Mr. Brown if he can come back at a later date to discuss the subject at length; Mr. Brown states that he can come back at a later date. Mayor Griffin asks that within the categories, the movable objects, does VDOT have a position on how they would like these issues remedied? Mr. Brown states that he would entertain any

assistance that the Town would like to provide and because these items are in the right-of-way it is ultimately the responsibility that VDOT address these matters as they come to their attention and that he is prepared to move forward and try to address many of these matters and find a resolutions to all of them. Mr. Brown states that reason the categories are selected and worded the way they are is that if the right-of-way starts on the ground that we see but realistically it starts at the center of the earth and goes all the way up in the sky to a point where the FAA would come into play, if an object encroaches the right-of-way and it's 2,000 feet in the air that has less of a probability of being an object that effects everyday use compared to an object that is 4 ½ feet off the ground and projects out into the sidewalk and creates a mobility issue for pedestrians, ex. flag that is attached to the building and hanging over the sidewalk in the right-of-way. Mr. Brown states that historic documentation are key, if they have record of items that have documentation prior to 1958 that proves that the items have been there and that they haven't been a hindrance to pedestrians. Mayor Griffin asks if an example of this would be faces of buildings; Mr. Brown replies "yes". Mr. Brown states that Category A and B are easily resolved issues, Category C, D, and E are more critical issues. Mayor Griffin asks for clarification, VDOT knows that there are items that are not in compliance but that they have always been out of compliance and that they are not looking for the property owner to bring them into compliance there just needs to be some terms in how they will act going forward; Mr. Brown states "going forward". Councilman Patton commends Mr. Brown on their common sense approach to this situation. Councilman Patton asks if the bench that is on Locust Street outside of the Farmer Supply will need to be moved; Mr. Brown states that the bench is a Category B item and is a moveable object and it is hindering mobility on the sidewalk because it is in the right-of-way. Councilman Patton asks about the items in front of the store; Mr. Brown states that the majority of the items in front of the store were out of the right-of-way but the large planters were approximately 10 to 12 inches within the right-of-way and are moveable objects. Councilman Patton asks if the business owners can put things on the sidewalks; Mr. Brown states that they can to the edge of the right-of-way and that VDOT prefers that the items do not encroach upon the right-of-way. Councilman Patton asks how people will know what the right-of-way is; Mr. Brown states that the report that he has provided will help with that, they have established that from the face of the curb back. Mr. Brown states that on Route 8 the right-of-way is at least 50 feet wide (51 feet wide north of 221) with at least 25 feet from the center of the road, and the right-of-way on 221 is 57 feet (28.5 feet from the center of the road) in the areas that they have evaluated and reported on. Councilman Patton asks about sandwich boards that businesses put out on the sidewalk; Mr. Brown states that it falls under Category A, which is a moveable object, and that their intent will be to contact the landowner and inform them that the objects will need to be moved. Mr. Brown states that it will be difficult to monitor all the sidewalks in Town and that this situation will not be resolved overnight. Mr. Brown refers a photo on Page 14 in the report provided showing a painter that has a ladder on the sidewalk and states that the worker probably is not aware that his ladder is in the right-of-way blocking pedestrian mobility and that situations like this will be very difficult to monitor and that if anyone sees situations like this occurring he welcomes phone calls so that he may get someone down to address the situation as soon as possible. Mr. Will Dotson, also from VDOT, states that this one picture is in violation of many different areas and that work like this requires a permit from VDOT because the worker is in the right-of-way and is hindering pedestrian traffic. Councilman Patton states that he expects, as a citizen and a Councilman, that everyone be treated fairly and if that happens then he is behind

them 100%. Mr. Dotson states that they will treat each person and situation fairly. Mr. Brown states that the different categories in their report are important because they represent different levels of immediacy. Mayor Griffin states that his initial thought for VDOT to do this initial process and handle the initial attempt at cleanup and then hand over the enforcement to the Town. Mr. Brown states that he is comfortable with VDOT and the Town working together and that any assistance that he can get he will gladly take but the initial contact will need to come from VDOT, especially items that fall under Category D. Mayor Griffin and Councilman Patton state that they are more than happy for VDOT to make the initial contact. Mr. Dotson states that VDOT is more than happy for the Town to assist in the enforcement and that VDOT will be there to support the Town and they will also be there to provide the Town with any information they need. Mayor Griffin states that the Council wanted this report done by VDOT to ensure that it was going to be uniform across the board by removing themselves from the process and allow VDOT to their job independently without any kind of influence from the outside.

Mr. Brown presents other information on subjects that were brought to his attention by Town Manager Cox; the first concern being the traffic speeds along Route 8 and 221, Mr. Brown was able to have traffic engineering come out and assess the situation. Mr. Brown states that Town Manager Cox had asked if the Town would be able to install signs and if so what type, to help slow traffic down coming into Town. Mr. Brown states that traffic engineering has come back with possible solutions to control traffic speeds along Route 8 and 221, one of the alternatives would be striping of the parking space lanes and utilizing the width of 9 or 10 feet and by having those physically marked with paint that will help show that the travel lane will be narrowed down. Mr. Brown states that another alternative is a pole mounted speed display sign, there can be a permanent pole mounted speed display sign but this sign requires a process in which the regional traffic engineer has to sign off on the use of it; there is also a possibility to use a temporary portable trailer that utilize the speed display sign, this unit can be moved from one location to another. Mr. Brown states that he feels that a permanent pole sign dulls in use over time but if it is something that is moveable and may not be in the same position it could have more effect. Councilman Patton asks if the Council decided to go the route of a moveable speed display sign, would VDOT pay for it. Mr. Brown states that the funding question is not an item that he has tonight, unfortunately, but he will gather more information and get back to them. Councilman LeMay asked if the portable unit can only be used in certain locations; Mr. Brown states to his understanding the portable unit can be used at the Town's discretion and does not require approval from the regional traffic engineer. Councilwoman Bingham asks about possibly using rumble strips; Mr. Brown states that rumble strips are used for a different mechanism, they are used as a traffic warning that you are approaching something that is a potential hazard. Mr. Brown states that rumble strips, from a maintenance standpoint, they something disappear or create water issues. Mr. Brown states that he can put information concerning the pole mounted sign and the portable sign into a formal document and present it at a later date.

Mr. Brown states that another subject brought to his attention was the possibility of an additional crosswalk, between Barberry and East Oxford, there are already two crosswalks in a 300 foot stretch and if a third was added that would make three crosswalks within a 600 foot stretch which can over burden crosswalk scenario to the point where they are not useful. Mr. Brown states that that no action will be taken on this crosswalk at this time. Mr. Brown states

that the second crosswalk brought to his attention was near 430 S. Locust Street (Milestones), traffic engineering looked at the location and expressed concerns because there is no sidewalk in that area and there is no ADA compliant access as it exists, in the event that the surrounding area is modified the presence of a vertical curve to the side provides some concern and should be further evaluated, it may be more appropriate to install a crosswalk further to the North, this subject may be revisited at a further time. Mr. Brown thanks the Council for the opportunity to come to the meeting and states that he has a good communication path between himself and Town Manager Cox. Mr. Dotson states that if the Council needs anything to not hesitate to call himself or Mr. Brown.

Councilman Patton asks Mr. Brown to come back to another meeting and shows appreciation for his efforts for the Town. Councilman Patton asks Council if there is a consensus on moving forward on having Mr. Brown and Town Manager Cox check into the possibility of obtaining the portable speed sign, Councilman LeMay likes the idea of the portable unit, Vice-Mayor Turner states that he believes the permanent pole mounted speed sign would be better for the Town due to all of the tourists that come to Town, Councilwoman Bingham agrees with Vice-Mayor Turner. Councilman LeMay and Councilman Patton request that Mr. Brown check on getting both the portable and the permanent speed signs. Mr. Dotson asks what the Council sees as the Town's most prominent hot spots, as far as speed is concerned; Vice-Mayor Turner states that 221 from East to West and Route 8 before Milestones daycare. Mayor Griffin states that depending on the cost there may be a possibility on splitting the cost with the County. Councilman Patton states that he hopes it is clear that the Council wants to get this project done; Mr. Brown asks how many temporary and how many permanent units they are interested in and reminds the Council that the permanent speed signs do require approval by the regional traffic engineer. Town Manager Cox asks if the State Police or Sherriff's Department have any say in any permanent or temporary speed sign put up within the Town limits; Vice-Mayor Turner states that they are just there to enforce it. Councilman LeMay asks if the State has any kind of safety funding available; Mr. Brown states that his ability to discuss funding is very limited. Councilman Patton states that he hopes that Mr. Brown and Mr. Dotson come back to future meetings. Councilman Patton states that he will have to think about the striping idea that they proposed because it will change the nature and look of the Town. Mr. Dotson states that finding a balance is important and they want to make sure that the Town will get the most impact for the value. Mr. Dotson states that the subject of the Friday night traffic has been discussed with Town Manager Cox and possible solutions have been discussed, such as blocking off parking spaces, use of cones and/or barricades. Mr. Dotson states that if the Town wants to consider some of these possibilities that VDOT does require Land Use Permits. Mr. Brown states that there are additional items of consideration, because there is a permit that allows traffic operations to be called, if there is an event ongoing the traffic operators can put it out on the VDOT 511 system so that out of town people using the 511 system will get notification of these events. Councilman Patton states that Floyd's peak season is the Fall and football season, and that all of the traffic from the High School games on Friday nights dumps out onto Route 8. Mr. Brown states that the land use permit would help with this type of situation. Councilman Patton asks if you can apply for multiple permits throughout the year; Mr. Dotson states that he would prefer it to be have it so that it is an occurring type until they can come up with more permanent measures to solve issues. Councilman LeMay asks if permits are distributed on an individual basis or can you get one permit to cover all of the years upcoming

events; Mr. Brown states that each event would need its own permit, there is no blanket permit, once an event occurs at least three years it becomes established the process is still there and still required but we have reached a point that reoccurring yearly events are covered in advance so that they are not rushing to get fee and ensure the waiver for a special event. Councilman LeMay ask how far in advance notice is needed; Mr. Brown asks if it is a Town sponsored event or a private event; Councilman Patton states that the best example he can think of is the annual craft show held at the high school; Mr. Brown states that one of the reasons that they brought up the permit is because a singular event that occurs once a year or maybe three times a year is described as a singular event and in this situation the Friday night isn't tied to specific singular landowner having an event. Mr. Brown states that they have discussed different options on how to help with the traffic on Friday nights and the possible option that they came up with is to have the Town to get a land use permit for every Friday night from March to late October so that the event becomes a documented event. Mr. Brown states that, the Town, as a permit holder there is a certain level of responsibility, the traffic control measures would fall under the Town. Mr. Brown states that VDOT would not be able to place cones or barrels out every Friday night but they may be able to work with a landowner or Town employee to get those placed out. Mr. Brown states that there are uniform types of barrels of cones that would need to be used. Councilman Patton states that uniformity would be beneficial. Mr. Brown states that there are drawbacks to coning off the parking spaces on Friday night because the Town would lose parking spaces. Councilman LeMay states that they wouldn't be able to detour around Town because there are so many tractor trailers that come through Town; Mr. Dotson states that if VDOT knows about reoccurring events happening in Town that if an interstate detour is needed they would be able to not send them through Floyd so that the detoured traffic doesn't affect the events occurring in Town. Councilman Patton thanks Town Manager Cox for arranging for Mr. Brown and Mr. Dotson to come to the meeting. Mayor Griffin thanks Mr. Brown and Mr. Dotson for coming and states that he looks forward to working with them in the future. Town Manager Cox thanks Mr. Dotson and Mr. Brown for all the help that they have given her. Mayor Griffin asks about a "No Through Trucks" sign that used to be on Oxford Street; Mr. Dotson states that he will check into it.

ITEMS FOR DISCUSSION

- A. Financials-Councilman Patton asks if there are any problems; Town Manager states that there are not any major issues at this time.
- B. Loan Pool Guidelines-Town Manager states that since the last meeting she had sent over the loan pool guidelines to Town Attorney Shortt for his review. Councilman Patton asks if she has a revised document for them to approve; Town Manager Cox states that she does have is ready and will get the document to them before the next meeting so that they can review it.
- C. Ordinance Changes-
 - a. Conditional Use Permit-
 - b. Food Vendor License Ordinance-

Town Manager Cox states that she has sent these documents out to Town Attorney Shortt for his review and is waiting to hear back from him.

TOWN MANAGER’S REPORT

Town Manager Cox states that she has received a letter from VML concerning regional suppers that they are having for locally elected officials; there is one in Roanoke on October 29th at 6:00pm with a training session from 3:00 to 5:30pm.

Town Manager Cox informs Council that she received a parade permit application from VFW Post 7854 to hold their annual Veteran’s Day parade.

Councilman Patton makes a motion, seconded by Councilwoman Bingham, and unanimously carried to approve the application from VFW Post 7854 to hold the Veteran’s Day parade.

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

Town Manager Cox states that she sent out the RFP for the purchase of a skid steer for the Town and she received five different prices from five different companies. Town Manager Cox states that the company with the lowest bid came in gave a price of \$29,135 for an open cab and \$33,164 for a closed cab. Town Manager Cox states that she thinks that a closed cab skid steer would benefit the Public Works crew the best to help protect them during snow or dusty conditions. Councilman Patton asks if any of the bids that Town Manager Cox were local; Town Manager Cox states that the closest company is from Salem. Councilman Patton asks which company it is; Town Manager Cox states that it is Boone Tractor.

Councilman Patton makes a motion, seconded by Councilman LeMay, and unanimously carried to take the Town Managers recommendation and purchase the enclosed cab skid steer from Boone Tractor.

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

OTHER

None

Councilman Patton makes a motion, seconded by Vice-Mayor Turner, and unanimously carried, to adjourn to November 5, 2015, 2015 at 6:30 pm.

William R. Griffin, Mayor

Chrissy Mandzak, Clerk