

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, AUGUST 13, 2013, 7:00 P.M.**

Council Members Present: Mayor Timothy Litz; Vice-Mayor A. Keith Crigger; Ed Schaack; Dale Yontz; Jerrell Hall; James P. “Sean” Viars

Council Members Absent: Peggy Hash

Administration Present: Michael James, Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

Administration Absent: None

Others Present: Charles Slagle; Roger Hedrick; George & Carol Hendricks; David P. Krug

DETERMINATION OF A QUORUM

Vice-Mayor Crigger called the meeting to order and determined a quorum was present.

INVOCATION

The invocation was given by Rev. Ed Schaack.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Timothy Litz.

APPROVAL OF MINUTES

A motion was made by Councilmember Yontz, seconded by Councilmember Viars to approve the minutes of the July 23, 2013 regular meeting. There being no discussion, the motion passed by a vote of five (5) for: Crigger, Hall, Schaack, Viars, Yontz; zero (0) against; one (1) absent: Hash.

CITIZEN’S TIME

George Hendricks spoke on behalf of the Rural Retreat Church of Christ and stated they are in attendance to request a variance to erect a building to be used for Sunday school space. He noted this will be a mobile unit that will be built off site and then placed on the property. Mayor Litz asked Town Manager James to update the Council on this request. Town Manager James thanked Mr. Hendricks for attending and noted this request will be addressed during new business. He explained Mr. Hendricks came to him and requested permission to place the manufactured home on the property which is in a Commercial General area. Town Manager James stated this is not a dwelling and town code doesn’t address this particular situation so in

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his opinion by looking at the zoning code, a request could be made to the Planning Commission which was done last night and the request was approved to place the manufactured home on the property for classroom use only and not for dwelling purposes. He added he felt this would not interfere with adjacent property uses. Mayor Litz commented the item will be further addressed during new business if those present will be patient for a short time longer.

Charles Slagle addressed the Council and asked for the status of the dog issue on his street. Town Manager James explained Ms. Walden has reduced the number of dogs down to 4 or 5. He noted she was not required to get rid of all of them but to reduce down to an acceptable number. Town Manager James stated to his knowledge the noise has been reduced also. Mr. Slagle inquired about the fence that has been put up at the edge of the street. Town Manager James stated he will be speaking to Ms. Walden about the fence and hopes to have it moved back from the right-of-way.

Roger Hedrick stated he had the same concerns as Mr. Slagle however there is another issue concerning the number of vehicles on the property. He explained one had been hauled off but there are still approximately four on the property. Mayor Litz asked Chief Mitchell for an update. Chief Mitchell responded by stating he had sent one letter and will be sending another to the property owner concerning the vehicles. Town Manager James asked Chief Mitchell to speak to the property owner.

CORRESPONDENCE

PULASKI COUNTY ELECTED OFFICIALS PICNIC – Town Manager James reminded the Council of the elected official's picnic being hosted by Pulaski County and asked if anyone was planning to attend so they could be notified.

PROGRESS PARK LOT 24 COMPLETION CEREMONY – Town Manager James reported this event will be held Tuesday, September 10 from 11 a.m. to 1 p.m. The Council is invited to attend.

HERITAGE DAYS – Councilmember Viars stated he had received several compliments on Heritage Days and most seemed to be happy with the day though it started off wet. Mayor Litz commented the weather improved which helped us to keep our crowd. Councilmember Viars thanked Councilmember Yontz, the Council, Michael James and Lori Guynn for their work in making this a group effort. Councilmember Schaack added the festival was fantastic.

Mayor Litz commented the auction for the Rural Retreat Depot Foundation went well despite being held during the morning downpours. He noted due to the generosity of Harpo's Hardware and Steve Hampton the glass has been replaced in two of the windows.

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POLICE REPORT

Chief Mitchell explained his monthly activity report for July. He stated he is working with the Wytheville Police Department on a fraud incident. Wytheville's radar speed trailer was on loan for a week and placed in various locations around town as the weather would allow and citizens were very responsive to it, Chief Mitchell added. He noted most of the comments included citizens being more aware of the speed they were traveling. According to Wytheville's Police Department a piece of equipment similar to the one used costs approximately \$3,500 - \$5,000, Chief Mitchell explained. He added he has requested quotes on radar detection equipment from other companies but hasn't received a response. Councilmember Viars asked if the radar equipment can be programmed to record an average speed and other information. Chief Mitchell responded yes, but the person that delivered the unit wasn't familiar with how to program it. Councilmember Viars commented this will compliment Chief Mitchell's efforts because he is only one person and can't be everywhere. Chief Mitchell stated the first responder's night went well and the three bikes were given away. The structure fire on West Baumgardner Avenue the previous night was discussed. Chief Mitchell explained there were issues with the Consolidated Dispatch Center on the order of contact and Chief Mitchell not being contacted which he has addressed with the supervisor. At his request the Virginia State Police were on scene this morning and determined the fire was not intentionally set which requires the investigation to be turned over to the insurance agency. He noted he and the Fire and Police Committee are trying to schedule a meeting in September.

UNFINISHED BUSINESS

TOWN NEWSLETTER – Town Manager James reported this is ongoing. He added Millie Rothrock with the *Wytheville Enterprise* has offered to assist with the newsletter.

NEW BUSINESS

REQUEST FOR CONDITIONAL USE PERMIT – RURAL RETREAT CHURCH OF CHRIST – Mayor Litz inquired about the axles on the mobile unit and if they would need to be removed. Vice-Mayor Crigger commented he felt this would be no different than the temporary trailers used at the schools during construction for classrooms. He then asked Mr. Hendricks if this will be a permanent structure. Mr. Hendricks explained the tow package is temporary and will be removed and a permanent foundation will be built. Mayor Litz asked for a motion to further discuss this request. Councilmember Schaack made a motion to issue a conditional use permit to the Rural Retreat Church of Christ to place a manufactured home on their property at 6790 West Lee Highway to be used for the purpose of classroom space. The motion was seconded by Councilmember Hall. Town Manager James explained the Planning Commission was concerned with the request being for a Commercial General neighborhood and not meeting the square footage requirements. He stated after speaking with Mr. Hendricks it will not be used as a residential dwelling but only for classroom space. Councilmember Schaack commented there were no neighbors present at the Planning Commission meeting the previous night. Mayor Litz stated he had one property owner to ask him about it but the person had no concerns. There

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being no additional discussion, the motion passed by a vote of five (5) for: Crigger, Hall, Schaack, Viars, Yontz; zero (0) against; one (1) absent: Hash.

SOUTH FORK REED CREEK SEWER PROJECT – Town Manager James explained in 2006, Anderson & Associates, Inc. completed a sewer study for the town that identified main lines and manholes that were in need of replacement. During this fiscal year, \$30,000 has been budgeted for the manhole rehab project then it was discovered that the Mount Roger Planning District Commission (MRPDC) had grant money available to do a larger scope sewer project, he added. Town Manager James further explained approximately \$20,000 from both the town and the MRPDC could be used to complete the plan and design for the South Fork Reed Creek Project to extend from Greever Street to the wastewater plant that will hopefully resolve inflow and infiltration issues. Mayor Litz asked what action needed to be taken by the Council. Town Manager James pointed out the \$20,000 grant money had been awarded and this would require the Council to authorize him to execute the agreement with the MRPDC that is attached in the distributed town manager's report. Vice-Mayor Crigger asked if this will replace the manholes that have surcharge issues. Town Manager James replied yes. Councilmember Hall made a motion to authorize Town Manager James to execute the agreement with the MRPDC. The motion was seconded by Vice-Mayor Crigger. There was discussion on the project decreasing the storm flow into the plant and reducing the need to upgrade the wastewater plant. There being no further discussion the motion passed by a vote of five (5) for: Crigger, Hall, Schaack, Viars, Yontz; zero (0) against; one (1) absent: Hash.

ATMOS ENERGY SAFETY CLASS – Mayor Litz explained Atmos Energy recently provided a safety class for the maintenance employees. He added based on feedback from the employees it was very beneficial and it helped the town avoid paying a fine for damaging a gas line.

COMMITTEE REPORTS

HERITAGE DAYS – Chairman Yontz reported the committee will meet in September to wrap up the 2013 festival and begin working on the 2014 festival. He added the gospel lineup for next year has been secured. Mayor Litz commented the Friday night gospel event wasn't well attended but it was a great show and everyone enjoyed the evening.

FINANCE & APPROPRIATIONS – Clerk/Treasurer Guynn reported personnel with the firm Hicok, Fern, Brown and Garcia is in the office this week to prepare the books for the audit with work continuing through at least Thursday. The complete audit will take place September 3 & 4.

PERSONNEL, ORDINANCES AND LEGAL MATTERS – NOISE ORDINANCE – Chairman Schaack reported the committee met prior the regular meeting and worked to shorten the noise ordinance. Town Manager James will be sending a new draft out for consideration at the next Council meeting. The committee also discussed revising the town's charter. Chairman Schaack asked Town Manager James to give an update on his discussions with Attorney Sobey. Town Manager James reported the Council will need to be in agreement on the revisions to the charter then we will need to hold a public hearing. Following the public hearing, our local

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representatives in Richmond will be contacted and asked to place the town's charter on the agenda for the General Assembly for approval. He noted this is a simple process however if it isn't addressed during the session we will have to start over with the process. Chairman Schaack stated while searching on the internet he found a website that contains the charters for all the towns in Virginia. He added it seems after 1984 the charters are two pages or less. Chairman Schaack stated he will send the web address to the entire Council for review and in approximately a month Town Manager James will be sending out a draft. Vice-Mayor Crigger asked if a shorter charter will allow for the working Council to meet the needs of the community. Chairman Schaack stated the longer charters address other needs. Vice-Mayor Crigger commented most charters reference the ordinances. Councilmember Viars responded this will reduce being redundant and make the charter simpler by allowing the personnel policy to rule. He added this will also allow the policy to be changed without having to change the charter. Town Manager James stated a shorter charter is not as comprehensive and allows the Council to make changes as they choose. Chairman Schaack asked the Council to send suggestions to Town Manager James.

TOWN MANAGER'S REPORT

The following items were discussed and/or acted upon:

RURAL RETREAT SIDEWALK IMPROVEMENT PROJECT PHASE 7 – Work on this phase is ongoing. The weather has put a halt to the work continuing lately, but we are still hopeful to have the school campus entrances completed by the time school begins on the 21st. The contractors have been asked to complete the entrances prior to completing Evergreen Avenue. Vice-Mayor Crigger asked when was the last day the contractors attempted to work. Town Manager James replied last Wednesday or Thursday. Vice-Mayor Crigger asked Councilmember Hall if rebar has been driven into the ground, if it was required to be covered. Councilmember Hall replied yes. Vice-Mayor Crigger asked Town Manager James to follow-up with the contractors on this especially on Evergreen Avenue because there will be a lot of traffic to the school and football games will be starting. Councilmember Hall stated there is a requirement to have a safety cap on anything out of the ground or above concrete. Vice-Mayor Crigger added this is an OSHA requirement. Councilmember Hall concurred.

UV DISINFECTION – WWTP – The materials from Trojan have begun to come to the WWTP. Once the materials arrive, Teeters Trucking can work to complete the project, as a reminder this project should not take more than a few weeks to complete. Town Manager James noted the control panel box was received yesterday and more materials are expected over the next few days.

RURAL RETREAT SUMMER CONCERT SERIES – The summer concert series concluded this past Friday with Vinnie Ringrose and we are still excited about the potential of the summer concert series, although weather and participation has been a concern.

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RR DEPOT – The town is working with the Depot Foundation on receiving approval from N&S on the fence design that will serve as the barrier between the railroad and the depot. Once word is received the foundation will move forward with this project.

DOWNTOWN REVITALIZATION – The Town has submitted the online application for the planning grant funds in the amount of \$35,000 from DHCD. Once we hear confirmation and approval from them, they will present the town with a project budget and outline of required objectives.

TOWN CHARTER – Attorney Sobey and I are working on the town charter revisions and the process to navigate the Council through the General Assembly process. More information will be provided as available.

SHENTEL – The project is currently behind schedule, they are hoping to speed up the work in the coming weeks. Some boring work is currently being performed in the Sherwood and Indian Circle neighborhoods. Staff is working with the contractor to ensure the utility system is not damaged. Town Manager James noted it may be spring before the project is completed.

WATER ACCOUNTABILITY – Mayor Litz inquired on the water accountability report attached to the manager's report and pointed out it is lower than it has been over the past year. Town Manager James explained two leaks have been repaired with work continuing on others as time allows. Mayor Litz asked if the blue water tank was useful or detrimental to the town. Town Manager James responded the tank serves a portion of the town. He added there are telemetry issues with the tank which are trying to be resolved.

TREASURER'S REPORT

Clerk/Treasurer Guynn inquired if there were any questions regarding the distributed June 30 unaudited financial statements. She noted the final numbers will change upon completing the audit and receiving adjusting entries. Prior to month end, excess money was transferred from the checking account and invested in certificates of deposit and with the Local Government Investment Pool she added.

The bills for August 13, 2013 were read and approved.

TALK OF THE TOWN

Councilmember Yontz is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

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ADJOURNMENT

There being no additional business to discuss, the meeting was adjourned upon a motion by Councilmember Schaack. The motion was duly seconded and approved.

Mayor

Clerk