

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, OCTOBER 11, 2016 - 7:00 P.M.**

Council Members Present: Mayor, Timothy Litz; Vice-Mayor, Dale Yontz; James P. “Sean” Viars; James Lloyd; Geary Jonas; Brian Vaught; Mike Duncan

Council Members Absent: None

Administration Present: Jason Childers, Town Manager; Monica Patton, Clerk/Treasurer

Administration Absent: None

Others Present: Jerry Hurt, David Evans, Stephen Bralley, Amy McBride, Frank Akers

DETERMINATION OF A QUORUM

Mayor Litz called the meeting to order and determined a quorum was present.

INVOCATION

The invocation was given by Geary Jonas

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Litz.

APPROVAL OF MINUTES

Clerk/Treasurer Patton requested an amendment to the September 27, 2016 minutes to correct the meeting adjourned by Vice-Mayor Yontz instead of Councilmember Jonas. A motion was made by Councilmember Yontz and seconded by Councilmember Viars to approve the minutes of the September 27, 2016 regular meeting as amended. There being no discussion, the motion passed by a vote of five (5) for: Yontz, Lloyd, Viars, Vaught, Duncan; zero (0) against; one (1) abstain: Jonas.

CITIZEN’S TIME

Amy McBride was present, Team Leader of the 2016 Farmers Market at the Depot to thank council for supporting the Farmers Market and to give a report on income for the 2016 Farmers Market. Mrs. McBride thanked council for their support of the market. She added a special thank you to Town Manager Childers for his hands-on support and contributions. Mrs. McBride stated Town Manager Childers came to the Market and welcomed visitors, and greeted vendors. He worked with the team to ensure the safety of the citizens and Boy Scouts regarding traffic and the Street. She added that Town Manager Childers saw that the Farmers Market team had what was needed to make the Market a success. Mrs. McBride reported the Market collected

donations in the amount of \$1,867, vendor fees of \$660, and the “Dinner at the Depot” fundraiser brought in \$1900. The grand total for 2016 is \$4,427. Mrs. McBride reported attendance for the market was 3,958 which is a 36 percent increase from last year. She commended all the volunteers for all the hard work and dedication they contributed to the Market.

Steve Bralley was present to express his appreciation to Council and Town Manager Childers for addressing the issue with the property on S. Greever. Mr. Bralley also thanked the maintenance crew for the extraordinary job of chipping his brush. He stated it is cleaner than it has ever been after the brush was chipped.

CORRESPONDENCE

RESIGNATION OF THE POLICE CHIEF - Town Manager Childers read a resignation letter from Scott Mitchell. Mr. Mitchell’s letter indicated his last day of employment was September 28, 2016. He stated it has been a pleasure working with the Town of Rural Retreat over the last eight years. Town Manager Childers stated council would need to move on the resignation. Mayor Litz explained to Council that Mr. Mitchell has pending court cases that will require Mr. Mitchell to appear in court. Councilmember Vaught stated that he spoke with Commonwealth Attorney, Jerry Mabe in regards to compensation to Mr. Mitchell for his time in court. Councilmember Vaught added that Mr. Mabe stated the town is under no obligation to compensate Mr. Mitchell since he is no longer employed by the town. Councilmember Duncan asked if this should be addressed by the personnel committee in closed session. Councilmember Lloyd stated Mr. Mitchell told him that the case files are property of the Town of Rural Retreat. Councilmember Vaught stated Mr. Mitchell should have access to the files and he is still an officer in the Commonwealth of Virginia. Stephen Bralley stated that the Town of Wytheville has their case files in the town office and they make copies for the officers that have left employment and are required to appear in court. Councilmember Jonas added Mr. Mitchell was employed by the town when he wrote the citations and the town should compensate him while he is in court. Vice-Mayor Yontz added that everyone always wanted Mr. Mitchell to write tickets and take cases to court and push cases so he should be compensated. A motion was made by Councilmember Lloyd and seconded by Vice-Mayor Yontz to accept the resignation from Scott Mitchell as Police Chief. Motion passed by a vote of six (6) for: Yontz, Viars, Lloyd, Jonas, Duncan, Vaught; zero (0) against. A motion was made by Councilmember Vaught and seconded by Councilmember Lloyd not to compensate Mr. Mitchell for his court appearances. Councilmember Duncan asked if the compensation should include mileage to the courthouse, time in court and time to review the case. Town Manager Childers stated that there should not be much time to review cases but should include the time to and from court. Amy McBride asked council if there were any legal reasons that the town should be required to compensate Mr. Mitchell. Councilmember Vaught stated that Mr. Mitchell is a private citizen and is required to appear in court by the judge. A motion was made by Councilmember Vaught and seconded by Councilmember Lloyd not to compensate Mr. Mitchell for his time to appear in court for pending cases. There being no further discussion the vote was lost by a vote of three (3) for: Vaught, Lloyd, Duncan; four (4) against: Yontz, Jonas, Viars, Litz. (Mayor Litz issued the tie breaking vote.) Mayor Litz stated that Town Manager Childers could decide the amount to compensate Mr. Mitchell.

POLICE REPORT

Town Manager Childers thanked Wythe County Sherriff’s Deputy David Evans for all the time and dedication to the Town of Rural Retreat. Mayor Litz also thanked Deputy Evans for his

presence at the area schools. Vice-Mayor Yontz asked if the town should compensate Deputy Evans. Deputy Evans stated the Sherriff's office allows him to use compensatory time when he works extra hours in the Town of Rural Retreat.

UNFINISHED BUSINESS

DR. PEPPER LOT PROJECT – Councilmember Lloyd stated there is nothing new to report on the project and an announcement from the Dr. Pepper Corporation will be made sometime in October 2017.

CROSSWALKS – Town Manager Childers stated he spoke with a representative with VDOT and she suggested the town place a work order with VDOT instead of merely leaving a voicemail to get the crosswalks updated. Councilmember Viars stated that winter is coming and snowplows may damage crosswalks. Town Manager Childers added he would try to get VDOT lined up to update the crosswalks in early Spring.

NEW BUSINESS

Mayor Litz read a Resolution to request the Commonwealth Transportation Board to establish a project for the design and construction of the Rural Retreat MAP-21 Community Sidewalks Improvement Project Phase 11. Motion made by Councilmember Viars and seconded by Councilmember Lloyd to accept Resolution. Councilmember Vaught asked the streets for this sidewalk improvement. Town Manager Childers stated this is part of Church Street. There being no further discussion motion passed by a vote of six (6) for: Yontz, Jonas, Lloyd, Viars, Vaught, Duncan; zero (0) against.

COMMITTEE REPORTS

HERITAGE DAYS -Vice-Mayor Yontz no report now but a meeting is scheduled for October 25, 2016 before the council meeting.

FINANCE & APPROPRIATIONS – None

PERSONNEL, ORDINANCES & LEGAL MATTERS – None

PUBLIC UTILITIES – None

TOWN MANAGER'S REPORT

WATER AND SEWER – Town Manager Childers stated he was proud of the maintenance department with them being short a person. Our force main, which is anything on the other side of Hilltop the sewage is pumped over the hill to be gravity pulled to waste water, and the company digging hit the force main. The crew was on side for hours and Fire Department provided lights and had to call R & R Septic in to pump until repaired. Michael Whalen reported a loss in water and a citizen saw the leak and reported. The maintenance crew was called in on their day off to make this repair. Town Manager Childers again reiterated that he was proud of the crew and the work they did during these emergencies.

VEHICLE REPLACEMENT – The budget for 2016 allowed for mid-size truck and bids have been sent out with a cutoff date of October 17, 2016 at 2:00 pm. Sealed bids will be opened to review for a decision of purchase of a truck. Town Manager Childers believes it will be below the budgeted amount.

MAINTENANCE POSITION – Several applications have been submitted and cutoff for applications being submitted is October 24, 2016 at 1:00 pm.

POLICE POSITION – Town Manager Childers asked if the job description needs to be updated. His concern is does the Council want to require the town police officer to reside within town limits within six (6) months of their hire date. Example is that our maintenance staff must live within 15 minutes of town limits. Councilmember Vaught believes it will limit us for perspective employees only allowing them to live in town or having to move within the town limits. Town Manager Childers asked Council what they suggest. Councilmember Lloyd stated he thought the mileage requirement would be better than 15 minutes out of town limits. Councilmember Duncan suggested to word it in the ad that they preferred they lived in the town but not required. Mayor Litz understanding is that Town Manager Childers is requesting to change the line in the job description to allow outside resides to be eligible for employment. There being no further discussion a motion made by Councilmember Jonas to update the job description for residency requirement to be within 15 miles and was seconded by Councilmember Duncan. Motion passed by vote of five (5) for: Jonas, Yontz, Duncan, Viars, Vaught and one (1) against: Lloyd.

SIDEWALK PHASE 8 – Town Manager Childers reported some issues on the lower end of E. Baumgardner that had to be addressed. He met with Anderson & Associates and VDOT and submitted a change order to make these citizens satisfied. He received approval back today from VDOT for the changes.

DOWNTOWN REVITALIZATION – There is a meeting scheduled with Stephen Bear, County Administrator and Matt Petro, Chief Development Office of Retail Strategies on Thursday, October 13, 2016 stated Town Manager Childers. For those who do not know about Mr. Petro he works on retail strategies.

DISPATCH SYSTEM – Town Manager Childers will have more to report after meeting Thursday, October 13, 2016 with Darlene Lane in Wythe County Dispatch about CAD system and our reporting system to make sure they coincide.

HALLOWEEN – SHERWOOD AVENUE – Town Manger Childers recommends that for the safety of the kids that there be a blockade put up starting at corner of Church Street and Sherwood Avenue stated one way, turn right at Richfield Street. Motorist can go up Sherwood Avenue from Church Street turn down Richfield Street and back through Chinquapin Avenue and that will make a one-way traffic. The only exception is at the corner of Richfield and Sherwood there will be two-way traffic but motorists can only make a left onto Richfield Street. This traffic pattern will only be for Halloween night. Town Manager Childers will go house to house and explain to the citizens what they will be doing for that night. Councilmember Vaught asked if the Fire Department could help with traffic. David Evans said if people would park at the bank and walk Sherwood Avenue would be the safest. Mayor Litz stated after discussion to allow Town Manager Childers to proceed with his idea for this year and review after Halloween.

GENERAL SERVICE DIRECTOR – Councilmember Duncan inquired if there had been any correspondence regarding the termination of the General Service Director. Tony Wright communicated to the Town office that he had solicited legal counsel stated Town Manager Childers. We are waiting on documentation that he indeed has legal representation.

TREASURER’S REPORT

The invoices for October 11, 2016 were read and approved.

TALK OF THE TOWN

There is no one available to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station.

ADJOURNMENT

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

Mayor

Clerk