

**DAYTON TOWN COUNCIL MINUTES**  
**September 10, 2018**

**COUNCIL MEMBERS PRESENT:** Mayor Charles Long, Todd Collier, Jeff Daly, Zachary Fletchall, Tara Worthy, Robert “R.J.” Ohgren, and Cary Jackson.

**COUNCIL MEMBERS ABSENT:** None.

**ALSO PRESENT:** Jason Ham, Town Attorney; Bobby Popowicz, Town Superintendent; Danny Hanlon, Chief of Police; Lee Early, Town Treasurer; Kim Clark, Recorder; and Local Citizens.

**CALL TO ORDER:** Mayor Long called the meeting to order at 7:00 p.m. Mayor Long welcomed everyone and led the Invocation and Pledge of Allegiance.

**ADOPTION OF AGENDA:**

The agenda item under Consent Agenda was removed, pending corrections; under Closed Session, discussion item changed to “To discuss legal matters; and New Business, “Town Projects” was added. A motion by Zack Fletchall to adopt the agenda as amended was seconded by Cary Jackson. Those in favor: Long, Collier, Daly, Fletchall, Ohgren, Jackson, and Worthy.

**MOVED, TO ADOPT THE AGENDA AS AMDEDED.**

**SUPERINTENDENT’S REPORT:** Bobby Popowicz

Report attached to minutes. Due to holiday conflicts, October and November’s regular council meetings will be held on Tuesday, October 9, 2018 and Tuesday, November 13, 2018.

**STAFF AND COMMITTEE REPORTS:**

**Treasurer:** Lee Early  
Report was given.

**Police:** Chief Hanlon  
Monthly numbers were given. Discussion revolving rainfall from impending Hurricane Florence followed. The centralized emergency meeting place for Dayton is the Municipal Building; if shelter is needed, Turner Ashby High School is the primary location; and in extreme situations, JMU. If persons are evacuated, pets should be, as well. A citizen suggested that this information be added to the website.

**Sewer Authority:** Bobby Popowicz  
Report was given.

**Planning Commission:** Charles Long  
No Report. The next meeting will be held on Thursday, September 20, 2018, 7:00 p.m.

**Finance Committee:** Jeff Daly

Research is being done to replace mulch at parks that were swept away by the last flood.

**Personnel Committee:** Zack Fletchall

A process is taking place to hire vacant police positions. The Personnel Committee is presently reviewing/updating the personnel handbook.

**Economic Development:** Tara Worthy

Discussion is taking place regarding sidewalk repair/replacement, in conjunction with Dayton's infrastructure, due to crumbling, unevenness, and depth.

There is a newsletter planned for release in October.

**Parks & Community Development:** Todd Collier

The Mill Street project was updated by Bobby Popowicz.

The Greenway Sub-Committee held its first meeting on August 22, 2018. Lee Early was thanked for ordering all the items needed for a grand opening on October 6, 2018 (Dayton Days). Hours for operation for the Greenway will be daylight hours only (same as all Dayton parks), after which a trespassing charge could result.

The next step regarding sidewalks in Dayton West is a professional survey.

**Annexation:** Jeff Daly

No Report.

**Grants:** Jacob Collier (absent)

Report attached to minutes. In Jacob Collier's absence, Lee Early presented changes to attached report: in #1, Treasurer's office is waiting on a paid invoice in order to submit for reimbursement and #2, Dayton will re-apply in February, 2019.

**ACTION MATTERS:** A motion by Todd Collier to approve the bills totaling \$338,505.22 was seconded by Cary Jackson and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Ohgren, Jackson, and Worthy.

**MOVED, THAT BILLS TOTALING \$338,505.22 BE APPROVED.**

**UNFINISHED BUSINESS:**

None.

**NEW BUSINESS:**

Jeff Daly reported that chip or rubber mulch are being researched to replace mulch at parks that was swept away from the last flood. We would need a minimum of 2,000 square feet of mulch. Barriers surrounding mulch must also be replaced. The decision will be tabled until the next regular council meeting.

Bobby Popowicz led the discussion of the change in the Shadowbox Fence Foliage. The proposal was made to add foliage to each section (on either end) of the fence. Todd Collier moved to accept the modified plan, with consensus made by the council.

Jeff Daly read a list of upcoming town projects.

### **PUBLIC COMMENT:**

- Phase I of the Greenway project is over original cost estimate by \$100,000.
- Concerns were raised regarding Dayton's understaffed police department.
- Concerns remained for properties not properly maintained. It was noted that slight progress has been made regarding one of the properties in question. There are two remedies available under the Dayton Nuisance Ordinance if the owner does not comply: removal by the Town, with the costs of such removal being the responsibility of the property owner or a \$50 fine/per day, not to exceed \$3000 in a twelve month period.
- Additional need for speed limit signs at Greenway.
- The Town was thanked for the speed indicator on College Street.
- Cargill is responsible for approximately 80% of the budget for the Dayton Police Department.
- After speaking, Mr. Robbins, owner of The Blacksmith Shop, was invited to the Dayton Days meeting being held on September 11, 2018 at the Municipal building.
- A resident ask for consideration in giving Chief Hanlon and family an apology.
- Street sweeping is done by the Town of Bridgewater, unless they are short-handed.
- Pressure toward the County was urged for flooding resulting from storm water issues.
- A resident requested Cary Jackson read a letter she prepared and asked that the Council consider adding a positive story to each Council meeting and to present it to the Daily News Record for publication. Cary Jackson made the motion to add "Tell me Something Good" to the next Council agenda, seconded by Todd Collier and approved by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Worthy, Ohgren and Jackson.
- Cary Jackson relayed a resident's request to set a box on the front desk of the Municipal building to accept police appreciation t-shirt designs and will follow-through with the possibility of opening the designs up to the schools.

### **MAYOR & COUNCIL COMMENTS:**

- Todd Collier and Charles Long both thanked the residents for coming out and participating in the Council meetings.
- Zachary Fletchall and Charles Long reiterated that storm water drainage easement is the responsibility of the homeowner or HOA.
- Cary Jackson felt honored for his position on Council.

### **CLOSED SESSION:**

Attorney Jason Ham asked for a motion to recess into closed session under State Code 2.2-3711(A)(7) to discuss specific legal matters. The subject is matters regarding a former Town employee. A motion was made by Jeff Daly, seconded by Tara Worthy and was passed by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Ohgren, Jackson, and Worthy.

**MOVED, TO RECESS INTO CLOSED SESSION UNDER SECTIONS 2.2-3711(A)(7) OF  
THE STATE CODE.**

Recess in to closed session at 8:56 p.m.

Back in regular session at 9:35 p. m.

A motion by Jeff Daly to adopt a resolution certifying that the closed session was held in conformity with Virginia Law was seconded by Zack Fletchall and approved by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Worthy, Ohgren and Jackson.

**OPEN SESSION:**

Attorney Jason Ham asked for a motion to acknowledge that the closed session was held in conformity with FOIA. A motion was made by Jeff Daly and seconded by Tara Worthy that the meeting was held in conformity with FOIA and passed by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Worthy, Ohgren and Jackson.

**ADJOURN:**

With there being no further business to come before council, a motion by Jeffery Daly to adjourn was seconded by Tara Worthy and passed by Council. Those in favor: Long, Collier, Daly, Fletchall, Worthy, Ohgren and Jackson.

Meeting adjourned at 9:36 p.m.

Respectfully Submitted;

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Mayor, Charles Long

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Clerk, Bobby Popowicz

# Town Superintendent's Report

September 10, 2018

- 1. Down Town:** Ms. Worthy, Russell Bailey and I had a walk through on Friday, September 7, 2018 to look at various issues that need to be addressed. Topics included beautification options, sidewalk rehabilitation and future maintenance.
- 2. HRRSA:** The HRRSA Board will be holding its annual meeting later in September on the 24<sup>th</sup> to elect officers. Dayton's Town Superintendent currently serves as the Vice Chairman of the Board of Directors.
- 3. Police Car:** Chief Hanlon has worked diligently to procure a new cruiser for the Town. We believe that we have found the least expensive option for the Town to purchase a new vehicle. Furthermore, the Department has been working to prepare the old vehicles for auction and recycling into the Admin Department for use by Town staff.
- 4. VML Visit:** Ms. Fonda Craig with VML will be making a site visit to the Town on Tuesday, September 11, 2018. She will be looking at various items of interest and speaking to us about liability issue. We will also be discussing a possible Mock OSHA inspection to make sure we do not have OSHA violations or that we can mitigate any that we may have at this time.
- 5. Barriers:** Chief Hanlon and Russell Bailey have found suitable barriers for use during special events and roadside work. The two departments will share the usage and make cordoning off locations for events and work areas much more secure and safe.
- 6. Greenway:** The Greenway work by Rhodenizer substantially complete with the exception of the Shadowbox Fence. That portion has been put on hold per discussion by Council later tonight about inserting natural foliage in intervals along the Fence. Many of the appurtenances such as the bollards and dog waste stations are in. We believe the remainder of the benches etc. will be here by the 26<sup>th</sup> of September.