

DAYTON TOWN COUNCIL MINUTES
February 10, 2020

COUNCIL MEMBERS PRESENT: Mayor Sam Lee, Jeff Daly, Zachary Fletchall, Cary Jackson, Robert Ohgren, and Tara Worthy.

COUNCILMEMBERS ABSENT: Todd Collier

ALSO PRESENT: Jason Ham, Town Attorney; Angela Lawrence, Town Manager; Susan Smith, Town Treasurer; Justin Trout, Chief of Police; and Christa Hall, Deputy Clerk.

CALL TO ORDER: Mayor Lee called the meeting to order at 6:01 p.m. and welcomed everyone. The Invocation and the Pledge of Allegiance were led by Mayor Lee.

INTRODUCTIONS AND WELCOME: Mayor Lee welcomed and introduced Vonda Driver, the new Director of the Sadie Rose Foundation. Ms. Driver advised Council of the upcoming pancake dinner on Saturday, February 15, 2020 from 4-7 p.m. at the Church of the Brethren in Dayton, and the 5K event that will take place on May 2, 2020. The Sadie Rose Foundation is also expanding their scope of work to include dealing with all forms of grieving a loss. Mayor Lee thanked Ms. Driver for coming and congratulated her on her new position.

APPROVAL OF MINUTES FOR THE JANUARY 13, 2020 COUNCIL MEETING:

A motion to approve the minutes from the January 13, 2020 Council Meeting was made by Councilman Jackson and was seconded by Councilman Ohgren and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; COLLIER – ABSENT.

ACTION ITEM—APPROVAL OF JOB DESCRIPTIONS:

Manager Lawrence presented recommended revisions to job descriptions and positions. A motion to approve job descriptions for the following positions: Accounting Technician I, Accounting Technician II, Clerk, Safety & Zoning Official; Administrative Assistant (Part-time) and Treasurer was made by Councilman Ohgren and seconded by Councilman Jackson and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; COLLIER – ABSENT.

ACTION ITEM—APPOINTMENTS:

A motion to appoint Christa C. Hall as Subdivision Agent for the Town was made by Councilman Fletchall and seconded by Councilman Ohgren and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; COLLIER – ABSENT.

A motion to appoint Christa C. Hall as Clerk and Recorder to the Town Council and Angela A. Lawrence as Deputy Clerk and Deputy Recorder was made by Councilman Daly and seconded

by Councilman Fletchall and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; COLLIER – ABSENT.

MANAGER’S REPORT

Manager Angela Lawrence provided a written report, which is attached.

Manager Lawrence provided an update on the status of the Town Charter stating that it has to be presented separately in the House and in the Senate and both have unanimously approved it. Identical bills have crossed over to the House and Senate and are expected to be passed on to the Governor and should be finalized in July. Councilman Jackson offered clarification as to the changes of job titles and descriptions associated with the existing Town Charter and the new proposed Town Charter.

Manager Lawrence discussed the options for fencing at the greenway and asked for Council input. Council inquired about a steel fencing option and Manager Lawrence advised that she will look into that option and report her findings back to Council.

Manager Lawrence discussed the EDA meeting. Councilman Daly stated that he attended the EDA meeting and understood that there was some confusion as to the purpose of the Authority and their meeting. At this point, he turned the conversation over to Attorney Ham to offer a more detailed explanation and advise Council how to proceed with the EDA.

Attorney Jason Ham explained how an EDA works and further stated that his vision for the Town’s EDA was to be established and ready to act in the event that a neighboring locality who has a more active EDA exceeded their maximum amount. Therefore, only being established to act on an as-needed basis and not be an active organization, but ultimately, their role and the extent of their power is up to Council to decide.

Councilman Daly suggested that the Council take this opportunity to discuss what we want our EDA to look like moving forward. Councilman Fletchall stated that he feels that Economic Development needs to fall to the Town staff and the Economic Development committee and not to the Economic Development Authority. He further stated that he thinks the Authority needs to be used as it was intended and have that limited role in a bonding capacity and let Economic Development begin on the staff level or on that committee level. After much Council discussion, Manager Lawrence verified with Council that the direction we are going to give the EDA is that they are going to have a limited role related to bonding and financing matters. Councilman Daly suggested that it may be helpful for the EDA members to hear what the attorney explained about the EDA so they can better understand their purpose and role.

Manager Lawrence explained that she will look into how best to proceed with the landscaping project without costing the Town a lot of money. She, along with the assistance of the Police Chief, will look into seeking help from inmates and try to create a design similar to what the Town had in the past.

Manager Lawrence provided a more detailed staff report on the nuisance properties in town. Council advised that their desire is for Town staff and Town counsel to proceed with enforcement of the nuisance ordinance for all properties discussed.

ITEMS FOR CONSIDERATION—COUNCIL CODE OF CONDUCT:

Councilman Jackson made a motion to accept the Council Code of Conduct for all elected and appointed officials, to include Council, Commissions, Committees and Authorities. Councilman Daly seconded the motion and the motion carried by a roll call vote of 6 to 0, the voting recorded as follows: DALY – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; COLLIER – ABSENT.

Manager Lawrence discussed the current Council Committee structure, as the committees have not previously been clearly defined. It is up to the Committees to work with staff and make recommendations on policy and financial decisions to the Council and advise Council on a more in-depth level. Manager Lawrence will revise the descriptions and bring back to Council at the March Council meeting.

TREASURER’S REPORT

Treasurer Susan Smith provided a written report.

Treasurer Smith discussed two items for consideration. The first is an ordinance change that she will present at the March meeting regarding the collection of real estate taxes be changed from semi-annually to annually. The second is an ordinance change that will be brought up at the March meeting to change the late penalties for water, sewer and trash to a flat fee of \$5 or 10%, whichever is greater. After Council discussion, it was suggested that we propose a penalty of \$10 or 10%, whichever is greater.

POLICE REPORT

Chief Justin Trout provided a written report.

PUBLIC WORKS

Russell Bailey provided a written report.

ZONING

Christa Hall provided a written report.

EVENTS AND MARKETING

Mike Betts provided a written report.

ANNEXATION

No report.

ECONOMIC DEVELOPMENT

No report. Chairman Worthy advised that the Committee met on February 5, 2020 prior to a meeting of the Economic Development Authority. Chairman Worthy asked what Broadway and New Market are doing for Economic Development and what grants they had received. She also requested that the Town apply to be a Main Street affiliate, which requires attendance at their annual conference and may require a Council resolution.

FINANCE

Chairman Daly stated that the Committee met on January 27, 2020 to reconcile some capital projects that we had budgeted for and to discuss the Capital Improvement Plan. They analyzed budget figures to make sure that the Town is on target and there are no surprises that we are not prepared for.

INFRASTRUCTURE

No report. Chairman Fletchall stated that the Committee did not meet. However, the time table for the water plant upgrade is included in Manager Lawrence's report.

PARKS & COMMUNITY DEVELOPMENT

No report.

PERSONNEL

Chairman Ohgren reported that they met last week to discuss job position and description revisions, and recommendations for changes were made to Council. They also discussed some potential changes to the Personnel Handbook including PTO carryover and bereavement leave and did not come to any definitive decisions as to changes. We will look into the PTO carryover further and Manager Lawrence will poll the staff to get their thoughts and ask other localities to get comparisons. Manager Lawrence will work on writing a policy in which she will have the authority to oversee and make decisions as to bereavement leave and pay. They performed and reviewed Manager Lawrence's evaluation and they are all very happy with her performance.

POLICE

No report. Chairman Jackson advised that the next committee meeting will be March 9, 2020.

MAYOR AND COUNCIL

No report.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENT

Bill Bray addressed Council to make a suggestion that the Town plant bee-friendly plants and pollinators when we proceed with the Town’s landscaping project.

Jack Kearney, owner of the Thomas House, approached the Council to further question the future of the Town’s Economic Development. Mayor Lee thanked him for coming and stated that the Town is working to improve communication within the community. Councilman Daly encouraged Mr. Kearney to meet with Manager Lawrence to address these specific concerns. Councilman Jackson invited all business owners to attend the business meeting on March 12th to improve the relationship between Town and businesses.

Cheryl Lyons addressed the Council to state that she is also interested in the process of furthering Economic Development in Town and she would like to see more community involvement.

Yolanda Waggy addressed the Council with concerns about street light outages. Town staff advised that the Police Department routinely reports these outages to Dominion Energy and that citizens can also report the outages to Dominion Energy directly.

ADJOURNMENT

With there being no further business to come before the Council, Councilman Fletchall made a motion to adjourn, Councilman Jackson seconded the motion; motion passed unanimously.

The meeting adjourned at 8:06 p.m.

Respectfully Submitted,


Mayor, Sam Lee


Clerk, Christa Hall

Town Superintendent/Manager

Staff Report

January 2020

Personnel

1. See Action Item.
2. Christa has registered for the Certified Planning Commissioner's Program in Harrisonburg.

Public Works, Roads, Facilities

1. **The SCADA System:** See Public Works report.
2. **Water Plant Upgrade:**
 - The engineer had a conference call with Pall at the end of last week and they are working on an updated proposal to be included in the engineer's report. That will likely be a slightly conservative \$1.6M, matching the number we have previously discussed.
 - The draft report is expected the week of February 17th. In terms of the remaining schedule, the following is reasonable if the Town would be ready to move forward with design soon after report completion:
 - March 2020 – Finalize Report and Submit to VDH for review
 - March 2020 – Begin Design
 - May 2020 – 50% Design Complete & Begin Equipment Procurement
 - July 2020 – Complete Design Documents, Submit to VDH for Review, and Ready to Issue Equipment Purchase Order
 - October 2020 – Receive and Respond to VDH Comments
 - November 2020 – Advertise for Construction
 - December 2020 – Bid Opening
 - January 2021 – Award Contracts
 - February 2021 – Construction Begins
3. **Mill Street Project:**
 - We are awaiting final VDOT approval of the plans and I expect to have them soon.
 - I am working with the attorney's office regarding the construction and project easements.
 - Verizon expects to have the poles moved by the end of March. I spoke with the engineer again recently and was assured that he would be providing Verizon with additional micro-plans.
 - The engineer is working on the bid package at this time.
 - We expect the Initiation to Bid to go out this month, leaving it open for 30 days. We expect a recommendation for award of contract to come to Council at its April 2020 meeting.

4. **Greenway Fence Project:** Staff has met with two additional contractors who have equipment to install a fence in the difficult area. They do not carry wood split rail fencing. Staff is considering several options of fencing and hope to complete the project by March.

Economic Development

- **Economic Development Authority** met for the first time since October, 2017. We will begin meeting every other month, eventually moving to a quarterly meeting schedule. Staff is working on getting financial reports, economic development plan, growth plan, and information on potential marketable properties to the EDA. The EDA appointed L. J. Purcell and Diane Roll as Chair and Vice-Chair, respectively. There is still one open vacancy on the EDA. Several potential names were shared with staff and council members in attendance.
- **Business Community Conversation:** The next meeting is scheduled for Thursday, March 12, 2020 at 6:30 p.m.

Nuisance Properties

1. The attorney's office has prepared the Complaint to be filed in General District Court for the property located at Thompson & Ashby.
2. Staff has had further conversation with the property owner on Mason Street after he received Notice of Violation. He is moving forward with getting the property cleaned up and sold, but we are also moving forward with Notice of Penalty. He has removed two of the three inoperable vehicles to date.

Other

1. A Council Budget Priority work session has been scheduled for Wednesday, February 19, 3-6 p.m.
2. As Town Superintendent/Manager, I follow the ICMA Code of Ethics, a copy of this document was forwarded to Council. A suggested Code of Ethics for Council members is attached for consideration.

Items for Consideration

Approve attached Council Code of Ethics, which will be signed by all appointed and elected officials.

Respectfully submitted,
Angela A. Lawrence