

**DAYTON TOWN COUNCIL  
VIRTUAL MEETING MINUTES  
VIA ZOOM MEETING PLATFORM  
June 8, 2020**

**COUNCIL MEMBERS PRESENT:** Mayor Sam Lee, Jeff Daly, Bradford Dyjak, Cary Jackson, Robert Ohgren, and Dale Rodgers.

**COUNCIL MEMBERS ABSENT:** Tara Worthy.

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

**CALL TO ORDER:** Mayor Lee called the meeting to order at 6:02 p.m. and welcomed everyone. Mayor Lee explained that due to the Governor's stay at home order during the COVID-19 pandemic, the Council will meet virtually through the Zoom meeting platform. Clerk, Christa Hall, took a Roll Call and determined an appropriate quorum to proceed. The Invocation and the Pledge of Allegiance were led by Mayor Lee. Mayor Lee welcomed newly appointed and sworn in Councilmembers, Bradford Dyjak and Dale Rodgers.

**AGENDA AMENDMENT**

A motion was made by Councilman Dyjak and seconded by Councilman Rodgers to amend the agenda to add a Closed Session to discuss the acquisition of real property for the Mill Street Project. The motion passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**APPROVAL OF MINUTES FOR THE BUDGET WORK SESSION OF APRIL 20, 2020**

A motion to approve the minutes from the budget work session of April 20, 2020 was made by Councilman Jackson and seconded by Councilman Daly and approved by a roll call vote of 4 to 0, the voting recorded as follows: DALY—AYE; DYJAK—ABSTAIN; JACKSON—AYE; OHGREN—AYE; RODGERS—ABSTAIN; LEE—AYE; WORTHY—ABSENT.

**APPROVAL OF MINUTES FOR THE JOINT PUBLIC HEARING AND THE REGULAR MEETING OF MAY 11, 2020**

A motion to approve the minutes from the joint public hearing and the regular meeting of May 11, 2020 was made by Councilman Daly and seconded by Councilman Ohgren and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**APPROVAL OF MINUTES FOR THE SPECIAL CALLED MEETING OF MAY 27, 2020**

A motion to approve the minutes from the special called meeting of May 27, 2020 was made by Councilman Rodgers and seconded by Councilman Jackson and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**ACTION ITEM: ADOPTION OF FISCAL YEAR 2020-2021 BUDGET**

A motion to approve the fiscal year 20/21 budget as submitted and attached was made by Councilman Daly and seconded by Councilman Jackson and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**ACTION ITEM: APPROPRIATION OF FUNDS FOR FISCAL YEAR 2020-2021**

Councilman Jeff Daly made a motion, effective July 1, 2020, for the appropriation of the \$7,419,036 for the uses and purposes as generally outlined in the approved FY 2020-21 budget and further authorizes the Treasurer to transfer from the Water & Sewer Fund to the General and Capital Funds such funds as necessary and within the amounts budgeted for such purposes. The motion was seconded by Councilman Jackson and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**ACTION ITEM: CONSIDERATION OF TRANSIENT OCCUPANCY TAX ORDINANCE**

After Council discussion, and a determination that an ordinance defining the specific zoning allowances of short term rentals will be further discussed by the Planning Commission and Council in upcoming meetings, Councilman Jackson made a motion to adopt Title 3.2 Transient Occupancy Tax, effective July 1, 2020. The motion was properly seconded by Mr. Rodgers and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**Title 3.2 Transient Occupancy Tax**

**§ 3.2-1. Tax Imposed.** There is hereby levied and imposed on each Transient a tax equivalent to 4.5% of the total amount paid for Lodging, by or for any such Transient, to any Lodging Place.

**§ 3.2-2. Definitions.**

- (a) "Lodging" means any room or rooms, or space furnished to any Transient.
- (b) "Lodging Place" means any public or private hotel, inn, hostelry, house, townhouse, apartment, bed-and-breakfast, tourist cabin, camping grounds, motel, rooming house, or any other building or facility of any kind within the town offering Lodging, for compensation, to any Transient.
- (c) "Transient" means any person who, for any period of not more than 30 consecutive days, either at his own expense or at the expense of another, obtains Lodging in any Lodging Place.

**§ 3.2-3. Collection.**

- (a) The transient occupancy tax must be added to the amount of the purchase, and then collected by the seller and paid by the purchaser at the time such charge is due.
- (b) All transient occupancy tax collections are to be held in trust for the town.
- (c) The wrongful and fraudulent use, disposition, or embezzlement of such collections constitutes embezzlement pursuant to Section 18.2-111 of the Code of Virginia, as amended.

**§ 3.2-4. Reporting.**

(a) Every person required to pay the transient occupancy tax imposed by this article must keep and maintain records of all purchases taxable under this article, for a period of 5 years from the date of each purchase, setting forth information as the treasurer may require, including, but not limited to, the following: (1) The date of all taxable purchases; (2) The amount of all taxable purchases; (3) The amount of tax levied on all purchases; and (4) The amount of tax collected on all purchases.

(b) The treasurer has the power to examine and duplicate all such records at reasonable times, without unreasonably interfering with any business, for the purpose of enforcing the provisions of this article.

(c) Every person required to pay the transient occupancy tax imposed by this article must, by the 20<sup>th</sup> day of the following month, file a report with the treasurer, setting forth information as the treasurer may require, including, but not limited to, the following: (1) The monthly gross purchases of transient occupancy; (2) The monthly gross tax levied on all purchases; and (3) The monthly gross tax collected on all purchases.

**§ 3.2-5. Payment.**

(a) The seller must pay all transient occupancy tax collections to the town as provided in this article.

(b) The seller may deduct from transient occupancy tax collections a commission of 3 percent of the amount of transient occupancy taxes collected if the seller timely collects, reports, and pays the transient occupancy taxes.

**§ 3.2-6. Interest and Penalties.** Any person who willfully fails or refuses to collect, report, or pay the transient occupancy tax as required under this article within the time required must also pay a penalty in the amount of 10% of the transient occupancy tax, or a minimum of \$10.00 if such failure is not more than 30 days in duration, and thereafter, must pay interest in the amount of 10% annually.

**§ 3.2-7. Enforcement.**

(a) If any person fails or refuses to timely collect, report, or pay the transient occupancy tax imposed under this article, or if the treasurer has reasonable cause to believe that an erroneous statement has been filed, the treasurer will obtain facts and information on which to base an estimate of the tax due to the town and will investigate and take testimonial and other evidence as may be necessary, provided that notice and opportunity to be heard will be given any person who may become liable for the amount owed prior to any determination by the treasurer.

(b) As soon as the treasurer has procured whatever facts and information as may be obtainable upon which to base the assessment of any tax payable by any person who has failed to collect, report, or pay such tax, the treasurer will proceed to determine and assess against such person the tax, penalty, and interest provided in this article, and will notify the person by certified or registered mail sent to his last known address of the amount of such tax, penalty, and interest. The total amount thereof is payable 10 days after the date such notice is given.

**§ 3.2-8. Violation.**

(a) Any person willfully failing or refusing to collect, report, or pay the transient occupancy tax as required under this article is guilty of a Class 1 misdemeanor, except that any such person is guilty of a Class 3 misdemeanor if the amount of tax lawfully assessed is \$1,000.00 or less.

(b) Each violation of this article constitutes a separate offense, and conviction of any such violation does not relieve any person from the collection, reporting, or payment of the transient occupancy tax imposed under this article.

**§ 3.2-9. Records to be Kept by Person Liable for Collection and Payment of Tax.** It is the duty of every person liable for the collection and payment to the town of any tax imposed by this article to keep and to preserve for 3 years such suitable records as may be necessary to determine and show accurately the amount of such tax as he may have been responsible for collecting and paying to the town. The treasurer may inspect such records at all reasonable times.

**§ 3.2-10. Tax Immediately Due and Payable Upon Cessation of Business.** Whenever any person required to collect and remit the tax imposed and levied by this chapter goes out of business, disposes of his business or otherwise ceases to operate, all of such taxes collected and any tax payable under this article must then be reported and remitted to the treasurer of the town.

**§ 3.2-11. Exemptions from Tax.** No tax is payable under this article on charges for lodging paid to any hospital, medical clinic, convalescent home, or home for the aged.

**ACTION ITEM: CONSIDERATION OF AMENDMENT TO THE LICENSE FEE & TAX FOR ITINERANT MERCHANTS & PEDDLERS**

After Council discussion, Councilman Jackson made a motion to adopt the amended ordinance for Itinerant Merchants and Peddlers, effective July 1, 2020. The motion was seconded by Councilman Ohgren and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

**§ 3.1-10. License Fee and Tax.** Every person or Business subject to licensure under the ordinance shall be assessed and required to pay annually:

(b) Except as may be otherwise provided in § 58.1-3712, 58.1-3712.1 and 58.1-3713 of the Code of Virginia, every such person or Business shall be assessed and required to pay annually a license tax on all the Gross Receipts of such persons includable as provided in this ordinance at a rate set forth below for the class of enterprise listed. However, the fee imposed by paragraph (a) above shall be credited against the tax imposed by this paragraph, so if the fee is greater than the tax, no tax is due.

~~(8) For itinerant merchants or peddlers, the greater of \$20 or \$0.15 per \$100 of Gross Receipts with a cap of \$200 per year;~~

~~(8) For itinerant merchants or peddlers, \$200 per year, except that there shall be no fee for Festival Merchants.~~

**ACTION ITEM: CONSIDERATION OF AMENDMENT TO TOWN CODE ORDINANCE TO ADOPT NEWLY PASSED GENERAL ASSEMBLY ACTIONS**

Town Attorney Jason Ham explained why this action is important and necessary each year. After Council discussion, Councilman Rodgers made a motion to adopt an ordinance readopting portions of the State Code and was seconded by Councilman Dyjak and approved by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

## AN ORDINANCE READOPTING PORTIONS OF THE STATE CODE

**WHEREAS**, this Council wishes to reincorporate certain sections of the Code of Virginia in order to ensure that any amendments to the incorporated statutes have been incorporated into the Town Code.

**WHEREAS**, this Council wishes to adopt any future changes to the incorporated statutes.

**NOW, THEREFORE**, be it ordained by the Council of the Town of Dayton, Virginia, that:

1. Section 2-6 of the Town Code is amended and readopted as follows:

**§ 2-6. Adoption of State Law.** All of the provisions of Title 46.2, and of Article 9 of Chapter 11 of Title 16.1 (§ 16.1-278 *et seq.*), and of Article 2 of Chapter 7 of Title 18.2 (§ 18.2-266 *et seq.*) of the Code of Virginia, 1950, as amended, other than those provisions thereof which plainly have no application within the Town, are incorporated by reference into this Chapter. Reference therein to “highways of the state” shall be deemed to include streets, highways, public parking lots and alleys within the Town. The mention of specific state law provisions does not preclude the incorporation of unmentioned provisions. Nevertheless, to the extent that § 15.2-1429 of the Code of Virginia prohibits the Town from incorporating those provisions of § 18.2-270 which provide for penalties greater than those for a class one misdemeanor, such provisions are not incorporated. (See Code of Virginia, § 46.2-1313).

2. Section 6-9 of the Town Code is readopted.

3. All other state statutes and regulations incorporated into the ordinances of the Town are reincorporated, and all Town Code provisions incorporating the state provisions are readopted. This reincorporation extends to statutes which have been amended and to state statutes which have been repealed and recodified.

4. All future amendments and recodifications of statutes and regulations incorporated into the ordinances of the Town are also incorporated in accordance with § 1-220 of the Code of Virginia.

5. All Town ordinances incorporating or referring to state statutes or regulations are readopted and, if necessary, the ordinances are amended to reflect any amendments to or recodifications of the statutes or regulations.

6. This ordinance shall take effect on “the first day of July,” 2020, within the meaning of Article 4, Section 13 of the Virginia Constitution.

### **ACTION ITEM: APPOINTMENTS**

Colby Miller’s term on the Planning Commission is set to expire on June 30, 2020. As it is not Mr. Miller’s intention to serve another term, Councilman Daly made a motion to appoint Robert Seward to the Planning Commission for a term beginning July 1, 2020 and expiring June 30, 2024. The motion was seconded by Councilman Rodgers and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

Councilman Zachary Fletchall's untimely passing left a vacancy of the Council Liaison on the Planning Commission. After discussion, Councilman Daly made a motion to appoint Councilman Bradford Dyjak as the Council Liaison to the Planning Commission. The motion was seconded by Councilman Jackson and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

Timothy Bocock's term on the Board of Zoning Appeals is set to expire on June 30, 2020. Mr. Bocock has expressed his desire to continue to serve on the BZA. Councilman Dyjak made a motion to recommend to the Circuit Court of Rockingham County that Timothy C. Bocock be re-appointed to the Town of Dayton Board of Zoning Appeals for a term to expire June 30, 2025. The motion was seconded by Councilman Dyjak and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

### **MANAGER'S REPORT**

Manager Angela Lawrence provided a written report, which is attached. Manager Lawrence added that the CARES ACT funding will go directly to Rockingham County and will be disbursed to the localities to reimburse for any COVID related expenses that have been incurred and may be used to create incentives to assist businesses with lost revenue. Manager Lawrence will be facilitating a business community conversation on Zoom on June 11<sup>th</sup> to discuss with Town businesses. All licensed businesses in Dayton were invited to participate. Councilman Daly expressed his desire to hold a Finance Committee Meeting prior to the July Council Meeting to further discuss the funding options for the water plant upgrades.

### **TREASURER'S REPORT**

Treasurer Susan Smith provided a written report.

### **CONSIDERATION: APPROVAL TO PAY BB&T BANK FRANCHISE TAX REFUND**

Treasurer Susan Smith and Manager Angela Lawrence provided a staff report explaining the background for this unexpected expense to the new Councilmembers. It was determined that there would be enough funds in the current budget to pay it now with Council approval. Manager Lawrence further explained that this was an unplanned expense and therefore was not budgeted but it does not require a budget amendment. However, staff is requesting Council approval to pay it. Councilman Ohgren made a motion to approve that the BB&T Bank Franchise Tax Refund of \$18,330.00 be paid from the General Government Miscellaneous fund this fiscal year. Councilman Rodgers seconded the motion and the motion passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

### **CONSIDERATION: APPROVAL TO CARRY OVER FUNDS FOR INCOMPLETE CAPITAL PROJECTS**

Treasurer Susan Smith and Manager Angela Lawrence provided a staff report explaining that there are some projects that are included in the current budget that will not be completed prior to the end of this fiscal year and therefore, staff is requesting Council approval for the funds that were set aside for these projects to be carried over and paid after July 1, 2020, if necessary. Councilman Jackson made a motion to approve the carryover of the following funds for incomplete capital projects: not more than \$30,000 for

the Greenway Project; not more than \$125,000 for the Mill Street Project; not more than \$65,000 for the Water Line Extension; and not more than \$25,000 for the Sign Program Grant Project. The motion was seconded by Councilman Dyjak and passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT. Councilman Daly requested to see the detailed accounting on this at the Finance Committee Meeting.

#### **POLICE REPORT**

Chief Justin Trout provided a written report.

#### **PUBLIC WORKS REPORT**

Russell Bailey provided a written report. Manager Lawrence advised that Russell Bailey and Adam Meek provided a thorough tour of the water plant to the new Councilmembers to give them a better understanding of the need for the upgrade. Manager Lawrence advised that we will advertise this week for a Building and Grounds Technician preferably with experience in landscaping and horticulture.

#### **COMMUNITY DEVELOPMENT REPORT**

Christa Hall provided a written report. Manager Lawrence advised that the Muddler has officially been cancelled for this year due to the COVID-19 pandemic and we will be issuing full refunds to the 152 registrants directly through RunSignup.

#### **ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE REPORT**

Mayor Lee reported that the Committee met to discuss the upcoming events that are currently scheduled and the only report at this time is that we are on hold as we await the lifting of restrictions that are in place due to COVID.

#### **FINANCE COMMITTEE REPORT**

No report.

#### **INFRASTRUCTURE COMMITTEE REPORT**

Councilman Dyjak reported that the Committee met and received a great tour of the water treatment plant. They discussed the water plant upgrades, the Mill Street Project and the CIP and what the priorities are moving forward for the next five years.

#### **PARKS, RECREATION & BEAUTIFICATION COMMITTEE REPORT**

No report. Councilman Rodgers advised that they plan to meet prior to the July Council Meeting.

#### **PERSONNEL COMMITTEE REPORT**

No report.

## POLICE COMMITTEE REPORT

Councilman Jackson reported that the Committee met on June 7, 2020 to review, clarify and make modifications to the police policies. Councilman Ohgren added that the current situation in the world has been difficult to watch and the Committee wanted to take the appropriate steps to prevent these actions from happening in our Town. He has been researching police policies on use of force and they reviewed these policies with Chief Trout and the policies that he has in place and they were impressed with the policies that are currently in place but there is always room for improvement. They discussed a range of topics including use of force, body cams, training procedures, disciplinary actions, and funding structures. The Committee is looking at everything critically, not because they have to, but because they should in order to make sure they have the best department possible. Councilman Jackson reiterated that they had great discussions and he appreciated the preparedness of Chief Trout for this meeting in providing all current policies to the Committee. He advised that the Committee will meet at least quarterly, maybe monthly going forward. Councilman Ohgren stated that Dayton wants to make changes not because we have to, but because it is the right thing to do.

## MAYOR AND COUNCIL REPORT

Mayor Lee issued a thank you to the Police Committee and complimented them for getting together and having great conversations. It is nice being part of a Town that is getting ahead of a situation, rather than being behind. Councilman Ohgren presented Council with a resolution affirming that black lives matter and made a motion that the Council adopt the resolution. Councilman Jackson seconded the motion and the motion passed by a roll call vote of 6 to 0, the voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT.

### **Black Lives Matter Resolution**

*WHEREAS*, systemic racism exists in the United States of America;

*WHEREAS*, systemic racism perpetuates structural inequities in the Nation's schools, workplaces, courts, police departments, prisons, housing, healthcare systems, and every facet of life;

*WHEREAS*, the United States of America is in the midst of a critical dialogue that is central to the fabric of the Nation's values;

*WHEREAS*, protests in every state and across the world have called on leaders to hear their voices;

*NOW, THEREFORE BE IT RESOLVED*, that the Town Council of the Town of Dayton hereby affirms that Black Lives Matter.

## UNFINISHED BUSINESS

None.

## NEW BUSINESS

None.

**PUBLIC COMMENT**

None.

**CLOSED SESSION**

A motion was made to convene into closed session under section 2.2-3711(A)(3) of the Code of Virginia to discuss the acquisition of real property for a public purpose for the Mill Street Project by Councilman Dyjak and seconded by Councilman Jackson and carried by a roll call vote of 6 to 0, voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT; the Council recessed the meeting at 7:35 p.m.

**OPEN SESSION**

Return to open session at 7:48 p.m.

**CERTIFICATION RESOLUTION**

WHEREAS, the Dayton Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Dayton Town Council that such Closed Meeting was conducted in conformity with Virginia law:

On motion by Councilman Daly, seconded by Councilman Jackson and carried by a roll call vote of 6 to 0, voting recorded as follows: DALY—AYE; DYJAK—AYE; JACKSON—AYE; OHGREN—AYE; RODGERS—AYE; LEE—AYE; WORTHY—ABSENT; Council returned to regular session and certified that with respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council.

**ADJOURNMENT**

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

The meeting adjourned at 7:49 p.m.

Respectfully Submitted,

  
Mayor, Sam Lee

  
Clerk, Christa Hall

**Revenues**

General Fund	
General Property Tax	\$118,500
Other Local Tax	\$390,000
Other Local Revenue	\$247,992
Federal/State Funding	\$142,500
Transfer from Water & Sewer Fund*	\$1,012,464
Sub-Total	\$1,911,456
Capital Fund	
Transfer from Water & Sewer Fund*	\$185,580
Transfer from Investments**	\$1,600,000
Water & Sewer Fund	\$3,722,000
<b>Total Revenues</b>	<b>\$7,419,036</b>

**Expenditures**

General Fund	
General Government	\$566,990
Public Safety	\$672,997
Public Works	\$385,353
Parks, Recreation & Cultural	\$147,721
Community Development	\$138,395
Debt Service	\$0
Sub-Total	\$1,911,456
Capital Fund	\$1,785,580
Water & Sewer Fund	
Water & Sewer Operations	\$2,523,956
Transfer to Capital*	\$185,580
Transfer to General Fund*	\$1,012,464
<b>Total Expenditures</b>	<b>\$7,419,036</b>

\* Note: Transfers from Water & Sewer Fund to General & Capital Funds are from operating surplus. They are listed as expense in each fund.

\*\*Note: Reflects transfer from investments (retained earnings) for budgeting purposes. It is not new revenue.

There is no change in real property tax rate (.08) proposed for the coming calendar year. Property taxes are levied for each one hundred dollars of assessed value as of January 1. Property is assessed at fair market value.

There is a proposed new transient occupancy tax included in the budget.

An amendment to the License Fee & Tax for Itinerant Merchants & Peddlers is also included in the budget.

Item 4.a.

**Town Superintendent/Manager**

**Staff Report**

**May 2020**

**Personnel**

1. Staff is updated on a regular basis, via email and/or remote (zoom) staff meeting, regarding the COVID-19 situation, including social distancing and sanitation requirements, Executive Orders, Town policies and procedures, and Families First Coronavirus Response Act.
2. Staff has participated in VRSA and other job-related webinars.

**Public Works, Roads, Facilities**

1. **Water Plant Upgrade:**
  - a. A construction funding application was submitted to VDH on May 15.
  - b. A request for proposals for private funding will go out the first week in June.
  - c. I have had discussions with the sales representative and engineers. We are not able to procure equipment until financing is received, even though we are purchasing that with investments. It must all be approved together if VDH financing is used.
2. **Mill Street Project:**
  - a. The revised plans were submitted to VDOT for final review. VDOT requested additional information from the engineer.
  - b. We are still awaiting final approval to advertise the Invitation to Bid. Depending on when that happens, we may decide to call a special meeting for contract approval prior to the July Council meeting.
3. **Hydrant Mapping Project:** The project will commence when staff begins working in the field again, which should be soon.

**Economic Development**

1. **Business Tab on Website:** A new tab was added to assist businesses and to direct the public to Dayton businesses. We continue to update the directory and have contacted most businesses. The new Tab was promoted on Facebook.
2. **Sign Grant:** Work continues. The deadline has been extended. Council is asked to approve carry-over funds related to the grant (Treasurer's report).

**Nuisance Properties**

1. The Town extended the deadline for payment and property condition improvements on the Ashby Street property to 30 days after the EO55 is lifted. Some progress has been made.
2. The property on Mason Street has been cleared of all debris.

**Budget Process**

1. The public hearing was held. A CIP will be presented after the Infrastructure Committee meets.

**Other**

1. I continue to monitor the COVID-19 situation, review daily updates, attend webinars, adjust procedures as needed, and report to staff and the public. It is very time consuming, but important.
2. Council interviews were conducted. Staff assisted in interviews, notifications, swearing in, and orientation.
3. I conducted a pre-orientation session on zoom, which was directed at persons interested in running for Council or Mayor in November. This was the first time such a program has been conducted. It was well received. Plans are to continue the program for each election cycle.
4. I conducted an orientation for the new Council members. Both were given a notebook with policies, contact information, etc., and met with each department head. A water plant tour is scheduled for June 5<sup>th</sup>.
5. I assisted in coordination of committee meetings and activities.
6. I attended HRRSA and MPO meetings – remotely.
7. I reached out to the County regarding the possibility of the Town receiving monies from the CARES Act. A zoom meeting is scheduled for June 4<sup>th</sup>. I will update Council at the meeting.
8. Phase II (COVID) is scheduled to begin June 5. We anticipate opening the playgrounds, but cannot meet the recommended disinfecting of the restrooms on a regular basis, so will likely not open the restrooms yet. Shelters will be opened, but at 50% capacity. Signs will be posted at parks regarding social distancing and safe use.

**Items for Consideration**

None

Respectfully submitted,

*Angela A. Lawrence*



## **Black Lives Matter Resolution**

***WHEREAS***, systemic racism exists in the United States of America;

***WHEREAS***, systemic racism perpetuates structural inequities in the Nation's schools, workplaces, courts, police departments, prisons, housing, healthcare systems, and every facet of life;

***WHEREAS***, the United States of America is in the midst of a critical dialogue that is central to the fabric of the Nation's values;

***WHEREAS***, protests in every state and across the world have called on leaders to hear their voices;

***NOW, THEREFORE BE IT RESOLVED***, that the Town Council of the Town of Dayton hereby affirms that Black Lives Matter.

Adopted this 8<sup>th</sup> day of June, 2020.

**TOWN OF DAYTON**

By:

  
Sam Lee, Mayor

**CERTIFICATION**

I hereby certify that I am the Clerk of the Town of Dayton, Virginia, and that the foregoing is a true copy of a Resolution adopted by the Council of the Town of Dayton in a duly assembled meeting on the 8<sup>th</sup> day of June, 2020, upon the following vote:

<b>NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Sam Lee	X			
Vice Mayor Jeff Daly	X			
Cary Jackson	X			
Robert Ohgren	X			
Tara Worthy				X
Bradford Dyjak	X			
Dale Rodgers	X			

  
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Christa Hall, Town Clerk