

TOWN COUNCIL WORK SESSION

Monday, August 3, 2020 at 7:00 P.M.

Town Hall Conference Room

1. **Presentation from Paul Almeter Pertaining to Cherrydale Apartments** – Councilman Meza explained that he was approached by the new owner of Cherrydale Apartments, Paul Almeter, regarding a special use permit of his property. Mr. Almeter presented Council with his plan to demolish two single-family units and replace them with two six-unit apartment buildings. He also outlined a plan to provide as much off-street parking as possible, noting that, currently, there was only on-street parking available.

Councilman Holloway asked the age of the building in question. Mr. Almeter explained that while there is no specific data on when the units were built, he was able to come up with a best guess of 1947. Councilman Gillispie questioned whether the new buildings would provide handicap accessibility. Mr. Almeter said yes – there would be two handicap accessible units per building.

2. **Mural Update** – Mr. Tederick stated that good progress was being made towards procuring murals in the town through the Community Development Block Grant Façade Improvement project. He noted that there was an advisory group of passionate individuals and artists who had developed some mural ideas and a process for councils' consideration. Deputy Clerk of Council and member of the mural advisory committee, Mary Ellen Lynn, presented council with the proposed mural process, theme and some visual examples. Mr. Tederick added that there would be more discussion regarding the RFQ and call for artists during the CDBG meeting the following evening. Council agreed to the proposed mural process and theme.
3. **Second Amendment Resolution** – Mr. Tederick asked if Council had any questions pertaining to the Second Amendment Resolution as it was presented. Town Attorney Napier clarified that until the most recent session of the general assembly, localities were not allowed to pass ordinances that were separate from the state. He added that the resolution, as it was written, would not allow the Town to ban firearms in any location - including government buildings. He also noted that the employee handbook did not allow town employees to carry firearms.

Councilman Meza stated his belief that Council should not make any changes to the employee handbook. Councilman Thompson added that if citizens were allowed to carry firearms in government buildings then employees should be as well.

Council all agreed to obtain additional clarification on the resolution and discuss it in further detail at a future work session.

4. **Resolution – COVID-19 Infectious Disease Preparedness/Response Plan** – Mr. Tederick introduced the Towns Risk Manager, Laura McIntosh. He stated what a great job she had done, adding that she had written a Leave Policy that was adopted statewide.

Ms. McIntosh gave an overview of the Town's Covid-19 Infections Disease Preparedness/Response Plan, noting that Virginia was the first state to adopt mandatory regulations for COVID-19. She explained that under the Virginia Occupational Safety and Health program the Town was required to write and implement a formal plan.

Councilman Cockrell asked about the use of the Police Department for transport of sick individuals. Ms. McIntosh explained the Police Department had all the necessary preventative measures in place. Mr. Tederick added that the use of the Police Department would be considered as a last resort. The Mayor asked if the plan met all the state requirements. Ms. McIntosh explained the Town received significant guidance from VML to make sure it did. Councilman Meza suggested changing the wording in the definition of "close contact" to include "forty-eight (48) hours" rather than "two (2) days." Ms. McIntosh agreed.

Council agreed to add the COVID-19 Infectious Disease Preparedness/Response plan to the agenda at their next meeting for approval.

5. **South St Improvements from Hill St to Royal Plaza Shopping Center** – Mr. Tederick explained that Town Staff received Version 2, which was the option recommended by VDOT, for the South Street Improvements the previous Friday. Public Works Director, Robbie Boyer introduced Adam Campbell from VDOT and presented the proposal to council. He added that the town had the option to apply for VDOT's Smart Scale Program by August 17th. Smart Scale is 100% funded through VDOT, and if the Town were selected it would take 5 years for preliminary engineering and another 4-5 years before the start of construction. A resolution would need to be approved at a Regular Town Council Meeting before October 1st.

Councilman Meza asked if there was any way to remove the proposed Traffic Signal from the Blue Ridge Avenue & South Street intersection. Mr. Campbell explained that the additional Traffic Signal and the Traffic Signal at the entrance of Martins Grocery would be a single system - the two would be synced together.

Council all agreed to move forward with the Smart Scale Application and a Draft Resolution to be discussed at a future work session.

6. **Proposed amendments to Town Code Chapter 138, "Peddlers, Solicitors, and Itinerant Merchants"** – Mr. Napier explained that Assistant Town Attorney, George Sonnet, drafted the proposed amendments to Town Code Chapter 138, using some of the more restrictive codes found in other jurisdictions as a starting point for Councils consideration. Additionally, he noted that due to being grandfathered in, there was currently only one person allowed to sell frozen treats from a vending vehicle in town.

Councilman Thompson pointed out the proposed restriction of peddlers selling goods within 500 feet of a school and asked if that would only be during school hours. Councilman Sealock questioned why the proposed changes were being presented to them at that time. Councilman Holloway clarified that C&C Frozen Treats owner, William Huck, had been asking for permission to run his own ice cream truck for quite some time. He added that Mr. Huck had done a lot for the community therefore the town should grant him his request.

Councilman Cockrell added her belief that it was restrictive to allow one person to peddle ice cream while another could not. The Mayor agreed and stated that the town code she be written in a way that was fair for all.

Council agreed to add the proposed amendments, with the exception of the school zone restriction, to their agenda.

Open Discussion – Mr. Tederick presented council with an update on the towns CARES Act Grants. He stated that Town Staff had received 56 applicants and 25 had been approved to receive grants so far. He noted the possibility of receiving more CARES Act Funding and suggested Council start thinking about how they would like to disperse it.

Mayor adjourned the work session at 8:10 P.M. and council went into closed session.

7. Closed Meeting – Personnel and Pending Litigation

Councilman Meza moved, seconded by Councilman Holloway that Town Council go into Closed Meeting to discuss and consider the 1) assignment, appointment, promotion, performance and salaries of specific public officers, appointees, or employees of the Town, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia ; AND 2) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation with EDA, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of Town Council; "probable litigation" meaning litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party; pursuant to Section 2.2- 3711. A. 7. of the Code of Virginia.

There was unanimous consensus of Council to go into closed meeting.

Councilman Cockrell moved, seconded by Councilman Holloway that the Mayor and Council certify that to the best of each member's knowledge, as recognized by each Mayor and Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by the Mayor and Council, and that the vote of each individual member of the Mayor and Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Mayor Tewalt, Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Mayor Initial WAS

PRESENT: Mayor Tewalt, Vice Mayor Sealock, Councilman Cockrell, Councilman Gillispie, Councilman Holloway, Councilman Meza, Councilman Thompson, Interim Town Manager Tederick, Town Attorney Napier, Deputy Clerk of Council Lynn, Director of Finance Wilson, Director of Public Works Robbie Boyer, Risk Manager Laura McIntosh and members of the public and press.



APPROVED:

W. R. Sealock Jr
Eugene R. Tewalt, Mayor

ATTEST

Tina L. Presley
Tina L. Presley Clerk of Council
Minutes Written by Mary Ellen Lynn Deputy Clerk of Council

Councilman Gillispie moved, seconded by Councilman Meza approved the Work Session minutes of August 3, 2020 on August 24, 2020.

Mayor Initial ERT