

Pearisburg Town Council met in Regular Session on September 10, 2019 at 7:30 pm at the Pearisburg Municipal Building. Present for the meeting was Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton; Town Manager Meredith; Town Clerk Harless; Director of Public Works Wilson; Police Chief Martin; and Town Treasurer Harrell. Citizens Amelia Whittaker, Virginian Leader.

Journell made a motion to approve the August 13, 2019 Regular Council Meeting minutes as written. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Mayor Dickerson opened the Public Hearing. The purpose of the hearing was to consider a Conditional Use Request to board cats and dogs at Bold Springs Veterinary Springs located at 1100 Henson Avenue. After hearing no comments Mayor Dickerson closed the Public Hearing. Meredith stated that the property is currently zoned as AR-1 and is a conditional use in that zone. Meredith stated he had not received any comments or concerns from the public.

Williams made a motion to add Jason Wall Conditional Use Application to the agenda. Journell seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell, Journell and Clark. The motion carried by a vote of 6 to 0.

Williams moved to approve the Conditional Use Permit submitted by Jason Wall to board cats and dogs at Bold Springs Veterinary Springs. Journell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Journell reported on the Public Safety Committee. The Committee discussed paving at the fire department and surplus of police vehicles. Meredith will work on getting a cost estimate on paving.

Journell reported on the Property and Recreation Committee. The Committee discussed pool quotes that had been received by the Town staff for acid washing and the repair of tile on the Town's pool. Harrell asked if the Library projects were finished. Wilson stated that it was nearly complete. The bathrooms have been completed. Staff is almost finished with the water problem. He anticipates that everything may be done by the end of the month. Staff has

taken up the carpet and floor tile. They still need to clean the floor and paint it. Clark asked for a better explanation on what the pool needed as far as acid wash or paint. Wilson stated that National Pools recommends an acid wash instead of paint. He stated that our pool is plaster which should last many years. He stated that the acid wash will brighten the walls of the pool, make it look cleaner, and remove algae from the bottom and the walls of the pool.

The Committee recommended that additional quotes be obtained and that the work be performed before opening the pool in 2020. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The recommendation carried by a vote of 6 to 0.

Eaton reported on the Finance Committee. The Committee discussed the purchase of an additional credit card machine in the Treasurer's Office and discussed the match for the Downtown Grant.

The Committee made a recommendation to approve and adopt Budget Amendment 2020-01. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

**BUDGET AMENDMENT FY 2020-01**

<b>EXPENDITURES</b>		<b>Current Budget</b>	<b>New Amount</b>		<b>Difference</b>
21.2000.9200	PSBG/PSA SINKING FUND	\$ 10,000.00	\$ 25,820.00	\$	15,820.00
				\$	-
				\$	-
				\$	-
				\$	-
				\$	-
				\$	-
				<b>Total</b>	<b>\$ 15,820.00</b>
				<b>%Change</b>	<b>0.35%</b>
<b>REVENUE</b>					
21.0500.2400	PSA SINKING FUND	\$ 5,000.00	\$ 12,910.00	\$	7,910.00
				\$	-
				\$	-
				<b>Total</b>	<b>\$ 7,910.00</b>
		<b>Revenue</b>	<b>Expenditures</b>		<b>Difference</b>
<b>Current</b>		\$ 4,512,761.00	\$ 4,512,761.00	\$	-
<b>Amended</b>		\$ 7,910.00	\$ 15,820.00	\$	(7,910.00)
<b>Total</b>		\$ 4,520,671.00	\$ 4,528,581.00	\$	(7,910.00)

For Council Action on September 10, 2019

Eaton reported on the Public Works Committee. The Committee discussed upcoming paving for Mountain Lake Avenue. They tabled a request from a resident for a reimbursement for the cost to pressure wash their house due to work that occurred in the area creating dust that covered their home.

The Committee recommended that the sewer tap fee at 701 Giles Street be waived. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Williams made a motion to approve a Parade Permit for the annual Giles High School Homecoming. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Harrell made a motion to approve a Parade Permit for the annual Pearisburg Scarecrow Festival. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Meredith updated Council on the Community Development Block Grant (CDBG) for the Downtown. He explained to Council that the wording on page 11 of the Façade Design Program has been updated. He also stated that adopting the Façade Program doesn't mean the town has approved moving forward and committed to the grant. He stated that the wording was changed from "a minimum of \$500" to "must contribute \$500." Eaton asked what amount was budgeted. Harrell felt there were other concerns the Town should have. Meredith stated that the Town will be required to meet approximately \$171,000 in leverage match with money or in-kind work. He stated that he plans to continue meeting with Patrick O'Brien to go over the municipal parking lot project and to see if the Town can meet the match. He said that he has been reviewing the habitat house project to see how much match could be used from that project. Meredith stated that he was recently informed that the VDOT share of revenue sharing funds for future paving in the project area cannot be used as match. Harrell stated that the Town is still looking at items that need further clarification about the Town's responsibilities and obligations under the grant agreement. Harrell stated she was uncomfortable with the grant. Williams stated the Town needs to give its attention to the collapsed sewer line issue on Main Street that may cost \$200,000 plus to fix. He stated that fixing the sewer line is more

important at this time. Harrell stated the Town was up against a deadline in October and not all concerns have been addressed at this time. Clark stated that she felt the business owners were not aware of the \$500 fee. She stated that if the owners didn't want to pay their share of the match then the Town could be responsible. She stated that she was very uncomfortable with the many unknowns and opposed to the grant. Eaton stated she understands the Town could reapply next year. Meredith stated that Andrea Jones, a representative with the Virginia Department of Housing and Community Development (DHCD) indicated that not accepting the grant this year would not penalize the Town should a future application be submitted. He stated that the big-ticket item is the terraced steps in the design. They have a wood frame system. Meredith stated that he did not concur with the current estimate in the project budget for the steps. He stated that he plans to discuss the steps with Hill Studios and get a better estimate on the cost if the Town Crew constructed them. He felt the Town might be better off to count paving.

Clark stated that the Town has \$7500 in the current budget for our downtown improvements. She suggested increasing it and using the funds to help the businesses that are interested. Eaton stated that the Downtown Management Team recommended the Town increase real estate taxes to pay for the project. Meredith stated that in his opinion it's not a good idea for a temporary expenditure. Clark commented that increasing taxes would only benefit a minimal amount of businesses and not all citizens of Pearisburg. Meredith stated that the Town still has a month left before a final decision must be made. He stated that he could work on getting additional information and bring it back to Council next month. Harrell stated she was against accepting the grant. Williams stated he was not in favor. Journell asked if it would jeopardize any future applications. Meredith stated that in a future application the Town might have some competition but no penalty. Clark stated that after listening to the Management Team work on finding a match the day before, she feels the grant application should die on the vine and staff should not put any more work into it. She stated that if the Town was close on the match she might be in favor, but at this time she is not in favor of proceeding.

Williams made a motion to table any further discussion on moving forward on the CDBG Downtown Grant application. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Eaton stated that she felt it was very important we relay Council decision on the grant and inform the business owners if we will start over again next year.

Meredith explained the need for Council to approve the Planning Grant Contract Amendment and the requirement to upload information into CAMS Website. He stated that Hartley has reviewed the amendment and finds acceptable. Clark asked about the remaining balance. Meredith stated that New River Valley Regional Commission (NRVRC) invoices are forthcoming and Hill Studios will need to be paid. He stated a small balance estimated at \$6500 is remaining from the Planning Grant. Meredith stated this process was for the audit on the Town for the Planning Grant.

Council tabled the Amendment and CAMS upload on the Planning Grant Contract Amendment.

Meredith explained the need to approve the RD UV/Sewer Project Change Order request from William G. Simmons Company. Two pit-less adapters are needed for the UV System at a cost of \$680 to add structural integrity to the submersible pumps. There are funds available in the current budget. This will not increase the size of the budget.

Clark made a motion to approve a Change Order with William G. Simmons Co. in the amount of \$680. Journell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Meredith briefed Council on the VDOT Revenue Sharing Resolutions and need for Council adoption of the FY 2021-2022 Application for Funding in the next biennium for revenue sharing funds. The application deadline is October 1, 2019.

Williams made a motion to approve the Fiscal Year 2020 Funding Agreement and designate the Town Manager to execute and sign the current paving project documents. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

# RESOLUTION

## A RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO SIGN THE PEARISBURG REVENUE SHARING STREET MAINTENANCE AGREEMENT

WHEREAS, The Pearisburg Town Council authorizes the Town Manager to sign the Pearisburg Revenue Sharing Street Maintenance Agreement for FY 2019-2020; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF PEARISBURG, VIRGINIA 6 OF ITS MEMBERS CONCURRING,

THAT, Pearisburg Town Council does authorize Todd Meredith Town Manager to sign the above mentioned agreement.

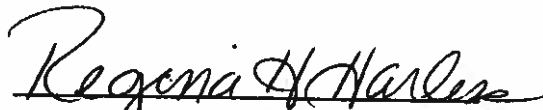
This 10<sup>th</sup> day of September, 2019.

APPROVED:



Mayor Robert L. Dickerson

ATTEST:



Regina H. Harless, Town Clerk

Resolution Rescinded on  
September 24, 2019 by  
Action of Town Council

Harrell made a motion that Council adopt and approve a resolution apply for FY 2021-2022 Revenue Sharing funds. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

## RESOLUTION

At a regularly scheduled meeting of the Pearisburg Town Council of the Town of Pearisburg and held on September 10, 2019, on a motion by Harrell, seconded by Clark, the following resolution was adopted by a vote of 6 to 0:

WHEREAS, the Pearisburg Town Council of the Town of Pearisburg desires to submit an application for an allocation of funds of up to \$120,000 through the Virginia Department of Transportation Fiscal Year 2021-2022, Revenue Sharing Program; and,

WHEREAS, \$60,000 of these funds are requested to repair and replace pavement following sidewalk and utility construction,

Start at Intersection of:

1. South end of Sunset Dr. to Wenonah Ave
2. Orchard Grove to Orchard Grove
3. Chestnut St. to Chapman Dr.
4. Maple Ave thru Orchard
5. Church Ave. at S Main St. to Tazewell St.
6. Beginning of Crile to the end of Crile.
7. Tazewell St at Church Ave to Wenonah Ave

NOW, THEREFORE, BE IT RESOLVED THAT: The Pearisburg Town Council of Town of Pearisburg hereby support this application for an allocation of \$120,000 through the Virginia Department of Transportation Revenue Sharing Program.

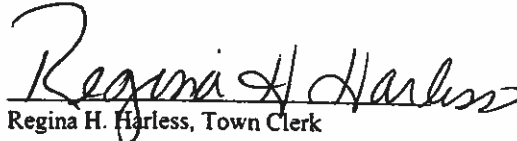
ADOPTED this 10<sup>th</sup> day of September 2019.

APPROVED:



Mayor Robert L. Dickerson

ATTEST:



Regina H. Harless, Town Clerk

**Resolution Rescinded on  
September 24, 2019 by  
Action of Town Council**

Meredith discussed the Small Baseball Field Site Plan with Council. He suggested to slope the water away from the field instead of turning everything to the middle of the field to more effectively drain the water. He is discussing the option with County Staff and Dennis Amos of Hurt & Proffitt. Council tabled any decisions on the drainage until the October meeting to allow Meredith time to get more information on the drainage system.

Meredith discussed the Ordinance Council passed with contingencies last month for Law Enforcement working off-duty assignments. He consulted with Town Attorney Hartley and he recommended the Town pay the officers directly and the entity pay the town. The Town would pay the officers at their overtime rate. The officers would be covered under workers compensation. The ordinance needs to be passed again with the contingencies removed. The Town Attorney recommends Council rescind Ordinance 2019-03 approved at the August 13, 2019 Council Meeting and approve the ordinance at this meeting with a new motion that removes all contingencies of the contract prior to signing. Eaton asked about officers working outside the County. Meredith answered that he would need to consult with Town Attorney. He stated that the officer would be compensated at their overtime pay. Meredith recommends billing the entity for which the officers are working at a rate of \$70 per hour based on highest possible scenario contract rate which includes benefits such as health insurance, retirement and town insurance.

Council asked what other police departments were working similar off-duty assignments. Chief Martin stated that Pembroke worked for the Pipeline at a rate of \$30 to 35 an hour. Journell asked if the officers were paid directly. She commented that the fringe benefits would go to the wayside. Meredith stated that the officers must be under the direction of the Town and the Chief to determine their schedule and direction. Eaton asked if this ordinance makes everything possible. Meredith responded that was correct. He stated that the Town should be able to have a Standing Operating Procedure (SOP) in a few weeks on how the town will bill and charge entities.

Eaton made a motion to rescind the motion to approve Ordinance 2019-03 at the Regular meeting of Council on August 13, 2019. Harrell seconded the motion. Voting yes:



Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

Eaton made a motion to adopt Ordinance 2019-03 to amend Chapter 38 Law Enforcement; by adding a new section 38-7 Off Duty Employment, of the Code of the Town of Pearisburg to provide employment of off duty Town Police Officers pursuant to section 15.2-1712 of the Code of Virginia as all contingencies have been met and satisfied, I move that the ordinance be adopted effective immediately without any contingencies. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Journell and Eaton. The motion carried by a vote of 6 to 0.

ADOPTED: September 10, 2019

ORDINANCE NO: 19-03

**AN ORDINANCE TO AMEND CHAPTER 38 LAW ENFORCEMENT; BY ADDING A NEW SECTION 38-7 OFF DUTY EMPLOYMENT, OF THE CODE OF THE TOWN OF PEARISBURG TO PROVIDE EMPLOYMENT OF OFF DUTY TOWN POLICE OFFICERS PURSUANT TO §15.2-1712 OF THE CODE OF VIRGINIA**

BE IT ORDAINED, by the Town Council of the Town of Pearisburg, Virginia, 6 of the elected members concurring, that:

**Section 1.** That off duty officers of the Pearisburg Police Department are permitted to engage in off-duty employment which may occasionally require the use of their police powers in the performance of such employment.

**Section 2.** The Chief of Police of the Pearisburg Police Department shall promulgate reasonable rules to apply to such off-duty employment.

**Section 3.** This Ordinance shall be effective immediately upon its adoption.

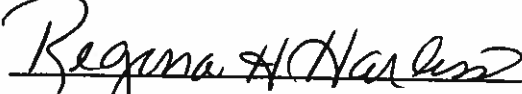
This 10th day of September, 2019.

APPROVED:



Mayor Robert L. Dickerson

ATTEST:



Regina H. Harless, Town Clerk

On a motion by Williams, seconded by Clark, passed by the following recorded vote, Council Members, Dickerson, yes, Williams, yes; Eaton, yes; Ballard, ;absent Journell, yes; Clark, yes; and Harrell, yes; Council went into Executive Session as permitted by Virginia Code § 2.2-3711(A) (1), for discussion, consideration or interviews of candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town of Pearisburg; and as permitted by Virginia Code § 2.2-3711 (A) (3), for discussion or consideration of a matter involving the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy of the Town.

On a motion by Williams, seconded by Journell, passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, absent; Journell, yes; Clark yes; and Harrell, yes; Council returned to regular session.

On a motion by Clark seconded by Harrell, and passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, absent; Journell, yes; Clark yes; and Harrell, yes; Council certified that the subject discussed in this Executive Session was the subject identified in the motion to go into Executive Session and only that subject, and that Council discussed no other subject while in Executive Session.

There being no further business, the meeting was adjourned.

APPROVED:

  
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Mayor Robert L. Dickerson

ATTEST:

  
\_\_\_\_\_

Regina H. Harless, Town Clerk