



SOUTH HILL TOWN COUNCIL

REGULAR MEETING MINUTES

MONDAY, DECEMBER 12, 2011 AT 7:00 PM

The regular monthly meeting of the South Hill Town Council was held on Monday, December 12, 2011 at 7:00 p.m. in the Council Chambers of the South Hill Town Hall located at 211 South Mecklenburg Avenue in South Hill, Virginia.

1. CALL TO ORDER

Honorable Mayor Earl O. Horne called the regular meeting to order at 7:00 p.m.

2. INVOCATION

Mayor Horne called upon Councilman Sasser to render the invocation.

3. ROLL CALL

Mayor Horne called upon Anna Cratch to call the roll which was as follows:

A. Council Members

M. B. "Millie" Bracey	Lillie Feggins-Boone	Gregg Harper
J. Woodrow "Woody" Kidd	Delores B. Luster	Mike Moody
C. Leroy Sasser		

Councilman Chad J. Barbour was not present at the meeting.

B. Staff in Attendance

Kim Callis, Town Manager	Anna Cratch, Town Clerk
Charles Hudson, Code Compl. Official	Norman Hudson, Police Chief
Karen Lambert, Human Resources Manager	Heidi Porter, Finance Director
Bill Wilson, Public Works Director	

4. APPROVAL OF MINUTES – NOVEMBER 14, 2011

A motion was made by Councilman Moody, second by Councilwoman Luster, to dispense with the reading of the minutes from the regular meeting held on November 14, 2011, since all Council members had received copies prior to the meeting, and approve as submitted by Anna Cratch. Motion carried unanimously.

5. SERVICE AWARDS

Mark Novsak, Public Works, was not present at the meeting but will be recognized with a Certificate of Accomplishment and Award for 10 years of service to the Town, effective December 20.

6. PUBLIC HEARINGS

A. Charles Hudson – SE 2011-6, Request by Kevin M. Robinson for a Tattoo/Body Piercing Salon at 516 E. Atlantic Street

Charles Hudson opened the Public Hearing for comments for and against Kevin M. Robinson's request for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize 516 E. Atlantic Street as a tattoo/body piercing salon. The property is zoned Commercial C-2 and is owned by C. W. Cleaton, Jr. Estate and Janice C. Findley, Co-Executor.

At the Public Hearing held on November 7, 2011, the South Hill Planning Commission voted to recommend that Council approve the special exception request.

Kevin and Mary Robinson were present and spoke in favor of their request. Mary Robinson, a registered nurse at CMH, informed Council they have been running a business for seven years. They first opened in Roanoke Rapids, North Carolina. They relocated to Potsdam, New York for a while. Ms. Robinson stated licenses were not required in those states. She stated she is not required to have training to perform body piercing because she is a registered nurse. She added she only needs to pass the test. She also commented she does not need a sponsor because of her years of experience in piercing. She would only do body piercing after her regular job during the hours of 5:00 p.m. to 9:00 p.m. The hours of the business would be 2:00 p.m. to 9:00 p.m. Mayor Horne expressed concerns about Council not completely understanding the law, approving the request, and the business possibly not being in compliance with the Code of Virginia. Kevin Robinson commented if body piercing was an issue, its exemption could be requested at a later date. Mr. Robinson reported he is a licensed tattooist and currently runs a business in Bracey. He opened his business there because South Hill would not allow tattoo salons at that time; however, business is very slow there. This would be the third tattoo business along that same area in South Hill.

Scott Rader, tattoo artist and piercer at Body Accents, spoke against the request. Mr. Rader who previously worked in Louisiana went through a lot to move here and get licensed. He brought some printouts of Mary Robinson's Facebook posts as evidence that as far back as July of this year, Ms. Robinson has been performing body piercing at their Bracey location unlicensed, which he said is a total disregard of the rules and regulations. He commented DPOR doesn't have the manpower to enforce its own laws. He also mentioned there is not enough business here to support three salons.

Robin Allen of 415 Binford Street spoke against the request. Ms. Allen stated she feels that a third tattoo salon in South Hill is unnecessary, specifically in this location.

Lincoln Sturdivant commented the requestors have already agreed to withdraw the body piercing. Mr. Sturdivant asked how we can limit the number of certain types of businesses in the Town. He would visit the business that is the best.

In answer to a question from Councilman Moody, Charles Hudson explained special exceptions follow the location not the owner.

A motion was made by Councilman Moody, second by Councilwoman Luster, to deny Kevin M. Robinson's request for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize the property located at 516 E. Atlantic Street as a tattoo salon. Motion carried unanimously.

7. CODE COMPLIANCE OFFICIAL’S REPORT

Charles Hudson presented his report of activity for the month of November 2011 as follows:

Inspections Completed	-	52
Permits Issued	-	24
Fees Collected	-	\$ 1,115.43
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 240.27
General Exemption	-	\$ 749.70
Work Value	-	\$ 210,278.00
Jobs Completed	-	35

A motion was made by Councilman Harper, second by Councilman Kidd, to approve the report of the Code Compliance Official for the month of November 2011 as submitted by Charles Hudson. Motion carried unanimously.

8. POLICE CHIEF’S REPORT

Norman Hudson presented the police report for the month of November 2011. Chief Hudson informed Council there was a total of 317 arrests, 703 complaints, and 424 call types in November.

He presented the following administrative news:

- Captain Mike Mayer, Sergeant Shane Johnson, Corporal Harvey King, and Officers Tony Solomon and Carie Watters instructed classes at the training academy in Lynchburg.
- All officers completed fall firearms qualifications.
- Sergeant Shane Johnson taught a free basic self defense class for women at the LCAKC.
- Officer Calvin Holmes was recognized for his efforts in DUI enforcement and convictions at the annual ASAP Awards.
- Sergeant Shane Johnson was recognized at the 5th Annual Law Enforcement Awards Banquet at SVCC.

A motion was made by Councilman Sasser, second by Councilwoman Luster, to approve the report of the Police Department for the month of November 2011 as submitted by Chief Hudson. Motion carried unanimously.

Mayor Horne stated there is a training academy in Lynchburg for all law enforcement officers and jailers. For the first time ever, the electee for Chairman of the Board is someone outside of the Lynchburg area, Chief Hudson. All present clapped in acknowledgement of Chief Hudson’s recent appointment.

9. FINANCE DIRECTOR’S REPORT

A. Monthly Financial Report

Heidi Porter submitted the financial report for month ended November 30, 2011 as follows:

General Fund	-	\$6,954,124.86	Total Investment Accounts	-	\$2,282,140.59
Water and Sewer Fund	-	308,295.38	Certificate of Deposit	-	\$ 70,000.00
Cemetery Fund	-	64,824.79	Total Police Dept. Savings	-	\$ 12,249.34
Meadow Street	-	<13,056.00>	Total Past Due Taxes All Years	-	\$ 101,488.47
CRMP	-	<u>163,948.84</u>			
Total in Checking	-	\$7,478,137.87			

New businesses for the month of November include J&S Heating and Air, LLC and Dameron Plumbing.

A motion was made by Councilwoman Bracey, second by Councilwoman Feggins-Boone, to approve the financial report for month ended November 30, 2011 as submitted by Heidi Porter. Motion carried unanimously.

10. CITIZENS TO ADDRESS COUNCIL

A. Park View High School Students

Mayor Horne acknowledged the presence of and welcomed the following students from the Park View High School dual enrollment political science class:

Jeffrey Crouch

Ned Ogburn

11. COMMITTEE REPORTS

There were no committee reports.

12. APPOINTMENTS

A. South Hill Planning Commission

Mayor Horne informed Council that the Planning Commission appointments of Robin Allen, Dean Marion and Brian Mosier will expire the end of this month. They have agreed to serve another four year term.

A motion was made by Councilman Kidd, second by Councilwoman Feggins-Boone, to reappoint Robin Allen, Dean Marion and Brian Mosier to the South Hill Planning Commission for another four year term commencing January 1, 2012 and ending December 31, 2015. Motion carried unanimously.

13. TOWN MANAGER'S REPORT

Kim Callis introduced Jason Houchins, Superintendent of Parks and Grounds, to Council. He also introduced Lindsay Grech who will be joining Town staff at the end of this month and will be working in both the Finance and Code Compliance departments. Mr. Callis submitted the following report for the month of November 2011:

A. Property Deeds

Mr. Callis informed Council that over the course of several regular meetings during 1965 and 1966, the South Hill Town Council approved resolutions which abandoned an alley that generally extended eastward from a point 90' east of Brook Avenue to High School Street; however, it appears that after the abandonment, no deed was ever recorded which conveyed the property to any subsequent owners, some of whom built the old Colonial Store supermarket. The property is now owned by Dr. and Mrs. Sukri Vanichkachorn, who have a contract to sell it to Quik Fuel, Inc. So that the owners have a clear title to the property, Butts & Butts has prepared a deed which clearly conveys title to the property to successor owners.

A motion was made by Councilman Sasser, second by Councilwoman Feggins-Boone, to authorize the Mayor and Town Manager to execute a deed conveying to successor owners title to property extending generally eastward from a point east of Brook Avenue to High School Street which was originally abandoned by Council resolution in 1965 and thereafter. Motion carried unanimously.

Russell Slayton is drawing up a deed for Boyd of Southern Virginia, LLC who has purchased the old Wal-Mart property. It appears there was an old sewer easement underneath that property, but Bill Wilson and his staff have looked into it and don't think there ever was a sewer line there. When the new Wal-Mart was built, staff built a new sewer line, so there is no need for any easement under the old Wal-Mart store. Staff has been asked to sign a document giving Boyd clear title to that property.

A motion was made by Councilman Kidd, second by Councilwoman Luster, to authorize the Mayor and Town Manager to execute a deed of easement for the old Wal-Mart property to Boyd of Southern Virginia, LLC. Motion carried unanimously.

B. Stormwater and Park Improvement Project

During recent inspections, staff has identified several issues that require prompt attention along East Danville Street and East Main Street in Centennial Park. With the construction of new buildings and parking lots over the years, increased stormwater runoff from our streets has led to extensive erosion and sedimentation along our roadsides and through and downstream from Centennial Park. Also, close inspection of the park playground equipment, some of which is over 50 years old, indicates deterioration from rust, rot, breakage and time which must be repaired or replaced. The estimated cost to repair the equipment to meet current safety standards exceeds \$20,000.

After much research and evaluating several options, staff recommends a broad based solution to these and other issues which will improve the safety, appearance and functionality of these streets and our park and enable us to comply with all current erosion control and safety requirements. The solution (and estimated costs) generally includes:

1. Removing the old railroad berm along East Main Street and creating a slow release detention basin which will better control runoff from our streets, especially after heavy rainfall (\$80,000);
2. Improving conditions along East Main Street and East Danville Street by constructing perpendicular/angle parking (\$30,000);
3. Relocating the playground area from lower Centennial Park to the shaded area of upper Centennial Park and installing new playground equipment and seating (\$30,000);
4. Constructing a park entrance and the first phases of an amphitheater (covered stage area) in the open space north of the tennis courts which can be used for

- festivals, weddings, social functions, concerts, and other purposes (\$31,000);
and
5. Repairing/painting the pavilion and gazebo and installing security and walkway lighting (\$10,000).

The total estimated cost of the project is \$181,000. Approximately \$110,000 for stormwater control and street/parking improvements may be charged to our FY11-12 street maintenance budget. Town employees will perform some of the work where feasible and staff will apply to several parks agencies for grant funding to help cover the park equipment costs; however, the grants are very competitive and funding is uncertain. Therefore, staff recommends appropriating \$75,000 for this work and contingencies. Staff also recommends the lower park be closed to the public while this work takes place. From the start date, it should take 90 days to complete the work.

A motion was made by Councilman Kidd, second by Councilwoman Luster, to approve the Danville Street/Main Street/Centennial Park repair and improvement project; to appropriate \$75,000 from the general fund for this purpose; and to close the park to the public while this repair and improvement work is performed. Motion carried unanimously.

C. Enterprise Zone Amendment

For almost two years, staff has been working with the SPDC to amend the boundaries and incentives related to the Mecklenburg County/La Crosse/South Hill Regional Enterprise Zone (EZ 38). The primary purposes of the amendments are 1) to expand the zone to encourage economic growth around Maple Lane and along Highway 1 North and 2) to clarify qualifying performance so that the incentives are more easily understood. Council adopted a resolution at its July 11, 2011 regular meeting approving the amendment application. The SPDC submitted the application to the DHCD on September 12, 2011.

Staff has received a letter dated November 8, 2011 from the DHCD accepting our proposed revisions to the EZ boundaries and incentives. We are now required to simply enact these changes.

A motion was made by Councilwoman Feggins-Boone, second by Councilwoman Luster, to enact the boundaries and incentives included in the September 12, 2011 Enterprise Zone amendment application effective immediately. Motion carried unanimously.

D. Solid Waste Ordinance Amendment

Waste Industries will begin providing curbside garbage collection and recycling services on January 30, 2012. Mr. Callis presented Council with a draft of the proposed amendments to the Town's solid waste ordinance to address this change. A Public Hearing is required prior to enacting the amendments. The language will be reviewed by the Town Attorney prior to publication of a notice of Public Hearing.

A motion was made by Councilwoman Harper, second by Councilman Moody, to hold a Public Hearing at the January 9, 2012 Council meeting to hear comments regarding proposed amendments to the solid waste ordinance. A **roll-call vote** was requested and voiced as follows:

Councilman Barbour-Absent

Councilwoman Feggins-Boone-Aye

Councilwoman Bracey-Aye
Councilman Kidd-Aye
Councilman Moody-Aye

Councilman Harper-Aye
Councilman Luster-Aye
Councilman Sasser-Aye.

14. HUMAN RESOURCES MANAGER'S REPORT

Karen Lambert presented the following administrative news for the month of November 2011:

A. Personnel Report

1) Seminars/Training/Other

- On November 2, Ben Young attended a Virginia Pollutant Discharge Elimination System (VPDES) Permit Reporting Workshop at the DEQ Piedmont Regional Office in Glen Allen, VA. The workshop covered recordkeeping and reporting requirements contained in our VPDES permit.
- On November 17, Karen Lambert attended a webinar entitled FMLA Matters. The free webinar was sponsored by TASC, our Cobra Administrator.
- On November 9, Leslie Kubasek attended a seminar in Richmond, VA on Effective Grant Writing. The seminar was sponsored by the Virginia Institute of Government.
- On November 30 at their monthly safety meeting, Public Works viewed the video Driven to Distraction.

This agenda item was for informational purposes only; therefore, no Council action was taken.

15. PUBLIC WORKS DIRECTOR'S REPORT

Bill Wilson submitted the following report for the month of November 2011:

A. Project Updates

Repainting of the Plank Road Elevated Water Storage Tank

Mr. Wilson reported the repainting of the Plank Road water tank is nearing completion. Southern Corrosion, Inc. commenced work on November 7 that included pressure washing the exterior of the tank, spot repairs of the tank exterior, and repainting all exterior surfaces with two coats. The tank color has been changed to white. There is still some touch-up work to do and the painting of the Town logo and wording.

Problems encountered with the buzzards required more extensive and repetitive cleaning. Staff will be putting up Mylar film (2" wide) around the top rail posts. The film has a metalized coating that "chatters" in the wind and reflects sunlight with a "strobe" effect. In some cases, this has proven to be a successful deterrent. Kim Callis commented staff has looked into the kill permit in great depth, and one is not likely to be issued until other measures are tried first.

Thomas Street Stormwater Drainage Pipe Replacement

The stormwater drainage pipe that runs from a creek up to and under Thomas Street has been replaced. The drainage system is located between W. Atlantic Street and CMH. The work was done in two phases: 1) from the creek to the drop inlet on the east side of Thomas Street and 2) from the drop inlet and under Thomas Street connecting to the creek on the west side. The old, rusted 48" corrugated galvanized pipe was replaced with a 48" HDPE double-walled corrugated pipe. The total pipe length is 120'. The work was done by Barker Construction Company.

The utilities that were encountered on this construction project were as follows: 1) a gas, electric, phone and water service to the residence at 302 Thomas Street; 2) a 10" sewer force main running diagonally under the street; and 3) a 2" water main, an 8" sewer main, and a 4" gas main running parallel under Thomas Street, perpendicular to the new stormwater pipe.

Traffic was closed to through traffic from December 5 through December 8. The area will hopefully be repaved within the next three weeks.

This agenda item was for informational purposes only; therefore, no Council action was taken.

16. OLD BUSINESS

There was no old business.

17. NEW BUSINESS

There was no new business.

18. ADJOURNMENT

Mayor Horne wished everyone a very Merry Christmas and a Happy New Year.

There being no further business matters before the South Hill Town Council, Mayor Horne adjourned the meeting at 8:02 p.m.

Respectfully submitted by Anna B. Cratch.

Signed:

Attest:

Earl O. Horne, Mayor

Anna B. Cratch, Town Clerk