



SOUTH HILL TOWN COUNCIL
REGULAR MEETING MINUTES
MONDAY, NOVEMBER 9, 2020, 7:00 P.M.

The regular monthly meeting of the South Hill Town Council was held on Monday, November 9, 2020 at 7:00 p.m. in the Council Chambers of the South Hill Town Hall located at 211 South Mecklenburg Avenue, South Hill, Virginia 23970. To practice physical distancing, public seating was limited to 15. Attendees were asked to wear a mask/facial covering. The public was encouraged to view the Town Council meeting live stream via YouTube.

1. CALL TO ORDER

Honorable Mayor Dean Marion called the regular meeting to order at 7:00 p.m.

2. INVOCATION

Mayor Marion rendered the invocation. He asked those present to remember Councilman C. Leroy Sasser and his family in their thoughts and prayers.

3. ROLL CALL

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

A. Council Members

Lillie Feggins-Boone
W.M. "Mike" Moody
Joseph E. Taylor, Jr.

Gavin L. Honeycutt
Shep Moss

Delores B. Luster
G. Ben Taylor

Councilman C. Leroy Sasser was absent from the meeting.

B. Staff in Attendance

Stuart Bowen, Police Chief
Anna Cratch, Town Clerk
David Hash, Code Compliance Official
Brent Morris, Business Devt. Manager

Kim Callis, Town Manager
Sheila Cutrell, Dir. of Finance and Admin.
Carol Hutchinson, HR Manager

4. APPROVAL OF MINUTES – OCTOBER 13, 2020

A motion was made by Councilman Honeycutt, second by Councilwoman Feggins-Boone, to approve the minutes of the regular meeting held on October 13, 2020 as submitted by Anna Cratch. Motion carried unanimously.

5. SERVICE AWARDS

Leslie Kubasek was recognized for 10 years of service effective November 29. Sheila Cutrell thanked Ms. Kubasek for her hard work and dedication to the Town.

6. CITIZENS TO ADDRESS COUNCIL (Comments are limited to three minutes.)

A. Ruthie Kinker – Resolution Run 5K on January 1, 2021

Ruthie Kinker reported the South Hill Road Runners began a scholarship fund last year to benefit any junior or senior cross-country runner or track athlete that is eligible to attend Park View High School. They were able to give two \$500 scholarships last year. They want to improve that this year by adding another race; therefore, Ms. Kinker requested approval to hold a Resolution Run 5K on January 1, 2021 on the approved route in Town.

A motion was made by Councilman Moody, second by Councilman Honeycutt, to authorize the South Hill Road Runners to hold a Resolution Run 5K on January 1, 2021. Motion carried unanimously.

7. PUBLIC HEARINGS

A. Kim Callis – Proposed Amendment to Chapter 42 Noise Ordinance

Kim Callis informed Council a Public Hearing has been called to hear comments on a proposed amendment to Chapter 42, Article IV of the Code of the Town of South Hill regarding the noise ordinance. The ordinance has been updated to reflect more contemporary language and the violation has been reduced.

Mr. Callis opened the Public Hearing. No one commented regarding the request.

Mr. Callis closed the Public Hearing. **A motion was made by Councilwoman Feggins-Boone, second by Councilwoman Luster,** to adopt the proposed amendment to Chapter 42, Article IV of the Code of the Town of South Hill regarding noise. A **roll-call vote** was requested and voiced as follows:

Councilwoman Lillie Feggins-Boone-Aye	Councilman Gavin Honeycutt-Aye
Councilwoman Delores Luster-Aye	Councilman Mike Moody-Aye
Councilman Shep Moss-Aye	Councilman Leroy Sasser-Absent
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

B. David Hash – RE 2020-1, Request by Superior Investments, Inc. to Rezone 1021 W. Atlantic Street and 1041 W. Atlantic Street from C-2 to MX-3

David Hash informed Council a Public Hearing has been called for comments regarding the request by Superior Investments, Inc. to rezone 1021 W. Atlantic Street and 1041 W. Atlantic Street from Commercial District C-2 to Urban Mixed Use District MX-3.

At the Public Hearing held on November 2, 2020, the South Hill Planning Commission voted to recommend that Council approve the rezoning request with the stipulation that parking comply with the required standards in the Town Zoning Ordinance for Urban Mixed Use District MX-3.

Mr. Hash opened the Public Hearing. No one spoke regarding the rezoning request.

Mr. Hash closed the Public Hearing. **A motion was made by Councilman Honeycutt, second by Councilman Moss**, to approve the RE 2020-1 request by Superior Investments, Inc. to rezone 1021 W. Atlantic Street and 1041 W. Atlantic Street from C-2 to MX-3. Motion carried unanimously.

C. David Hash – SE 2020-5, Request by Steven Arthur to Utilize 825 W. Danville Street for Small Engine Sales, Parts, and Repairs

David Hash informed Council a Public Hearing has been called for comments regarding the request of Steven Arthur for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize 825 W. Danville Street for small engine sales, parts, and repairs. The property is zoned Commercial C-2. The South Hill Planning Commission recommends Council approve the special exception request.

Mr. Hash opened the Public Hearing. No one spoke regarding the special exception request.

Mr. Hash closed the Public Hearing. **A motion was made by Councilman Moody, second by Councilwoman Feggins-Boone**, to approve the SE 2020-5 request for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize 825 W. Danville Street for small engine sales, parts, and repairs. Motion carried unanimously.

Councilman Moss asked if there were any restrictions with fencing, etc. that apply to this particular location. Mr. Hash stated there were no such restrictions as Mr. Arthur is really not doing repairs at this address. Mowers will be dropped off. He will take them to his residence, work on them, and bring them back. He will basically sell parts at this location. In answer to a question from Councilman Honeycutt, Mr. Arthur acknowledged he purchased the entire complex.

8. TOWN MANAGER REPORT

Kim Callis submitted the following report for October 2020:

A. Facilities Reservation Calendar

Kim Callis presented Council with a calendar of activities and reservations at Centennial Park, Parker Park, the South Hill Exchange, and other Town facilities. The calendar changes frequently as new reservations are made.

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

B. Christmas Events

Mr. Callis reported the South Hill Chamber of Commerce is again working with several organizations to host the very popular “Hometown Christmas” event in our downtown beginning on Friday, December 4.

As mentioned at the October Council meeting, sections of some streets, including South Mecklenburg Avenue, East Danville Street, and Southeast Main Street will be temporarily closed for various activities such as the skating rink, tobogganing, Tell Santa, and a reverse Christmas parade. More information will be forthcoming and shared via the Town’s email broadcast and social media.

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

C. Release of Frozen Appropriated Funds

Mr. Callis reported that at the June 8, 2020 regular meeting, Council adopted and appropriated funds for the FY20-21 Town budget. In considering the effects of the COVID pandemic, utility service discounts were increased to 25% while also freezing capital expenditures totaling \$914,017 and employee cost of living adjustments/incentives. These frozen items were to be revisited in October.

On October 30, the Budget & Finance Committee met with staff to discuss a security issue for the customer service team and the release of the frozen FY21 funds. Sheila Cutrell will present information on the security issue. As revenues are on track to meet budget and in recognition of our employees' continuing outstanding efforts to meet a variety of ongoing challenges during the pandemic, the committee unanimously recommends the release of the previously appropriated funds for capital expenditures and the employee COLA/incentive.

Mr. Callis shared the list of delayed capital expenditures. Councilman Moss asked wasn't the \$198,000 motor grader primarily used for dirt roads. Mr. Callis stated no; it is used for a few gravel roads we are responsible for grading. It is also used to shape and condition the shoulders of our major highways because we maintain our own streets. Councilman Moss asked if we currently have a motor grader. Mr. Callis commented our motor grader is 27 years old, does not have a climate-controlled cab, and is to the point where we cannot get replacement parts. Councilman Moss commented it is his understanding we use it less than 30 hours a year. He asked if leasing might be a wiser option. Mr. Callis answered we can look into that, but this was all discussed during budget meetings. Councilman Moody mentioned that in some instances, the motor grader is used by the Town to pull out stuck vehicles like dump trucks. He went on to say that if we get another 25 years out of this one, it will be a good investment for the Town. Mr. Callis commented he thinks it is more than 30 hours a year because it is also used continuously during snowstorms. Commenting it was the first time he heard it, Councilman Ben Taylor inquired where Councilman Moss obtained the "30 hours a year" information. Councilman Moss stated he has just become privy to that information and that it has taken almost five years for the motor grader to get its first 200-hour service.

A motion was made by Councilman Ben Taylor, second by Councilman Moody, to approve the release of all funds adopted and appropriated for the FY20-21 Town budget. A roll-call vote was requested and voiced as follows:

Councilwoman Lillie Feggins-Boone-Aye

Councilman Gavin Honeycutt-Aye, with exception (*no specific exception noted*) He mentioned this is before he became a council member, and he has some questions about some of the items.)

Councilwoman Delores Luster-Aye

Councilman Mike Moody-Aye

Councilman Shep Moss-Aye, with exception (*no exception noted*)

Councilman Leroy Sasser-Absent

Councilman Ben Taylor-Aye

Councilman Joseph Taylor-Aye.

D. New Update on CARES Act Funding

Mr. Callis reported he received information from Governor Northam’s office that approximately \$60,000,000 in CARES Act funding is being made available for municipal utility relief. We are not sure what that means. It will be administered through the Department of Housing and Community Development. To date, the utility discount has put over \$484,000 back into the hands of our citizens and businesses. Mr. Callis mentioned if it reaches one year, it will be almost \$900,000.

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

9. FINANCE REPORT

A. Monthly Financial Report

Sheila Cutrell presented the financial report for month ended October 31, 2020 as follows:

General Fund	-	\$ 7,292,133.39	Total Investment Accounts	-	\$16,038,494.61
Water and Sewer Fund	-	1,103,441.78	Total Police Dept. Savings	-	\$ 27,641.54
Cemetery Fund	-	<u>10,003.01</u>	Total Taxes Due Thru 10/31/20	-	\$ 230,437.92
Total in Checking	-	\$ 8,405,578.18			(Real Estate and Personal Property, all years)

A motion was made by Councilman Moody, second by Councilman Ben Taylor, to approve the financial report for month ended October 31, 2020 as submitted by Sheila Cutrell. Motion carried unanimously.

B. Maturity of CDs

Ms. Cutrell reported the Town had three Certificates of Deposit with First Citizens Investor Services that recently matured. As discussed with the Budget and Finance Committee on October 30, the funds from these Certificates of Deposit are being transferred to our checking account. We will continue to monitor the rates with the Virginia Investment Pool and look at investing those funds at a later date.

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

C. CARES Act Funding

Ms. Cutrell presented Council with a list of items approved by the CARES Act Committee to effectively utilize available CARES Act funding.

Kim Callis informed Councilman Honeycutt we have followed up with Jon Taylor. The CARES Act Committee meets again November 12, and we will have more information. They have been made well aware that since it was approved for that, we want to make sure the \$200,000 we requested for the utilities will come back to our community in some form. Sheila Cutrell reported we have approximately \$214,000 left. Councilman Moss asked if there was a reason it wasn’t approved. Mr. Callis stated that despite what we felt was a very persuasive and meaningful argument, the committee felt it was revenue replacement. We felt it is not because revenue replacement would be to replace items that were lost because people couldn’t pay them. We intentionally put this discount in place to help people. Councilman Moss commented in reading their requirements, it says it cannot be used as revenue

replacement for lower than expected revenue collections for taxes, fees, or any other revenue source. He mentioned he wonders why we even attempted that when instructions clearly say it is not eligible. Mr. Callis stated the revenue wasn't lost because people couldn't pay it; we intentionally allowed them to keep that money. We are hoping this \$60,000,000 the Governor has announced will help us toward that. Councilman Moss mentioned it is his understanding they indicated several times this would not be approved as presented. They extended the deadline and it was denied a second time. Mr. Callis reported we only presented it one time, and they told us they wouldn't approve revenue replacement. We made a good argument that it is not revenue replacement, and at the end of the day, they didn't feel comfortable approving it. That was true on some other items that should have been approved that were previously denied; they didn't want to go back and revisit those items either.

Councilman Ben Taylor commented he thinks the Town has done a very good job of assembling the list and requesting funds. He asked was there anything we were turned down on other than this. Sheila Cutrell commented she will report on one of the items under her next agenda item. Ms. Cutrell commented the guidance specifically says paid sick leave is eligible, but because the committee denied that request for Chase City, they did not want to go back and approve it for us and have to go back to each of the other localities and tell them they could use it for that reason. In one place in the guidelines, it states you can't use CARES Act funds for something that was included in your most recently adopted budget. They felt we had approved salaries, and yes, we approved salaries based on people working or people using their paid time off. When we are providing sick leave, neither of those is occurring. Because the committee did not want to go back to the other localities, they denied this request as well.

Councilman Moss asked if they deny it again, do they reallocate this money. He went on to ask do we have a plan of what we can use it for if they come back and say they are going to approve the \$214,000. Kim Callis answered hopefully it will be used for some type of business gift card in this community.

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

D. Appropriation of Funds

Ms. Cutrell informed Council that in an effort to limit the exposure of Town employees to COVID-19 as they interact with the public, we requested the use of CARES Act Funding to retrofit the four customer service windows in the Town Hall to close the openings that currently exist. The CARES Act Committee approved the use of CARES Act Funding to install new glass, transaction countertops, 6" round speak thru devices, small transaction drawers, and a package pass through at one window. This project also includes making one window ADA height compliant.

To take the security of our employees to the next level, Ms. Cutrell reported we would like to replace the glass at each of the four customer service windows and in the lobby with bullet resistant glass. The additional cost of using bullet resistant glass is \$7,675.00. She asked that Council appropriate additional funds of \$7,675.00 to provide this additional level of protection for our employees. This is one of the items that was denied by the CARES Act Committee. They would not approve the use of the bullet resistant glass because that is not what we currently have. Since our meeting with the Budget and Finance Committee on October 30, we found out that there was a risk management grant available from our insurance company VRSA. We have applied and been approved for a \$4,000 grant. Of the \$7,675.00 request, \$4,000.00 will be grant funds and the remaining \$3,675.00 will come from the Town's fund balance. After an initial motion was made to appropriate \$3,675.00, Ms. Cutrell informed Councilman Taylor we need to appropriate the full amount of \$7,675.00, because we also need to appropriate the grant funds as they are not currently included in our budget.

A motion was made by Councilman Ben Taylor, second by Councilman Joseph Taylor, to appropriate additional funds of \$7,675.00 into the FY20-21 budget to cover the additional cost to use bullet resistant glass at the four customer service windows and in the lobby. Motion carried unanimously.

E. Resolution for Separate Tax Rate

Ms. Cutrell reported that during the Fiscal Year 2020-2021 budget process, the Budget and Finance Committee approved the concept of providing tax relief for volunteer members of the South Hill Volunteer Fire Department or the Southside Rescue Squad who live within the Town limits and who pay personal property tax. Funding of \$3,300.00 was approved for this purpose with the adoption of the FY20-21 budget.

After further research, we have concluded that the most frequently used method of providing this relief is to adopt a separate tax rate. A resolution was presented which would adopt a separate tax rate for one motor vehicle owned and regularly used by active volunteer members of fire department, rescue squad, and/or active auxiliary members who live within the Town limits and who pay personal property tax.

A motion was made by Councilman Moss, second by Councilwoman Luster, to approve the resolution to adopt a separate tax rate for one motor vehicle owned and regularly used by active volunteer members of fire department, rescue squad, and/or active auxiliary members who live within the Town limits and who pay personal property tax to be effective for tax years beginning July 1, 2020. A **roll-call vote** was requested and voiced as follows:

Councilwoman Lillie Feggins-Boone-Aye	Councilman Gavin Honeycutt-Aye
Councilwoman Delores Luster-Aye	Councilman Mike Moody-Aye
Councilman Shep Moss-Aye	Councilman Leroy Sasser-Absent
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

10. POLICE REPORT

A. Monthly Report

Chief Bowen presented the police report for October. Chief Bowen informed Council there were 175 activity incidents, 37 reportable criminal offenses, 1,112 calls for service, and \$15,706 property recovered in October. Other miscellaneous included 24 court overtime hours, 128 training hours, 10 warrants issued, and one inoperative vehicle tagged.

He presented the following administrative news:

- § Chief Stuart Bowen and Captain Shane Johnson attended the FBI National Academy Associates Virginia Chapter State Conference 2020 in Staunton.
- § Sergeant Chris Parrott, Detective Ryan Durham, and Officer Nathan Bowen completed eight hours each Child Safety Seat Technician recertification online.
- § Officer Nathan Bowen completed 40 hours General Instructor Certification at the training academy in Lynchburg.
- § All Officers completed Day and Night Firearms qualifications.

A motion was made by Councilman Moody, second by Councilwoman Feggins-Boone, to approve the report of the Police Department for October 2020 as submitted by Donna Burch. Motion carried unanimously.

B. Rifle Request

Chief Bowen reported that as the Mecklenburg County Sheriff's Office (MCSO) is moving away from a .40 caliber platform, which is what the South Hill Police Department continues to use, he would like to request the Police Department procure six H&K rifles from them. We would also be getting .40 caliber ammunition from the MCSO as they no longer need it and ammunition is hard to come by these days. Chief Bowen reported he likes to maintain a stockpile of about two years. These would replace surplus military rifles that we currently have. They will allow for some of the same capabilities as those rifles, but they are a police product. Money is available in our asset forfeiture funds.

A motion was made by Councilman Moody, second by Councilman Honeycutt, to authorize the use of up to \$4,000 from the police asset forfeiture funds to procure six H&K rifles and .40 caliber ammunition from the MCSO. Motion carried unanimously.

Councilwoman Luster asked if there is a reason the sheriff's department is moving away from this model. Chief Bowen stated many years ago there was a famous shootout during a bank robbery in Hollywood California. The subjects were using body armor, and the police department there couldn't knock them down with the 9mm handguns they had, so .40 and .45 became widely used by law enforcement for more knockdown power. In the past couple of years, the FBI came out with a study that there have been improvements with 9mm ammunition that allows it to have the same knockdown penetration power as .40 and .45 do. The added benefit is 9mm is easier for folks to shoot, especially for weaker shooters. Chief Bowen commented we don't have that issue; all of our officers are outstanding shooters. It is a direction the sheriff's office has decided to go. Right now, the South Hill Police Department is going to maintain the .40 caliber platform.

11. REPORTS TO APPROVE AS PRESENTED

For efficiency, the following reports were grouped to approve as presented.

A. Municipal Services Report

C.J. Dean and Kim Callis submitted the municipal services report for October 2020 as follows:

- § Negotiating paving contract for asphalt overlay; anticipating work to be performed in the spring of 2021
- § Evaluating options to repair Thomas Street storm pipe; cured in place pipe (slip line) may be an option vs. digging and replacing pipe
- § Working with contractors to COVID proof the Police Department entry area with limited renovations; this project was approved for CARES Act funding.
- § Work to begin soon on several water line replacements in the area of the former VCU Community Memorial Healthcenter; the materials for this work were approved for CARES Act funding.
- § Followed up with American Legion Post 79 on Veterans Memorial Park Wall repairs; the Legion has formed an internal committee to evaluate options; no timeline with recommendations provided.
- § Attempting to obtain final easement for Northeast Sewer line project

B. Code Compliance Report

i. Monthly Report

David Hash submitted the report of activity for October 2020 as follows:

Inspections Completed	-	44
Permits Issued	-	21
Fees Collected	-	\$ 1,644.53
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 0
General Exemption	-	\$ 0
Work Value	-	\$ 201,758.00

New businesses for October included:

- § Pops Shirt Shop, 935 W. Atlantic Street (flea market vendor)
- § La Bella Mia, 935 W. Atlantic Street (flea market vendor)
- § Bougie Luxe Boutique, 117 W. Danville Street (clothing boutique)
- § Love Café, LLC, 120 South Hill Avenue (restaurant)

ii. Dilapidated Properties

David Hash submitted a report on the status of the following 31 dilapidated properties:

- § 211 E. Atlantic Street
- § 400 Goodes Ferry Road
- § 402 Goodes Ferry Road
- § 210 Park Lane
- § 110 Third Street
- § 315 W. Danville Street
- § 906 Plank Road
- § 212 N. Mecklenburg Avenue
- § 109 E. Third Street
- § 201 E. Atlantic Street
- § 706 Brooke Avenue
- § 112 Center Lane
- § 930 W. Danville Street
- § 932 W. Danville Street
- § 211 Bryan Street
- § 118 S. Lunenburg Avenue
- § 1179 Country Lane
- § 208 Pennington Street
- § 112 E. Atlantic Street
- § 403 N. Mecklenburg Avenue
- § 419 E. Atlantic Street
- § 456 Old Hwy. 58
- § 506 Moseley Lane
- § 617 W. Danville Street
- § 418 Old Highway 58
- § 1214 Plank Road

- § 112 Raleigh Avenue
- § 114 C N. Clay Street
- § Corner of Circle Drive and Ogburn Street
- § 202 Windsor Street
- § 911 E. Atlantic Street

iii. Code Inspector Activity Report

follows: Jamie Velvin submitted the Code Inspector Activity Report for October 2020 as follows:

- § Spoke with William Gregory about inoperable vehicles on his property
- § Spoke with Scott Burt about an inoperable truck at 108 E. Ferrell Street
- § Court appearance for properties located at 400 and 402 Goodes Ferry Road
- § Spoke with the Commonwealth Attorney about disposition of hearing for 400 and 402 Goodes Ferry Road
- § Checked complaint at 422 E. Atlantic about placement of brush cuttings, and spoke with Kenneth Evans to resolve problem
- § Called and met with Jon Taylor at 210 Park Lane about progress of work
- § Spoke with William Clark, and set deadline date of November 15, 2020 for completion of work at 210 E. Atlantic Street
- § Spoke with Mary Gwynn about removal of two inoperable vehicles from her property
- § Spoke with Felicia Holden about her property at 506 Moseley Lane
- § Spoke with Patrick Seward about completion of work at 906 Plank Road
- § Spoke with David Lee about missed deadline and obtaining a contractor for work at 617 W. Danville Street
- § Kept check on progress at 1500 W. Danville Street clean-up
- § Check on debris complaint at Days Inn
- § Spoke with Jamie Barker about status of property at 1214 Plank Road
- § Spoke with Mr. Smith about status of his property at 418 Old Highway Fifty-eight
- § Spoke with Joe Cappaert about inoperable vehicles in trailer court on Lombardy Street
- § Thirty-eight inoperable vehicles either complied with code or removed by owners
- § Five inoperable vehicles removed by Code Inspector
- § Checked all properties on the Item B Agenda List for progress
- § Completed virtual class on Property Maintenance Inspection and Code October 20 - 23

C. Business Development Report

Brent Morris submitted the business development report for October 2020 as follows:

- § Mailed 38 informational packets to prospective businesses
- § Worked with Chambers on implementing round three of the gift card match program
- § Continued working with the Southside Planning District Commission and the appointed committee on the review of Mecklenburg County Small Business Recovery Assistance applications and approvals; this committee is made up of representatives from each locality in Mecklenburg and Longwood Small Business.
- § Hosted a focus group with local business owners and Council members to discuss incentives for downtown

- § Hosted a virtual coffee chat with Longwood Small Business and community leaders around the state to discuss steps we are taking to navigate the current pandemic
- § Continued meetings with investors on housing and downtown development
- § Attended ongoing meetings with the Department of Housing and Community Development on the Rural Community Development Initiative
- § Comcast is wrapping up the installation of new cable in the back of the Hollydale subdivision. This service should be available to the residents in the upcoming days.

D. Human Resources Report

Carol Hutchinson submitted the following administrative news for October 2020:

- § Continued discussion with Unifirst Corp. on various hands-free appliances and products to assist with the prevention of COVID-19 as well as daily hygiene.
- § We are working with the Virginia Retirement System utilizing virtual meetings for retirement consultations. Investment information will be held virtually for new employees as well as mid-career employees soon.
- § We will be advertising for the following two positions: Facilities Maintenance Technician II and Maintenance Operator I (Street Department)

A motion was made by Councilwoman Feggins-Boone, second by Councilwoman Luster, to approve the Reports to Approve as Presented. Motion carried unanimously.

12. COMMITTEE REPORTS

A. Policy Review Committee

Councilwoman Luster reported the Policy Review Committee has reviewed, revised, and recommends approval of the iPad Policy as submitted. In answer to a question from Councilman Honeycutt, Councilwoman Luster stated the Town Attorney has reviewed the policy. In answer to a question from Mayor Marion, Councilwoman Luster commented the iPad remains Town property, so we have to follow the policy and use it for Town business. If we leave the Town's service, it should be returned to the Town. Recipients are responsible for damages. In answer to an insurance policy question from Councilman Honeycutt, Kim Callis commented the iPads will be added to our VRSA property insurance policy.

A motion was made by Councilman Honeycutt, second by Councilman Joseph Taylor, to approve the iPad Policy as submitted. Motion carried unanimously.

13. OLD BUSINESS

Councilman Moody thanked the citizens of the Town of South Hill. He commented we recently updated our policy and reminded citizens about leaves and brush piles and where to place them. We have had major problems with these items going into the stormwater system. Councilman Moody reported he has ridden around Town several times within the past couple of weeks and he has been simply amazed at the number of people who have responded and are now putting their grass, pine tags, and brush in their proper place. He mentioned this benefits the Town, its employees, and those who ride through our Town.

Councilman Moss reported it was brought to his attention that recently Town employees who volunteer for the fire and or rescue squad have been made aware they are not able to respond to fire or rescue calls during working hours. He asked did Council approve this. Kim Callis stated it had long been the policy that Town employees who were volunteers did not respond to fire calls during working hours.

With the onset of the pandemic, at the time Chief Wells asked if a couple of our employees who were volunteers could respond if needed. The Town Manager responded yes; if needed they could. As more volunteers were recruited, we reached out to Chief Vaughan and said we understand he has more people and asked if he was able to handle this because Town employees should not be responding to fires during working hours. We were told that with people who were leaving and being employed elsewhere as volunteers, they could handle it. Mr. Callis told Chief Vaughan if he doesn't need them, we are going to have our folks stay at work during working hours as has long been the policy.

14. NEW BUSINESS

There was no new business.

15. CLOSED SESSION

Legal – § 2.2-3711(A)(7)

Pursuant to Legal – § 2.2-3711(A)(7) of the Code of Virginia and on **motion of Councilman Moody**, and **second of Councilwoman Luster**, the South Hill Town Council entered into **Closed Session** to discuss Legal matters involving litigation. Motion carried unanimously.

There was no action taken while in Closed Session on the Legal matters.

WHEREAS, the South Hill Town Council has convened a Closed Session 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 2.2-3711(A)(7) of the Code of Virginia requires a certification by this Council that such Closed Session was conducted in conformity with Virginia Law;

NOW THEREFORE, BE IT RESOLVED that the South Hill Town Council hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Session to which certification resolution applies, and (2) only such business matters as were identified in the motion convening the Closed Session were heard, discussed, or considered by the Council. **A motion was made by Councilwoman Luster, second by Councilman Joseph Taylor**, to approve **Resolution 346**, dated November 9, 2020 and return to **Open Session**. A **roll-call vote** was requested and voiced as follows:

Councilwoman Lillie Feggins-Boone-Aye
Councilwoman Delores Luster-Aye
Councilman Shep Moss-Aye
Councilman Ben Taylor-Aye

Councilman Gavin Honeycutt-Abstain
Councilman Mike Moody-Aye
Councilman Leroy Sasser-Absent
Councilman Joseph Taylor-Aye.

16. OPEN SESSION

There was no action taken in Open Session on the Legal matters.

17. ADJOURNMENT

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

Respectfully submitted by Anna B. Cratch.

Signed:

Dean Marion, Mayor

Attest:

Anna B. Cratch, Town Clerk

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE CODE OF THE TOWN OF SOUTH HILL, VIRGINIA

AN AMENDMENT

BE IT ENACTED by the Town Council of the Town of South Hill, Virginia, in regular session assembled that:

Chapter 42 Environment, Article IV Noise be amended by deleting and adding the following language to Sections 42-131 General prohibitions, 42-132 Specific prohibitions, and 42-133 Violation; penalty. The deleted language is stricken, and the added language is underlined and in italics.

Sec. 42-131. - General prohibitions.

It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the town, except in giving an alarm of fire or emergency. Noise of such character, intensity and duration, *in the opinion of an objective person*, as to be detrimental to the public health, welfare, peace and dignity, *or to the life or health of any person or to disturb or annoy the quiet, comfort or repose of any person* is also prohibited.

(Ord. of 7-1-94, § 1)

Sec. 42-132. - Specific prohibitions.

~~The following acts, among others, are hereby declared to be loud, disturbing or unnecessary noises in violation of this section; but such enumeration shall not be deemed to be exclusive:~~

- ~~(1) The keeping of any animal or bird that, by causing frequent or long continued noise, shall disturb the quiet, comfort or repose of persons in the vicinity.~~
- ~~(2) The playing of any radio, tape player, phonograph or any musical instrument or devices on public streets, property or public ways, or in or on a motor vehicle in a residential or business area, in a manner that disturbs the quiet, comfort or repose of persons in the vicinity; however, this subsection shall not apply to events located on or within public facilities when such events are permitted by any appropriate town, county, state or federal agency.~~

(Ord. of 7-1-94, § 2)

The following acts, among others and without limitation, are declared to be loud, disturbing or unnecessary noises in violation of Sec. 42-131.

- (a) Playing any radio, stereo, compact disk player, musical instrument or other device in such a manner or with such volume or duration as to annoy or disturb the quiet, comfort or repose of persons in or on the property of any dwelling, hotel or other type of residence within a distance of twenty (20) feet or more; however, this subsection*

shall not apply to events located on or within public facilities when such events are permitted by any appropriate town, county, state, or federal agency.

- (b) Allowing any animal or bird to cause frequent or long-continued noise that disturbs the comfort and repose of any person in the vicinity to an extent that constitutes a nuisance.
- (c) Creating any excessive noise adjacent to any educational institution, library, hospital, care facility, or other organization to which peace and quiet are important for operations that interferes with the workings of such organization or which disturbs or unduly annoys students, faculty, patrons, patients, residents, or employees.
- (d) Shouting of vendors, or the ringing of bells, which disturbs the peace and quiet of the neighborhood.
- (e) Using any drum, horn, loudspeakers or other instrument or device to attract attention to any performance, show, sale, or display of merchandise, by creating noise.
- (f) Playing or permitting the playing of any radio, stereo, tape player, compact disc player, loudspeaker or other electronic device or mechanical equipment used for the amplification of sound, which is located within a motor vehicle and which is audible from outside the motor vehicle at a distance of twenty (20) feet or more. This provision shall not apply to sirens, loudspeakers, and emergency communications radios in public safety vehicles, nor shall it apply to motor vehicle alarms or other security devices.

Sec. 42-133. - Violation; penalty.

~~Any person who violates any provision of this article shall be guilty of a class 1 misdemeanor, punishable as provided in section 1-15.~~

Any person who violates any provision of this chapter shall be deemed to be guilty of a class 3 misdemeanor. Upon conviction of a third violation of this chapter during a 12 month period a person shall be deemed guilty of a class 2 misdemeanor.
(Ord. of 7-1-94, § 3)

Secs. 42-134—42-165. - Reserved.

Done in the Town of South Hill, Virginia, this 9th day of November, 2020.

Town of South Hill, Virginia

By: Dean Marion
Dean Marion, Mayor

ATTEST:

Anna B. Cratch
Anna B. Cratch, Town Clerk



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South Hill

Town of South Hill

Incorporated 1901

ADMINISTRATION
(434) 447-3191

CODE COMPLIANCE
OFFICIAL
(434) 447-5041

PUBLIC WORKS
(434) 447-3191

RESOLUTION

ADOPTING A SEPARATE TAX RATE FOR ONE MOTOR VEHICLE OWNED AND REGULARLY USED BY ACTIVE VOLUNTEER MEMBERS OF FIRE DEPARTMENT, RESCUE SQUAD, AND/OR ACTIVE AUXILIARY MEMBERS

WHEREAS, Section §58.1-3506(15 and 16) of the Code of Virginia provides for a separate class of personal property for local taxation for one motor vehicle owned or leased and regularly used by a volunteer member and/or an auxiliary member of a volunteer fire department or a volunteer emergency medical services agency; and

WHEREAS, the Council of the Town of South Hill ("Council") finds that it is in the best interest of the public to provide relief of local personal property tax for volunteer members and/or auxiliary members of a volunteer fire department or a volunteer emergency medical services agency to be taxed at a different rate, as may be set by Council, from the general tangible personal property tax rate; and

NOW, THEREFORE, BE IT RESOLVED, that the Council, pursuant to the Code of Virginia §58.1-3506 (15 and 16), does hereby approve a new separate class of property for taxation along with a separate tax rate of \$0.00001 for one vehicle owned or leased and used by a volunteer member and/or an auxiliary member of the South Hill Volunteer Fire Department ("SHVFD") or the Southside Rescue Squad ("SRS") provided that the fire chief or head of the rescue squad certifies in writing to the Director of Finance and Administration, that said member is an active member that regularly responds to calls or regularly performs other duties for the fire department or the rescue squad, and the motor vehicle owned or leased by the member is identified. Qualifying vehicles shall be limited to a passenger car, motorcycle, pickup, panel truck, or other vehicle that is used for non-business purposes. Ownership or lease therein shall be based upon the vehicle's registration with the Department of Motor Vehicles.

BE IT FURTHER RESOLVED, that the new separate class of property and the tax rate provided herein is effective for tax years beginning July 1, 2020. Relief is provided to volunteer members and/or auxiliary members of the South Hill Volunteer Fire Department or the Southside Rescue Squad living within the Town limits and who pay personal property tax.

ADOPTED this 9th day of November 2020.



Dean Marion, Mayor

Attest:



Anna B. Cratch, Town Clerk



**SOUTH HILL TOWN COUNCIL
REGULAR MEETING AGENDA
MONDAY, NOVEMBER 9, 2020, 7 PM**

(Council Chambers, Town Hall, 211 S. Mecklenburg Avenue)

Please silence all cell phones while Council is in session.

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – October 13, 2020
5. Service Awards
6. Citizens to Address Council (*Comments are limited to three minutes.*)
 - A. Ruthie Kinker – Resolution Run 5K on January 1 or 2, 2021
7. Public Hearings
 - A. Kim Callis – Proposed Amendment to Chapter 42 Noise Ordinance
 - B. David Hash – RE 2020-1, Request by Superior Investments, Inc. to Rezone the property at 1021 W. Atlantic Street and 1041 W. Atlantic Street from Commercial District C-2 to Urban Mixed Use District MX-3
 - C. David Hash – SE 2020-5, Request by Steven Arthur to Utilize 825 W. Danville Street for Small Engine Sales, Parts, and Repairs
8. Town Manager Report
 - A. Facilities Reservation Calendar
 - B. Christmas Events
 - C. Release of Frozen Appropriated Funds
9. Finance Report
 - A. Monthly Financial Report
 - B. Maturity of CDs
 - C. CARES Act Funding
 - D. Appropriation of Funds
 - E. Resolution for Separate Tax Rate
10. Police Report
 - A. Monthly Report
 - B. Rifle Request
11. Reports to Approve as Presented
 - A. Municipal Services Report
 - B. Code Compliance Report
 - i. Monthly Report
 - ii. Dilapidated Properties
 - iii. Code Inspector Activity Report
 - C. Business Development Report
 - D. Human Resources Report
12. Committee Reports
13. Old Business
14. New Business
15. Adjournment