

Minutes of a Regular Meeting of the Council of the Town of Blackstone, Virginia, held in the Council Chambers located at 100 W. Elm Street, Blackstone, Virginia on Monday, April 16, 2018 at 7:00 p.m.

There Were Present:

Mayor: William D. Coleburn

Council Members: Wade Hamner, Lee Scott, Ben Green, Barbara Thompson, Alfred Tucker, Eric Nash, Sam Moncure

Town Staff: Philip Vannoorbeeck, Town Manager; Jennifer Daniel, Clerk; Jennifer Hardy, Finance Director; Brittany Harris, Treasurer; Nicholas Kuzmiak, Police Chief; Dion Tomer, Fire Chief; Yvonne Wilson, Community Development Director; Joshua Worrell, Transit Director; Zac Beares, Deputy Chief

Town Attorney: Tessie Bacon

Those Absent:

Mayor Coleburn called the April Council Meeting to order.

Councilman Scott delivered the Invocation.

Mayor Coleburn led the Pledge of Allegiance.

PUBLIC HEARINGS:

AKM Investments – Modify Existing Conditional Use Permit

NOTICE OF PUBLIC HEARING TOWN OF BLACKSTONE

*The Blackstone Town Council shall conduct a Public Hearing at 7:00 p.m., April 16, 2018 in the Blackstone Town Council Chambers, 100 W. Elm Street. The purpose of the Public Hearing is to consider a request from **AKM Investments, LLC** to modify an existing Conditional Use permit. The request, if approved will eliminate the need to provide off street parking for a dwelling unit previously permitted in the B-G, General Business district. The Conditional Use permit request specifically applies to property known as Nottoway County Tax Map number 50A27-1-S-749 and 751 and is also known as 201 S. Main Street. The Town Council may act on this request following the Public Hearing.*

Manager Vannoorbeeck advised there was a Conditional Use Permit granted for residential on the second floor of a commercial building located at 201 South Main Street. He said AKM Investments cannot provide parking because the four corners of the building are the four corners of the property. He said Attorney Bacon recommended the Conditional Use Permit be modified to waive off-street parking.

Mayor Coleburn asked if there was anyone here to speak for or against the proposed modification.

Mayor Coleburn advised this was recommended unanimously by the Planning Commission.

Mayor Coleburn closed the Public Hearing.

Councilman Nash made a motion to approve the Conditional Use Permit as presented. The motion was seconded by Councilman Scott.

Councilman Moncure asked if this meant we were on the verge of changing our Ordinance. He asked if this would apply to anyone else downtown that wants to have apartments above their store.

Councilman Moncure said we no sooner pass an Ordinance then we make exceptions, for that reason our Ordinances don't really carry a lot of weight.

Mayor Coleburn said we can all agree there is no way the owners of the building can provide off-street parking at this location. He said we did require Pearl Restaurant to provide 2 parking spaces, but they did have space behind their building.

Councilman Green asked if we needed to change the Ordinance so when people are not able to provide the parking, instead of using a Conditional Use Permit. Mayor Coleburn replied that would be a lot cleaner, but we would have to define able.

Councilman Green said let's say someone is not landlocked and there is property available but it has to be purchased in order to have parking, that was his gray area. He said he was worried about the precedence it sets.

Mayor Coleburn said technically we are not amending the Ordinance we are being flexible with a Conditional Use Permit.

Mayor Coleburn referred the possible amendment to the downtown parking Ordinance to the Health and Ordinance Committee.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Nay
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Nay

Text Amendment – Adult Care Facilities

**NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE**

The Blackstone Town Council shall hold a Public Hearing on April 16, 2018 at 7:00 p.m., or as soon thereafter as it may be held in the Blackstone Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a text amendment to the Town of Blackstone Zoning Ordinance. The text amendment, if approved would permit Adult Care Facilities in the B-G, Business, General district as a conditional use. The text amendment and supporting documents are available to review at the Town Manager’s Office, 100 W. Elm Street, Blackstone, Va. Additional requests for information should be directed to the Blackstone Town Manager at philipv@townofblackstoneva.com or (434) 292-7251. The Town Council may act on this proposed text amendment following this Public Hearing.

Mayor Coleburn said it was discovered that Adult Care Facilities are only allowed in the R-2 District. He is requesting Adult Care Facilities be added in the General Business District as a Conditional Use.

Mayor Coleburn asked if there was anyone here to speak for or against the proposed text amendment.

Mayor Coleburn closed the Public Hearing.

Councilman Green asked if the Planning Commission voted unanimously. Manager Vannoorbeeck replied yes.

Councilman Green made a motion to endorse the Planning Commission’s recommendation to approve the text amendment as a Conditional Use. The motion was seconded by Councilwoman Thompson.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Barbara H. May – Conditional Use Permit

*NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE*

*The Blackstone Town Council shall hold a Public Hearing on April 16, 2018 at 7:00 p.m., or as soon thereafter as it may be held in the Blackstone Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a request from **Barbara H. May**, for a Conditional Use permit to operate an Adult Care Facility on property currently zoned B-G, Business, General. This property is described as a portion of Nottoway County Tax Map #50A38-6-1-1, also known as 1350 S. Main Street, which lies within the Town of Blackstone. The Conditional Use application and supporting documents are available to review at the Town Manager’s Office, 100 W. Elm Street, Blackstone, Va. Additional requests for information should be directed to the Blackstone Town Manager at philipv@townofblackstoneva.com or (434) 292-7251. The Town Council may act on this Conditional Use permit request following this Public Hearing.*

Manager Vannoorbeeck read the definition for Adult Care Facility. He said this request is from Barbara May for 1350 South Main Street for a Conditional Use Permit to operate an Adult Care Facility.

Manager Vannoorbeeck read the following conditions:

1. To provide care for adults on a daily basis
2. To provide care for clients 5 days a week, Monday through Friday
3. Hours of operation 9:00 a.m. – 5:00 p.m.
4. Number of clients not to be greater than 8

Councilman Green asked where the number of clients came from. Manager Vannoorbeeck replied Ms. May suggested that.

Councilman Moncure questioned the 9:00 a.m. – 5:00 p.m. and wondered if that would be long enough in order for people to get there before the doors shut.

Mayor Coleburn asked if there was anyone here to speak for or against the request.

Mayor Coleburn advised it was recommended unanimously by the Planning Commission.

Councilman Green made a motion to approve the request with exception to the hours of operation and make it from 8:00 a.m. – 6:00 p.m. The motion was seconded by Councilman Tucker.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

MINUTES:

Councilman Moncure made a motion to dispense with reading and approve as presented the Regular Council Meeting Minutes from March 19, 2018. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

VISITORS:

The Chamber – History Mobile

Mrs. Jane Barnes advised there would be two visits from the World War I & II History Mobile. She said it would be a Commemorative Profiles of Honor Tour accompanied by an M5A1 Stuart Tank.

Mrs. Barnes advised the first visit will be on July 4th and will park in the municipal parking lot at Bevell's and will coincide with the Rotary Parade. She said the second visit would be Wednesday and Thursday, September 5th and 6th for school field trips.

Mrs. Barnes advised there is no expense except a small amount to the Chamber.

Councilman Nash made a motion to approve use of the municipal parking lot for the History Mobile on July 4th and September 5th and 6th 2018. The motion was seconded by Councilman Scott.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Mrs. Barnes said she hoped to include tours in the Carriage Museum and Schwartz Tavern at those times.

Ms. LaTasha Stokes - LCCDC

Ms. Stokes was unable to attend.

Community Development Director Wilson asked for permission for a Community Block Party on Saturday, June 16, 2018 from 12:00 p.m. – 5:00 p.m. at LCCDC. She said this is to bring the community together and allow businesses to set up as well. She added this is for all ages and will include food, music, a basketball tournament, kick ball and volleyball. She is requesting use of the area around LCCDC but does not include the baseball facility.

Mayor Coleburn asked to coordinate with the BYRA.

Councilman Green made a motion to authorize the Town Manager to close the street per whatever requirements are necessary and include the BYRA. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Community Development Director Wilson

Community Development Director Wilson offered her office hours that will start in May. She said walk in appointments for housing will be on Tuesdays from 10:00 a.m. to 1:00 p.m. and on Thursdays from 2:00 p.m. to 5:00 p.m. She said scheduled appointments will take place during regular business hours. She added this information will also be on the website.

Councilman Green asked to have on the Town's website the items the Chamber is working on as well.

FIRE CHIEF'S REPORT:

Chief Tomer advised they were turned down for the FEMA Grant for the new aerial device. He would still like to continue to pursue this because he did not see an aerial device coming out of the Town budget. He said the grant writing was done so maybe next year just make some modifications and resubmit. He hoped once FASTC takes off it will allow for a stronger push.

Chief Tomer advised they contacted some vendors for turn-out gear and as in the past our primary vendor is the sole vendor because of districts for sales reps. He said the other vendor was a different brand and they never heard anything back. Chief Tomer asked permission to pursue up to \$20,000.00 for the turn-out gear.

Councilman Green asked if eVA offered turn-out gear, he said it was troubling to him that there is only one source. Chief Tomer agreed but was not sure turn-out gear could be by spec, it would be stock gear.

Councilman Nash asked if the sole company would take advantage and pricing go up. Chief Tomer replied no.

Councilman Scott made a motion to approve proceeding with the purchase of turn-out gear for up to \$20,000.00. The motion was seconded by Councilman Green.

Mayor Coleburn asked what new turn-out gear for a single person cost. Chief Tomer replied right over \$10,000.00 with a life expectancy of 6 years as it used to be 10 years.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Chief Tomer advised only five sections of hose failed, which is good, nothing needs to be replaced. He added the pump test would take place next month.

Chief Tomer advised the Easter Egg drop was a success again this year.

Chief Tomer advised of a fundraiser on May 5th, it will include ribs and butts.

Chief Tomer advised the aerial device was damaged when pulling out of the Fire Station. He said it is currently in Roanoke being repaired and will be out of service for 3-4 months. He added they are talking to vendors for rentals, which is included in their insurance.

Chief Tomer said there is a program being offered by the Virginia Fire Chief's Association called Emerging Leaders with a speaker coming, they are expecting 60 firefighters from across the state and this is no cost. He added this will be on April 28th.

Chief Tomer advised it appears each emergency service agency will be getting a \$20,000.00 bump from the County.

Mayor Coleburn said Chief Tomer found that because decals were not being enforced aggressively previously, now they will hopefully see more cash from the decal fee.

Chief Tomer said they have increased their membership by 3 new members, there is a waiting list but they are going to spread it out.

Councilman Green advised the Fire Department has been paying for their own lawn care and upkeep of the outside of the building, raising the money through donations. He said this is a town owned building and thought the Town should be paying for this and let them use their donations for other projects. He asked to include in the budget and start getting bids.

Mayor Coleburn asked if there were in objections, there were none.

PAYMENT OF BILLS:

Mayor Coleburn stated the bills that have already been paid are in the amount of \$565,806.61.

Councilman Green made a motion to approve the bills that have already been paid in the amount of \$565,806.61. The motion was seconded by Councilwoman Thompson.

Councilman Green asked about Anthem, there are two entries for \$54,000.00 and \$52,000.00, they both say March. Finance Director Hardy replied that was an error, it should be March and April.

Councilman Green asked about Tapco for a bus op course for \$6,030.00. Finance Director Hardy replied that is a bus training course and is fully reimbursable.

Councilman Nash asked about \$29,000.00 for Biggs Construction. Manager Vannoorbeeck replied that is for one of the last draw-downs for the South Main Street project, there is still some retainage left.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Mayor Coleburn stated the bills not yet approved but to be paid are in the amount of \$232,191.46.

Councilman Green made a motion to approve as presented the bills not yet approved but to be paid in the amount of \$232,191.46. The motion was seconded by Councilman Tucker.

Councilman Green asked about Trident National for the Police Department for pre-employment and then another for random screening, are we using the local company. Clerk Daniel replied that was an old invoice before starting with Action Testing.

Councilman Green asked about page 4 under Cemetery, there were 11 headstones repaired for \$975.00. Councilman Nash asked if it could be turned in to the insurance. Manager Vannoorbeeck replied it was not worthy of a claim because we do not know what exactly happened.

Councilman Green asked about a thermostat in the Garage Department for \$3,600.00. Manager Vannoorbeeck replied Atlantic Emergency is for the fire trucks.

Councilman Green asked about the Bus Shop and S. Walker Construction for \$2,720.00 at Cole Harbor. Manager Vannoorbeeck replied we agreed to extend the bus line to Cole Harbor Apartments and this was for the concrete slab for the Rotary's donated shelter. He added it is reimbursed through the Bus System.

Councilman Nash said he has been asked if the Bus System could pay for more shelters throughout Town. Transit Director Worrell replied yes but it has to be done through a Capital Project and can't be done until the FY2020 Budget.

Councilman Green asked about the surplus bus for the Town to have. Manager Vannoorbeeck replied it had already been surplus and was sitting at the Shop. He added the bus has to be driven by a CDL driver.

Councilman Moncure asked about the Atlantic Emergency, Engine 5 repairs for \$6,317.00. Chief Tomer replied the steering box went out. He added Engine 5 is 15 years old.

Councilman Moncure asked about another invoice for Engine 5 repairs for \$1,853.00. Finance Director Hardy replied it is for coding the labor and parts.

Councilman Moncure asked about the two port-o-potties for DBi. Finance Director Hardy replied they are old bills that were just submitted for the Friday night movies.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

COMMITTEE REPORTS:

Health & Ordinance – met on 3-29-18 – minutes in April's Council Packet

Adopt A Truck Policy

Chairman Scott said the Committee discussed a Policy for the Adopt A Truck and decided to continue as is without charging, if there is a landfill charge the County bills them. He added we also have limited it to 12 times a year for use.

Councilman Green made a motion to approve the Adopt A Truck Policy as presented. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Pole Attachments

Manager Vannoorbeeck said Attorney Bacon has provided some drafts for review and will have a Public Hearing at the June Council Meeting.

Historic Business District

Chairman Scott advised nothing was discussed because DBi had not met yet.

IRMS

Manager Vannoorbeeck advised Finance Director Hardy and Mrs. Allison Payne have started the IRMS collections process. He said this process allows the Town to attach to State Tax Returns and since 1992 there is an excess of \$400,000.00 in old utility bills. He said the Town received their first check today for \$22,000.00, which is about 5% of the total amount owed.

Manager Vannoorbeeck said there does need to be a hearing officer or panel because people have the right to appeal with an independent, not employed by the Town. He said the idea of using the Planning Commission was mentioned and he had talked to two of the members.

Councilman Nash said he suggested paying \$50.00 per member per meeting.

Mayor Coleburn said Clerk Daniel brought up a good point in the Committee Meeting, if you are going to show unbiased, people may think because someone is being paid by the Town they will rule in favor of the Town, he worries about that.

Councilman Green asked if there was any statute of limitations on this process. Finance Director Hardy replied everything she has checked into there is not.

Mayor Coleburn asked what is the oldest debt received. Finance Director Hardy replied 1997.

Councilman Green asked if this process after the Planning Commission meets would bypass Council. Manager Vannoorbeeck replied that is correct.

Councilman Green made a motion to appoint the Planning Commission as the IRMS Appeal Board and pay them \$50.00 per meeting per member. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Food Trucks

Manager Vannoorbeeck advised we have a properly licensed home occupation, which states the outside appearance of the residence cannot change nor can there be smoke, glare or fumes. He said there is a problem on Brunswick Avenue with a home occupation creating fumes, glare and smoke by cooking BBQ. He said it was questioned if an Itinerant Merchant can do this from a food truck.

Councilman Nash said cooking Downtown was discussed as well.

Mr. Nathaniel Miller asked about the 501c3. Manager Vannoorbeeck replied the State Code says you may cook for a non-profit 4-times a year and not have to pay meals tax.

Councilman Nash said this was brought up in Committee, is it 4-times per 501c3 or 4-times per cook. Mayor Coleburn replied it should be per 501c3.

Mr. Waymond Mitchell asked if it applied to everyone, including churches. Mayor Coleburn replied if a church is non-profit then yes sir.

Attorney Bacon advised her opinion was if there is a permanent fire pit in someone's yard, then you could not be licensed as a transient entity or peddler because by their very nature they move around. She said if they are cooking inside that could be a different issue.

Manager Vannoorbeeck asked about a food truck, where the cooking would take place outside of the truck.

Mayor Coleburn suggested having anyone that is interested in doing this to submit their proposal then the Town Attorney can review.

Attorney Bacon said open burn laws have to be considered as well.

Mr. Michael Bagley asked for clarification, nothing had been decided on the many topics of cooking.

Mayor Coleburn clarified on Brunswick Avenue that person cannot continue to cook because it violates the home occupation standards.

Mayor Coleburn said issue #2 was cooking in the downtown Historic Business District, is there a prohibition. Manager Vannoorbeeck replied if there is we have not enforced it, Itinerant Merchants are not allowed in the Historic Business District but are the civic clubs considered to be Itinerant Merchants, this needs to be defined.

Councilman Green said the Town banned leaf burning years ago because of the smoke. He said it is not appropriate in residential zones or in the Historical Downtown Business District.

Mayor Coleburn said we need to be careful because Arts & Crafts weekend there is cooking on the lawn of Schwartz Tavern, isn't that the Historic Business District. Councilman Green said you cannot hide behind Arts & Crafts because Brunswick, Lunenburg and College are as residential as it gets.

Mayor Coleburn said we need to be clear and consistent.

Mayor Coleburn asked to find out if people can lawfully cook downtown.

Manager Vannoorbeeck said it should be limited to no cooking for non-profits more than 4-times per site.

Mayor Coleburn referred this back to the Health & Ordinance Committee.

Mrs. Louise Russell asked if cooking was allowed on Brunswick. Mayor Coleburn replied there is no cooking for profit allowed on Brunswick.

Mayor Coleburn asked Town staff to visit with the property owner tomorrow to find out what's going on with a pit being built.

Feeding Deer

Chairman Scott said the Committee received information and will review for the next meeting.

Mayor Coleburn asked Manager Vannoorbeeck to get with Mrs. Betty Wood about her pipe.

Account & Finance – met on 4-9-18 – minutes included in Aprils’ Council Packet

Chairman Green said he missed the meeting and did not think there were any recommendations except for a Public Hearing.

Councilman Green said he believed Council had given authority to the Town Manager to conduct Public Hearings as he sees fit.

IRMS Debt Collection Process

Manager Vannoorbeeck advised the Town is eligible to collect \$50.00 with the IRMS process. Councilman Green asked to include this with the Budget Public Hearings.

Credit Card Policy

Councilman Green made a motion to have Public Hearings for the Credit Card Policy and the IRMS Administrative Fee. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

CONSENT AGENDA:

1. Birthday Party – School Property
2. Heritage Hall – Olympics – Street Closure
3. Shiloh Baptist Church – Fellowship Festival – Street Closure

Councilman Nash made a motion to approve the three Consent Agenda items. The motion was seconded by Councilman Moncure.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

UNFINISHED BUSINESS:

1. Downtown Historic Business District – Signage Appeal

Manager Vannoorbeeck advised this is an appeal to Council. He said the Town’s Zoning Ordinance in the General Business District permits a combined space of 400 sq. ft. He said the downtown area has the Historic Business District overlay.

Manager Vannoorbeeck advised Mr. Tim Bauer’s signage request was denied by Mr. Zachary Whitlow and the appeal was brought before Council last month and this was tabled. He added we have not heard anything different from DBi, they have indicated this would be looked at but Mr. Bauer would like to proceed with his sign.

Councilman Green made a motion to deny the appeal. The motion was seconded by Councilwoman Thompson.

Councilman Green said originally DBi was at 18” then modified it to go 24”, and Mr. Bauer’s sign is nearly 3x the size at 94”. He said this Ordinance was passed and codified.

Councilman Nash asked if it was fair to those currently, whose signs are much larger.

Mayor Coleburn clarified in the General Business area you can have up to 400 sq. ft. for a wall sign. He said DBi’s cap is 50 sq. ft.

Mr. Zachary Whitlow advised Mr. Bauer’s sign is 60x96. He thought Mr. Bauer’s sign was too large for the front of his building.

Mayor Coleburn said like a lot of people, Mr. Bauer is making a considerable investment downtown. He said there are two things he did not like, one being Council adopts an Ordinance and makes DBi the enforcer but he also didn’t want to find ourselves chasing businesses away.

Councilman Nash said if he had a business downtown he would not want a restriction on size.

Councilman Moncure said people should check the size difference before doing the sign. Councilman Nash believed Mr. Bauer owned the buildings prior to the Ordinance. Councilman Green asked when he applied for the permit. Manager Vannoorbeeck replied in 2018.

Councilman Green said there are restrictions on signs, they are in place for a reason. He said this has now come down to a personal vested interest. He said Council passed the law and if we don't agree with it then let's take steps to appeal it.

Mr. Waymond Mitchell said when he is driving through town he cannot tell what business are where because most of the signs are in the wall. He added Mr. Bauer is putting a lot in this community.

Councilwoman Thompson said when she put her sign up she was told all other larger signs were grandfathered but she was denied putting up a big sign, she thought all signs should look alike.

Mayor Coleburn advised this came about when we came up with the Historic District in 1990, Mr. & Mrs. Armbruster were trying to avoid the inconsistencies with perpendicular signs hanging over the sidewalks. He said it was agreed flat signs were more visible especially for pedestrians.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Nay
Councilman Moncure	-	Aye

Mayor Coleburn clarified Mr. Tim Bauer's appeal was denied and he asked Town staff to contact Mr. Bauer tomorrow.

2. Beautification Committee

Mayor Coleburn said he had (5) people confirmed and will have (3) more at next month's meeting.

3. Town Shop – Floor Drainage

Manager Vannoorbeeck advised in 2013 the Town disconnected the sewer from the floor drain in the Quonset hut. He said the Town has been using a sump pump and DEQ is saying that is not acceptable and needs to go back into the Town's sewer.

Manager Vannoorbeeck said he received three bids with the low bid being just under \$10,000.00.

Councilman Nash made a motion to award the floor drainage project at the Town Shop to Lee's Excavating in the amount of \$9,975.00. The motion was seconded by Councilman Green.

Councilman Green asked what fund, Water and Sewer.

Councilman Nash amended his motion that the cost come from the sale proceeds.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

4. Updated Zoning Map

Manager Vannoorbeeck advised this was the first Zoning Map since 1992 and reflects all site changes since then.

Councilman Nash made a motion to adopt the Zoning Map as presented dated April 16, 2018. The motion was seconded by Councilman Tucker.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

5. Sewer Back Up – Pickett Court – VML

Manager Vannoorbeeck advised the insurance proceeds did not come through for this back-up. He said they would proceed with the Town paying the entire bill.

Clerk Daniel advised the motion specified the funds to come from the Water/Sewer Fund.

Manager Vannoorbeeck advised he would be getting Ward signs made for the upcoming election.

6. Industrial Park

Mayor Coleburn advised he, Manager Vannoorbeeck and Mr. Frank Carlo had a good meeting today about Southside Electric. He said he was going to try and reach out to some people he knows.

Attorney Bacon advised she and Southside Electric's attorney have talked prior but she missed a call from them today.

ON-GOING PROJECTS:

1. Dilapidated Buildings

Manager Vannoorbeeck advised the demolition of 214 Maben Avenue is finished with a cost of \$11,516.72 plus \$130.00 in legal fees. He said this lien has been recorded.

Mr. Nathaniel Miller advised of a few houses that need to be condemned on Broad Street.

2. Meals Tax

There was nothing to report.

3. Street Improvement Projects

Manager Vannoorbeeck said he believed the slurry seal was completed today. He said this included Pickett Court, Nottoway Avenue and North Main Street from Broad Street to the Corporate Limits.

Manager Vannoorbeeck said the needed to meet with the Street and Light Committee about the drop inlets on Pickett Court because as we keep paving the inlets are getting smaller.

Manager Vannoorbeeck said slurry seal is a crack sealer and should last 3-4 years.

4. Wigglesworth Sports Complex

There was nothing to report.

5. East End Neighborhood Project

Mayor Coleburn advised the Grant was submitted on time.

6. Weatherization

Mayor Coleburn advised no more applications are being accepted at this time.

Mayor Coleburn asked when the County voted no to assist with funding the house with the dirt floor. Manager Vannoorbeeck replied Mr. Ronald Roark told him the response was no. He said Mr. Roark advised the letter was not specific enough, the Town asked for Program Income.

Mayor Coleburn said to write another letter. Councilman Green suggested writing another letter and have Mayor Coleburn present the Town's case at Thursday's Board Meeting.

Mayor Coleburn recalled the former home of Ms. Mattie Neal was basically redone using an Indoor Plumbing Grant.

7. Rental Property Maintenance

Manager Vannoorbeeck advised we are waiting to hear from the County on what they are going to charge.

8. Utility Upgrade Project

There was nothing to report.

NEW BUSINESS:

1. Reiss/Town of Blackstone Deed

Manager Vannoorbeeck advised the draft deed enclosed was prepared by Reiss' Manufacturing's attorney. He said they are requesting a Deed of Exchange, they want the Town to abandon a section of right-of-way that splits their property and in exchange they want to grant the Town a cul-de-sac that they will build at the end of Polymer Place.

Attorney Bacon advised once this comes to Public Hearing she would have a Final Deed.

Councilman Green made a motion to proceed with a Public Hearing. The motion was seconded by Councilman Scott.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

2. Keep Virginia Beautiful

Manager Vannoorbeeck advised there would be a Public Meeting on April 19th at LCCDC. He said Community Development Director Wilson wants to get started on litter pick-ups and prevention.

Mrs. Sally Beale said the community would have the opportunity to help by joining the Rotary for their Pick Up Our Pride this Saturday starting in Seay Park at 8:00 a.m.

3. Cemetery Appeal

Manager Vannoorbeeck advised this is an appeal for a headstone. He said someone called a while ago and Mr. Justin Kile gave wrong information after being told not to make decisions on his own. He said they met with Simmons Monument and Mr. Kile pointed out the wrong grave. He said the person buried is Mr. Herman Moore in an eight-grave section and the monument has already been constructed per Mr. Kile's information he provided.

Manager Vannoorbeeck said he could not allow this to go on and without appeal approval he thought the Town had some obligation to compensate the family for the upright stone.

Councilman Nash made a motion to approve the appeal and place the headstone wherever it needs to be.

Councilman Nash said it is the Town's fault.

Councilman Green said he wanted to deny the appeal and the Town pay for the headstone.

Councilman Moncure said here we go again, as much time as was put into the Cemetery Policy and now we want to deviate again, he said no.

Councilman Nash said it is the Town's fault, why pay \$4,000.00 when we can just allow the stone to be placed.

The motion was seconded by Councilman Scott.

Councilman Green made a substitute motion to deny the appeal and the Town pay for the headstone. The motion was seconded by Councilman Moncure.

Manager Vannoorbeeck said if Council agrees there could be a contingency that it be the only family stone placed there.

Councilman Hamner said this is what we fought for before and we are back to square one, he would not support it. He said maybe Simmons Monument would show some consideration with the cost, a policy is a policy.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Nay
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Nay
Councilman Moncure	-	Aye

Mayor Coleburn clarified the vote was 5-2 to deny the request.

Councilman Nash said \$4,000.00 of taxpayer's money is absurd.

Manager Vannoorbeeck said the Moore family lives in New York. He said he was told it was unlikely anyone else would be buried there and it is in the very back of the cemetery.

Manager Vannoorbeeck said the only other alternative would be to have the motion to approve the appeal contingent on no additional upright stones.

Councilman Green said it was not in a conspicuous area and at no fault of the grieving family. Manager Vannoorbeeck replied it is in the back of the Cemetery and 100% fault of the Town.

Councilman Green made a motion to rescind his motion. The motion was seconded by Councilwoman Thompson.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Councilman Green made a motion to approve the headstone appeal with the stipulation that there will not be any more upright headstones on this lot. The motion was seconded by Councilman Nash.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Mr. Nathaniel Miller said the reason Ordinances don't work is because you try to look out for your buddies, this cannot keep happening.

4. Updated BABS Substance Abuse Policy

Transit Director Worrell advised this came about from an FTA update with a provision going from opiates to opioids. He said most of this Policy is a mirror of the Town's Policy.

Transit Director Worrell said DRPT has already approved this and once Council approves it, this will be the official Policy.

Councilman Nash made a motion to approve the BABS Substance Abuse Policy as presented. The motion was seconded by Councilman Tucker.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Mr. Michael Bagley asked about the turn lanes going nowhere on South Main Street beyond Bagley Street. Councilman Green replied it is to indicate the whole center area is a turning lane.

Mayor Coleburn thought the narrow lanes made people better drivers.

COMMITTEE REFERRALS:

Manager Vannoorbeeck said he and the new Post Commander would like to revisit the sewer capacity issue.

Mayor Coleburn referred this to the Fire and Water Committee.

Manager Vannoorbeeck said he wanted to brief a Committee about some sewer lines on East Street.

Mayor Coleburn referred East Street to the Fire and Water Committee.

MAYORS MINUTE:

Mayor Coleburn asked to get the signatures straight for Mrs. Betty Wood.

POLICE REPORT:

Mayor Coleburn recognized Chief Kuzmiak.

CITIZENS COMMENTS:

Ms. Harriett Greenhill asked about the credit card policy discussed earlier. She said she had concerns about the fee for using her credit card at Town Hall. Mayor Coleburn said the Town has had problems with people paying their utility bills with a credit card then they call the credit card company and say they did not approve the charge and the Town gets stuck with the bill.

Mayor Coleburn clarified Ms. Greenhill’s concern is the 2.85% charge for paying with a credit card.

Mayor Coleburn asked in May or June if Town staff could look for a cheaper credit card rate.

Mayor Coleburn referred the credit card rate to the Health and Ordinance Committee.

CLOSED SESSION:

Virginia Code Section 2.2-3711

- 1/ Personnel – Street Department
- 5/ Prospective Business or Industry

Councilman Green made a motion to go into Closed Session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body and discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. The motion was seconded by Councilman Moncure.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Hamner	-	Aye
Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye

Councilman Nash made a motion to certify that to the best of each member’s knowledge only public business matters lawfully exempted from open meeting requirements and 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. The motion was seconded by Councilman Scott.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Hamner	-	Certify
Councilman Scott	-	Certify
Councilman Green	-	Certify
Councilwoman Thompson	-	Certify
Councilman Tucker	-	Certify
Councilman Nash	-	Certify
Councilman Moncure	-	Certify

There being no further business to bring before Council, Mayor Coleburn declared the meeting adjourned at 10:30 p.m.

MAYOR
OF THE TOWN OF BLACKSTONE, VIRGINIA

_____ APPROVED AND ADOPTED

TOWN CLERK
OF THE TOWN OF BLACKSTONE, VIRGINIA