

Minutes of Town Council Meeting
May 13, 2014
Glasgow Public Library

Council Members Present: Sonny Williams, Roger Funkhouser, Mike Turner, Jeremy Kilgore

Absent: Councilor Andrea Bradley (vacation)

Also Present: Mayor Ruby Clark, Town Manager Paul Parker, Administrative Assistant Jane Higginbotham, Town Attorney Tom Simons.

Guests Present: Boyd Walker, Bob Kindle, Sgt. Aaron Britton, David McDaniel, Roberta Lyle, Georgette Claytor, Judy Loughhead, Roberta Anderson from The News-Gazette

The Pledge of Allegiance was led by Mayor Ruby Ogden Clark, followed by a brief prayer led by Councilor Jeremy Kilgore.

Mayor Ruby Ogden Clark called the meeting to order at 7:00 PM.

Public Hearing #1:

Public comment on SERCAP Loan of \$75,000/Grant of \$75,000 (total of \$150,000) for the purpose of upgrading the wastewater treatment plant influent pump station.

Public Comment: (1) Councilor Roger Funkhouser stated the closing will be May 30, 2014. Mr. Funkhouser stated the Town will have to advertise for the construction installation and for the three (3) new pumps, like a construction bid. (2) Bob Kindle stated the installation cost should be examined. Mr. Kindle stated a qualified electrician is definitely needed. (3) David McDaniel stated he was on Town Council at one time and the Town has CD money and asked why they have to borrow money. Mr. McDaniel stated there should be about \$80,000 revenue from the CD's. Councilor Funkhouser stated a requirement of SERCAP's grant was to borrow \$75,000 to get the \$75,000 grant. Mr. Funkhouser stated there is no interest on the loan and the Town can take our revenue to pay the loan off without penalty.

Mayor Clark closed Public Hearing #1 @ 7:10 PM.

Public Hearing #2:

Public comment on the proposed budget for FY '14-'15.

Public Comment: (1) David McDaniel stated the \$80,000 per year payment on the STP is now finished and asked why that money cannot be transferred to cover the 1st year water payment. Mr. McDaniel stated the water rate is proposed to go up \$7 and Council is proposed to get a \$10 per month raise. Town Manager Paul Parker stated the increase

would be for new council members who are elected in November, not sitting Council. Mr. McDaniel stated when he was on Council they were getting \$75 per month and dropped it to \$35 per month because it was a hardship on the citizens. (2) Bob Kindle stated the trash fee is only \$3 and the Town is paying out \$21,000. Mr. Kindle stated if Council is going to keep everything equitable the trash rate should also be raised. Councilor Funkhouser stated trash costs \$3.60 per month per resident. (3) Bob Kindle stated when he looks at the budget on the website he cannot tell what he is looking at. Mr. McDaniel stated he recommends Council go to a budget book that explains each line item and how that figure is arrived at so it will be easy for the citizens to read. Councilor Funkhouser stated that is a good idea and would be good when new Council members come aboard. (4) David McDaniel asked if Council still has a vehicle replacement line, which was \$20,000 per year. Town Manager Parker stated it will start with this next FY, that there was not one the last two (2) years. (5) David McDaniel asked how it is determined if use of equipment is used by employees for personal use. Mr. McDaniel stated there should be guidelines that state if an employee uses something and it breaks, the employee will pay to have it fixed. (6) Bob Kindle stated if the Town has extra money we should be thinking of the future and what we want Glasgow to be. Mr. Kindle stated we do not advertise or present to the world what is available here. (7) David McDaniel stated in last year's budget, \$3.3 million was approved for the water project but it is not showing in the proposed budget for FY '14-'15. Town Manager Paul Parker stated the water project is a separate Capital Improvement Program (CIP) budget with Virginia Resources Authority and it is not part of the operating budget for the Town of Glasgow. Town Manager Parker stated he will start putting a copy of the monthly disbursement in Council's packet from VDH and VRA. (8) Boyd Walker asked if Councilor Roger Funkhouser write the proposed budget this year. Town Manager Parker stated there were several workshops and all Council worked on it. (9) Bob Kindle asked why Glasgow cannot have a full time Mayor. Mr. Kindle stated Council does a good job but they do not put a lot of time in it. Councilor Jeremy Kilgore stated if it eventually comes to that Council will look at it.

Mayor Clark closed Public Hearing #2 @ 7:40 PM.

Review of Minutes:

Minutes for April 15, 2014 Regular Scheduled Meeting and April 28, 2014 Special Called Meeting. Councilor Jeremy Kilgore stated on the April 28, 2014 Special Called Meeting, his name is under the vote but his actual vote, YES, was left out.

Motion by Mike Turner and **Seconded** by Sonny Williams to approve minutes with correction made.

Carried unanimous voice vote.

Consideration of Bills:

A. List of Bills - Councilor Roger Funkhouser asked if the gas and diesel tanks at the STP are filled up every month. Town Manager Parker stated they come every month. Councilor Mike Turner asked if the inmates cut grass every month. Town Manager Parker stated they are scheduled to come every two (2) weeks.

Motion by Sonny Williams and **Seconded** by Roger Funkhouser to pay all bills and any other bills that may come due.

Carried unanimous voice vote.

B. Smart Speed Monitoring Awareness Radar Trailer - Sgt. Britton stated the radar trailer is listed on the bill list. Sgt. Britton stated he gave Council an overview last month on the used trailer. Sgt. Britton stated he mistakenly said he would like to have this in FY '14-'15 budget but would like to put it in this FY budget or use flood mitigation money for it. Sgt. Britton stated the total cost is \$5,500. Sgt. Britton stated it calculates and runs tally of vehicles going through it but it does not take pictures but he would have the data. Sgt. Britton stated the data can be turned in to DMV for grants. Councilor Roger Funkhouser stated he did not think flood mitigation money should be used for something like this and he did not think a radar trailer is necessary in a small town like Glasgow. Councilor Funkhouser stated a radar trailer does not generate revenue. Councilor Funkhouser stated there should be more police presence in Town and more tickets written. Councilor Mike Turner stated the flood mitigation money has been setting there since 1995 but that he would like to table the matter until he has a chance to look at it more.

Motion by Mike Turner and **Seconded** by Roger Funkhouser to table purchase of radar trailer until Council can look into it further.

Carried unanimous voice vote.

Councilor Roger Funkhouser stated he would like to know what is wrong with the fountain at the park before Council decides what to do.

C. Springsted, Inc. Proposal for a Compensation and Position Classification Plan and Update Personnel Handbook – Town Manager Paul Parker told Council they have Springsted's proposal to study. Town Manager Parker stated they will do job descriptions and will update the personnel manual. Councilor Roger Funkhouser stated this is something that Council should have had ten (10) years ago. Councilor Funkhouser stated they then would have in hand how to handle employees, etc. Town Manager Parker stated if they do the complete job they will bill the Town in installments. Councilors Funkhouser and Turner stated this would be money well spent.

Motion by Roger Funkhouser and **Seconded** by Mike Turner to accept the proposal of Springsted, Inc. to start the Compensation and Position Classification Plan and to update the Personnel Handbook.

Carried unanimous voice vote.

Committee/Commission Reports:

A. Parks & Recreation Committee - Chairperson Roberta Lyle stated there will be a car show at Knick Field on Saturday, May 31, 2014 @ 4:30 PM, followed by the first "Music in the Park" from 6:00-9:00 PM with the band *Wild Card*. Mrs. Lyle stated a private donor gave \$250 to Parks and Rec to put up a volleyball net at the horseshoe pits. Mrs. Lyle stated a private donor is willing to give \$1,500 in the future for a tennis court at the

horseshow pit. Councilor Roger Funkhouser stated the tennis court would have to be looked at and Council would need more information.

Motion by Roger Funkhouser and **Seconded** by Jeremy Kilgore to put the volleyball net up at the horseshow pit.

Carried unanimous voice vote.

B. Community Watch – Sgt. Aaron Britton stated Community Watch will host this year’s National Night Out on Tuesday, August 1, 2014 at Knick Field. Sgt. Britton stated all police departments in Rockbridge County and the Rockbridge County Sheriff Department are onboard. Sgt. Britton stated the event will be from 6:00-10:00 PM. Sgt. Britton stated they do not have a theme yet. Sgt. Britton stated he already has several donations coming from several banks and Wal-Mart. Sgt. Britton stated Community Watch decided to put further meetings on hold until October and then try again as there has been poor attendance and participation.

Police Activity Report:

Town Sgt. Aaron Britton stated Council has a copy of his April report: 193.50 hours worked; 2,070 miles; 106.5 gallons fuel used; 18 calls; called out 6 times; 14 traffic stops; 15 summons; 4 warnings; 6 meetings; assist Sheriff Office 1; 1 arrest; court appearances 2; 1 investigation; 2 warrants; attended 1 event; attended 1 class; 1 administrative day in office; 7 training days. Sgt. Britton stated he participated in the National Medication Take Back and was assisted by the Rockbridge County Sheriff Office, Virginia State Police, Glasgow Community Watch, and the Drug Enforcement Agency (DEA). Sgt. Britton stated they collected 50 pounds of old and used medication. Sgt. Britton stated they will do this every three (3) months. Sgt. Britton stated the police car is in the shop again as it cut off on him six (6) times on the interstate in heavy traffic. Sgt. Britton stated it is at the Ford dealership in Lexington and there is something wrong with the fuel system. Mayor Ruby Clark asked Sgt. Britton about the noise ordinance. Sgt. Britton stated the Commonwealth Attorney does not know if it should be changed because Lexington and Buena Vista has what Glasgow has now and it is unenforceable and he does not know how to change it to make it work. Sgt. Britton stated Rockbridge County has “quiet time” like Glasgow but the judge always throws it out. Sgt. Britton stated the decibel meter to enforce it costs \$6,000. Sgt. Britton stated he has charged disturbing the peace before and got a conviction on it but it is a thin line. Sgt. Britton stated as far as animal barking complaints, all he can do is document each disturbance and eventually charge with nuisance ordinance.

Old Business:

A. Accept Resignation of Councilor John Hill

Motion by Roger Funkhouser and **Seconded** by Mike Turner to accept the resignation of John Hill effective April 15, 2014. Town Attorney Tom Simons stated Mr. Hill’s written resignation was dated April 15, 2014 and that is the date he used.

Carried unanimous voice vote.

B. Writ of Special Election – Town Attorney Simons stated he has the writ from the judge for the special election. Mr. Simons stated Mr. Hill’s seat will be filled at this November’s general election. Mr. Simons stated Council has the right within 45 days to appoint someone until the November election but it is not required. Mr. Simons stated the 45 days would be May 30, 2014. Mr. Simons stated the deadline to sign up for the special election is August 15, 2014 @ 5:00PM, and the deadline for the regular seats is June 10, 2014 @ 7:00 PM. Councilor Roger Funkhouser stated if Council were to appoint someone, they would have to advertise, then it would be into June or July and there would only be several months left until the election. Town Attorney Simons stated Council could take a vote to not appoint and just leave it. Council agreed to just leave as is and wait.

New Business:

A. Resolution for Employer Contribution Rate of 3.41% to VRS as Certified by the VRS Board of Trustees

Motion by Roger Funkhouser and **Seconded** by Mike Turner for employer contribution rate of 3.41% to VRS as certified by the VRS Board of Trustees.

Carried unanimous voice vote.

B. Resolution for Employees Contribution to 3%

Motion by Roger Funkhouser and **Seconded** by Mike Turner for employee contribution to go to 3%.

Carried unanimous voice vote.

C. Discussion to Change Town Code, Chapter 12, Section 12-34, Wine & Beer Sale Hours

Councilor Roger Funkhouser stated the wine and beer sale hours have been changed in Rockbridge County to 6:00 AM except in Glasgow. Councilor Funkhouser stated Glasgow’s ordinance should be changed to be consistent with Rockbridge County. Town Attorney Tom Simons stated he could draft the ordinance to model after the County’s ordinance for the June 10, 2014 meeting, and it could be advertised and adopted at the July 2014 meeting. Councilor Funkhouser asked if it could be done any faster. Mr. Simons stated we could change our hours to reflect the County hours in our ordinance, advertise just changing the hours, and do a public hearing and vote at the June 10, 2014 meeting. Councilor Jeremy Kilgore asked if Council could get a copy of the County’s ordinance. Town Manager Paul Parker stated Council could make a motion to proceed or send it to the Ordinance Committee.

Motion by Mike Turner and **Seconded** by Roger Funkhouser for the Town Attorney to proceed to change Sec. 12-34 to mirror Rockbridge County.

Vote by raising of hands to proceed to change Sec. 12-34 to mirror Rockbridge

County: Mike Turner – Yes

Roger Funkhouser – Yes

Vote by raising of hands against proceeding to change Sec. 12-34 to mirror**Rockbridge County:** Sonny Williams – No

Jeremy Kilgore – No

Tie vote by Mayor: Ruby Clark – No

Judy Loughhead asked permission to speak. Mrs. Loughhead questioned if Councilor Roger Funkhouser should recuse himself from voting on this as a conflict of interest. Town Attorney Tom Simons stated he did not believe there was a conflict, but that it was a valid point if it comes up again at the June 10, 2014 meeting.

D. Resolution to Authorize Town of Glasgow to Issue Obligation Bond, Not to Exceed \$75,000, to be sold to SERCAP

Motion by Mike Turner and **Seconded** by Jeremy Kilgore to authorize Town of Glasgow to issue Obligation Bond, not to exceed \$75,000, to be sold to SERCAP>

Carried unanimous voice vote.**E. Contract to Hire Robinson, Farmer & Cox Auditors for FY '12-'13 Audit**

Town Manager Paul Parker stated last year Council hired Mary Earhart to do the pre-audit but forgot to hire Robinson, Farmer & Cox to do the actual audit and sign the contract. Town Manager Parker stated it is already in the budget and it is \$2,000 less from last year.

Motion by Mike Turner and **Seconded** by Jeremy Kilgore to sign contract to hire Robinson, Farmer & Cox to do audit for FY '12-'13.

Carried unanimous voice vote.**Manager's Report:**

A. Water Project Update – Town Manager Paul Parker stated there will be a Progress Meeting on May 22, 2014 @ 10:00 AM at Town Hall with the contractor and engineer to give an update on the water project and give a more detailed schedule. Town Manager Parker stated the next Progress Meeting will be June 10, 2014 @ 10:00 AM at Town Hall.

B. Sewer I/I Study Update – Town Manager Paul Parker stated Phase One was \$37,000, examining the manholes, which has already begun. Town Manager Parker stated the contractor was told we have 102 manholes but they have already found 150. Town Manager Parker stated \$10,000 was put in the proposal for mapping but this is now going to have to be moved to Phase Two because of the extra manholes being found.

C. Influent Pump Station Update – Town Manager Parker stated once the \$75,000 is received from SERCAP, the Town can advertise to purchase the pumps.

D. Letter from Rep. Bob Goodlatte - Town Manager Paul Parker stated he had received a letter from Rep. Bob Goodlatte congratulating the Town on receiving a \$75,000 grant from SERCAP.

E. Mussel Survey Update – Town Manager Paul Parker stated he received an email from DGIF stating that the mussel survey would be done the week of May 12. Mr. Watson

from DGIF stated they had lost two (2) staff members and he has been out of town and his schedule is full the week of May 5.

F. Email from Draper Aden Associates – Town Manager Paul Parker stated he received an email from Draper Aden that Glasgow did not get approved for the grant with the National Fish and Wildlife Foundation for a stormwater study. Mr. Parker stated he told Julia Skare with Draper Aden to resubmit the grant request again this new FY.

G. Expense Report – Town Manager Paul Parker stated as of April 30, 2014 the budget is now at 83%.

Other:

Mayor Ruby Clark asked about the phone lines that were hit last week in Glasgow by the contractor doing the water project. Town Manager Paul Parker stated this is at the contractor's expense.

Councilor Roger Funkhouser asked who allowed someone to dig up a garden at 10th Street & Virginia Street and put a fence around it. Councilor Funkhouser stated the Comprehensive Plan states there are specific garden spots and this is not one of them. Town Manager Paul Parker stated he would tell the resident that he cannot have a garden there and that he has to take the fence down. Councilor Funkhouser stated the Town has to go by the Comprehensive Plan.

Councilor Roger Funkhouser stated there are houses in town with grass that is 1' tall. Councilor Funkhouser asked if letters had been sent out. Town Manager Paul Parker stated most of them are foreclosures. Town Attorney Tom Simons stated if the town mows the, the bank or mortgage company has to pay the town back at the closing. Mr. Simons stated the town would have to do a lien against the property and it would then be settled at closing.

Town Attorney Tom Simons stated he recommended waiting to advertise Chapter 6 Finance & Taxes to match the new budget. Mr. Simons stated he will advertise for the June 10, 2014 meeting for a Public Hearing and Council can vote for it to be effective July 1, 2014. Mr. Simons stated the amended Chapter 6 is on file at Town Hall and anyone can come by to get a copy.

Town Manager Paul Parker stated there is a potential buyer for the Moose Lodge. Town Manager Parker stated when he has enough for the Zoning Board to meet he will bring it up and request a change from residential to commercial. Town Attorney Tom Simons stated if it was beneficial for the Town to change it anyway it should be changed. Town Manager Parker stated he would bring a recommendation from the Zoning Board to the June 10, 2014 meeting.

Mayor Ruby Clark stated the next Council meeting is scheduled for June 10, 2014. Mayor Clark stated the last day to sign up for the November election is June 10th.

Motion by Jeremy Kilgore and **Seconded** by Sonny Williams to adjourn the public meeting.

Carried unanimous voice vote.

Public meeting adjourned at 9:05 PM.

Motion by Jeremy Kilgore and **Seconded** by Mike Turner to go into Executive Session pursuant to Section 2.2-3711 to discuss pending litigation.

Voice vote as follows:

S. Williams – Yes	M. Turner - Yes
R. Funkhouser – Yes	J. Kilgore – Yes

*Whereas, the Town of Glasgow Town Council has convened an executive meeting 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 of the Code of Virginia requires a certification by the Town of Glasgow Town Council that such executive meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Town of Glasgow Town Council hereby certifies that to the best of each member’s knowledge (1) only public business matters lawfully exempted from open meeting requirement by Virginia were discussed in the executive meeting to which this certification resolution applies and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed, or considered by the Town of Glasgow Town Council.

Motion by Mike Turner and **Seconded** by Sonny Williams to leave executive session.

Voice vote as follows:

S. Williams – Yes	M. Turner - Yes
R. Funkhouser – Yes	J. Kilgore – Yes

Motion by Mike Turner and **Seconded** by Roger Funkhouser agreeing that Council only discussed in the executive session matter identified as the reason for entering said session.

Voice vote as follows:

S. Williams – Yes	M. Turner - Yes
R. Funkhouser – Yes	J. Kilgore – Yes

Motion by Jeremy Kilgore and **Seconded** by Sonny Williams to amend Section 2-7 of the Glasgow Town Code which requires employees of the Town of Glasgow to be

residents of the Town of Glasgow and to advertise for a public hearing for the June 10, 2014 meeting.

Voice vote as follows:

S. Williams – Yes

M. Turner - Yes

R. Funkhouser – Yes

J. Kilgore – Yes

Motion by Jeremy Kilgore and **Seconded** by Sonny Williams to adjourn at 9:40 PM.
Carried unanimous voice vote.

Mayor

Clerk