

**TOWN OF DAYTON**  
**REGULAR COUNCIL MEETING & MULTIPLE PUBLIC HEARING MINUTES**  
**COUNCIL CHAMBERS, DAYTON TOWN HALL**  
**April 10, 2023**

**COUNCIL MEMBERS PRESENT:** Mayor Cary Jackson, Vice Mayor Bradford Dyjak, Bob Wolz, Robert Seward, Emily Estes, and Melody Pannell.

**COUNCIL MEMBERS ABSENT:** Susan Mathias.

**ALSO PRESENT:** Jordan Bowman, Town Attorney; Bob Holton, Interim Town Manager; Susan Smith, Town Treasurer; Police Chief Justin Trout; Christa Hall, Clerk of Council and Community Development Coordinator.

**CALL TO ORDER:** Mayor Jackson called the meeting to order at 6:00 p.m., welcomed guests both in person and those joining remotely as the meeting is also available for live stream viewing via Zoom. He stated that the Council would only hear public comment tonight from those attending in-person and had signed up to speak and that speakers would be limited to five minutes each. Town Clerk Hall called the roll for the Town Council. Mayor Jackson led the Invocation and the Pledge of Allegiance.

**PUBLIC HEARING:** Mayor Jackson opened the first public hearing at 6:02 p.m. and stated that the purpose of the public hearing is to hear public comments regarding an Ordinance Partially Abandoning a Driveway Easement. This is for a driveway easement located at the residence of 728 Mason Street as the Town no longer needs this easement to gain access to and from its well lot. However, the Town will retain its easement permitting the Town to install, maintain, repair and replace utilities. As there was no one signed up to speak and no public comments were made, Mayor Jackson closed the public hearing at 6:03 p.m.

**PUBLIC HEARING:** Mayor Jackson stated that since the next three public hearings are all related to fees and the budget, we will run these hearings concurrently and accept public comments on all and at 6:03, opened the following public hearings to hear public comments: public hearing regarding an Ordinance Amending Appendix A to the Town Code regarding fees, rates, and charges; public hearing on the FY23 Budget Amendment; public hearing on the FY24 Proposed Budget. The Mayor stated that the Council will consider the fees and the amendment at this meeting and the FY24 Proposed Budget and CIP will be considered at the May meeting. At this time, he turned the floor over to Interim Manager Bob Holton for a staff report. Manager Holton reviewed the timeline, stating that it was a balanced budget which included cost of living adjustment increases and many great projects. He then yielded the floor to Treasurer Susan Smith, who highlighted the Capital Improvement Projects that were budgeted for the coming year and reviewed the budget amendment for the current year. Finance Chair Dyjak added that the amendment was necessary as the changes amount to more than 1% of the total budget.

Mayor Jackson recognized Jerry Critcher, of 215 Sunset Drive, Dayton, to speak. Mr. Critcher inquired about how the transfers work to supplement the budget. Mayor Jackson advised that the transfers are from the water and sewer funds and something that we routinely do each budget year.

Mr. Critcher stated that he understood the need for rate increases and thanked Council for their time. As there were no additional comments, Mayor Jackson closed all open public hearings at 6:07 p.m.

**APPROVAL OF MINUTES:** Mayor Jackson asked for a motion to approve the Minutes from the Joint Public Hearing and the Regular Town Council Meeting of March 13, 2023, and the Special Called Closed Session Meeting of March 24, 2023, as presented. Councilperson Wolz replied so moved. The motion was seconded by Councilperson Estes and there was no additional discussion or amendments to the minutes. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT.

**ACTION ITEM:** Mayor Jackson stated that the first action item is the consideration of the Ordinance Partially Abandoning a Driveway Easement and asked for a motion to adopt the ordinance as presented. Councilperson Dyjak replied so moved. The motion was seconded by Councilperson Wolz and there was no additional discussion. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT. The ordinance (without the attached exhibit) reads as follows:

## **AN ORDINANCE PARTIALLY ABANDONING A DRIVEWAY EASEMENT**

**WHEREAS**, the Town of Dayton, Virginia (the “Town”) is the holder of an easement (the “Easement”), 20 feet in width, for ingress and egress between Mason Street and a parcel owned by the Town containing 0.516 acres, more or less (the “Well Lot”), which Easement is described in more detail in that certain deed dated January 27, 1999, from South Breeze, L.L.C. to the Town, a copy of which is attached hereto as **Exhibit A**; and

**WHEREAS**, the Town no longer needs the Easement for ingress and egress to and from the Well Lot; and

**WHEREAS**, the Easement also includes the right to install, maintain, repair, and replace utilities, including but not limited to electric and water lines; and

**WHEREAS**, the Town desires to abandon the part of the Easement that provides for ingress and egress to and from the Well Lot, but to retain and not to abandon the part of the Easement that permits the Town to install, maintain, repair, and replace utilities, and access necessary to install, maintain, repair, and replace utilities.

**NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL FOR THE TOWN OF DAYTON, VIRGINIA THAT THE FOLLOWING ACTIONS ARE TAKEN:**

1. That the part of the Easement that provides that the Town shall have an easement twenty (20) feet in width for the purpose of ingress from Mason Street to the Well Lot and egress from the Well Lot to Mason Street, is hereby abandoned.

2. That the Town does not abandon, and that this Ordinance shall in no way be construed to limit, affect, or abridge the Town's rights with respect to, the part of the Easement that grants to the Town the right to install, maintain, repair, and replace utilities, including but not limited to electric and water lines, as well as reasonable access necessary for these purposes, and the terms and conditions in numbered paragraphs one, two, and three of the Easement with respect to the exercise of such rights.
3. The Interim Town Manager, any permanent Town Manager, and the Town Attorney are authorized to take any and all actions reasonable and necessary to effect the purpose of this Ordinance, including without limitation executing and recording a deed of partial abandonment in the land records of the Clerk's Office of the Circuit Court of Rockingham County, Virginia.

**ACTION ITEM:** Mayor Jackson stated that the next action item is the consideration of an Ordinance Amending Appendix A to the Town Code regarding fees, rates, and charges and asked for a motion to adopt the ordinance, as presented. Councilperson Dyjak replied so moved and added that the Planning Commission had reviewed and recommended adoption. The motion was seconded by Councilperson Estes and there was no additional discussion. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT. The ordinance and amended appendix follow:

## **AN ORDINANCE AMENDING APPENDIX A TO THE TOWN CODE REGARDING FEES, RATES, AND CHARGES**

**WHEREAS**, Appendix A to the Town Code for the Town of Dayton, Virginia (the "Town") sets forth fees, rates, and charges for services provided by the Town; and

**WHEREAS**, from time to time the Town revisits and adjusts its fees, rates, and charges for services; and

**WHEREAS**, in connection with the budgeting process for Fiscal Year 2023-2024, the Town desires to adjust (i) fees relating collection of commercial and residential refuse, (ii) water and sewer rates, and (iii) certain zoning and subdivision charges.

**NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL FOR THE TOWN OF DAYTON, VIRGINIA THAT THE FOLLOWING ACTIONS ARE TAKEN:**

4. Appendix A to the Town Code, which sets forth a schedule of fees, rates, and charges, is hereby amended as shown on the attachment hereto, which amendment increases and re-sets the fees for residential and solid refuse collection, rates for water and sewer service, and charges for rezoning applications and subdivision plat review to the amounts set forth therein.
5. The effective date of this Ordinance is July 1, 2023.

PART II - CODE OF ORDINANCES  
Appendix A SCHEDULE OF FEES, RATES AND CHARGES

**Appendix A SCHEDULE OF FEES, RATES AND CHARGES**

Code Section	Description	Fee Amount
Chapter 2. Administration		
2-170	Nonsufficient funds (check return)	\$25.00
Chapter 8. Businesses and Business Regulations		
8-19	Dance hall permit	\$0.00
Chapter 10. Environment		
10-22	Emergency construction permit fee	\$0.00
Chapter 14. Miscellaneous Offenses		
14-271(a)	Fireworks sales permit fee	\$0.00
14-271(b)	Fireworks exhibitions permit fee	\$0.00
Chapter 16. Solid Waste		
16-3	Collection of commercial refuse fee	<del>\$19.00</del> 16.00
16-4	Collection of construction/demolition refuse fee	\$0.00
16-11	Collection of residential refuse fee	<del>\$19.00</del> 16.00
	Refuse late penalty	\$5.00
Chapter 18. Streets, Sidewalks and Other Public Places		
18-45	Permit for sidewalk paving	\$0.00
Chapter 20. Subdivisions		
20-10	Review of plats and plans fee	\$350.00 + \$50/acre * <del>0.00</del>
Chapter 22. Taxation		
22-19	Ad Valorem Tax (Real Estate Tax)	\$0.08/\$100.00
	plus 5% late penalty; after a bill is delinquent 30 days, 10% interest will be added monthly	
22-63	Meals tax	5%
22-68	Plus 10% late penalty	
22-98	Event fees	
	Autumn Celebration	\$175.00 or \$275.00/double
	Redbud Festival	\$85.00 or \$135.00/double
	(Non-profit ½ price)	
22-105	Annual fee for issuance of business license: professional and occupational	
	Retail sales	\$0.15/\$100.00 of gross receipts but not less than \$20.00 total for past calendar year

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	Contractors	\$0.12/\$100.00 of gross receipts but not less than \$20.00 total for past calendar year
	Financial, real estate and professional services	\$0.30/\$100.00 of gross receipts but not less than \$20.00 total for past calendar year
	Repair & other services	\$0.20/\$100.00 of gross receipts but not less than \$20.00 total for past calendar year
22-152	Motor vehicle license fee	
	Motorcycle/camper/trailer	\$10.00
	Passenger vehicle/motor home	\$30.00
22-160	Penalty fee for failure to timely pay motor vehicle license fees	\$10.00 per vehicle
Chapter 24. Traffic and Vehicles		
24-77	Permit fee for parades, processions and sound trucks	\$0.00
24-251	Vehicle license fee; golf carts and utility vehicles	\$0.00
Chapter 26. Utilities		
26-21	Water and sewer rates	
	Water	
	0—2,000 gals.	<del>\$7.11</del> 6.90
	2,001—350,000 gals.	<del>\$3.50</del> 3.40 per 1,000 gals.
	350,001 and up	<del>\$2.63</del> 2.55 per 1,000 gals.
	Sewer	
	0—2,000 gals.	<del>\$10.09</del> 9.80
	2,001—350,000 gals.	<del>\$5.00</del> 4.85 per 1,000 gals.
	350,001 and up	<del>\$4.38</del> 4.25 per 1,000 gals.
	Minimum charge water/sewer	<del>\$17.20</del> 16.70 per month; Residential refuse, <del>\$19.00</del> 16.00 per month
26-22	Water deposit (for rentals)	\$75.00
26-23	Water/sewer, penalty for late payment	\$2.50 or 10%, whichever is greater (per each service)
	Reconnection fee	\$25.00

Dayton, Virginia, Code of Ordinances  
(Supp. No. 1)

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PART II - CODE OF ORDINANCES  
Appendix A SCHEDULE OF FEES, RATES AND CHARGES

26-87	Connection to public water system fee	
	Residential	
	¾-inch single-family	\$3,500.00
	¾-inch multifamily	
	First four units (each unit to be metered)	\$3,000.00
	Next 20 units (each unit to be metered)	\$2,500.00
	25 units and up (each unit to be metered)	\$2,000.00
	1 inch service meter	\$4,000.00
	Commercial and industrial	
	¾-inch service meter	\$3,500.00
	1 inch service meter	\$4,500.00
	1½-inch service meter	\$8,000.00
	2 inch service meter	\$12,000.00
	3 inch service meter	\$24,000.00
	4 inch service meter	\$40,000.00
	6 inch service meter	\$80,000.00
	8 inch service meter	\$135,000.00
	Time and material fee for commercial hook-ups with service meter exceeding one inch shall be charged actual time and material fees. An estimate will be given prior to work being done.	
	Note: All connections must be inspected and approved by the public works department before the completion of backfill excavation. Additional fee: There will be a \$30.00 per foot charge for all connections that require crossing a roadway. ATTENTION: Connections outside the town limits are 150% of the charges above.	
26-218	Treatment cost recovery fees	\$0.00
26-221	Wastewater discharge permit fee	\$0.00
26-288	Private sewage disposal permit and inspection fee	\$0.00
26-321(a)(1)	Building sewer permit fee, residential and commercial services fees	\$0.00
26-321(a)(2)	Building sewer permit fee, significant industrial user fee	\$0.00

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PART II - CODE OF ORDINANCES  
Appendix A SCHEDULE OF FEES, RATES AND CHARGES

26-396	Connection to public sewage system fee	
	Residential	
	¾-inch single-family	\$4,000.00
	¾-inch multifamily	
	First four units (each unit to be metered)	\$3,400.00
	Next 20 units (each unit to be metered)	\$3,000.00
	25 units and up (each unit to be metered)	\$2,000.00
	Commercial and industrial	
	¾-inch service meter	\$4,000.00
	1 inch service meter	\$7,000.00
	1½-inch service meter	\$12,000.00
	2 inch service meter	\$20,000.00
	3 inch service meter	\$40,000.00
	4 inch service meter	\$68,000.00
	6 inch service meter	\$135,000.00
	8 inch service meter	\$210,000.00
	Time and material fee for commercial hook-ups with service meter exceeding one inch shall be charged actual time and material fees. An estimate will be given prior to work being done.	
	Note: All connections must be inspected and approved by the public works department before the completion of backfill excavation. Additional fee: There will be a \$30.00 per foot charge for all connections that require crossing a roadway. Note: Type of waste shall be governed by the Town of Dayton and the HRRSA regulations, which could affect sewer connection fees. ATTENTION: Connections outside the town limits are 150% of the charges above.	
Chapter 30. Zoning		
30-81	Filing fee for appeals to the board of zoning appeals	\$350.00, plus \$50.00/acre *
30-108	Zoning permit fee	
	For new construction or remodel	\$25.00 minimum or \$2.00/100 sq. ft., whichever is greater
	For accessory buildings	\$20.00 flat fee
30-135	Special use permit fee	\$350.00, plus \$50.00/acre *

Dayton, Virginia, Code of Ordinances  
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PART II - CODE OF ORDINANCES  
Appendix A SCHEDULE OF FEES, RATES AND CHARGES

30-701	Special use permit fee, conversion of condominiums	\$350.00, plus \$50.00/acre *
30-766	Zoning permit fee, operation of short-term rental	\$0.00
30-792	Special use permit fee, telecommunications towers or antennas	\$350.00, plus \$50.00/acre *
30-855	Special use permit fee, signs	\$350.00, plus \$50.00/acre *
30-861	Signs permit fee, except temporary and incidental	\$20.00 flat fee
30-109	Re-zoning Application	\$350.00, plus \$50.00/acre *

\*Any additional advertising fees caused by the applicant at no fault of the Town shall be charged to the applicant as an additional fee and must be paid in advance of the advertisement. Examples of such additional fees include re-advertisement as a result of applicant error or delay at the request of the applicant.



**ACTION ITEM:** Mayor Jackson stated that the next action item is the approval of the FY23 Budget Amendment and asked for a motion to adopt the ordinance, as presented. Councilperson Seward replied so moved. The motion was seconded by Councilperson Wolz and there was no additional discussion. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT. The amended FY23 budget follows:

TOWN OF DAYTON, VIRGINIA  
PROPOSED BUDGET AMENDMENT FOR  
THE FISCAL YEAR  
JULY 1, 2022 - June 30, 2023

	Approved Budget FY22-23	Proposed Amendment FY22-23	
<b>Revenues</b>			
<u>General Fund</u>			
General Property Tax	\$ 166,500	\$ 166,500	
Other Local Tax	\$ 435,450	\$ 435,450	
Other Local Revenues	\$ 376,500	\$ 1,239,707	ARPA & Sale of surplus vehicles
Federal/State Funding	\$ 81,200	\$ 146,950	Snow removal, PD vehicle & Accreditation grant
Subtotal GF before transfer	\$ 1,062,650	\$ 1,988,607	
Transfer from Reserves**	\$ 1,078,050	\$ 231,813	Offset for above adjustments
Subtotal GF after transfer	\$ 2,140,700	\$ 2,220,420	
<u>Capital Fund - General</u>			
Transfer from Water & Sewer Fund*	\$ 112,203	\$ 258,000	
Transfer from Reserves**	\$ 92,792		
<u>Water &amp; Sewer Fund</u>	\$ 3,667,500	\$ 3,667,500	
<u>Capital Fund - Water &amp; Sewer</u>			
Transfer from Water & Sewer Fund	\$ 30,000	\$ 133,180	
Transfer from Reserves	\$ 33,680		
<b>TOTAL REVENUES</b>	<b>\$ 6,036,880</b>	<b>\$ 6,279,130</b>	
<b>Expenditures</b>			
<u>General Fund</u>			
General Government	\$ 591,550	\$ 626,550	Sovereign & interim IM salary
Public Safety	\$ 705,000	\$ 749,750	DT adjustment, Accreditation service & material & supplies
Public Works	\$ 491,100	\$ 491,100	
Parks, Recreation & Cultural	\$ 171,750	\$ 171,750	
Community & Economic Dev	\$ 181,300	\$ 181,300	
Subtotal	\$ 2,140,700	\$ 2,220,450	
<u>Capital Fund - General</u>	\$ 205,000	\$ 213,000	FD Equip for new vehicle
<u>Water &amp; Sewer Fund</u>			
Water & Sewer Operations	\$ 2,427,242	\$ 2,517,242	WTP Engineer fees
Transfer to Capital*	\$ 362,258	\$ 346,180	
Transfer to General Fund*	\$ 1,078,050	\$ 231,193	
Transfer to Reserves	\$ 617,285	\$ 617,285	
<u>Capital Fund - Water &amp; Sewer</u>	\$ 613,630	\$ 123,180	Water dept service truck
<b>TOTAL EXPENDITURES</b>	<b>\$ 6,036,880</b>	<b>\$ 6,279,130</b>	

\* Note: Transfers from Water & Sewer Fund to General & Capital Funds are from operating surplus. They are listed as expense in each fund.  
\* Note: Reflects transfer from reserve (retained earnings) for budgeting purposes. It is not new revenue.

S:\Town Council\Meeting\Packets\2023\01C 4-10-23\Copy of Amendment detail for FH.docx Sheet 12

**ACTION ITEM:** Mayor Jackson stated that the next action item is the consideration of an Ordinance amending Sections 20-135; 20-138 & 20-172 of the Subdivision Ordinance and Section 30-817 pf the Zoning Ordinance of the Town of Dayton, Virginia and asked for a motion to adopt the ordinance as presented. Councilperson Dyjak replied so moved and added that the Planning Commission had reviewed and recommended adoption. The motion was seconded by Councilperson Estes and there was no additional discussion. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT. The ordinance reads as follows:

**AN ORDINANCE AMENDING SECTIONS 20-135; 20-138 & 20-172 OF THE  
SUBDIVISION ORDINANCE AND SECTION 30-817 OF THE ZONING  
ORDINANCE OF THE TOWN OF DAYTON, VIRGINIA**

**WHEREAS**, the Town of Dayton, Virginia (the "Town") has a Subdivision Ordinance that regulates the division of land within the Town; and

**WHEREAS**, the Subdivision Ordinance requires the construction of certain improvements as a condition of subdivision; and

**WHEREAS**, the Town also regulates the use of land within the Town through its Zoning Ordinance, and the Zoning Ordinance contains certain development requirements that are distinct from, and in addition to, those contained within the Subdivision Ordinance; and

**WHEREAS**, the Planning Commission has recommended that the Town Council amend the Subdivision Ordinance to require installation of sidewalks under certain circumstances and to add provisions relating to storm drainage, and (ii) amend the Zoning Ordinance to require, after the date of adoption of such amendment, that front and side driveways be constructed of asphalt, concrete, or permeable pavers.

**WHEREAS**, the Town Council has carefully reviewed and considered the proposed amendments and now desires to amend the Ordinances as recommended by the Planning Commission.

**NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF THE TOWN OF DAYTON, VIRGINIA:**

6. That Section 20-135 of the Town's subdivision ordinance be amended and re-enacted as follows:

**Sec. 20-135. - Standards for street construction.**

- (a) *Design.* All streets must be designed to meet the specifications in the latest edition of the state department of transportation's subdivision street requirements, except the town requires curb, guttering, and sidewalks on all subdivision streets. On streets with speed limits less than or equal to 40 miles per hour, the curb and guttering shall be of type CG-6, as specified in the department of transportation requirements. On streets with speed limits greater than 40 miles per hour, the curb and guttering shall be of the type specified as CG-7. The subdivision street requirements make use of certain categories of streets, traffic volume, and terrain. The town shall determine which categories apply.
- (b) *Sidewalk Specifications.* Concrete sidewalks shall be provided on both sides of all new streets. Furthermore, when a new lot is created that fronts on an existing street, and adjacent property on either side has an existing sidewalk, the applicant shall construct a sidewalk that connects to the existing sidewalk. All sidewalks shall be constructed to the standards specified in the Virginia Department of Transportation's Road Design Manual.
- (c) *Installation.* Subdividers shall be required to install all streets in the subdivision. Installation of all required street signs shall also be the responsibility of the subdivider.

7. That Section 20-138 of the Town's Subdivision Ordinance be amended and re-enacted as follows:

**Sec. 20-138. - Standards for drainage.**

- (a) *General requirement.* Subdivisions shall be designed in compliance with all Rockingham County stormwater management regulations and requirements, and so as not to cause or permit

unreasonable drainage of surface water onto adjoining properties, whether public or private. For purposes of this subsection, the term "unreasonable drainage" means drainage which could potentially cause harm or significant inconvenience and is materially greater than would occur if the subdivided property were left in its undeveloped state. This subsection applies in addition to any other applicable law concerning surface water drainage.

- (b) *Regional drainage systems; designation of land for drainage facilities.* The town will not approve any such drainage facilities unless adequate provisions are made for the maintenance thereof. Where existing storm sewers are reasonably accessible, the proposed subdivision shall connect with such storm sewers. Unless an areawide storm sewer system has been established under section 20-6 and is reasonably available, the subdivider may be required to designate land and install reasonable and necessary drainage facilities, located on or outside the property limits of the land owned or controlled by the subdivider or developer but necessitated or required, at least in part, by the utility needs of the development or subdivision, including reasonably anticipated capacity, extensions, or maintenance considerations of a utility service plan for the service area. Such subdivider or developer shall be entitled to reimbursement of a portion of its costs by any subsequent subdivider or developer that utilizes the installed facilities. The subdivision agent is authorized to adopt and implement reasonable policies and procedures relating to connection and required reimbursement.
- (c) *General standards.* All drainage facilities shall be designed to drain foreseeable quantities of water from the streets and lots of the subdivision, and to be durable and reasonably maintenance-free town.

8. That Section 20-172 of the Town's Subdivision Ordinance be amended and re-enacted as follows:

**Sec. 20-172. – Maintenance of Improvements.**

The town has no obligation to improve, maintain, or take any action with respect to streets or other improvements not constructed, inspected, and accepted in accordance with this article. Whenever any proposed subdivision that will contain more than two residential lots includes dedicated common areas, private easements, private streets, or private stormwater facilities, the subdivider or developer shall be responsible for the management and maintenance of all such areas, easements, and improvements in the approved subdivision until the improvements are taken over by a property owners' association or condominium association formed in compliance with Subtitle IV of Title 55.1 of the Virginia Code. Prior to the sale of the lot constituting 75% of all approved buildable lots, all common areas, easements, and improvements shall be transferred from the subdivider to the property owners' association.

9. That Section 30-817 of the Town's Zoning Ordinance be amended and re-enacted as follows:

**Sec. 30-817. – Parking and driveway standards.**

- (a) All parking spaces required by this article shall be located on the same lot with the building or use served, provided that required parking may be located on another lot if the parking spaces are not more than 500 feet from the building served (measured along lines of public access) and the parking spaces are dedicated to the use of the business served through a lease, license, or easement requiring that the town be notified at least 30 days prior to termination. Upon the termination of any lease, license, or easement for required parking spaces, the entity served by the parking must either cease doing business or obtain alternative parking conforming to this article.
- (b) Unenclosed parking spaces may be located within the required yard around buildings as herein specified.
- (c) Parking spaces must be at least nine feet wide and 18 feet in length. In addition, there shall be sufficient area for maneuvering.
- (d) Unenclosed parking spaces and driveways shall be constructed of concrete, asphalt, or permeable pavers with a suitable base, except that gravel shall be a permissible surface for the following: (i)

- parking or driveways, or portions thereof, that are located to the rear of the building served, and (ii) parking or driveways, or portions thereof, that existed prior to April 10, 2023.
- (e) All parking spaces shall be designed to prevent parked vehicles from extending beyond the limits of the parking area and to prevent damaging effects to adjoining or nearby properties from surface drainage from the parking facility. Lighting facilities shall be so arranged that light is reflected away from adjacent properties.
  - (f) All loading spaces required under section 30-819 must be at least 12 feet wide by 25 feet in length. In addition, there shall be sufficient area for maneuvering.

**ACTION ITEM:** Mayor Jackson stated that the final action item is the consideration of a Main Street Affiliation Resolution and asked for a motion to adopt the Resolution reaffirming participation in the Virginia Department of Housing & Community Development's Virginia Main Streets Program, as presented and shown below. Councilperson Dyjak replied so moved and added that the Planning Commission had reviewed and recommended adoption. The motion was seconded by Councilperson Estes and there was no additional discussion. The motion was approved by a roll call vote of 6 to 0, the voting recorded as follows: WOLZ—AYE; SEWARD—AYE; DYJAK—AYE; PANNELL—AYE; ESTES—AYE; JACKSON—AYE; and MATHIAS—ABSENT.

**RESOLUTION REAFFIRMING PARTICIPATION IN THE VIRGINIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S  
VIRGINIA MAIN STREETS PROGRAM**

WHEREAS, the Virginia Department of Housing and Community Development administers the Virginia Main Street Program and provides an Exploring Main Street option for communities that are exploring downtown revitalization, and

WHEREAS, staff of the Town of Dayton submitted an application for obtaining Exploring Main Street status for the Town of Dayton in October of 2002, and

WHEREAS, the Town of Dayton desires to reaffirm its commitment to the Virginia Main Street program as an Exploring Main Street Community, and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Dayton, Virginia that the Town authorized and endorses the Town's reaffirmation for participation in the Virginia Department of Housing and Community Development's Virginia Main Streets Program as part of the Exploring Main Street tier.

**PUBLIC COMMENT:** Mayor Jackson first recognized Jerry Critcher again to speak. Mr. Critcher addressed the Council with a concern about the proposed dog park. He stated that he is speaking in opposition of a future dog park as it becomes a maintenance issue as people do not always properly clean up after their dogs.

Mayor Jackson then recognized Sam Lee of FabRefurbs at 250 Main Street to speak. Mr. Lee addressed the Council and thanked the Town and staff for their efforts with the new Business Spotlight and stated that FabRefurbs will be open for the Redbud Festival beginning with an Open House on Friday night.

**MANAGER'S REPORT:** Interim Town Manager Bob Holton provided a written report including the financials, which is attached. He stated that new water treatment plant is operating efficiently and the Town is already saving money by not needing to purchase as much water from the County. He provided Council with a progress report as to the water storage tank and the King Street extension.

**POLICE DEPARTMENT'S REPORT:** Chief Trout provided Council with an update on the Department and added that they would be holding a Cones with a Cop event at Grammmies's the first weekend in June. Mayor Jackson asked Chief Trout to give an overview of the accreditation process and the status.

**TOWN ATTORNEY REPORT:** Attorney Jordan Bowman stated that he had no report.

**MAYOR & COUNCIL REPORTS:** Mayor Jackson spoke about the recent senseless acts of violence and stated that we all need to be vigilant and if we see or hear something, to say something. Councilperson Estes stated that things were going great at the Mill.

- Economic & Community Development Committee Report: Chairperson Dyjak stated that there are lots of exciting things happening in the Town of Dayton and highlighted some of the business highlights and events. He extended congratulations to Lone Pine Lighting on their retirement and thanked them for their many years in Dayton. He stated that there will be an open house at Valley Water Gardens on April 21<sup>st</sup>.
- Finance Committee Report: Chairperson Dyjak stated that they had been working hard on the Town's budget and issued a thank you to Council and Staff.
- Infrastructure Committee Report: Chairperson Seward stated that there was no report; however, he stated that staff had done a fantastic job on the water treatment plant.
- Police & Safety Committee Report: Chairperson Seward stated that there was no report; however, he gave kudos to the Police Department for all their efforts.
- Parks, Recreation & Beautification Committee Report: Chairperson Wolz stated that they had met to discuss some upcoming events, including a possible 5K run in the fall, a Cook's Creek waterway cleanup project and the possible installation of new playground equipment for Sunset Park.
- Personnel Committee Report: Committee Member Pannell stated that the committee met on March 29<sup>th</sup> to review the Town's handbook, policies & procedures.

**UNFINISHED BUSINESS:** None.

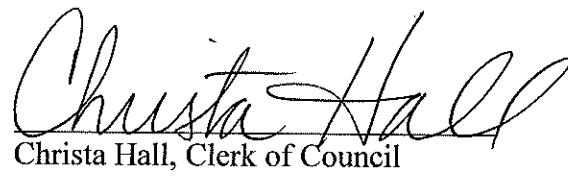
**NEW BUSINESS:** None.

**ADJOURNMENT:** With there being no further business to come before the Council, Councilperson Estes made a motion to adjourn the meeting and Councilperson Wolz seconded the motion; motion passed unanimously. The meeting adjourned at 6:35 p.m.

Respectfully Submitted,



Cary Jackson, Mayor



Christa Hall, Clerk of Council

## **ATTACHMENT TO DTC 4.10.23 REGULAR MEETING MINUTES: Town Manager Report**

### **Public Works:**

- The Town continues to investigate possible water storage tank sites; met with landowner at site located behind The Hair Corral.
- Current water line infrastructure study planned to begin in July for the water line extension/looping project.
- Construction on the Mason Street water line upgrade should begin in April.
- Water plant treated 52.357 million gallons of water in the month of March.
- Purchased 200,000 gallons from Rockingham.
- New water plant:
  - Up and running successfully!
  - Waco will return in May to make final adjustments.
  - Cleaning out old building.
- King Street bridge. We've been working with our engineers to determine the cost of a bridge at the extension of King Street. Unfortunately, this has been shown to be a costly endeavor. Engineering could range between \$10,000 and \$150,000 depending upon problems encountered with the flood plain. For example, a flood plain study could be \$40,000 and a flood map revision could be double that amount. The construction cost of a bridge will likely be between \$275,000 and \$300,000. This makes a total project cost as low as \$285,000 but as high as \$450,000. For planning purposes I'd estimate a realistic cost in the \$400,000 range.

### **Treasurer's Department:**

- Public Hearings will be held for fee adjustments, the FY23 Budget Amendment and the FY24 Proposed Budget. Council to adopt the amendment in April and the FY24 Budget & CIP at the May 8<sup>th</sup> meeting. The public hearing was advertised, and a budget newsletter was mailed to all residents and businesses on April 5<sup>th</sup>.
- Financials attached.

### **Police Department:**

- The Accreditation process continues to progress.
  - Full unannounced Property & Evidence inspection – found no issues.
  - Mock assessment scheduled for June.
  - Formal assessment scheduled for August.
- The Chief continues to research and apply for any and all applicable grants to assist the Department with funding opportunities.
- Planning Cones with a Cop event in June.

### **Community & Economic Development:**

- Wayfinding Signage: The RFP was put out in March. Bids are due May 3<sup>rd</sup> and with Bid Award to be approved by Council at May 8<sup>th</sup> meeting. Once the bid is awarded, we anticipate completion within six months.
- Downtown Revitalization Grant: Initial submission is still under DHCD review.
- Staff continues to build and strengthen business relationships in Town.
- Registration for Redbud & Dayton Days is full for both events. New vendors are waitlisted.

Town of Dayton  
Budget v. Actual Report  
FY23 PERIOD ENDING 3/31/2023

REVENUES	Budget	MTD	YTD	Variance	% Rcvd
<b>General Fund</b>					
Property Taxes	\$ 166,500	\$ (2)	\$ 166,581	\$ (64)	100%
Other Local Taxes	\$ 435,450	\$ 34,517	\$ 330,946	\$ 98,504	77%
Permits, Privilege Fees & Licenses	\$ 500	\$ 32	\$ 969	\$ (469)	194%
Fines & Forfeitures	\$ 43,000	\$ 7,919	\$ 32,145	\$ 10,855	75%
Rev. from use of money & prep.	\$ 2,500	\$ -	\$ 365	\$ 2,135	15%
Charges for services	\$ 160,000	\$ 13,419	\$ 107,109	\$ 52,891	67%
Other	\$ 120,500	\$ 1,979	\$ 1,008,530	\$ (888,030)	837%
State & Federal Funding	\$ 134,200	\$ 12,167	\$ 137,054	\$ (2,854)	102%
Transfer from Water & Sewer	\$ 1,078,050	\$ -	\$ -	\$ 1,078,050	0%
<b>TOTAL GF REVENUES</b>	<b>\$ 2,140,700</b>	<b>\$ 70,051</b>	<b>\$ 1,789,682</b>	<b>\$ 351,018</b>	<b>84%</b>

<b>General Capital Fund</b>					
Transfer from Water & Sewer	\$ 112,208	\$ -	\$ -	\$ 112,208	0%
Transfer from Reserves	\$ 126,472	\$ -	\$ -	\$ 126,472	0%
	<b>\$ 238,680</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 238,680</b>	<b>0%</b>

<b>Water &amp; Sewer Capital Fund</b>					
Transfer from Water & Sewer Fund	\$ 50,000	\$ -	\$ -	\$ 50,000	0%
	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 50,000</b>	<b>0%</b>

<b>Water &amp; Sewer Fund</b>					
Charges for service	\$ 3,625,000	\$ 330,433	\$ 2,618,674	\$ 1,006,326	72%
W&S Conn fees	\$ 30,000	\$ 7,500	\$ 26,525	\$ 3,475	88%
Interest	\$ 10,000	\$ 9,489	\$ 23,901	\$ (13,901)	239%
Misc.	\$ 2,500	\$ 1,333	\$ 6,203	\$ (3,703)	248%
<b>TOTAL WAS REVENUES</b>	<b>\$ 3,667,500</b>	<b>\$ 348,755</b>	<b>\$ 2,675,303</b>	<b>\$ 992,197</b>	<b>73%</b>

TOTAL REVENUES	Budget	MTD	YTD	Variance	
	\$ 6,096,880	\$ 418,816	\$ 4,464,985	\$ 1,631,895	73%

EXPENDITURES	Budget	MTD	YTD	Variance	% Used
<b>General Government</b>	<b>\$ 591,550</b>	<b>\$ 63,939</b>	<b>\$ 467,649</b>	<b>\$ 123,901</b>	<b>79%</b>
Public Safety	\$ 705,000	\$ 71,960	\$ 636,895	\$ 169,105	76%
Public Works	\$ 491,100	\$ 43,162	\$ 339,324	\$ 151,776	69%
Parks, Rec & Culture	\$ 171,750	\$ 9,135	\$ 109,081	\$ 62,669	64%
Community Development	\$ 181,300	\$ 12,482	\$ 107,142	\$ 74,158	59%
<b>TOTAL GF EXPENDITURES</b>	<b>\$ 2,140,700</b>	<b>\$ 200,698</b>	<b>\$ 1,559,091</b>	<b>\$ 581,609</b>	<b>73%</b>

<b>Capital Projects</b>					
PD Equipment	\$ 50,000	\$ 6,217	\$ 12,069	\$ 37,931	24%
Sign Program	\$ 50,000	\$ -	\$ 3,082	\$ 46,918	6%
Sidewalks	\$ 30,000	\$ -	\$ 22,020	\$ 7,980	73%
Land Acquisition & Amenities	\$ 25,000	\$ -	\$ -	\$ 25,000	0%
PW Service Truck	\$ 50,000	\$ 2,545	\$ 2,545	\$ 47,455	5%
WTP Equipment	\$ 33,680	\$ 33,680	\$ 33,680	\$ -	100%
Generator	\$ 50,000	\$ -	\$ 45,850	\$ 4,150	92%
<b>TOTAL CAPITAL PROJECTS</b>	<b>\$ 288,680</b>	<b>\$ 42,442</b>	<b>\$ 119,246</b>	<b>\$ 169,434</b>	<b>41%</b>

<b>Operating</b>	<b>\$ 578,500</b>	<b>\$ 58,906</b>	<b>\$ 521,548</b>	<b>\$ 56,952</b>	<b>90%</b>
HRRSA	\$ 1,823,742	\$ 141,567	\$ 1,795,846	\$ 27,896	71%
Water Fund Contingency	\$ 25,000	\$ -	\$ 21,610	\$ 3,390	86%
<b>TOTAL WAS EXPENDITURES</b>	<b>\$ 2,427,242</b>	<b>\$ 198,473</b>	<b>\$ 1,839,004</b>	<b>\$ 588,238</b>	<b>78%</b>

Transfer to General	\$ 1,078,050	\$ -	\$ -	\$ 1,078,050	0%
Transfer to Capital-Water & Sewer	\$ 162,208	\$ -	\$ -	\$ 162,208	0%
<b>TOTAL CAPITAL TRANSFER</b>	<b>\$ 1,240,258</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,240,258</b>	<b>0%</b>

TOTAL EXPENDITURES	Budget	MTD	YTD	Variance	
	\$ 6,096,880	\$ 399,171	\$ 1,998,095	\$ 2,698,785	56%

<b>NET TOTAL</b>	<b>\$ -</b>	<b>\$ 19,645</b>	<b>\$ 1,066,890</b>		
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Budget vs Actual

Town of Dayton  
Period Ending 3/31/2023  
15 & 25 Carry-Over Capital Projects

Description	Balance @ 6/30	Mnth	YTD	Variance	Prcnt Used
15-4910-802 Equipment PD	\$ 5,331	\$ -	\$ 5,331	\$ -	100%
15-4910-810 Greenway Project	\$ 4,438	\$ -	\$ -	\$ 4,438	0%
15-4910-820 King Street Extension Path	\$ 25,649	\$ -	\$ -	\$ 25,649	0%
15-4910-840 Sign Program	\$ 75,894	\$ -	\$ 3,082	\$ 72,812	4%
15-4910-850 Sidewalks	\$ 30,000	\$ -	\$ 22,020	\$ 7,980	73%
15-4910-860 Land Acquisition & Amenities	\$ 50,000	\$ -	\$ -	\$ 50,000	0%
25-4910-802 Water Line Extension	\$ 65,000	\$ -	\$ -	\$ 65,000	0%
25-4910-840 Water Plant Upgrade	\$ 2,005,167	\$ 56,639	\$ 1,795,728	\$ 209,439	90%
25-4910-850 Water/Sewer Line Replacement	\$ 140,446	\$ 330	\$ 14,201	\$ 126,245	10%
25-4910-865 Service Truck	\$ 45,000	\$ -	\$ 49,492	\$ (4,492)	110%