

DAYTON TOWN COUNCIL MINUTES
November 13, 2018

COUNCIL MEMBERS PRESENT: Mayor Charles Long, Todd Collier, Jeff Daly, Zachary Fletchall, Cary Jackson, Robert Ohgren, and Tara Worthy

COUNCIL MEMBERS ABSENT: None.

ALSO PRESENT: Jason J. Ham, Town Attorney; Bobby Popowicz, Town Superintendent; Danny Hanlon, Chief of Police; Lee Early, Town Treasurer; Kim Clark, Recorder; and Local Citizens.

CALL TO ORDER: Mayor Long called the meeting to order at 7:00 p.m. Mayor Long welcomed everyone and led the Invocation and Pledge of Allegiance.

ADOPTION OF AGENDA:

The agenda item “Tell Me Something Good” was added to the agenda at the end of all action matters. A motion by Todd Collier to adopt the agenda as amended, seconded by Robert Ohgren. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, TO ADOPT THE AGENDA AS AMDEDED.

PUBLIC HEARING: None.

SUPERINTENDENT’S REPORT: Bobby Popowicz

Report attached to minutes.

- Bobby reported that Mr. Ward paved the Greenway on his own.
- Compacted stone meets ADA requirement for park paths.
- On December 18, 2018, the Town will welcome bids on the Town Hall Entry Floor Replacement.
- No research to report on the street sweeper. The Town’s present parking lot sweeper has hydraulic issues.
- Cary Jackson added that a Bobcat with accessories that would have multiple uses runs \$42,000, whereas a new street sweeper is \$102,000.

Treasurer’s Report: Lee Early

Lee reviewed the numbers to date.

- While Lee feels there is nothing to worry about, the Town is a little behind last year’s pace.

Police: Chief Danny Hanlon

Chief Hanlon gave the monthly numbers.

- Chief Hanlon reported having a good meeting with VDOT regarding issues that have been brought before Council.
 - The speed limit on Route 42 will not be changed to 45 miles per hour.
 - The bridge at Cook’s Creek will be widening to 2 lanes; slated for next summer.
 - “No trucks” sign on Silver Lake Road will have piece added to turn left onto Eberly, to avoid Main Street.
 - Building the bank up, extending the buggy lane is under consideration on Rt. 42 and Mason Street (leaving Dayton) out to the Limestone area.
 - Parking problems on Ashby Street were discussed, when school is released was covered.
 - Since VDOT controls our streets and alleys, they have asked a design for “no parking” or “No parking at certain times” will be given to VDOT.
- The Town is still in the hiring process. Had awesome meetings with Personnel Committee over the past several months.
- A resident expressed concern over (tractors) speeding on College and Main Streets: “This is your speed” mounted, portable unit sign will be placed on those streets (semi-permanent).
- “Drive Like Your Kids Live Here” signs can be placed on private property, by residents.

Sewer Authority: Bobby Popowicz
Report was given.

- The Authority is “on track” with chemicals and budget.

Planning Commission: Charles Long
No Report.

- Weather permitting, the next Planning Commission meeting will be held on Thursday, November 18th, 7:00 pm.

Finance Committee: Jeff Daly

- Greenway:
 - The original Greenway cost estimate was \$168,000, given by engineering company.
 - Engineering plans changed (ie. paths widened, etc.); the new Greenway cost was \$190,000 at the first Finance Committee meeting.
 - The finalized cost was \$227,000 was brought forward for approval. This number was backed down to \$219,000, due to grant money pledged from Cargill.
 - To date, the Town has spent \$234,598. Of this, \$6,900 is the story wall, which was not in the original quote of \$219,000, meaning we have spent \$227,000 has been spent on the Greenway; over budget by 4%.
 - \$19,500 has come in from donations.
 - There is \$8,800 left in the budget to cover the original cost.
 - The Greenway Sub-Committee has been very valuable; more people involved and more information flowing.

Personnel Committee: Zachary Fletchall

Updates from last Personnel Committee meeting were given:

- The Personnel Committee met on October 23 and November 2, 2018 to discuss job descriptions, which will become a part of the employee handbook.

- The evaluation form process is becoming finalized.
- Open positions were discussed (Police and Events Coordinator).
- Met with Chief Hanlon prior to this meeting to discuss hiring strategies.
- Bobby reported that there are 24 applicants for the Events Coordinator, with 6 qualified candidates. Preliminary interviews will be done by Bobby, then moved to the Personnel Committee.
- Todd Collier thanks Zach and R.J. for all their hard work.

Economic Development: Tara Worthy

- 12 Days of Dayton went out to residents and businesses this week, with the help of Kim.
- 2018 Dayton Town Ornament will be available for purchase on December 5, 2018 at the Town and merchants listed on the flyer.

Parks & Community Development: Todd Collier

- Greenway Sub-Committee met last week; discussed Story Wall.
- The 2 panels on the sides will be Dayton history, including the Civil War, which means we will be added to the Civil War Trail and the center panel will be “the people of Dayton”.
- We will be moving towards Phase II next year: this phase will go 2/3 of the way around Silver Lake (too narrow/risky to go all the way around), using the existing roadway, having it cleaned up by VDOT, and focusing on nature as you walk out the trail and agriculture (on the other side) as you are walking back; with the anticipation of much less cost.

Annexation: Jeff Daly
No Report.

Grants: Jacob Collier
Report was given.

- We have 13 participants registered for the Dayton Christmas parade thus far.

Muddler: Danny Hanlon

- Tiffany should begin working 1-day a week soon.

ACTION MATTERS: Approval of Bills.

A motion by Cary Jackson to approve the bills totaling \$188,953.57 was seconded by Tara Worthy and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT BILLS TOTALING \$188,953.57 BE APPROVED.

Jason Ham explained the Economic Development Authority has staggered terms (1-year, 2-years, 3-years, and 4-years). There are now two expired 1-year terms, held by Cheryl Lyons and Diane Roll. To be reappointed at this time, they would then be appointed to 4-year terms, each. There are also two vacancies, one of which expires on July 10, 2020 and the other July 10,

2019. Zachary Fletchall and Cary Jackson has expressed interest in these two positions. However, as of January 1, 2019, when Sam Lee becomes Mayor, one council member will have to resign, because four council members (or a majority) cannot on this board at one time. Presently, Sam Lee and Todd Collier are members.

Cheryl Lyons accepted 4-year reinstatement and Cary and Zachary accepted the vacancy seats to the board. Diane Roll was not present at the meeting.

A motion by Todd Collier to appoint Chery Lyons to the Economic Development Authority for a 4-year term, seconded by Zachary Fletchall and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT CHERYL LYONS BE APPOINTED TO THE ECONOMIC DEVELOPMENT AUTHORITY FOR A 4-YEAR TERM.

A motion by Zachary Fletchall to appoint himself to the Economic Development Authority for the term expiring on July 10, 2019, seconded by Robert Ohgren and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT ZACHARY FLETCHALL BE APPOINTED TO THE ECONOMIC DEVELOPMENT AUTHORITY FOR THE TERM ENDING JULY 10, 2019.

A motion by Robert Ohgren to appoint Cary Jackson to the Economic Development Authority for the term expiring on July 10, 2020, seconded by Jeff Daly and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT CARY JACKSON BE APPOINTED TO THE ECONOMIC DEVELOPMENT AUTHORITY FOR THE TERM ENDING JULY 10, 2020.

A reminder was made by Jason Ham that Cheryl, Zachary, and Cary must take their oath prior to the first meeting.

A motion made by Jeff Daly to appoint Zachary Fletchall as Planning Commission Liaison from the Council, beginning January 1, 2019, seconded by Tara Worthy and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT ZACHARY FLETCHALL BE APPOINTED AT THE PLANNING COMMISSION LIAISON FROM COUNCIL, BEGINNING JANUARY 1, 2019.

A motion made by Jeff Daly to appoint Zachary Fletchall as a member of the Planning Commission, beginning January 1, 2019, seconded by Tara Worthy and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT ZACHARY FLETCHALL BE APPOINTED AS A MEMBER OF THE PLANNING COMMISSION, BEGINNING JANUARY 1, 2019.

PRESENTATIONS: None

TELL ME SOMETHING GOOD:

- Zachary Fletchall read a letter of commendation for Officer Reggie Dollar for his actions while responding on October 18, 2018 to a domestic violence incident.
- Cary Jackson worked an evening with Officer Jeff Smith. In addition to normal checks, they took rope to tie a tarp for a young lady who was having trouble keeping a vehicle covered, according to the Town ordinance.
- Ms. Waggy thanked Officer Jeff Smith for bringing the Town gift for her father for Veteran's Day and suggested there be something for diabetics included.
- Lee Early said that he and Chief Hanlon announced that on November 10 was the 243rd birthday of the U.S. Marine Corp.

CONSENT AGENDA: Minutes of October 9, 2018 Council Meeting.

Mayor Long asked for comments pertaining to minutes of the Council meeting dated October 9, 2018. Hearing none, a motion by Jeff Daly was seconded by Todd Collier to approve the minutes and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT MINUTES OF THE OCTOBER 9, 2018 COUNCIL MEETING BE APPROVED AS WRITTEN.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- Overtime Pay – Essential Personnel
 - Discussion revolved around public works personnel being paid for pushing snow during the day when the Town office was closed at double time pay vs. those who push snow at night for time and a half pay.
 - VDOT receives a bill from the Town to pay for our personnel during snow removal.
 - Zachary Fletchall to bring this issue up at the next Personnel Committee Meeting.
 - PTO is accrued by the hour and taken by the hour, regardless of position, based on amount of time having worked for the Town.
- Parking Spaces Behind the Thomas House Restaurant
 - Having been in business for 25 years, the Thomas House began being charged \$10 per spot for 12 spots, per month, for the last ten years, due to his sign stating “Thomas House Parking”.
 - Cary Jackson suggested that all parking downtown should be labeled “For Downtown Merchant Parking Only”.

- Bobby Popowicz recommended 2-hour timed-parking for spaces, as it would be easier for the police department to enforce.
- Cary stated that he is not interested in buying the Thomas House.
- Residents expressed concern for need for downtown business parking, but feel that certain business monopolize spaces.
- Mayor Long suggested that Bobby meet with businesses to get a consensus of how to handle the parking situation; perhaps do away with fees, identify downtown parking, have designated hours for certain locations, etc.

PUBLIC COMMENT:

If it is a complaint, Mayor Long asked for a suggestion to solve it or improve it.

- Clarification was requested for the Hinton property fence.
 - By ordinance, at ground level, you should not be able to see anything behind it.
- The 2018 Dayton summer events were coordinated well with Bridgewater.
- Cost(s) were requested for event sponsorships.
- Tara Worthy announced that two bands have been booked for 2019 and there is discussion regarding an ice cream social.
- Todd Collier stated that it was hard to get a clear picture of the 2018 summer events, due to getting so much rain.
- A request was made to have a bluegrass band play.
- Thanks was given to the Town for working on the flooding issue and a brief update was given by Jeff Daly.
- Fort Harrison will participate in the national Wreaths Across America ceremony on December 15, noon, at the Dayton Cemetery, with 170 graves being marked. There will be an open house at Fort Harrison, with light refreshments and music to follow.
- Jody Meyerhoeffer offered Town history regarding property at 218 Main Street (for Rt. 42 easement) and parking at Thomas House and downtown.

MAYOR AND COUNCIL COMMENTS:

Jeff Daly made various comments regarding past personnel matters and was critical of Mayor Long for speaking with the press regarding personnel matters and other matters that were discussed in closed session. Mayor Long responded that he believed the things he discussed had been talked about in open session. Mr. Daly and Mayor Long disagreed on this point. Mr. Daly described the investigation that was done by Verizon with respect to the Town's computers and phones. Mr. Daly was critical of a prank participated in by Mayor Long and played on a town police officer in 2013, and Mr. Long's participation in selling building supplies to the Town in 2007 and 2012. Mr. Daly spoke regarding favoritism and wanting to change the character of the Town to be more business-like and not to benefit individuals. Mr. Daly talked about the 2008 investigation regarding possible misconduct by Town employees. Mr. Collier questioned missing records related to the construction of the Town Municipal building and wanted the Town to digitize all of its records. Mr. Daly discussed past spending that was unaccounted for and stated that he would not tolerate it as long as he was on Council and that unaccounted for

spending was no longer allowed. Mr. Daly spoke about the new procurement policy and how smaller towns don't have to have one but that Dayton does to ensure that money is properly spent. Mrs. Worthy indicated that contrary to statements made during the election that she did not hate the Dayton Police Department or Chief Hanlon. Mayor Long acknowledged that the company that he worked for was awarded a bid in 2012 but stated that he did not personally gain from the transaction. Mr. Collier stated that the Mayor had inappropriately contacted the press regarding closed session matters, a crime had been committed but that they could not determine who the guilty party was, that Chief Hanlon is a fantastic Chief of Police and that he was not the target of the investigation.

CLOSED SESSION: To discuss Dayton West, LLC sidewalks and Personnel Matters.

A motion was made by Zach Fletchall and seconded by Cary Jackson to adjourn into closed session and passed by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

**MOVED, TO RECESS INTO CLOSED SESSION UNDER STATE CODE 2.2-3711(A)(7)
AND 2.2-3711(A)(1)**

Recessed into closed session at 9:21 PM

Back in regular session at 9:56 PM

A motion by Robert Ohgren was seconded by Todd Collier that the session was held in conformity to the State Code and passed by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

MOVED, THAT THE MEETING WAS HELD IN CONFORMITY.

A motion by Todd Collier to appoint Diane Roll to the Economic Development Authority for a 4-year term, seconded by Zachary Fletchall and passed by Council by roll call vote. Those in favor: Long, Collier, Daly, Fletchall, Jackson, Ohgren, and Worthy.

**MOVED, THAT DIANE ROLL BE APPOINTED TO THE ECONOMIC
DEVELOPMENT AUTHORITY FOR A 4-YEAR TERM.**

Discussion regarding the prior investigation, employee matters, selling materials to the Town and regarding the asserted inappropriate communication of matters to the press resumed between Mayor Long and Mr. Daly.

ADJOURNMENT: With no further business to come before Council, a motion by Jeff Daly to adjourn the meeting was seconded by Todd Collier and passed unanimously.

The meeting adjourned at 10:35 PM

Respectfully Submitted;

Charles Long, Mayor

Clerk, Bobby Popowicz