

DAYTON TOWN COUNCIL MINUTES
July 8, 2019

COUNCIL MEMBERS PRESENT: Mayor Sam Lee, Todd Collier, Jeff Daly, Zachary Fletchall, Cary Jackson, and Robert Ohgren.

COUNCIL MEMBERS ABSENT: Tara Worthy.

ALSO PRESENT: Jason Ham, Town Attorney; Angela Lawrence, Town Superintendent; Timothy V. Arrington, Treasurer; Justin Trout, Interim Chief of Police; Mike Betts, Marketing and Events Coordinator; Kimberley Clark, Accounting Technician; and Christa Hall, Deputy Clerk.

CALL TO ORDER: Mayor Lee called the meeting to order at 6:02 p.m. and welcomed everyone.

APPROVAL OF MINUTES FOR REGULAR MEETING OF JUNE 10, 2019

Attorney Ham noted that a correction was needed to change Council Members Aye to read Council Members Absent. A motion to approve the minutes with noted correction was made by Councilman Collier and was seconded by Councilman Fletchall and carried by a roll call vote of 6 to 0, with one councilman absent, the voting recorded as follows: LEE – AYE; DALY – AYE; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – ABSENT. The motion carried unanimously.

PUBLIC HEARING ON CHARTER AMENDMENTS

Mayor Lee called the Public Hearing to order and explained that the Town Charter Amendment is necessary for the Town to be more consistent with state law. He read the proposed amendments to the Town of Dayton’s Charter as follows:

Chapter 2 - Powers is revised and updated to provide a more comprehensive definition of the powers that may be exercised by the Town through its Council. It is important for Council and the management team that these powers be located in one place rather than having to refer back and forth through the state code. Also, many of these powers are elective in state code, meaning the Council needs to take specific action to initiate the use of these powers. More specifically these changes are:

1. Section 2.1 (c) provides that all references in the town code, ordinances, resolution, etc. referring to “town superintendent” shall now mean “town manager” reflecting the change proposed in Chapter 4, which is made to be consistent with state law.

2. Financial powers

1. Authority to tax property in accordance with state and federal law

2. Authority to impose and enforce water, sewer, trash and light fees
3. Contractual powers
 1. Acquire and dispose property
 2. Issue debt (includes capital leases)
 3. Gifts – specifies that the town may accept or reject gifts
4. Operational powers
 1. Right to organize government
 2. Establish financial processes and expend funds
 3. Construct and maintain public facilities
 4. Authority to conduct events
5. Utilities & Public Improvements
 1. Authority to own and operate water works systems
 2. Regulate streets, alleys, parks and playgrounds
 3. Authority to franchise utilities
 4. Collect and dispose sewage, garbage, and other refuse
6. Nuisance abatement and removal
7. Police powers – more clearly delineates police powers and authority
8. Other powers
 1. Removal of unsafe buildings
 2. Fees for use of public buildings

Chapter 3 – Elected Officers. Section 3.6 related to vacancies is revised to refer Council to state law in the event of the necessity to file a vacancy. The current charter is not explicit that Council must follow state law, and there are specific steps that must be followed for filing a vacancy.

Section 3.7 Meetings of Council. Establishes an annual organizational meeting to be held each year after January 1, and that Council will set date and time of meeting for the year at that meeting.

The procedure for a special meeting is revised to be consistent with state law. This change allows two or more council members to request a special meeting, allows council to consider items not previously announced at the special meeting if all council members are present and agree to consider that item. Provides that Council may establish rules of procedure for its meetings that are consistent with state law (not necessarily Roberts Rules of Order, which can be very complicated and are in some cases inconsistent with state law).

Chapter 4 – Appointed Officers. Changes the title of Town Superintendent to Town Manager and Recorder to Clerk to be consistent with state law. Specifies the duties for Town Manager, which are consistent with state law. Includes language that the Police Chief and Treasurer, like the other town department heads, are appointed by Town Manager.

Mayor Lee opened the floor to the public for comments. There being no public comment, Mayor Lee closed the Public Hearing. Councilman Collier made a motion to approve the Resolution of the Town Council of the Town of Dayton, Virginia requesting amendment of the Dayton Town Charter. The motion was seconded by Councilman Jackson and carried by a roll call vote of 6 to 0, with one councilman absent, the voting recorded as follows: LEE – AYE; DALY – AYE; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – ABSENT. The motion carried unanimously.

Mayor Lee introduced and welcomed Dayton’s new Town Superintendent, Angela Lawrence. Superintendent Lawrence greeted the council, staff and residents and stated that she is very happy to be here.

SUPERINTENDENT’S REPORT

Report attached to minutes.

- Councilman Ohgren asked a question about the well pumps and if they would operate at the same capacity after the repairs are completed. Superintendent Lawrence advised that she will check on it and get an answer to him. Mayor Lee pointed out an item from the Public Works Report that may answer his question.

TREASURER’S REPORT

Treasurer Arrington addressed the Council and advised that after meeting with Councilman Daly and Superintendent Lawrence, he will be re-submitting the June 30th Revenue and Expense Statements and those will be available at the next council meeting. He has been working with Brown and Edwards to get the balance sheet in order to achieve a more efficient, cost effective and much improved audit. Councilman Daly stated that the format of the reports will be the same but much clearer with actual corrected figures. Councilman Ohgren asked about the upcoming potential costs for the water system repairs and if the Town feels comfortable with what we are spending. Treasurer Arrington advised that he worked closely with Interim Superintendent Joe Paxton and he is confident that they have a good idea of what to expect and that the Town has taken due diligence to make sure that everything is performed well. Councilman Daly advised that Treasurer Arrington is revising the Town’s chart of accounts so that they will be more consistent with other localities and that he is striving to ensure that the Town’s reporting will show better account breakdowns on more specific information as to money coming in and being spent on specific events. Councilman Ohgren asked if Treasurer Arrington will be going to through previous years and was advised that he is going back to 2015. Superintendent Lawrence stated that the auditors did this also and that would help with going forward. Treasurer

Arrington invited Council to stop by his office anytime if they had any additional questions or wanted more information about the financial reports.

POLICE REPORT

Interim Chief Trout provided a written report and asked if Council had any questions. Councilman Ohgren asked how many applications the Town has received for the open police officer position. Interim Chief Trout responded that we had received three and he was in the process of performing background checks to complete the hiring process to get us back to a full staff of five full-time officers. He explained that our coverage has been good but there are still some gaps with part-time. He is trying to look at the coverage over the past several months and try to do a complete break-down by full-time, part-time and overtime. Mayor Lee mentioned that Interim Chief Trout has been working to obtain some extra support for the Dayton Muddler. He is working with Rockingham County Sherriff Bryan Hutcheson to use inmates in the work force program to try to limit our overtime pay. Sherriff Hutcheson has offered four inmates and a deputy, at no charge to the Town, to work with Russell Bailey and Mike Betts the week leading up to the Muddler and the week following to prepare for and clean up after the Muddler. This force has also been assisting the Town in its efforts to clean up the fence area along Route 42. Sherriff Hutcheson has also offered the Town a mobile water station for the Muddler. Councilman Ohgren asked how the inmates are compensated and Interim Chief Trout explained that it is by providing them with better housing and meals and offering them with reduced sentences.

PUBLIC WORKS

Russell Bailey provided a written report.

- The backflow prevention class hosted by the Town last week was a success. Adam Meek and Lukas Cooper with the Town completed the class and are now ready to take the state test for backflow testing certification.
- Prices have been accepted for the installation of the sidewalk between Willow West and Dayton West. Public Works will excavate and prep the site for the contractor to form and pour the concrete. The Town is providing all the material for the job. Mayor Lee pointed out that this has been a hot topic of discussion in Town. Councilman Jackson asked what the prices were. Councilman Fletchall responded that Interim Superintendent Joe Paxton had previously sent those prices out and Town Superintendent Lawrence said that she would get those figures out.
- The drainage issue on Maple Lane, between King Street and Hot Lane, has been repaired by Edwards & Sons.
- The contractor originally awarded the bid to repair the Mason Street sewer line is not returning phone calls. The Town is currently seeking other bids for the job.
- Superintendent Lawrence noted that the Town had 26 Miss Utility markings in the month of June. This number is significant for a small Town and indicates that our Town is growing and residents are building and making changes and improvements to their properties.

ZONING

No report.

EVENTS AND MARKETING

Mike Betts provided a written report.

- Councilman Collier announced that the cardboard boat races have been moved to August 17, 2019.
- Councilman Ohgren asked how the Town felt about the event attendance so far and Mr. Betts informed him that he has been satisfied.
- Mr. Betts suggested that we look into moving the bonfire to earlier in the year next year so that the temperature would be cooler for it.
- Councilman Jackson asked if the movie night that was postponed has been rescheduled yet. Mr. Betts advised that it is still pending. The Town owns the rights to show it for one year from the original scheduled date and may look into moving it indoors.
- Mayor Lee reported that he and his wife attended the Town's mini water park with their grandchildren and the event was great and the weather was good. Mr. Betts reported that it was a good turnout and thanked Town staff for their help in coordinating the event. He also noted that Sunset Park is the right park to hold such an event.
- Councilman Jackson mentioned that the ice cream social and music at Sunset Park had a good turnout and that Grammie's ice cream was enjoyed by all.
- Mr. Betts advised that he has had a lot going on and things were picking up with the Dayton Muddler and the Dayton Days Autumn Celebration. And even with the addition of thirteen spots for Dayton Days, he is still having to turn vendors away. The Muddler dinner will be held on Tuesday, July 16th.

ANNEXATION

No report.

ECONOMIC DEVELOPMENT

No committee meeting.

FINANCE

No committee meeting.

INFRASTRUCTURE

- Councilman Fletchall reported that the Infrastructure Committee met and that most items that they discussed were covered under the Superintendent's Report.
- After all repairs to Pump 1 and Pump 2 are completed, the Town will begin work to establish why Pump 4 is not operating at capacity.
- The Dayton West sidewalk project was discussed.
- They discussed the curb at Maple Lane.
- Discussed what happens at the water treatment plant and the operation of Pump 3.

- Councilman Collier stated that they visited the water treatment plant to look at the potential long-term output problems of being able to provide enough water in the future with some of the planned economic development. This would require major renovations. The reports on these renovations are not back yet.

PARKS & COMMUNITY DEVELOPMENT

- Councilman Collier reported that Mr. Betts had covered all the Parks & Community Development items.
- Councilman Collier pointed out that we will begin promoting the Cardboard Boat Races to try to get some interest in the event.

PERSONNEL

No report. Councilman Ohgren extended a welcome to Superintendent Angela Lawrence.

MAYOR AND COUNCIL

- Mayor Lee expressed his appreciation for our Town stating that it a great place to live. He recognized Russell Bailey and the public works guys saying that he always hears good reports about all their hard work. Mayor Lee stated that he is excited about all the new people on staff and on Council and the direction that the Town is heading in.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENT

- John Crim, President of the Dayton Ruritan Club addressed Council and invited them and all Town staff to their annual picnic at Sunset Park on August 8th at 6:00 p.m. It was requested that Interim Chief Trout attend in order to receive their gift of bears to hand out to area children.

ADJOURNMENT

With there being no further business to come before the Council, Councilman Daly made a motion to adjourn, and Councilman Jackson seconded the motion; motion passed unanimously.

The meeting adjourned at 6:49 p.m.

Respectfully Submitted,

Mayor, Sam Lee

Deputy Clerk, Christa Hall