

August 14, 2023

A work session of the Town Council of the Town of Grottoes was held on Monday, August 14, 2023, at the Grottoes Town Hall, Grottoes, Virginia.

CALL TO ORDER

Mayor Plaster called the work session of August 14, 2023, of the Grottoes Town Council to order at 5:00 p.m.

ATTENDANCE: Council Members present: Mayor Jo Plaster, Tim Leeth, David Raynes, Joshua Bailey, Michael Kohl. Council member Jim Justis arrived at 5:09 p.m.

Other Town Officials present were: Town Attorney Michael Helm, Town Manager Stefanie McAlister, Town Clerk Tara Morris, Treasurer Rhonda Danner, Public Works Director AJ Hummel, Parks Director Austin Shank and Police Chief Jason Sullivan.

Mayor Plaster said the first item on the agenda is discussion on capital improvement projects and use of ARPA Funds. Manager McAlister went through her presentation on capital improvement projects. She reminded Council that at the previous meeting, she gave a list of CI projects. She then went through the list which was organized by budgetary fund the project would fall under, to determine necessary projects versus wanted projects. She said once we get all back years of audits done, the town needs to have a financial advisor come in and look over our financials to suggest money investment options and advice on how the town should proceed. Councilman Kohl suggested once the audits are done, we use money from the reserve for a financial advisor, so we don't have to wait until next July to apply for grants. Manager McAlister said after looking over the ARPA funds and what has been spent, and what has been obligated to projects, we have \$84,000.00 available. She said this amount will not fully complete any of the capital projects we just discussed and asked the council to think how we should obligate this money.

Mayor Plaster said the next item for discussion is planning commission and BZA appointments. Clerk Morris informed the council that there are two vacancies on the BZA and two members who need to be reappointed, or that council would need to appoint other candidates. She said there is one vacancy on the planning commission from Nathan Foerster's resignation. That term will expire December 31, 2024. Clerk Morris said there are two planning commission members with terms expiring on December 31, 2023. Council needs to reappoint those individuals or appoint others. She said there will be candidates here tonight to interview for these positions.

Mayor Plaster said the next item on the agenda is the council vacancy. Manager McAlister said Council has 45 days from the resignation to appoint someone to fill the vacancy. She said we will need to appoint someone by September 18, 2023. Manager McAlister said we can post the vacancy on our website, Facebook page, and sign out front asking interested parties to submit a resume and a letter of interest. She said Council would have to hold a meeting to interview the

candidates and to appoint someone by the deadline. Manager McAlister said the person that gets appointed will complete the remainder of the term which will be until December 31, 2023. The deadline to hold a special election for the current year has passed.

Mayor Plaster said the next item on the agenda is discussion on sub-committees of council. Manager McAlister asked for clarification on how any council sub-committees should operate. She asked the attorney if they need to take minutes of their meetings, if they must follow open meeting requirements, and how does the council have conversations with sub-committees. Attorney Helms replied that the committee does not need to take minutes of their meetings and that the council liaison should be giving a report of the sub-committee to keep council updated. Attorney Helms suggested that the pool sub-committee that was voted on at a previous meeting should consider operating as their own 501(c)3. Council member Justis asked how that committee moves forward when we voted down the motion to have another GPR study done. He asked what's the benefit of having a pool sub-committee. Attorney Helms said the benefits of a sub-committee would be having a liaison to give reports to the council, so they can determine a common goal and move toward it. He said for the committee to move forward with the GPR study a council member from the prevailing side of the previous motion and vote would need to make a motion to have the ground penetrating radar study done and that motion would have to pass.

Mayor Plaster adjourned the work session at 6:37 p.m.

August 14, 2023

A regular session of the Town Council of the Town of Grottoes was held on Monday, August 14, 2023, at 7:00 p.m. at the Grottoes Town Hall, Grottoes, Virginia.

CALL TO ORDER

Mayor Plaster called the regular session of August 14, 2023, of the Grottoes Town Council to order at 7:00 p.m. Mayor Plaster asked for a roll call.

ATTENDANCE: Council Members present: Jim Justis, Joshua Bailey, Mayor Jo Plaster, David Raynes, Tim Leeth, and Michael Kohl.

Other Town Officials present: Attorney Michael Helm, Town Manager Stefanie McAlister, Clerk Tara Morris, Parks Director Austin Shank, Treasurer Rhonda Danner, Public Works Director AJ Hummel and Police Chief Jason Sullivan.

APPROVAL OF MINUTES

On motion by Council member Raynes, seconded by Council member Justis, and carried by a vote of 6-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; STERLING – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE; the Council approved the minutes from the meetings on July 11, 2023, as presented.

PRESENTATION OF PETITIONS AND CLAIMS (public comment)

Scott Sacra addressed the Council stating that he is here to talk about a safety concern. He showed the council a video that was taken of a car that sped up and down Forest Avenue several times in one day. The video showed the car passing by two people on bicycles. Mr. Sacra said his neighbors did notify the police and he thanked Chief Sullivan for the extra patrol. He said he is asking for help to slow the traffic down of Forest Avenue and suggested stop signs at Forest and 14th Street.

Mark Keeler addressed the council about the request to rezone 4.059 acres from B-3 to R-7. He said he is speaking as a neighbor and former council and planning commission member. Mr. Keeler said he is asking the council to deny the request for the following reasons: 1. He feels the property is zoned properly. 2. Changes should only occur when it's best for the town and he feels this is spot zoning. 3. We know Grottoes needs businesses and shouldn't give up a business lot. 4. What would we gain? Townhouses and feels that's a concern for our infrastructure. 5. If it were rezoned it could be a changed plan for another accepted use the zoning allows.

Cheryl Keeler addressed the council saying what happens with the subdivision will impact our experience in town and it seems to be the town's responsibility to manage growth.

Maite Taylor gave an update on the pool committee. She said she has corporate sponsors who are willing to donate but they are asking for commitment from the town council that they are willing to save the pool before donating.

Mary Alice Robertson said she moved to town over 52 years ago. She said it has become a lot busier over the years. Mrs. Robertson said herself and her husband have served on the town's planning commission. She said she agrees that the property is zoned correctly and should not be changed. She said how many apartments have been built along with the townhouses and single-family houses in the Shady Creek Subdivision which have all been built around their properties. Mrs. Robertson said she is concerned there are no sidewalks or crosswalks on the east side of Augusta Avenue and the increase in traffic is a concern. She said tractor trailers need both lanes to turn. She asked about the hardscape and where will it go? She said this is concerning the health and welfare of the citizens.

Gloria Munson said she lives at 89 Grace Street and addressed the council saying she is not opposed to development but said she was devastated that the trees are gone. She said she used to watch the deer in the area and now they are gone. Mrs. Munson asked to keep the building at a minimum and asked the council to think a lot about the rezoning.

Nadina Pupic addressed the council and said the citizens of Grottoes want a pool. She said the committee cannot move forward until the council approves for the ground penetrating radar study to be done.

REPORTS OF STANDING COMMITTEE:

FINANCE – Council member Raynes made a motion, seconded by Council member Leeth, and carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES - AYE; KOHL – AYE; LEETH – AYE, to approve the financial reports for the month of July.

WATER AND SEWER – Council member Bailey said the committee met and discussed the recent water line repair and water outage and ideas for improvement. He said the committee is going to meet again in September.

ORDINANCE, HEALTH, AND PROPERTY – no report

STREET AND STREET LIGHTS – no report

PARKS, RECREATION AND PUBLIC FACILITIES – no report

SPECIAL EVENTS – Council member Leeth announced the First Responders Event went well and mentioned this will be an annual event for our citizens to come out and meet the first responders in our town.

PERSONNEL, FIRE AND POLICE PROTECTION –

STAFF REPORTS

TOWN MANAGER. Manager McAlister pointed out from her staff report that the 7th Street and 13th Street water line replacement bid was awarded to Atkins Excavating for an amount of \$145,118.00. She said the work should begin within the next couple weeks.

ATTORNEY. Attorney Helms elaborated on why the citizens committee would need to become a 501(C)3 to raise monies to repair the pool.

TREASURER. A written report was provided. There were no additional comments from staff and no questions or comments from Council members.

ASSISTANT TO TOWN MANAGER. A written report was provided. There were no additional comments from staff and no questions or comments from Council members.

POLICE CHIEF. A written report was provided. There were no additional comments from staff and no questions or comments from Council members.

PUBLIC WORKS. A written report was provided. There were no additional comments from staff and no questions or comments from Council members.

RECREATION AND TOURISM DIRECTOR. Director Shank said the Phase 2 communication upgrade for the emergency phone throughout the cave will begin soon and that he will send a calendar showing the dates the caverns will be closed for this installation. He said he will also post the calendar on the website and social media pages.

NEW BUSINESS – Council member Raynes made a motion, seconded by Council member Justis, and carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE; to approve the lot line sub-divide in the 500 block of 19th Street.

Manager McAlister gave staff's rezoning report and pointed out that the current zoning allows for residential, and that the applicant is asking to upzone the property to R-7 to allow for townhouses.

Steve Driver with Terra Engineering gave a presentation on the plan presented for the rezoning of the 4.059 acres from B-3 to R-7. He gave the VDOT report which does not warrant a turn lane. He stated that he discussed with the developer many options for the property, and this is the best plan for the least land disturbance. He said the property is on the side of a hill and that they could easily develop townhouses on the side of the hill with possibly a walk out basement. He said this plan proposes three single family homes on the top of the hill, which is zoned R-1 but the size of the property would allow for six homes to be built on the hill in the R-1 zone. Mr. Driver stated that if the property is not rezoned the developer still plans to build residential in the B-3 zoning and could build 11 duplexes or 22 living units on the acreage. He said for the

developer to build the duplexes it would require more excavation to flatten the hill and would change the aesthetics of the land. He said the developer is trying to keep the aesthetics of the land and build what he can to make the project work out for the B-1 lot along Augusta Avenue for a business.

On a motion by Council member Leeth and seconded by council member Raynes, and carried by a vote of 3-2, voting recorded as follows: JUSTIS – AYE; BAILEY – NAY; RAYNES – AYE; KOHL – NAY, LEETH – AYE; to set a joint public hearing for the next council meeting for the rezoning request.

Council member Kohl made a motion to add an item about the speed issue on Forest Avenue. Seconded by Council member Leeth, and carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE; to have the streets and streetlights committee come up with a proposal.

OLD BUSINESS – Council member Leeth made a motion, seconded by Council member Justis, and carried by a vote of 4-1, voting recorded as follows: JUSTIS – AYE; BAILEY – NAY; RAYNES – AYE; KOHL – AYE, LEETH – AYE; to proceed with the ground penetrating radar study to make sure the pool is safe and worth fixing.

CLOSED SESSION – Mayor Plaster asked for a motion to convene into closed session pursuant to Section 2.2-3711(A)1 of the code of Virginia for the interviewing of candidates for a board or commission, and pursuant to section 2.2-3711(A)3 of the Code of Virginia for discussion or consideration of the acquisition of real property where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Council member Leeth replied so moved, Council member Justis seconded the motion, and carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE; to convene into closed session.

On a motion by Council member Leeth and seconded by council member Bailey, and carried by a vote of 5-2, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE; to adjourn the closed session.

Mayor Plaster read the certification of the closed session – “to the best of your knowledge that only public business matters lawfully exempted from open meeting requirements under section 2.2-3711(A)1 and 2.2-3711(A)3 of the Code of Virginia, as only such public business matters that were identified in the motion by which a closed meeting were heard, discussed, or considered in the closed meeting”. Clerk Morris took a roll call. J. Justis; so certified, J. Bailey; so certified, J. Plaster; so certified, D. Raynes; so certified, T. Leeth; so certified, M. Kohl, so certified.

On a motion by Council member Leeth and seconded by council member Justis, and carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE;

KOHL – AYE, LEETH – AYE; to appoint Jean Stoll to fill the vacancy on the planning commission, to reappoint Dylan Nicely to the planning commission and to appoint Brook Hass to the planning commission as of January 1, 2024. Council member Leeth added to the motion to reappoint Dylan Nicely and Christa Hall to the board of zoning appeals and to appoint Richard Muttai and Mark Keeler to a four-year term on the BZA.

Mayor Plaster declared the meeting adjourned at 9:48 p.m.