

September 11, 2023

A work session of the Town Council of the Town of Grottoes was held on Monday, September 11, 2023, at the Grottoes Town Hall, Grottoes, Virginia.

CALL TO ORDER

Mayor Plaster called the work session of September 11, 2023, of the Grottoes Town Council to order at 6:00 p.m.

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

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 asked for a motion to amend the agenda to interview for the town council vacancy. Council member Justis made a motion to amend the agenda to add closed session for the interviews of candidates for the town council vacancy. Council member Raynes seconded the motion. Council member Justis said we need to check with the candidates to see if they are available for interviews tonight. The vote carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES – AYE; KOHL – AYE, LEETH – AYE.

Manager McAlister asked the council to set another date for a special meeting if the candidates cannot meet tonight. Council decided on Thursday September 14, 2023 at 6:00 p.m.

Mayor Plaster said we will discuss the rezoning request. Manager McAlister informed the council that the developer/ landowner offered a proffer stating that the plan submitted for the rezoning will strictly be adhered to. She stated that a proffer is a voluntary condition that the landowner is offering. Manager McAlister said that condition would stay with the property if the rezoning is granted even if the property ownership changed. Council member Justis asked about the residential section since the plan has three houses shown and could have up to six houses. Attorney Helms said the proffer is the entire plan which they are proffering to keep the plan as presented if the rezoning is granted.

Mayor Plaster said the next item on the agenda is pool discussion. Council member Bailey asked if everyone received his email. He said a citizen brought up the idea of leasing the pool to the nonprofit that is working to repair it. Council member Justis expressed concern that this still wouldn't take the liability off the town. Attorney Helms said a contract agreement would have to be drafted to cover all parties' responsibilities. Council member Kohl said he could take the idea to the committee to see if they are interested. Council member Leeth said he would like to make sure the pool is safe first but thinks it's a great idea. Manager McAlister said we could see if the

organization would be interested in doing this and if so, we would need to set a time frame to get this all completed. Council member Justis feels it's an option worth looking into.

Mayor Plaster said the next item for discussion is the audio/visual recording of council meetings. Clerk Morris said included in your packet was an estimated cost for audio visual set up to record and store meetings based on system type. She said costs will depend on whether our current audio equipment is compatible and if we want to include other features. Clerk Morris said other localities use these companies and they offer options that can be added to later, such as codification, agenda and meeting management and community development. She said they would have to update our website to be able to host the recordings of the meetings. Clerk Morris said there is one locality that uses iPad with a software program and a youtube channel to record their meetings, but the feeds are not always the best. She did state that if council wants to go that route, we will have to have it installed and trained on how to use the equipment. Council member Kohl said he cannot believe it costs so much. Council member Bailey said if we are going to invest in a program like this, we should get one that we can add to in the future.

Mayor Plaster adjourned the work session at 6:42 p.m.

September 11, 2023

A joint public hearing and the regular session of the Town Council of the Town of Grottoes was held on Monday, September 11, 2023, beginning at 7:00 p.m. at the Grottoes Town Hall, Grottoes, Virginia.

CALL TO ORDER

Mayor Plaster called the joint public hearing of the Grottoes Town Council and the Grottoes Planning Commission to order at 7:01 p.m. on September 11, 2023.

ATTENDANCE: Planning Commission Members present: Chairman Dylan Nicely, Gleamer Sullivan, René Ehlenfeldt, Darrel Baker, Eddie Chittum, Jean Stoll, and Michael Kohl.

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

Mayor Plaster said the reason for the public hearing is to hear citizen comments on a request to rezone 4.059 acres from B-3 to R-7.

Speaking for the request – Donald Shifflett stated hastily that Phil should be able to build whatever he wanted on his property and that he didn't have a problem with it. He said he got a letter about this but not the storage buildings beside him and walked out.

Larry Ayers said he is an adjoining property owner and a previous planning commission member. He said after reviewing the plan he feels it's a well laid out plan and provides a good buffer between the existing houses and potential development.

Speaking against the request – Gloria Munson said she has raised six kids at her house and now they have lost the deer that was in the wooded area. She said she is glad Grottoes is growing and feels the plan is good but asked why you would want to build more than the zoning allowed.

Scott Sacra spoke against the rezoning stating that he didn't feel the correct VDOT numbers were used in the study. He said we don't need the added strain to our infrastructure and feels this is a money deal.

Mark Keeler asked the planning commission and town council to deny the request for spot zoning. He said this would set a troublesome precedence. Mr. Keeler said the carefully zoned B-3 area allows for single and two-family dwellings and stated would be better than the density the R-7 allows.

Melanie Richardson spoke against the rezoning stating that Grottoes is a great small town and feels this is clearly spot zoning. She stated that allowing this rezoning would change the dynamics of their neighborhood. She also feels this would create too much traffic on Augusta Avenue.

Steve Driver stated that he is the engineer that carefully developed this plan. He said this plan could be developed with the least disturbance to the land, keeping it more like how it is today. Mr. Driver said the road design meets all VDOT regulations and is not close to warranting a turn lane. He stated the B-1 will be developed as business and if the R-7 area is approved it will be developed with 24 townhouses in rows of four.

There was no discussion from the Council or Planning Commission.

Mayor Plaster closed the public hearing at 7:50 p.m. and turned the meeting over to the Planning Commission.

Chairman Nicely asked the Commission if they had any comments or questions about the request. Chairman Nicely said with the proposed plans verses what's permitted in the B-3 zoning there would not be much difference in infrastructure or the amount of traffic on Augusta Avenue. He said if the developer puts a permitted business there it could create more traffic than the proposed plan would. Commission member Chittum asked if the apartments across the road are also zoned B-3. Manager McAlister said she understands that the apartments were already there when the zoning was changed to B-3. Commission member Kohl stated that he appreciates the proffer statement and thinks it's a good use of the land his only problem is changing the zoning. He said spot zoning is not something this town wants to set a precedence on and that we already have too much mixed zoning.

Attorney Helm explained spot zoning as a small area within a larger area to be changed to benefit one person. He said this is consistent with the surrounding zoning and is clearly not spot zoning. Mr. Helm said in this case the developer is looking to change the entire property zoned B-3 to R-7 not just a small section in the B-3 zoned area.

Chairman Nicely said he cannot make a motion, but he is in favor of the plan. He said he feels this was a very well thought out plan and a good use for this property.

On a motion from Commission member Ehlenfeldt, seconded by Commission member Chittum, and carried by a 5-2 vote, voting as follows: SULLIVAN – NAY; EHLENFELDT – AYE; NICELY- AYE; BAKER – AYE; CHITTUM – AYE; KOHL – NAY; STOLL - AYE, to recommend the approval to council for the rezoning of the 4.059 acres from B-3 to R-7.

Chairman Nicely adjourned the meeting at 7:56 p.m.

CALL TO ORDER

Mayor Plaster called the regular session of January 9, 2023, of the Grottoes Town Council to order at 7:57 p.m. Mayor Plaster asked Clerk Morris for a roll call.

ATTENDANCE: Council Members present: Jim Justis, Joshua Bailey, David Raynes, Michael Kohl, and Tim Leeth. ABSENT: Mark Sterling.

Other Town Officials present: Attorney Michael Helms, Clerk Tara Morris, Town Manager Stefanie McAlister, Treasurer Rhonda Danner, Public Works Director A.J. Hummel, Parks/Tourism Director Austin Shank, 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 5-0, voting recorded as follows: RAYNES – AYE; BAILEY – AYE; LEETH – AYE; KOHL – AYE, JUSTIS – AYE; the Council approved the minutes of the August 14, 2023 meetings as presented.

PRESENTATION OF PETITIONS AND CLAIMS (public comment)

Scott Sacra addressed the council and stated that he appreciates the Police Chief's attempts to make their area a little safer.

Mary Robertson addressed the council stating that she is against the rezoning request. She said Grottoes is a small town and with all the development it throws off an identity crisis. Ms. Robertson said there are now over 500 houses within a stones throw. She said with Walker Trucking across the street and the trucks taking both lanes on Augusta Avenue to turn the traffic congestion is already a nightmare and she is concerned with the public health and safety of Grottoes.

Cheryl Keeler said she is deeply invested in her home, its neighborhood, and this town. She said she finds it hard to believe that R & L Construction cannot move forward with little land disturbance and still meet the permitted uses of the B-3 zoning. She feels the permitted uses in B-3 fits their neighborhood better than the higher density townhouses which seem to be for the developer's advantage. Ms. Keeler stated that she understands that if this rezoning is not approved that retaliation could happen as stated at the previous meeting and feels their home and neighborhood is in a risky place. She asked the council to keep in mind of old development when approving new development and asked them to keep the zoning as it is.

Brad Richardson spoke against the rezoning request. He stated that in previous staff reports it talked about strain on our water and sewer and how we needed to improve those and now we are wanting to add more strain to the systems. He also spoke about the traffic on Augusta Avenue and the dangers of turning left on and off that street. He said this will increase the traffic making the street more dangerous. He asked the council to not approve the rezoning request.

Joe Sullivan addressed the council about the traffic problem along Forest Avenue. He said that engineering practices all conclude that stop signs or yield signs should not be used for speed control. He said most complaints about speed come in the summer and that is because people are outside. Mr. Sullivan said he doesn't think people only drive faster in the summer. He suggested

using more of the speed sign devices to remind people of their speed as they are traveling through town but doesn't feel we should be placing more stop signs to control speed.

REPORTS OF STANDING COMMITTEE:

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

WATER AND SEWER – no report

ORDINANCE, HEALTH, AND PROPERTY – no report

STREET AND STREET LIGHTS – Council member Justis stated that the streets committee will meet on September 25, 2023.

PARKS, RECREATION AND PUBLIC FACILITIES – no report

SPECIAL EVENTS – Council member Leeth said the senior citizens luncheon will be on Saturday, October 7th and we will offer dine in and delivery again this year.

PERSONNEL, FIRE AND POLICE PROTECTION – no report

STAFF REPORTS

TOWN MANAGER. Manager McAlister said there is an action item on her staff report for the bid acceptance of the wireless radio read water meters. Council member Bailey made a motion to accept the bid proposal from Consolidated Pipe and to add on the remaining meters needed to complete the project. He stated this will make the total project \$317,000.00 and that the \$230,000.00 will come from the ARPA allocation and the remaining \$87,000.00 will come from reserve funds. Council member Leeth seconded the motion, and the vote carried by a vote of 5-0, voting recorded as follows: JUSTIS – AYE; BAILEY – AYE; RAYNES - AYE; LEETH – AYE; KOHL – AYE.

ATTORNEY. Attorney Helms clarified spot zoning and stated this request would not be considered spot zoning. He also mentioned that the permitted uses for B-3 could cause more of a traffic concern than the proposed plan for the rezoning.

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. Chief Sullivan said the streets committee will meet to discuss traffic pattern changes throughout the town.

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

NEW BUSINESS – Council member Leeth made a motion to approve the rezoning request, Council member Raynes seconded the motion, and the vote was recorded as 2-3, voting recorded as follows: JUSTIS – NAY; BAILEY – NAY; RAYNES - AYE; LEETH – AYE; KOHL – NAY, motion denied.

OLD BUSINESS – none

ADJOURNMENT

Mayor Plaster declared the meeting adjourned at 8:36 p.m.

September 14, 2023

A Special Meeting of the Town Council of the Town of Grottoes was held on Thursday, September 14, 2023 at 6:00 p.m. at the Grottoes Town Hall, Grottoes, Virginia.

CALL TO ORDER

Mayor Plaster called the special meeting of September 14, 2023 of the Grottoes Town Council to order at 6:00 p.m. The special meeting was called for the interviews of candidates for the vacant town council position. Mayor Plaster requested roll call.

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

Other Town Officials present were: Town Clerk Tara Morris.

CLOSED SESSION

On motion by Council member Leeth, seconded by Council member Justis, and carried by a vote of 5 to 0, voting recorded as follows: BAILEY – AYE; JUSTIS – AYE; RAYNES – AYE; KOHL – AYE; LEETH – AYE; the Council recessed the meeting from 6:01 p.m. to 7:27 p.m., for a closed meeting pursuant to Section 2.2-3711(A) subparagraph 1 for interviewing candidates for the vacant town council position.

On motion by Council member Leeth, seconded by Council member Justis, and carried by a vote of 5 to 0, voting recorded as follows: BAILEY – AYE; JUSTIS – AYE; RAYNES – AYE; KOHL – AYE; LEETH – AYE; the council returned to open 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 of the Code of Virginia, as only such public business matters that were identified in the motion by which a closed meeting called, were heard, discussed, or considered in the closed meeting J. Bailey; so certified, J. Justis; so certified, J. Plaster; so certified, D. Raynes; so certified, M. Kohl; so certified, and T. Leeth; so certified.

On a motion by Council member Leeth, seconded by Council member Bailey, carried by a vote of 3 to 2, voting recorded as follows: BAILEY – AYE; JUSTIS – NAY; RAYNES – AYE; KOHL – NAY; LEETH- AYE; to appoint Eddie Chittum to fill the vacant position on town council and to appoint Maite Taylor to fill Eddie Chittum’s position on the planning commission.

ADJOURNMENT

Mayor Plaster declared the meeting adjourned at 7:31 p.m.