

Walter M. Gardner, Jr.
Mayor

John Freeman
Administrator

TOWN OF WARRENTON
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August 10, 2009 Board of Commissioners Minutes

The August 10, 2009 meeting of the Town of Warrenton Board of Commissioners was held at the Warrenton Town Hall.

Those present were:

Mayor Walter M. Gardner, Jr.	John Freeman, Town Administrator
Commissioner and Mayor Pro Tem Woody King	William Perkinson, Director of Public Works
Commissioner John Blalock	John Younts, Chief of Police
Commissioner Bobby Edmonds	Town Attorney Mitch Styers
Commissioner Jules Banzet	Jennifer Harris, Warren Record
Commissioner Audrey Tippet	
Commissioner John Mooring	
Commissioner Mary Hunter	

Mayor Gardner called the meeting to order at 7:00pm. The first order of business was consideration of the proposed agenda. Commissioner Blalock moved that the agenda be approved. Commissioner Edmonds seconded the motion which passed unanimously.

Mayor Gardner then presented the minutes from the meeting of July 13, 2009 for approval. Commissioner King requested an addition on page 3, paragraph 2: that Preservation Warrenton be added to the Arts Council and Revitalization Committee as sponsors of the art contest. Commissioner Blalock moved that the minutes be approved with this amendment; the motion was seconded by Commissioner Tippet and carried unanimously.

Public Comments

Resident Mary Hehl addressed the Board about an attack she had suffered the previous Friday evening in the Lowe's grocery store when a stranger approached her and attacked her with a knife. She said she wanted to show how serious the injury was, saying that the wound was 1.5" deep, not just a slash. She stated that there were several reasons she wanted to speak to the Board:

- To impress on the Board how important it is that this not be allowed to happen
- That Board and residents must do everything possible to work together to be sure this is not allowed to happen again
- That she hopes this was a random act, but is concerned because she does not know
- That 911 should have been called by the store employees when there was a disruption at the front of the store (presuming it was the attacker)
- That the Police Department was not effective in making people feel safe and have harassed her family for no reason
- That many people do not feel safe at Lowe's and that could lead to the loss of the Town's only grocery store if people stopped shopping there.

Her husband Karl Hehl then spoke, saying he was extremely upset about the attack on his wife and about the manner in which the Police Department handled the event. His points were:

- That police officers no longer walk the streets or visit stores. Officers need to be more visible, not just riding around in their cars with dark tinted windows.
- When he reported a theft in his store (Southern States) he said that the Chief had said “maybe your daughter did it” or the DA messed up.
- That the doctor had told him that his wife’s cut was close to the carotid artery and could have been life threatening. He implied that the police did not take the attack seriously enough and that the attacker should have been charged with attempted murder rather than a lesser charge
- That the police are not friendly or effective
- That photos were not taken at the hospital and that he had to get a camera to take photos himself.

Resident Selena Mooring spoke of her distress at having a thief break into her garage and vehicles, stealing personal items and one of the vehicles during the night. A stranger had approached her in Lowe’s during the day and might have been scouting her out. She shared the Hehl’s distress but commended the Police Department for everything they had done to apprehend the thief and recover the vehicle. She said she feels confident in calling the police any time and relying on them to decide the proper course of action.

Committee Reports

Finance Report

Mr. Freeman reviewed the reports for the year-to-date through July, cautioning that it is difficult to draw conclusions from just one month, particularly as loan proceeds and purchases may skew comparisons. When those loans are taken into consideration July 2009 is very close to the previous year. Sales & Use Tax revenue declined by 9.8% but that was anticipated in the budget which projected a 20% decline for the year. Little ad valorem tax revenue is collected in July, but the \$3477 was an increase compared with \$2334 the previous year.

Mr. Freeman then presented a final amendment to balance the 2008-2009 budget. Four line items of expense reductions were recommended by the auditor, totaling \$23,164. Commissioner Blalock moved to approve the requested amendment; Commissioner Edmonds seconded the motion which passed unanimously.

Commissioner Blalock had reviewed the checks in excess of \$10,000 and reported them appropriate.

Human Resources

At the previous Board meeting Commissioner Tippett had raised the subject of ways to express appreciation for the service of Town employees, and one of the suggestions was a birthday gift certificate at a local restaurant. Commissioner Banzet reported that he had contacted three restaurants in town about gift certificates and all were supportive. Mayor Gardner asked if it was to be a birthday or general thank you and Mr. Banzet said he understood it to be birthday. Mr. Gardner suggested a staff recommendation that the Board could adopt; Town Attorney Styers advised that it be a budget item rather than personnel policy so that it could be cancelled or changed in the future. There was some discussion about budget impact but it was generally agreed that it represented a relatively small sum that could be taken from contingency this year and budgeted next. Mr. Banzet said he would develop a certificate.

Public Safety

Commissioner Edmonds referred the Board to the Police Activity Report, about which there were several questions about the reference to an assault on a female. Chief Younts said this was not the attack on Mary Hehl but a domestic situation that took place in a car. The driver was intoxicated and angry that his female companion had not purchased more beer.

He then reported on the National Night Out that had been held on the evening of August 4. He had received good feedback and many compliments as the crowd more than doubled that of the previous year. Although scheduled to end at 8:00 the funnel cake maker stayed until 9:10 to be sure that all in line were served. Work has already begun on the program for next year's event.

Commissioner Edmonds then asked the Board if there were comments about the Public Comments of Mary and Karl Hehl which began a lengthy discussion. Commissioner Mooring said he was sure that the Chief would continue to work on improving the department's positive image in the community. Mayor Gardner pointed out that the Chief could not make specific comments on this case.

Commissioner Blalock said he understands that the victim of an assault would be angry; he said he himself was angry about a theft from his property, a much less serious crime. But he did point out that it is difficult to deter crime when only one officer is on duty at any given time. He said he was sure that Chief Younts would work on the Hehls' recommendations, and that they included points that the Board had looked for when hiring a new chief. Mr. Mooring drew attention to the COPS program which had officers visiting citizens, checking on the elderly and handicapped. Chief Younts invited Board members to ride with the officers to see what they do and how they respond. While he could not address specifics of this case, he said that he was very sorry about what had happened to Mary Hehl, but did want to point out that the attacker was apprehended within an half an hour and that officers Mazor and Wilkins stayed for hours overtime to work this case. Referring to community relations, he said that the officers are constantly busy and cannot always visit citizens as they would like. Calls must be prioritized with larcenies and B&Es taking precedence over traffic stops, particularly as perpetrators are often released by magistrates. He said that the department does what it can with limited resources. He is very appreciative of the resources made available by the Board but said they could always use more. Mr. Blalock said that with even five officers on duty this attack still would have happened. Chief Younts said two things were problems. First that perpetrators were often arrested only to be released by magistrates for lesser offenses, which has the effect of focusing the police on more serious crimes. Another problem is that paperwork is very time consuming, and has become a greater problem as citations increase. There were only 3 DWIs in 2006, now there are dozens. Commissioner Tippett said she knows the Hehls are upset, and was in the store at the time it happened. She said the police responded quickly and were on the scene before EMS. She said an officer visited her at least once a month when she had her office on Main Street.

Chief Younts summarized the events, saying Officer Mazor had immediately requested that a sheriff's deputy be dispatched to the F&M Trailer Park as the attacker was seen to be driving in that direction. His call to EMS resulted in their upgrading their response. Younts said he abandoned a restaurant meal and returned from South Hill immediately, making numerous calls on the way. He said everything was handled quickly and professionally. Ms. Tippett said she was favorably impressed. Commissioner Banzet said that it could not have been prevented but that that is what has concerned citizens, and that it could have occurred in any store in town. Ms. Tippett said she has been made uncomfortable by loiterers at Lowe's and picks times to shop when she feels it will be busy. Commissioner Hunter said that she thinks that the Hehls are concerned that the attacker might get off with a light sentence, and that the police department was responsible for the charges that were brought. She suggested Chief Younts meet with the Hehls to explain that the District Attorney's office was responsible for establishing the charges. The Chief reported the difficulty he had in contacting one of the assistant DAs, Warren County not having one on-call. Mayor Gardner asked

the Chief if there was anything the Board could do to assist the Police Department further. The Chief said not, that while resources are limited additional officers would not have prevented this attack. He went on to commend Officer Mazor for his professional response, and Officer Wilkins for his assistance, both of whom did everything correctly by the book. Mr. Mooring commended the Chief for building relationships with other agencies. The Chief summarized the demanding schedule he keeps in dealing with urgent issues such as this one, and the limitations it puts on his ability to spend time dealing with the public one-on-one. Commissioner King said he felt that in a case as tragic as this the Board should have said something to address the Hehl's concerns, not an apology but an acknowledgement of their pain. Mayor Gardner wished that they stayed and heard this discussion.

Revitalization/Historical

Commissioner King reviewed plans for the upcoming Harvest Market on October 24. He reported that the Arts Council, Preservation Warrenton and Revitalization Committees were working together on the art contest, and that Revitalization Committee members had their assignments. The theme is to be old time, with handmade crafts, traditional games and music, an antique tractor show, storytelling and a ghost walk.

He then reported on the planning for the Christmas parade and Prelude to Christmas, which are to be combined on December 12. He, Chief Younts and members of the Jaycees had met the preceding Friday to iron out details of the parade. At Chief Younts' insistence, the parade route will be reversed with participants gathering at Cousin Lucy Lane and proceeding north to the parking lot of Cast Stone Systems. Main Street would be closed and parked cars cleared beforehand. After discussion all agreed to the plan with a 5:00pm starting time that depended on Board approval.

Commissioner King brought two items concerning the Revitalization Committee to the attention of the Board. First was to announce the resignation of Will Perry whose return to regular full-time work made it impossible for him to continue. He will be missed as he has been a major supporter of the committee and all its activities, and served as its secretary. Mr. Freeman announced that the committee wished to nominate Canecca Davis, principal of Miriam Boyd Elementary School, to serve out the term of Anne Harris, the other vacant seat on the committee the term of which ends in 2009. Mr. King so moved; Commissioner Edmonds seconded the motion which passed unanimously.

Mayor Gardner returned to the subject of parade policy, asking what additional information was necessary to approve a new policy. Chief Younts said he was willing to allow the Christmas parade at 5:00pm if the Board approved, to see how it worked. His revised parade policy would reduce traffic jams, remove parked vehicles on Main Street and improve safety especially for children watching the parade. It would require advance planning in order to obtain permission from DOT to close Main Street. He recommended allowing only major parades such as the Christmas parade and Fireman's Day parade, but not permitting lesser events such as the high school homecoming parade. Commissioner King asked if the high school requested permission and Chief Younts said they did 2-3 weeks beforehand. Commissioner Mooring asked if the policy was ready to which Chief Younts said that it must be reviewed by Town Attorney Styers first. Commissioner Blalock said that should be done now, and Mayor Gardner added that it would take time as it would involve amending the Ordinance.

Beautification/Streets/Sanitation

Commissioner Tippet commended Bill Perkinson who had begun to supervise the Street and Sanitation departments and to integrate them into the larger Public Works department. She observed that it was really making a difference and showed that the reorganization was working. Mr. Perkinson said that employees had been supportive and that the change was going well.

Mr. Freeman reported that there were several problems that had to be resolved before work could begin on the Ridgeway Street sidewalk project. DOT had rejected the bids saying that engineering specifications (which they had approved before bidding) did not meet their requirements. Because of the long gestation period of this project several bid items were higher than originally expected, and because part of the grant funding is federal negotiation is not allowed. In a related matter, it had been hoped that \$25,000 of funding that had been taken from the project would be returned, but it was learned that those funds would not be returned. The match required from the Town would roughly equal the expected Powell Bill allotment for the coming year.

He then reported having been notified that the Inmate Community Work Program was being substantially changed. The Town has depended on this program for many years but state budget problems have led to its end. An inmate crew may be hired for \$266 daily which Freeman said would be useful for major projects such as maintaining the cemetery but would not allow their frequent, as-available use as in the past. Another option had been offered, that of having a Town employee sign out and supervise the inmates, but that was felt to be too complicated and difficult to administer. Mayor Gardner said he had seen it reported that eliminating the program would save the prisons \$4.6 million. Commissioner Blalock said he thought it would return when state budgets allowed as it was useful to the many small towns that used it and got the prisoners out working and doing something useful.

Public Works

Commissioner Hunter deferred to Director Bill Perkinson for the monthly report. He said he had been focusing on the integration of Streets and Sanitation into the Public Works group. He said that employee John Limer is out for an extended period but that the Public Works group has been covering his areas of responsibility. He reported that a number of unexpected repairs had been necessary but that all had been accomplished and that the plant is healthy. In answer to Commissioner King's question he reported that erosion under the Peck Dam still needs to be addressed.

Commissioner Mooring said that the section of North Main Street that he is most familiar with looks great and that he appreciates having his garbage picked up in his back yard (a problem in the past).

Zoning

Commissioner Mooring reported that the committee on Planning/Zoning/Annexation had met to discuss the Vacant Property Registry draft line-by-line, that it had been circulated for comment and the final draft sent to Town Attorney Styers. He had just received an email from Mr. Styers who had concerns about parts of the draft. Mr. Styers expressed the same reservations as in earlier discussions, saying that the registry would impose additional restrictions on vacant property that would not apply to occupied properties. Mr. Mooring said that it was his understanding that the Duke students who had submitted the original opinion and draft had recommended separating the vacant property registry and minimum building standards so that they could stand separately. Mr. Styers said that his original draft included both for residential and commercial. Without the minimum housing standards owners of vacant properties would have grounds for complaint because they would be required to maintain their properties to a higher standard than those of occupied properties as there are no stated requirements for those in the existing ordinance. "Danger to the public" and "evidence of vacancy" are different. His recommendation is that both minimum housing and commercial standards be passed. Commissioner Tippet saw some benefit to having the vacant property registry alone without the complication of minimum housing standards but agreed that problems with occupied buildings need to be addressed as well. Mr. Freeman said that reasons for separating the two had been the difficulty of enforcing minimum housing standards with limited

funds and staff, and the demolition of properties which is not the goal of the vacant property registry. Mr. Mooring said he would return the matter to the committee with Mitch's draft to work from.

The second matter presented by Mr. Mooring was the draft of a suggested ordinance to limit the downtown business district to the sale of goods and services. Mr. Styers suggested that rather than write a specific ordinance that it would be easier to amend the table of permitted uses that is already part of the ordinance. The C1 district is larger than the Main Street section envisioned by the committee and some discussion followed about whether the restrictions should be extended to the whole district. Mayor Gardner offered the idea that it would not be difficult to create a new column in the table of uses for a new C1-A district. Mr. Styers said it would be easiest to redefine existing permitted uses but that a new district would not be difficult to define. He again suggested avoiding definitions, that it would be best just to change permitted uses. There followed further discussion about whether to extend the change to the entire district or to focus on the primary shopping area to encourage business. One issue in extending the district is how to address non-profits, when the main purpose is to focus on the Main Street area to encourage business. The committee had identified this area as Main Street from Church/Fairview at the north end to Franklin Street at the south. Mr. Blalock thought it should extend another block south to include the former Super 10 building. Mr. Styers said that parking requirements were another means to handle churches and assembly halls. There was consensus that this was the direction to take on this issue.

Unfinished Business

Mr. Freeman reported having written the owners of the Tucker Building about completion of the demolition of their warehouse on Macon Street, and having traded phone calls without success to this point. But he was pursuing the direction of the Board to have the lot cleared.

Mayor Gardner said that he had received a folder of fire inspections as the Fire Marshal continues his round of inspections in the business district.

In response to Commissioner Mooring's question about the starting date for the county sewer improvement project on Ridgeway Street Mr. Perkinson said that he did not know but that bids had been received and he expected the work to begin before long.

New Business

Mayor Gardner reviewed the proposal for the Town to acquire Ridgecrest Drive Extension and Currin Lane, both private roads near the Riggans pump station and part of a failed development. The Town maintains rights-of-way along sewer lines and serves two customers in the area. The road could be used for access to the pump station. After introducing the subject he withdrew from further discussion explaining that he owned three of the lots in the development. Mr. Freeman said a major reason for considering the move is that the roads would qualify for approximately \$1000 of Powell Bills funds. The discussion concerned the cost and obligation of maintenance compared with the potential for additional funds. In answer to Mr. Mooring's question Mr. Styers said that property values would not necessarily increase but that resale values would potentially increase. Commissioner King moved that the Town pursue acquisition of these roads; Commissioner Blalock seconded the motion. Mayor Gardner removed himself and asked Mayor Pro Tem King to handle the vote which Mr. King did. The vote was unanimous and the motion carried.

As it had been several years since junk cars had been dealt with, Mayor Gardner asked Commissioner Tippett to describe the process. In summary she said that the Citizens Advisory Board referred vehicles they thought should be removed to the Town Administrator who in turn referred them to the Police Department for owner identification. With Board of Commissioners approval a

notice is posted on the vehicle of the intention of having it removed. Four vehicles were individually considered:

1. 1993 Buick in Super 10 parking lot—Commissioner Blalock moved that the removal process be continued; Commissioner Mooring seconded the motion which passed unanimously.
2. 1988 Jeep at 312 Bute Street—Mr. Blalock moved that it be removed; Mr. King seconded the motion; the vote was 6 in favor with Mr. Mooring voting in the negative.
3. 1998 Lumina at 312 Bute Street—Mr. Blalock moved that it be removed; Ms. Tippet seconded the motion which passed unanimously.
4. Toyota Camry on College Street—Mr. Mooring moved that it be removed; Mr. Blalock seconded the motion which passed unanimously.

Resolutions

Mayor Gardner presented a resolution endorsing the Warren County Solid Waste Management Plan. The county is required to update a county wide 10 year plan every three years. The county manages solid waste and recycling programs for the entire county. Mayor Gardner said he had reviewed the plan. Commissioner Blalock moved to approve the resolution in support of the Plan; Commissioner Mooring seconded the motion which passed unanimously.

Mayor Gardner then presented a resolution approving a loan for \$50,885 to purchase two police cars at an interest rate of 3.84% and a term of three years. This resolution replaces an earlier one that authorized an even \$50,000. Since that time the exact amount and term were negotiated and this resolution reflects those details.

Announcements

Mayor Gardner reminded the Board about the annual Kerr-Tar COG Awards Banquet on September 24, 2009 and the deadline of September 4 for reservations which should be directed to Mr. Freeman.

There being no further business Commissioner Blalock moved to adjourn, and Commissioner Mooring seconded the motion; the meeting adjourned at 9:07pm.

Respectfully submitted,

John Freeman
Town Administrator