

**Town of Grottoes  
Work Session Meeting**

**CALL TO ORDER:** The Town of Grottoes Town Council held a work session on Monday, December 14, 2020 at 6:00 p.m., with Mayor Emily Holloway presiding.

**ATTENDANCE:** Council Members present were: Mark Keeler, Jo Plaster, Tim Leeth, and David Raynes. Council members Joshua Bailey and C.W. Stephenson were absent.

**Other Town Officials present were:** Town Attorney Nathan Miller, Interim Town Manager Joseph Paxton Town Clerk Tara Morris, Town Treasurer Rhonda Danner, Public Works Director AJ Hummel, Parks and Recreation Director Ashley Collier, and Police Chief Timothy Carroll.

Interim Town Manager Paxton advised Council that due to some turnover in the police department there are several officers that are not expected to be able to use all of their holiday leave. Mr. Paxton asked the Council for a one-time six-month extension of the leave policy to allow these employees the opportunity to use their leave. Council member Leeth made a motion to grant the six-month extension on the holiday leave for the police department. Council member Keeler seconded the motion. Council members Keeler, Plaster, Raynes, and Leeth voted in favor of the motion, motion carried 4-0.

Interim Town Manager Paxton stated that after meeting with the Little League Board the Committee agreed on a few changes to the agreement. He said they clarified the exclusive use of fields by the League during the season, and revised the notice required for a change of schedule from a 15 days to 10. Council member Plaster made a motion to approve the Little League Agreement for 2021 as presented noting that the Little League will review it tomorrow and any minor changes will go back to the Committee for approval. If there are any major changes, the agreement will come back to Council in January. Council member Keeler seconded the motion. Council members Keeler, Plaster, Raynes, and Leeth voted in favor of the motion, motion carried 4-0.

Interim Town Manager Paxton handed out a revised copy of Chapter 4 - Administration. He said he has worked with the Town Attorney on modernizing this chapter to bring it in line with the state code and to follow the Town's charter. He reviewed the changes. Mr. Paxton stated that one thing the council may want to consider is to remove section 4-13 pertaining to the order of proceedings of council meetings. He stated that the format and structure of the agenda can be set by Council as a matter of practice and not having it in the Code

allows changes to the agenda format without a formal amendment to the code. Town Attorney Nathan Miller noted the revisions were provided in December to give Council time to review these changes and asked that any questions be directed to either Mr. Paxton or him. Council member Leeth thanked Mr. Paxton and Mr. Miller for their work on revising this chapter.

Lil' Gus's owner Thomas Marchese addressed the Council regarding the issues related to his town business license. He stated that their bookkeeper had reported the wrong amounts to the Town and as a result he owes the Town more money. He stated he received the letter from the Mayor with the Council's proposal for repayment and advised he is not able to make that level of payment. Mr. Marchese said he spoke with his accountant and, with all the bills moving forward, he is requesting the Council consider a 24-month payment plan. He said his only other option is to shut the business down, liquidate the assets, pay the Town the money, and walk away.

Mr. Paxton reviewed with Council the amount owed to the Town, and advised that the payment under Mr. Marchese's proposal would be approximately \$470 per month. Mayor Holloway pointed out this payment would be on top of keeping all other payments to the Town up to date. Mayor Holloway said if the Council agrees to a payment plan, she wants a formal, written signed agreement to prevent any confusion on either side. Mayor Holloway asked if Council had any questions. Council member Leeth made a motion to accept the proposal from Lil' Gus's for a 24-month payment plan for the unpaid meals tax, with the stipulation that Lil Guss is required to remain current on future meals tax. He further stated that any breach of the agreement will be brought back to Council for review. Council member Keeler asked if the requirement to stay current on payments to the Town was just for meals tax or for all bills owed to the Town. Council member Leeth amended his motion to accept the 24-month payment plan for the unpaid meals tax and to stay current on all taxes and fees owed to the Town. Council member Plaster seconded the motion. Council members Keeler, Plaster, Raynes, and Leeth voted in favor of the motion, motion carried 4-0.

Mayor Holloway said the only items left on the agenda is the survey questions for the noise ordinance and committee updates. She said committee updates can be given in the meeting and asked for the agenda to be amended to add the noise ordinance survey questions.

Mayor Holloway adjourned the work session meeting at 7:00 pm

Regular Meeting of Town Council  
December 14, 2020

Mayor Holloway called to order the December 14, 2020 meeting of the Grottoes Town Council to order and welcomed citizens. Town Clerk Morris called the roll.

**ATTENDANCE:** Council Members present were: Mark Keeler, Jo Plaster, David Raynes, and Tim Leeth. Council members Joshua Bailey, and C.W. Stephenson were absent.

**Other Town Officials present were:** Town Attorney Nathan Miller, Interim Town Manager Joseph Paxton, Town Clerk Tara Morris, Public Works Director AJ Hummel, Parks Director Ashley Collier, Town Treasurer Rhonda Danner, and Police Chief Timothy Carroll.

**Approval of the minutes.**

Council member Raynes made a motion to approve the minutes from the meetings on November 9, 2020 and special meeting on November 20, 2020 as presented. Council member Leeth seconded the motion. Council members Keeler, Plaster, Raynes, and Leeth voted in favor of the motion, motion carried 4-0.

**Committee Reports.**

**FINANCE**

Council member Raynes made a motion to approve the Treasurer's report for November 2020. Council member Leeth seconded the motion. Council members Keeler, Plaster, Raynes, and Leeth voted in favor of the motion, motion carried 4-0.

Council member Raynes made a motion to approve the bills as of December 14, 2020 and remaining bills from November 2020. Council member Keeler seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Mayor Holloway asked Mr. Paxton about the Rural Development money and how it could benefit some of our local businesses. Mr. Paxton said he wants to meet with Rural Development and some other towns to see how this could benefit businesses in our town.

## **WATER AND SEWER**

Interim Town Manager Paxton said he notified the committee of some pump repair work that had to be done in the lagoon. The cost of the repair was \$16,000. He said the original plans for the system did not specify a backup pump, and this is something that the committee may want to investigate moving forward. He stated that staff was very proactive in getting this fixed.

## **ORDINANCE, HEALTH AND PROPERTY**

Council member Keeler moved to approve the 12<sup>th</sup> Street subdivision request by Milstead Construction. Attorney Miller asked if the dumpster pad site had been worked out. Interim Manager Paxton advised that this is still a work in progress. Mr. Paxton noted the dumpster pad shown on the plat is within the railroad alley and the Town has not determined if the railroad still owns the parcel or if it was given to the Town. He said he was meeting with Mr. Milstead and looking at an alternate site which could accommodate both the proposed townhouse complex and the adjacent existing complex. If the proposed site is suitable, the Town will be required to grant Mr. Milstead an easement to construct a concrete pad and enclosure for the dumpster. Council member Keeler made a motion to table the subdivision request on 12<sup>th</sup> Street. Council member Raynes seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Council member Keeler moved to approve the subdivision request for the McDonaldson property on Riverside Avenue. Council member Plaster seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Council member Keeler moved to amend the agenda to discuss the noise ordinance and survey questions. Council member Leeth seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Clerk Morris said we want to keep this survey short and suggested not having any business names included. Council member Leeth said when he thought about the questions, he did multiple choice so we had answers and it wasn't left open ended. Interim

Town Manager Paxton said that a noise ordinance applies to everyone and noted that it can be difficult to enforce.

### **SPECIAL EVENTS**

Council member Leeth announced the Home Decorating Contest judging starts tonight at 7:00 pm and thanked the Grottoes Ruritan Club for judging.

### **PERSONNEL, FIRE AND POLICE PROTECTION**

Interim Manager Paxton said that the Town is moving forward with hiring a part-time assistant for the police department and He also noted that staff is currently working with the Personnel Committee to revise the job descriptions for the office staff, and looking to fill the vacant position in the front office.

Mayor Holloway stated that we have advertised the Town Manager position.

### **NEW BUSINESS**

Council member Plaster presented Mayor Holloway with an award for her service to the Town. She stated that that she served the town as a Planning Commission Member, Town Council Member and as Mayor and thanked her for the years of service and dedication to the citizens of Grottoes.

Mayor Holloway presented Mark Keeler with an award for his service to the Town. She stated Mark began serving on the Planning Commission and later was elected to serve on Town Council. She stated that Mark served as the liaison with the Planning Commission and served on both the Planning Commission and Town Council. Mayor Holloway thanked Council member Keeler for his years of service to the Town of Grottoes.

### **CLOSED SESSION**

Council member Leeth made a motion pursuant to section 2.2-3711A, Code of Virginia, subparagraphs (1) for the evaluation of a department where such evaluation will necessarily involve discussion of the performance of specific individuals; (3) to discuss matters relating to the disposition of publicly owned

property, because public discussion of that matter would adversely affect the towns bargaining position and negotiating strategy; and (8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Council member Keeler seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Council member Leeth made a motion to adjourn the closed session. Council member Keeler seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

Mayor Holloway 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, section 2.2-3711(A)3, and section 2.2-3711(A)8 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. Town Clerk Tara Morris took a roll call. M. Keeler; so certified, J. Plaster; so certified, E. Holloway; so certified, D. Raynes; so certified, T. Leeth; so certified.

Mayor Holloway asked for a motion to authorize the Interim Town Manager and Town Attorney to negotiate the sale of the property at the designated tax map numbers 160D3(1)B511 and 160D3(1)B511L1 and to authorize the public hearings for the sale and rezoning. Council member Keeler replied so moved. Council member Leeth seconded the motion. Council members Keeler, Plaster, Raynes, Leeth voted in favor of the motion, motion carried 4-0.

With no further business to discuss Mayor Holloway adjourned the meeting at 8:14 pm.