

**MINUTES
HAMILTON TOWN COUNCIL
REGULAR MEETING
JULY 9, 2012**

The regular meeting of the Hamilton Town Council was convened at 7:00 PM with the following attendance:

PRESENT: Greg K. Wilmoth, Mayor
Kenneth C. Wine, Vice Mayor
Brent Campbell, Council member
John Unger, Council member
David R. Simpson, Council member
Michael Snyder, Council member
Dimitri Kesari, Council member - Late

STAFF: Lori Jones, Treasurer
David Beniamino, Zoning Administrator
Maureen Gilmore, Town Attorney
Jennifer Helbert, Recorder

CALL TO ORDER:

Mayor Wilmoth called the Town Council meeting to order at 7:00 PM.

GUESTS:

None Scheduled

PUBLIC COMMENT:

None Scheduled

APPROVAL OF MINUTES:

Council member Unger made a motion to approve the Town Council meeting minutes of June 11, 2012 with minor changes.

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 6-0-1 with Kesari absent

MAYOR'S REPORT:

Outstanding Items List – Mayor Wilmoth shared this list with the Council and indicated that he would be handing this out each month to keep the Council apprised of the projects the Council is working on. Vice Mayor Wine asked that Ms. Jones add weather stripping at the Treatment Plant to the list.

Hamilton Meadows Bond Release Update – Mayor Wilmoth stated that VDOT has asked the developer for an easement for the storm water drain that was put in off by 10 feet. VDOT needs this easement now so that they can properly maintain the pipe.

South Rogers St. Reservoir Report – Mayor Wilmoth stated that the Town did receive the report and there was a suggestion that the Town look at painting the ground storage tank within the next year or two. The Town is waiting for Liquid Engineering Corp. to send some contractors that will be able to handle that.

Generator Maintenance Contract – Mayor Wilmoth stated that the provider didn't seem to have a signed contract and the Town is looking at options on this issue.

New Resident Package – Mayor Wilmoth stated that people will receive these packets when they come in to set up a new water account.

Speed Indicator Signs – Mayor Wilmoth stated that the Town had a response from VDOT saying that there are no current grants available and they won't put one there unless there are excessive accidents.

Status of Town after Storms of June 29th and 30th & Emergency Management Plan – Mayor Wilmoth stated that the Town lost power for a couple of days but the reservoir was full and the generators worked so there were no water issues. No power was lost at Well 14 or the Water Treatment Plant.

Address at Wastewater Treatment Plant – The Mayor stated that the Police Department has several different addresses for this facility and has asked that Ms. Jones make sure that everything has the same address on it.

Eagle Project – The Mayor stated that he and the staff have come up with a great Eagle Project and he believes having addresses put on small plates at all of the facilities will help with identifying them in an emergency.

Part Time Help – Mayor Wilmoth stated that he would like to look into some part time help to take care of a few smaller projects and would keep the Council updated.

WATER AND SEWER COMMITTEE:

SCADA – Mayor Wilmoth stated that he received a bill from Mr. Albright and the Town will be starting that soon, this item was approved in the budget.

I & I Report – Mayor Wilmoth stated that this report has been filed. He stated that he sent them a letter several months back and has never received a response. He stated that he has started sending a semi-annual report.

Well 14 Generator – Mayor Wilmoth stated that the stater went out of the generator. The Town brought in a contractor on the 29th because the Town was getting alarms on the 26th. The Mayor stated that the contractor had found evidence that a mouse had been in the insulation. The Mayor asked for a report stating the cause of the damage and filed a work order to get the repair work started.

Mayor Wilmoth stated that the office had contacted VML and if the damage is due to a lightening strike then VML will cover the cost of the repair.

Meter Replacement Update – Mayor Wilmoth stated that we have close to 90 percent touch read which is really making the reading quicker and more efficient.

East End Water Loop – Mayor Wilmoth stated that he is speaking with property owners now and the Town is trying to secure easements and will speak with an engineer to try to get that loop put in. It will hook into the new line on Harmony Church Road.

Abandonment of Wells 7 and 10 – Mayor Wilmoth stated that this is an ongoing issue and the Town is working towards the abandonment of these wells.

Water Leak at Curry Springs Road – Mayor Wilmoth stated that there are two meters in a crock and they are put in with what is called a yoke bar and the Town is seeing some deterioration of the yoke bars and this is an item that the Water and Sewer Committee will need to look at in the future.

Clarifier at Wastewater Treatment Plant – Mayor Wilmoth stated that they had to clean out the clarifier at the Wastewater Treatment Plant and that is another issue that that the Water and Sewer Committee will need to look into in the future.

Broken Lateral on St. Paul Street – Mayor Wilmoth stated that this is not the first time this line has broken.

Council member Snyder asked it if is the Town's lateral or the homeowners. Mayor Wilmoth stated that the Council needs to discuss that.

Mr. Kirby spoke from the audience about this issue.

Mayor Wilmoth explained the issue that occurred that has Mr. Kirby upset with the Town.

The Council consented to have the Mayor talk with the property owners about the issues with the meters and let them know that the Town would be moving the meters to comply with the Ordinance that is currently in place.

PARKS AND RECREATION COMMITTEE:

Park Usage – Mayor Wilmoth stated that they had cleaned up some limbs at the park. He also stated that the park is getting heavy usage but has not really seen any abuse.

TREASURER’S REPORT:

Monthly Treasurer’s Report – Ms. Jones issued a report to the Council and answered any questions that they had about the report.

Council member Unger made a motion to accept the Treasurer’s Report as submitted.

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 6-0-1 with Kesari absent

FINANCE COMMITTEE:

None Scheduled

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

Mr. Beniamino stated that he would be working the Town Attorney to go to the magistrate about the resident that has the chickens. He stated that the resident was sent a letter and has not complied.

PERSONNEL COMMITTEE:

None Scheduled.

PLANNING COMMISSION:

Chairman McCann stated that the Planning Commission has a meeting scheduled for next week. The Commission is still on hold for approval of the Zoning Ordinance until the public hearing ad is complete.

OLD BUSINESS:

Broken Lateral at St. Paul Street

Council member Snyder made a motion that the Town Council authorize the Mayor to communicate with the owners of the Dowden and Kirby properties that the Town intends to move the meters that service those two properties to make it consistent with our current Ordinance.

Council member Snyder restated his motion that the Mayor advise the Dowden and Kirby property owners that the Town intends to put new water meters that service their property at the end of the lateral closest to the main.

Motion: Council member Snyder
Second: Council member Simpson

Council member Snyder withdrew his motion.

Planning Commission Vacancy

Town Council asked that the press to announce again that there is a vacancy on the Planning Commission and that they are welcoming applications.

NEW BUSINESS:

FY2013 Committee & Vice Mayor Assignments

Council member Snyder nominated Council member Wine to continue as Vice Mayor.

Motion: Council member Snyder
Second: Council member Simpson
Carried: 6-0-1 with Kesari absent

Mayor Wilmoth made the Committee assignments earlier in the week.

FY2013 Town Council Meeting Calendar –

Council member Unger made a motion to adopt the proposed meeting calendar for FY2013 and that if the scheduled Town Council meeting is cancelled due to inclement weather or an emergency the meeting will be held the following Monday at the same time.

Motion: Council member Unger
Second: Council member Snyder
Carried: 6-0-1 with Kesari absent

Water and Sewer Ordinance Changes – Tenant/Landlord Accounts, Delinquent Collection Procedures & New Account Service Fee Increase

Ms. Gilmore went over the proposed Ordinance changes with the Council.

Council member Unger made a motion that the Hamilton Town Council authorize a public hearing on Monday, August 13, 2012 at 7:00 PM to consider the following changes to the Water and Sewer Ordinances:

1. To establish new procedures to set up utility accounts in the names of the property owners only of properties served by the Town.
2. To establish new procedures to collect delinquent utility accounts, including the placement of liens on owner/tenant occupied properties; and
3. To increase in the set-up Service charge for new utility accounts from \$10 to \$25.

Motion: Council member Unger
Second: Council member Simpson
Carried: 6-0-1 with Kesari absent

CLOSED SESSION: Vice Mayor Wine made a motion that the Hamilton Town Council recess its open meeting and convene a closed session. To discuss the following:

- 1) Consultation with Legal Counsel pertaining to the discussion of actual litigation and matters requiring the advice of legal counsel regarding special use permits this includes consultation with Legal Counsel Employed or Retained by the Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel. The exception is provided in Code of Virginia Section

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2.2-3711(A)(7) as amended. The purpose of this closed session is to discuss actual litigation regarding special use permits and to discuss personnel performance and compensation. The exception is provided in Code of Virginia Section 2.2-3711(A)(1) as amended.

Motion: Vice Mayor Wine
Second: Council member Snyder
Carried: 6-0-1 with Kesari absent

Vice Mayor Wine made a motion that the Hamilton Town Council adjourn the closed session and reconvene the open meeting.

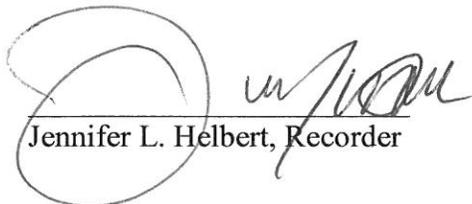
Motion: Vice Mayor Wine
Second: Council member Snyder
Carried: 7-0

Vice Mayor Wine made a motion that the Hamilton Town Council certify that while in closed session, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Motion: Vice Mayor Wine
Second: Council member Kesari
Carried: 7-0

ADJOURNMENT:

There being no further business the meeting adjourned at 9:15 PM.


Jennifer L. Helbert, Recorder


Greg Wilmoth, Mayor