

## TOWN COUNCIL MEETING

July 28, 2020

The regular meeting of the Montross Town Council was held on Tuesday, July 28, 2020 at 7:30 p.m. at Town Hall, 15869 Kings Highway, Montross, VA.

Council Members Present: Joseph P. King, Terry A. Cosgrove, Clinton A. Watson, Jr., Carolyn Carlson, Bobby D. Greene, Robert L. Barker, Kathryn S. Wittman

Council Members Absent:

Town Manager: Patricia K. Lewis

Water Works Operator:

### REGULAR MEETING

Mayor King called the Council meeting to order at 7:30 p.m.

### MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited and a moment of silence was observed.

### APPROVAL PRIOR MINUTES

Mayor King asked if there were any additions or corrections to the minutes from the June 23, 2020 regular meeting. Mr. Watson, seconded by Mrs. Wittman, made a motion to approve the minutes from the June 23, 2020 meeting. The motion was unanimously carried.

Mayor King asked if there were any additions or corrections to the minutes from the June 23, 2020 special meeting. Mrs. Wittman, seconded by Mr. Greene, made a motion to approve the minutes from the June 23, 2020 special meeting. The motion was unanimously carried.

### APPROVAL FINANCIAL REPORTS

Mayor King asked if there were any additions or corrections to the financial reports for June 30, 2020. Mrs. Lewis stated that sanitation fund reconciliation should show \$700 in “subtract outstanding checks” instead of “add deposits in transit”. Mrs. Carlson, seconded by Mr. Cosgrove, made a motion to approve the financial reports with said corrections for June 30, 2020. The motion was unanimously carried.

### REPORTS

#### TOWN MANAGER

Mrs. Lewis stated that the audit has been received and will be discussed at the August meeting

Mrs. Lewis reported that star on the tower has been turned off because there are several bulbs that need to be replaced. As soon as the bulbs are replaced, the star will be turned back on.

Mrs. Lewis also reported that the new Christmas lights have arrived.

## OLD BUSINESS

George Bowman with the Virginia Department of Transportation (VDOT) informed council that VDOT engineers have approved a few options relating to the crosswalk situations in town. The first option is a pedestrian sign that flashes simultaneously with the pedestrian sign near Angelos. This sign could be installed near Carrot Cottage so that traffic going east can be aware that a pedestrian is crossing the street. The Town would have to pay for the sign as well as running conduit to the new sign. This option could be added on to the permit obtained when the crosswalks were put in. This option could be costly.

Mr. Bowman said the second option would be to use standup signs in the crosswalks. VDOT would need to review the locations and make sure the signs are properly placed in the crosswalks. The town would also need to cover the cost of installing the signs. This option would be less expensive.

Mr. Bowman said he would need to talk to the owner of Allegiance Title regarding the removal of the parking spot in front of that business.

Mayor King stated he thought the standup signs in the crosswalks will help slow traffic down.

Mayor King asked Mr. Bowman if the town should have done something different with the crosswalks during revitalization. Mr. Bowman stated that he feels like what was done is adequate. Thankfully there have been no accidents or pedestrians hit. Mr. Bowman stated he felt that, over time, he felt like people will learn to stop for pedestrians. He said there is a new Virginia law that can fine someone \$500 if they do not stop for pedestrians at crosswalks.

Mayor King asked Mr. Bowman what option he thought the town should go with. Mr. Bowman suggested starting with the standup signs in the crosswalks. Mayor King stated he felt like we have to do something out of concern for safety. Mr. Bowman stated starting with the pedestrian crosswalk signs would show the town's concern for safety and that it will help educate drivers. Mr. Bowman stated there is a lot of signage out there and people need to pay attention.

Mr. Bowman stated that Route 3 east end is being redesigned to accommodate the traffic for the new school. There will be a center turn lane all the way through. Mr. Bowman stated there has been a lot going on in the county. A tractor trailer turned over on Route 202 and a lot of people from the community came out to help. It makes the town even more special to see people come together in the time of need.

Mrs. Lewis asked if had looked into the smaller speed signs that flash when someone is speeding. Mr. Bowman stated that the VDOT engineers had also approved those. Mr. Bowman stated that the town could purchase those as well, but that a dedicated electrical system would be required. The town would also need to obtain a new permit. This option would be costly as well.

Mr. Cosgrove stated he was part of meeting recently with a local business person and the subject of parking in town came up. Mr. Cosgrove stated it is a business problem and, to some extent, the town's problem. Mr. Cosgrove asked if parking is legal heading west bound on Route 3 in town and, if it is, can hash marks be put there. There are some businesses without sufficient parking. Mr. Cosgrove stated that as far back as revitalization there was a sign about twenty feet from Carver Street that said "no parking from here to corner." He stated he noticed that sign is now gone. Mr. Cosgrove stated that led him to believe people could park there, but there were no hash marks. Mr. Bowman asked Mr. Cosgrove to give him some time to do some research and he would get back to

council.

Mr. Bowman stated that VDOT would also be removing a parking spot in front of Carrot Cottage closest to the turn.

Mr. Cosgrove asked what the process is to change the name of a side street. Mr. Bowman stated there are several forms that need to be filled out that can be found on the VDOT website. Mr. Bowman stated that there would have to be support from the town before it is brought to VDOT.

Mr. Cosgrove stated there has been an issue in town where a property owner intentionally collapsed a drain line. When it rains, three drains on Route 3 are backing up to the point that a significant amount of water overflows onto the curb and into his business parking lot. He stated it hasn't crested yet, but when it does there will be nothing to stop it from flooding his building. Mr. Cosgrove stated he has witnessed ambulances having to slow down to go through all of water standing in the road. Mr. Cosgrove stated that in his opinion it was done maliciously. Mr. Cosgrove asked Mrs. Lewis if she had talked to the Sheriff or the Commonwealth's Attorney regarding the matter. Mrs. Lewis stated she spoke to the Sheriff after the last hard rain. She stated she told the Sheriff it was a safety hazard. She stated the Sheriff said he would look into seeing what he could do. Mr. Cosgrove stated he would call the Commonwealth's Attorney. He said there are storms in the forecast. He stated that Mr. Bowman and his co-workers have to come out when it rains and pump the water out of the road. Mr. Cosgrove stated that maybe someone can reach out to the Judge and see if something can be done. Mr. Cosgrove stated that there is no reason that we should continue to put the public safety at risk for someone's vindictive behavior.

Mr. Bowman stated that he is bound by VDOT's attorney regarding what he can and cannot discuss. He stated he would share as much information that he is allowed to discuss legally. Mr. Bowman stated that what Mr. Cosgrove has said is true. VDOT has spent several nights in town dealing with the issue. He stated that VDOT was made aware that a contractor was hired and the pipe was collapsed going to the property. He said there has been an ongoing lawsuit with the individual and VDOT. The lawsuit was in the state's favor. Mr. Bowman said he can't speculate the reason why this issue is happening immediately after. Mr. Bowman stated he has a truck and pumps on standby. Mr. Bowman stated it is a terrible safety issue. He said he was afraid someone is going to have an accident before all the water is pumped. Mr. Bowman also stated that several members of the community have voiced their concerns about the situation. Mr. Bowman indicated that VDOT is working as hard as they can to try to come up with a solution. He stated that VDOT is in the mode of trying to protect the people. He stated that VDOT has received letters to not go on the property or they will be arrested. Mr. Bowman stated that any support the town can give would greatly be appreciated. Mr. Bowman promised that he would do his best to get the water out of the road as fast as he can.

Mr. Cosgrove asked Mr. Bowman to pass on to his crew that the town says "Thank You!"

Mr. Greene asked if it would be possible to use sandbags to protect the businesses affected by the water. Mr. Cosgrove said it is hard to say if that would help.

Mr. Watson asked if any further questions relating to what has been discussed should be routed through the Town Manager. Mrs. Lewis replied that any further questions can be routed through her.

Mrs. Lewis reported that the application for a new water system has been submitted to the United States Department of Agriculture (USDA) Rural Development. USDA may need some additional information for the Preliminary Engineering Report. Mrs. Lewis stated that Tara Delaney with USDA has been wonderful to work with.

Mrs. Lewis reported that, due to public safety and health concerns relating to the coronavirus, the Fall Festival committee has decided to cancel this year's fall festival. The committee agreed with the Virginia Department of Health and the town's insurance company that there are just too many unknowns.

### NEW BUSINESS

Mayor King reported that Gregg Eby has moved to Lynchburg leaving a Planning Commission vacancy. Whitney Hooks has agreed to serve Mr. Eby's remaining term, which is May 2021. Mr. Cosgrove, seconded by Mrs. Wittman, made a motion to appoint Whitney Hooks to fill the vacancy on the Planning Commission. The motion was unanimously carried.

Mrs. Lewis reported that there is a grant opportunity that the Town of Montross, Westmoreland County, and the Westmoreland County Museum may be interested in pursuing. The Department of Historic Resources has received \$4.7 million dollars from the National Park Service. A portion of those funds are available in the form of planning funds to identify and designate historic resources within the community. In 2013, the Department of Historic Resources was of the opinion that the Town of Montross had a historic district that was potentially eligible for listing on the Virginia Landmarks Register and the National Register of Historic Places. The process of surveying and nominating a historic district can be lengthy and expensive and many localities do not pursue it for this reason. Fortunately, this grant fund is available for this type of project and does not require a match. Projects are going to be administered by the Department of Historic Resources. Mrs. Lewis stated that this is a great opportunity to recognize the importance of the Westmoreland County's courthouse, its surrounding court green, as well as commercial and residential buildings that form the core of the town at no cost. She stated that the Westmoreland County Board of Supervisors has taken action to approve proceeding. Mrs. Wittman, seconded by Mrs. Carlson, made a motion to take advantage of this great opportunity to pursue getting the Town of Montross on the Virginia Landmarks Register and the National Register of Historic Places. The motion was unanimously carried.

Mrs. Lewis reported that the town truck is in pretty bad shape. The gear shift handle has broken. It cost over \$600 in repairs in order for it to pass inspection in August 2019. The driver side door cannot be opened from the outside. It has starter problems. There are cracks in the truck bed. The truck is a 2001 Ford that was purchased in 2009. The truck is due for inspection in August 2020. Mrs. Lewis stated that she has talked with Michael Campbell at Campbell's Auto Sales and he is going to be on the lookout for a newer model. Mayor King stated a utility bodied truck may be more useful. Mr. Greene suggested the town give the old truck to the town's water operator, Doug Norris. Mr. Cosgrove, seconded by Mrs. Carlson, made a motion to authorize Mrs. Lewis to spend up to \$15,000 to purchase a town truck at her discretion. The motion unanimously carried.

Mayor King stated that it is very disturbing what council heard tonight about the situation with the flooding in town. He asked Mrs. Lewis to give council updates on the matter. Mr. Cosgrove stated that people that have known the owner all of their lives have reached out to the owner to no avail. Mr. Cosgrove stated that he has talked to a few "old timers" and that pipe has been on the owner's property for as long as the coffee shop building has been there. Apparently, the owner connected their own pipe into the drain to water discharging from the bottle washer in the building. Mr. Cosgrove stated he didn't think council should tenderfoot the issue with somebody that is in complete defiance of town safety. Mr. Cosgrove stated that he would very much push this matter up to a legal position and apply some leverage. Mayor King asked Mrs. Lewis if she thought the Commonwealth's Attorney is going to move fast on it. Mrs. Lewis replied that she thought it was going to take more

than the Commonwealth's Attorney to get the issue resolved. Mayor King stated it was very disturbing that it is manmade issue. Mrs. Lewis agreed and stated that she worried about public safety, especially after watching the rescue squad maneuver through all of the water in the road. She stated her fear was that they were not going to get to the person in time that needed assistance. Mr. Cosgrove stated he felt that deputy that was there left too early and, from a safety standpoint, did not use flares or cones. Mr. Cosgrove stated he saw the backhoe digging on the property, but had no idea nor could he ever imagine that someone would take it upon themselves to crush and fill in street drainage. Mrs. Lewis stated that it really cripples the town when it rains.

Mrs. Lewis stated that she had one other item that Scott Travers asked her to bring to council. Mr. Travers would like to offer to the town the two buildings he has for sale in town. He suggested that the town could buy the two buildings, tear them down, and put parking there. Mr. Cosgrove asked what the buildings were listed for. Mrs. Lewis stated \$225,000 or \$250,000 for both buildings. Mayor King thanked Mrs. Lewis for bringing the matter to council's attention.

#### COUNCIL MEMBER COMMENTS

There were no comments from council members.

#### PUBLIC COMMENTS

There were no public comments.

There being no further business, the meeting was adjourned at 8:25 p.m.

---

Patricia K. Lewis  
Town Manager

---

Joseph P. King  
Mayor