

July 12, 2022

**MINUTES
REGULAR MEETING
JULY 12, 2022**

The regular meeting of the Council for the City of Covington was held on Tuesday, July 12, 2022, at 6:30 p.m. at Council Chambers in City Hall, 333 W. Locust Street, Covington, Virginia.

The meeting was called to order by Mayor Thomas H. Sibold, Jr. The invocation was given by Rev. Doug Williams, followed by the Pledge of Allegiance.

Roll call of Council showed all members present including Mayor Sibold, Vice Mayor David S. Crosier, Councilman William E. (Lance) Carson, Jr., Councilman Raymond C. Hunter, and Councilman S. Allan Tucker. Also present were City Manager Krystal Onaitis and City Attorney Mark Popovich.

Vice Mayor Crosier motioned to add a closed session the agenda pursuant to section 2.2-3711a35739 code of Virginia. Mr. Tucker seconded the motion, and all Council members conceded with an "aye" vote.

Mayor Sibold advised that there was an opening on the Social Services Board and also the Redevelopment and Housing Authority Board. He requested to add the vacancy of the Redevelopment and Housing Authority to the next agenda.

APPROVAL OF AGENDA

Mr. Crosier made a motion to approve the agenda as presented with the exception of a presentation by Alan Staton, as Mr. Staton could not attend the meeting. Mr. Tucker seconded the motion, with all Council members conceding with "aye" votes.

PUBLIC HEARING

Mayor Sibold stated there were two public hearings, the first being a zoning request from Christopher Pyle from R2 to R3 zoning, lot described as 124 North Alleghany Avenue. He advised the request had been sent to the Planning Commission and a public hearing was held. The Planning Commission denied the rezoning request. Mayor Sibold closed the first public hearing as there were no citizens in favor or against the request.

Mayor Sibold opened a second public hearing for a rezoning request from Mr. Timothy Hyler, requesting to rezone a lot on Lincoln Avenue from M1 to R1.

Mr. Timothy Hyler, Sunset Hill, told Council he had purchased a house at 916 Lincoln Avenue, which is currently zoned as M1. He requested to have it rezoned as R1. He advised Council that is was a 50 by 100 foot lot and would not be big enough to have a business on. He also stated

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that if he should decide to sell the property, a bank would not loan money to anyone if the lot was zoned as M1. Mayor Sibold stated that the Planning Commission had advised Council to approve this request. Mayor Sibold closed the public hearing, as there were no citizen comments in favor or against this request.

On a motion by Vice Mayor Crosier, seconded by Mr. Tucker, Council voted to deny Mr. Pyle's request. All councilmembers were in favor of denial with a roll call vote as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

On a motion by Vice Mayor Crosier, seconded by Mr. Tucker, Council voted to approve Mr. Hyler's request. All councilmembers were in favor with a roll call vote as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

CITIZEN COMMENTS

Mr. Eric Mack, 1169 South Lincoln Avenue, remarked how beautiful the city of Covington was before going on to say that his hill looked like the streets of Baltimore. He said it should not take Council five years to fix a road less than a quarter of a mile long. He said he was angry, as Council had advised the road would be fixed in June and it was now July. He stated that Council did not treat residents on the hill right. He requested an audit to find out why Council does not have the money to fix the road on Hunter's Hill and Lincoln Avenue. Mr. Mack stated that he pays his taxes and the road needs to be fixed. He closed with saying he respected Council, so why couldn't they respect him.

Mr. Milton Helton, 909 S. Lincoln Avenue, also spoke on road conditions on Lincoln Avenue and Hunter's Hill. He advised that from 903 to 917 Lincoln Avenue, North Alleghany up to Beech Street, rocks from the rain cause potholes in the road. He stated that he tries to remove the rocks with a shovel. He said that there are rocks in the road going around the curve on Beech Street, and he feels there is going to be a bad accident due to the rocks and people driving too fast. He said that there were two accidents in the past year, and that someone was going to get hurt or killed. He went on to say that the pavement needs to be milled from Alleghany Avenue, up Beech Street, Lincoln Avenue, up to Mr. Mack's and Tony Miller's house. He told Council that patching would not work, as rain and snow plows would tear the road up again. He closed with saying the hill needed to be fixed.

Ms. Teresa Hunter, 1007 South Hunter's Place, said it had been over 60 years since Hunter's Hill down to Lincoln had been paved. She advised Council that it was putting a toll on their cars and trucks. She stated that they paid taxes and something needed to be done. She said they needed Council's help to get the hill fixed. She advised that Hunter's Hill and Lincoln Avenue were one way streets, and someone was going to get hurt or killed.

CORRECTION AND APPROVAL OF MINUTES

On a motion by Vice Mayor Crosier, seconded by Mr. Tucker, Council voted to approve the following minutes as presented: Work Session on June 7, 2022; Regular Meeting on June 14, 2022.

REPORT OF THE CITY MANAGER

1) Re-appropriation request in the amount of \$175,000 (leftover paving funds from 2021): Ms. Onaitis said that typically, paving runs on a calendar year, and the city functions on a fiscal year. Often, paving work that Council has budgeted money for the previous year carries over into the next year. She stated that the city's year ends on June 30th, and paving runs from late spring through early fall. She advised Council that they have an invitation for bid for paving ready for tomorrow provided that Council approves the request for re-appropriation. She said that it outlines 3 types of surface treatment that the city wants using the 175 thousand dollars. She said this will cover about 2-3 lane miles for resurfacing, sealing, mill, and overlay. Ms. Onaitis advised the city was not acting on the money in the FY 23 budget, and that these were funds in last year's budget that often overlaps due to paving cycles. She stated that one location targeted is Lincoln Avenue, with 40 thousand square yards of work identified in that particular corridor, and that there have been aggressive cutbacks throughout the city.

2) Mowing Violations and Unsafe Structures: Ms. Onaitis stated in the last 60 days, the city has completed a total of 45 mowing violations, with a total of 35 properties being mowed. She said there are seven active property maintenance cases and two property cleanups. There were 28 permit inspections conducted and four unsafe structures were secured in the last 60 days. She advised Council that property owners are allowed a minimum of 14 days to secure their structure before the city steps in and secures it for them. Ms. Onaitis went on to say that most property owners are trying to secure their own properties or providing the city with an action plan of how they are going to get their property secured.

Mayor Sibold inquired about mowing violations. Ms. Onaitis stated that property owners have 48 hours from the time of posting to mow their property. She said that the property owner gets an itemized statement as to what each cost is for. The city gets a breakdown of equipment used. She advised that mowing contractors check in using GPS, taking a before and after photo of the location to validate the action. Ms. Onaitis advised Council that the city has improved efficiency this season, and it has posted and provided a list to the contractor. The contractor then knows he can arrive at that particular location within 48 hours. The cost to the property owner depends on the height of the grass and whether or not there is debris or other accumulated items in the yard that has to be moved. She said that Weed Wackers is the city's primary contractor, and they have maintenance and mowing in their contract, so it affects the bill if they have to move debris. She also stated that the city may give an extra day or two for owners of large properties to take care of their yard so as to try not to consume the city's entire budget. Ms. Onaitis advised Mayor Sibold that legally, the city was only required to post the property, but they do attempt to contact resident and property owner. She said that notices

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were ran in the *Virginian Review*, a public service announcement was made, and there was a mailer included with utility bills alerting citizens to code requirements and height limit for grass in the city.

3) **Economic Development:** Ms. Onaitis advised Council that work was continuing with regards to economic development. She was very pleased with downtown and the former Gordman's building. She said the city was working on a performance agreement with the developers, so they will get the rights to have private ownership of the building, which will then allow the building to become a tax revenue generating property. She stated that this will hopefully be completed by late summer or early fall.

4) **Bridge Repair:** Ms. Onaitis stated that she had received official word that Hawthorne Bridge has been funded for major rehabilitation work in the amount of 450 thousand dollars. No local match from the city is required. This is being done to address previous experimental repairs that the Department of Transportation did in conjunction with Virginia Tech that did not meet the projected criteria. The repairs were intended to last 15-20 years and have not done so. Ms. Onaitis said the city had received federal funds and would be working on a repair plan. She said this is in conjunction with some other projects, such as Rayon Bridge and a project on Alleghany Avenue from Pine Street to Beech Street. She said the city has done very well with securing outside funds to address some of its major transportation needs.

5) **Rivermont and former Jeter Watson Schools:** Ms. Onaitis was excited to advise Council that the Rivermont School has been officially designated as a national historic landmark, and the former Jeter Watson School has been designated as a Virginia historic landmark. She said they will be working to advance the former Jeter Watson school to national historic landmark designation.

APPOINTMENTS

Upon a motion by Vice Mayor Crosier, seconded by Mr. Tucker, Greg Martin was appointed to the Social Services Board. All members conceded with an "aye" vote.

ORDINANCES AND RESOLUTIONS

1) **Resolution R-22-20-To Adopt a Complete Streets Policy-**Ms. Onaitis advised that this policy is part of an effort to be comprehensive in how they look at getting in and around an area. This policy also helps with VDOT funding because it shows that we're looking at the big picture in what needs to be addressed, such as paving, repairing sidewalks, and bicycle lanes if practical in that location. Vice Mayor Crosier made a moved for approval. Mr. Tucker seconded. All were in favor as follows: Mr. Carson, for; Mr. Hunter, for; Mr. Tucker, for; Vice Mayor Crosier-for; Mayor Sibold-for.

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2) Resolution R-22-21-Amending Appropriations from fiscal year beginning July 1, 2022, and ending June 30, 2023-Vice Mayor Crosier moved for approval. Mr. Tucker seconded. All were in favor as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

3) Resolution R-22-22-To Accept Surplus Property Formerly Owned by Covington City Public Schools-Ms. Onaitis explained that when the city and county schools combined, the properties had to be declared as surplus and provided to the localities where each school was located. The city will be accepting Covington High School as surplus next month, along with Alleghany County. She advised they were working on a ground lease for all school buildings to become part of the new school system. Vice Mayor Crosier moved for approval. Mr. Tucker seconded. All were in favor as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

4) Ordinance O-20-13-Amending Certain Sections of Appendix A, Subdivisions-Vice Mayor Crosier moved for approval. Mr. Tucker seconded. All were in favor as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

5) Ordinance O-20-14-Amending Appendix B, Zoning; Repeal of Chapter 36, Signs-Vice Mayor Crosier moved for approval. Mr. Tucker seconded. All were in favor as follows: Mr. Carson-for; Mr. Hunter-for; Mr. Tucker-for; Vice Mayor Crosier-for; Mayor Sibold-for.

DISCUSSION OF PROPOSED CHICKEN ORDINANCE

Ms. Onaitis outlined some guidelines regarding the keeping of urban chickens in the City of Covington. She recommended having an annual permit with a 30 dollar annual fee. She also proposed a 50 foot setback of the chicken coups from adjoining properties. She stated that she had researched with a development staff the ways that other localities around Covington had been able to successfully have chickens. She explained to Council that the limit would be four chickens and no roosters were allowed. She advised that the permit would be enforced by zoning, but cruelty cases would be handled by animal control. Mr. Carson questioned what would happen if the chickens were not cleaned up after. Ms. Onaitis recommended adding something to the permit with requirements to keep the chickens' home sanitary and clean. Vice Mayor Crosier stated he was in the middle regarding the keeping of chickens, as there are some people who will do a good job with owning chickens and taking care of them, but there were also downsides. He stated that having chickens in the city could be done as long as it was done responsibly. Council advised they will revisit the discussion and possibly hold a public hearing for citizens to express their concerns in the near future.

NEW BUSINESS

Ms. Beverly Twitty, 917 South Lincoln Avenue, spoke regarding paving issues on Lincoln Avenue and Hunter's Hill. She advised Council that, as taxpayers of the City of Covington, she and Mr. Hunter are representing the residents of Lincoln Avenue and Hunter's Place, also known as

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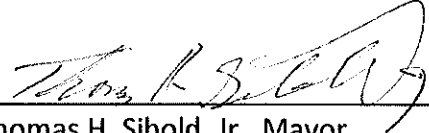
Hunter's Hill. She said that they had expressed their concerns about the condition of the roads eight years ago and nothing had been done to fix the road. She said that the road conditions have deteriorated and have become hazardous due to neglect. Ms. Onaitis advised Ms. Twitty that not all roads were covered by VDOT, some were paid for using local dollars. Ms. Onaitis agreed to provide Ms. Twitty a list of road priorities, and told Ms. Twitty the city was doing an invitation for bid for paving and working with federal relief dollars to identify additional drainage projects. Ms. Onaitis said that the city will be using contractors throughout the entire season in various areas.

Mayor Sibold advised the next item on the agenda was to discuss updates to the utility code. Ms. Onaitis stated she thought it was a good item to start having for discussion until they work through the changes that need to be made. She said that the utility code chapter is out of date in regards to residential and commercial accounts. She stated that she'd had several calls from businesses and citizens regarding functionality, and that what is in the utility code does not align with zoning regulations. She advised Council that meter usage needed to be addressed, such as for certain home business. Vice Mayor Crosier said he'd like to receive suggestions from Central Accounting, Public Works, Zoning, etc. Council agreed to continue this discussion at next month's meeting.

Reconvening of the Finance Committee-Council all agreed that reconvening the finance committee that was established a few years ago was a good idea. Ms. Onaitis stated that it would be very beneficial to have representatives from Council meeting with the Treasurer, Commissioner of Revenue, Finance Director, the City Attorney, and herself in regards to the city's finances. Mayor Sibold advised that Council will pick a day for the Finance Committee to convene and schedule the City Attorney to attend if necessary. City Attorney Mark Popovich agreed to help establish governance and bi-laws for the committee.

Vice Mayor Crosier made a motion to go into closed session pursuant to section 2.2-3711(a) 3257 and 39 of the code of Virginia to discuss disposition of property, respective business or industry, consult with legal counsel pertaining to probable litigation with such consultation or briefing an open meeting would adversely affect the negotiation or litigating posture of the public body and economic development updates. Mr. Tucker seconded the motion. All Council members were in favor with "aye" votes.

With no other business to come before Council, the meeting was adjourned.


Thomas H. Sibold, Jr., Mayor

Attest:


Kyla D. Crosier, City Clerk