

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
October 10, 2017
156 E Jackson St
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:30 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Town Clerk – Wayne Bledsoe

	PRESENT:	ABSENT:
Mayor, Frances Perry	X	
Vice Mayor, Roger Cassell	X	
Council Member, Allan “Cotton” Roberts	X	
Council Member, Robin Richards		X
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Ron Kindle	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: Debbie Kindle, Dave Wilson, Chief Scott Fink, Officer Desmond Fields

III. INVOCATION – Allan “Cotton” Roberts

IV. PLEDGE OF ALLEGIANCE – Chief Scott Fink

V. APPROVAL OF AGENDA

- **Amend Agenda for approval of 10-19-17 Public Hearing Minutes:**
 - **10-19-17: Public Hearing - Amendments to C-1, C-2, and Zoning Definitions**
 - **10-19-17: Public Hearing - Amendment to Section 16.3 Noise Ordinance (Animals)**
 - **10-19-17: Public Hearing: Rural Development Resolution: adopt Funding for Police vehicles**

Motion to amend agenda.

Motion by: Vice Mayor, Roger Cassell 2nd by: Council Member, Allan “Cotton” Roberts

VOTE: Aye, 4
 Nay,
 Absent, 1 – Robin Richards
 Abstain

Motion to approve agenda as amended and presented.

Motion by: Council Member, Allan “Cotton” Roberts 2nd by: Vice Mayor, Roger Cassell

VOTE: Aye, 4
 Nay,
 Absent, 1 – Robin Richards
 Abstain

VI. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS.

None

➤ **Approve 10-19-17 Public Hearing - Amendments to C-1, C-2, and Zoning Definitions Minutes**
Motion to approve Public Hearing Minutes: Amendments to C-1, C-2, and Zoning Definitions as presented.

Motion by: Council Member, Ron Kindle 2nd by: Council Member, Allan “Cotton” Roberts

VOTE: Aye, 4
Nay,
Absent, 1 – Robin Richards
Abstain

➤ **Approve 10-19-17 Public Hearing - Amendments to Section 16.3 Noise Ordinance (Animals)**
Motion to approve Public Hearing Minutes: Amendments to Section 16.3 Noise Ordinance (Animals) as presented.

Motion by: Vice Mayor, Roger Cassell 2nd by: Council Member, Allan “Cotton” Roberts

Discussion:

- Council Member Ron Kindle addressed possible changes in minutes regarding Town Manager, Greg Jones and comments pertaining to the downstairs business bringing in \$1,800 in monthly revenue. Mr. Jones and Mr. Kindle said that this should be \$850. Mr. Jones said that he did not recall stating \$1,800. Vice Mayor Roger Cassell and Council member Allan “Cotton” Roberts indicated that they had both heard \$1,800 as the figure given. This item will be corrected in the Public Hearing Minutes.
- Town Attorney, Michele Brooks said the minutes are correct based on what was said at the meeting, however, Town Manager, Greg Jones said the original amount quoted was incorrect.
- Council Member Wallace W. Ross, Jr. mentioned a correction that needed to be made on Page 2. Mr. Ross indicated he had discussed noise on his property in relation to dogs barking at deer. He said this was not reflected in the minutes of the Public Hearing. Mr. Ross also said that he had asked questions pertaining to the number of complaints each Council member had received regarding animal noise.
- Mayor Frances Perry reminded Mr. Ross that minutes do not reflect a verbatim account of meetings, but rather a summary. Mr. Ross responded that he felt his list of questions should be reflected in the minutes. These changes will be made to the minutes. Mr. Ross also asked what message the Council was conveying by including all questions in the minutes from various Council members, while his questions seemed to be omitted.

NO ACTION TAKEN. DEFER VOTE UNTIL NEXT COUNCIL MEETING, AFTER REVISIONS HAVE BEEN MADE.

➤ **Approve 10-19-17 Public Hearing – Rural Development Resolution: adopt funding for police vehicles.**

Motion by: Council Member, Allan “Cotton” Roberts 2nd by: Council Member, Ron Kindle

VOTE: Aye, 4
Nay,
Absent, 1 – Robin Richards
Abstain

Motion carries.

VII. APPROVAL OF MINUTES

- Council Meeting on September 19, 2017, with continuance on September 28, 2017 as presented.
Motion made for approval of September 19, 2017 and September 28, 2017 (Continuation) Council Meeting Minutes.

Discussion:

- Council Member Wallace W. Ross, Jr. asked for clarification on the approval of these meeting minutes. Since this meeting was adjourned and reconvened, he wanted to know if approval of minutes would be for the approval of both. Town Attorney, Michele Brooks said this was an adjourned, or recessed meeting, and constitutes one continuous meeting for approval of minutes.
- Mr. Ross continued discussion of the Purchase of Town Vehicle. Mr. Ross wanted to address the minutes which state that he questioned the purchase of the town vehicle. Mr. Ross said that he did not mention “another vehicle”, but rather a “police vehicle”.
- Mr. Ross also questioned the section of minutes stating “had no input”, and the phrase “Cotton Roberts had nothing to do with the picking of the car.” (Mr. Roberts had requested this be placed in the minutes, and on record as to him saying this). Mr. Ross stated this would have been incorrect because of the scheduled Finance Committee Meeting that was held at 4 PM, before the Council meeting at 6:30 PM. Mr. Ross said they had met to place the item on the Council agenda, and would not have been able to do this without a prior meeting to discuss the vehicle.
- Council Member Allan “Cotton” Roberts asked what Mr. Ross was insinuating. Mayor Perry then reminded Mr. Ross that items can be placed on the agenda by any Council Member, and has been done before.
- Addressing Mr. Ross, Mr. Roberts said it was Mr. Jones that had went to pick out the vehicle, and then brought the vehicle back to Town Hall. The regularly scheduled Finance Committee meeting took place before the Town Council meeting. The Finance Committee was then told about the vehicle selected, and Mr. Jones informed the Finance Committee that the vehicle was at Town Hall for review. The Finance Committee then reviewed the vehicle at Town Hall. Mr. Roberts reiterated to Mr. Ross that he did not select the vehicle. Mr. Ross denied that he had said this, but said that he had indicated Mr. Roberts “had some information” about it. Mr. Roberts then said Mr. Ross had not read the minutes correctly. Mr. Ross then asked Mr. Roberts if he, Mr. Cassell, and Mr. Jones had then met to discuss the vehicle. Mr. Ross then said that Mr. Roberts had prior knowledge of the vehicle. A heated exchange ensued, with Mr. Roberts asking Mr. Ross “what does this have to do with anything”? Mr. Roberts addressed Mr. Ross and said that he was on the Budget and Finance Committee. Mr. Ross then asked why Mr. Roberts why he needed to raise his voice to him. Mr. Roberts replied that Mr. Ross was “no longer making any sense to him”. Mr. Roberts told Mr. Ross that “he was tired of it, and that Mr. Ross causes commotion at each meeting”. Mr. Frances attempted to restore order by reading the minutes of the previous meeting to Mr. Ross, including Mr. Roberts’ quotes from that meeting. Mr. Ross disputed the quote, indicating that Mr. Roberts and Mr. Cassell had met at the Finance Committee’s 4 PM meeting to “discuss the vehicle”.
- Mr. Ross said, “according to the law”, or “by our charter”, to which Mayor Perry informed Mr. Ross that the Town does not have a charter, any time any vehicle is selected, three bids are to be brought before the Finance Committee, and then then Finance Committee brings the selected vehicle to the “Board” (Council). Mr. Roberts then informed Mr. Ross that this was satisfied through packet information provided. Mayor Perry asked Mr. Ross if he had received the packet, and Mr. Ross indicated that he had, but that he did not see this portion of the packet with any information on the selected vehicle(s). He also said he had asked for CarFax® information which had not been provided. Mayor Perry said that Mr. Jones was not required to provide this information, and asked if Mr. Ross understood the duties of the Town Manager. Mayor Perry then told Mr. Ross that “every move he makes does not have to be at the discretion [of Council].” Town Manager, Greg Jones added that all he was required to do was to give alternative means, which were included in the Council Packets. Mr.

Jones also stated that the provisions of the Procurement Act were met, and required information provided. Mr. Ross then asked if this was a sealed bid that was opened. Town Attorney, Michele Brooks informed Mr. Ross that under the Procurement Act, purchases under \$100,000 do not have to be submitted by sealed bid, and different methods of procurement exist under Virginia Code. Mr. Ross asked if this was a new law that had changed. He also said that his understanding was that a population of over 3,500 had certain criteria to meet. Town Attorney, Michele Brooks informed Mr. Ross that the Town of Gate City was under population 3,500. Town Attorney, Michele Brooks reiterated: 3 quotes were given, the purchase was under \$100,000, and the population of the town is under 3,500, and bids do not have to be sealed to satisfy criteria under the Procurement Act. Mr. Jones said all he was required to provide was comparable pricing listed for comparable vehicles, which had been done.

- Town Attorney, Michele Brooks then clarified what Mr. Ross was asking, by saying that the law does not require a verbatim account of Council proceedings. Mr. Ross then asked who made the decision to include or omit what was placed in the minutes. Town Attorney, Michele Brooks then said that if verbatim minutes were requested, that Council would decide on that process. The only legal requirement under *Robert's Rules of Order* is that any kind of vote be recorded, and the result of the vote on each agenda item. Summaries are provided; however, verbatim minutes are not – due to the time required to transcribe verbatim minutes.
- Mr. Ross then said he “resented” the process of being an elected official, yet not being able to express his opinion and ask questions as he felt necessary, and “telling me what I can do and what I cannot do”.
- Town Attorney, Michele Brooks said the only motion on the floor was adopting of the minutes. Mr. Ross said that he had only asked for some clarification on statements and sentences quoted and contained within those minutes. Mr. Ross asked for the clarification between “other town vehicle” and “police vehicle” as stated in the minutes.
- Mr. Ross then requested to address Town Attorney, Michele Brooks, and asked since the Finance Committee had met, were minutes required of that meeting to verify that a decision had been made to place the town vehicle purchase on the Council agenda. Town Attorney, Michele Brooks said that Council voted to place this on the agenda, with a vote to amend the agenda to include the Town Vehicle purchase. Mayor Perry said a motion and second, along with a carrying motion vote was taken to place this item on the agenda, which is what was required.
- Mr. Ross then stated for the record: “I am not a child. I fought for this country, and almost died for it, and you will not have anyone to shout at me like I am a child. I don’t care who they are.” Mr. Roberts then addressed Mr. Ross and told him, “You don’t throw accusations out at me, either.” At this point, Mayor Perry called for order, and Town Attorney, Michele Brooks asked that the Council go into a short recess.

COUNCIL RECESS AT 6:59 P.M.

MAYOR PERRY CALLED THE COUNCIL MEETING BACK TO ORDER AT 7:07 P.M.

TOWN ATTORNEY, MICHELE BROOKS SUGGESTED THAT MINUTES BE REFERRED TO TOWN CLERK FOR REVIEW. MINUTES TO BE PLACED BEFORE TOWN COUNCIL AGAIN FOR APPROVAL AT NEXT SCHEDULED MEETING.

MOTION TABLED FOR RECONSIDERATION AT NEXT COUNCIL MEETING.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for September 2017.

Motion by: Council Member Allan “Cotton” Roberts

2nd by: Council Member Ron Kindle

VOTE: Aye, 4
 Nay,
 Absent, 1 – Robin Richards
 Abstain

Motion carries.

IX. PUBLIC COMMENT (Will be limited to 3 minutes per speaker.)

Debbie Kindle: Commenting on the Noise Ordinance, Mrs. Kindle cited “Definitions: any municipal or school building.” Town Attorney, Michele Brooks said the language Mrs. Kindle was referring to was already included in the definitions before the adoption of the proposed amendment, and referred to noise associated with outdoor events such as football games, etc. Items in bold were added and submitted for adoption with the existing ordinance. Items with strikethrough are items for deletion. Mrs. Kindle said in 2009, a gym did not exist within the basement of Town Hall, which is when the existing ordinance was first passed. Mrs. Kindle asked Mr. Cassell now that a gym existed, how many times have requests been made during meetings for the downstairs business to reduce noise. Mrs. Kindle then addressed Mr. Jones concerning her complaints. Mrs. Kindle said she felt that the town has an obligation to ensure the public can hear comments at Council meetings, and does not feel this obligation is being met with the noise generated by the downstairs business during meetings. She asked about enforcement of the proposed Animal Ordinance, and who would be responsible for this enforcement. Vice Mayor Roger Cassell said there were things still to be discussed with the proposed adoption. Town Attorney, Michele Brooks said that because the business is a private entity, they would not be included in the defined exemptions under Virginia Code. Council Member Allan “Cotton” Roberts requested to respond to Mrs. Kindle’s comments, and responded that he lives across the street and has never heard any of the noise or sounds that Mrs. Kindle has mentioned.

Mayor Perry closed the public comment session at 7:13 P.M. and opened the consent agenda session.

X. COMMUNICATIONS

XI. REPORTS (All reports given will be included with your packet. Any questions about the reports will need to be discussed with the department head PRIOR to the meeting.)

A. Engineer’s Status Report

- **Jackson Street Sidewalk:** Notice to Proceed was set for Monday, October 23rd. Project should be substantially completed mid to late January and completion should occur late February.
- **Sanitation Authority:** Next meeting scheduled for October 9th.
- **DEO Sewer I&I Rehab Job:** M&C has submitted the Categorical Exclusion to DEQ which starts the environmental permitting process; ARAP permits for the stream crossings should be completed and submitted for approval this week. Greg, Roger, Cotton, M&C, and Robert Hilt with Rural Development met on October 3rd to discuss other funding options. M&C has sent project information to Robert, so RD can review the project for other funding/grant options. M&C is still on track to deliver final plans to the town and DEQ by the end of October for approval.
- **Water Treatment Plant Upgrades:** Project advertised on Sunday, September 10th in the Kingsport Times and Bristol Herald Courier. A pre-bid conference was held at 10:00AM on Wednesday, September 27th at Gate City Town Hall. Bids will be accepted till 3:00PM Tuesday, October 17, 2017 at Gate City Town Hall where they will be publicly opened and read at that time. RD is also reviewing this project for other funding options.
- **Asset Management Plan:** M&C to submit a preventative maintenance and operational plan for the Town to extend the life and performance on their assets to VDH. The plan will also include an inventory of all the Town’s assets associated with its waterworks system. M&C and Town are in discussions to finalize plan with equipment life expectancies, data gathering/entry is ongoing.

- **VDOT HSIP Funding:** VDOT has awarded the Town funding from the HSIP program to construct handicap ramps and access improvements at several locations along Jackson St. M&C in discussions with VDOT to schedule initial project meeting. M&C to submit a new HSIP application for sidewalk improvements on Manville Road before the November 1st deadline.
- Discussion: Council Member Wallace W. Ross, Jr. asked about the deadline date of November 1. Dave Wilson affirmed that this was the deadline date and that Mattern and Craig is currently in process to meet the deadline.
- Before moving further, Council Member Allan “Cotton” Roberts apologized to Council Member Wallace W. Ross, Jr. for raising his voice to him. Mr. Ross accepted the apology, and the two shook hands.

B. Manager’s Report

Capital Projects:

- **Water Treatment Plant**

Water Treatment Plant Upgrade Project - Roof Replacement project, steel doors replacement, backwash control system, chlorine room scales, generator, telemetry system and Clearwell baffling system will be developed into one project. The Town has received a funding offer from the Virginia Department (VDH) of Health. The project cost is anticipated to be \$498,000. VDH will provide \$137,000 in principal forgiveness. Virginia Resource Authority has approved the funding with the following bond covenants:

On or prior to closing, the Town is required to provide to VRA with evidence of a contract with a CPA to provide accounting services to the Town, including:

- a. Assistance with preparation of financial statements, and
- b. Support for monthly journal entries

The Town must maintain such services for the life of the loan unless the Town has a CPA on staff.

The Town must provide VRA with quarterly budget-to-actuals for the Water and Sanitation Authority Funds.

On or prior to closing, the Town must provide as security one of the following:

- a. Irrevocable standby letter of credit provided by a bank acceptable to VRA for the full principal and interest amount of the loan over the life of the loan,

OR

- b. Cash account held with an escrow agent that is funded at the loan amount disbursed less any principal paid, with the held amount to be recalculated at each disbursement. Proceeds in the cash account can be used to make principal payments.

This requirement would sunset once five consecutive years of audited financial statements demonstrate debt service coverage in compliance with the rate covenant. After sunset, a reserve fund funded at maximum annual debt service would be required. If the Town opts not to provide either of the securities denoted, VRA will reconsider the loan application upon receipt of the fiscal 2018 audit.

Council Action: Approve Request for Proposal for qualified CPA firm to conduct monthly accounting services to include review and preparation of financial statements and journal entry support.

Council Action: Approve Request of Proposal for qualified CPA firm to conduct FY 2017 pre-audit.

The Pre-Bid Conference was held on September 27th, 2017 and the bids are due by October 17th, 2017.

Disadvantage Business Enterprises (DBEs) direct solicitation letters have been mailed.

- **East Jackson Street Sidewalk Project**

The bid opening was held on July 10th, 2017. King General Contractors of Bristol, VA was the lower bidder. The Pre-Construction was held on September 25th, 2017.

- **Highway Safety Improvement Project (HSIP)**

The Town has been awarded an HSIP grant from the Virginia Department of Health. This project will provide for handrails, handicap ramps, and safety improvements along Jackson Street. A kickoff meeting for this project will be scheduled next week.

Met with Mattern & Craig, Inc on October 3rd, 2017 to discuss funding potential to replace the sidewalks on Manville Road.

Council Action: Approve HSIP VDOT application to replace sidewalks on Manville Road.

- **Gate City Theater & Public Facilities**

Planning Grants for the Gate City Theater, Town Hall, and proposed Community Center, have been submitted to Rural Development - (Community Facilities Technical Assistance and Training/TAT Grant) and the Tobacco Commission. The TAT Grant will focus on engineering and environment plans to make the best use of our public facilities. The Tobacco Commission funding will handle the Marketing Analysis for the Gate City Theatre. Award date is expected in mid-September. The total funding request is \$50,500.00 from Rural Development and \$25,000.00 from the Tobacco Commission. The Tobacco Commission has declined our proposal. The Tobacco Commission has advised that we contact Appalachian Regional Commission (ARC) for the Marketing Funding. Tobacco Commission has also indicated that they have already funded a Marketing Study for the Gate City Theater. The funding was awarded to Southwest Virginia Community Foundation, Inc. several years ago. Both Southwest Virginia Community Foundation, Inc. and the Scott County Economic Development Authority are trying to locate the report.

- **Dog Park**

Trees have been removed from the project area. Town Crew will work to improve the drainage. Planning Commission will research and design a fence for the dog park soon.

Events:

- The Events Committee has met on September 21st, September 28th, and October 3rd, 2017 to plan for the King Alleyween event scheduled for Saturday, October 28th, 2017.
 - Letters requesting participation have been sent to 52 area churches. The King Alleyween event will include a costume contest, DJ, special dance presentation by Jenkins School of Dance, pumpkin carving contest, storefront decorating contest, movie at the park, and hay rides. We need volunteers and churches to help with this event.
- Planning for the Veterans Day program has begun. We are still looking for a keynote speaker.

Other Items:

- **Government Management Monthly Meeting**

Attended the Government Management Monthly Meeting in Wise, Virginia on October 5th, 2017. This meeting is comprised of local town Managers/administrators in Southwest Virginia. Topics discussed; Dominion Energy is

looking to locate a pump hydroelectric storage facility either in Wise or Tazewell County. This project would be a two-billion- dollar investment and can have a positive influence on economic development in southwest Virginia.

C. **Council Reports** (Any new business from Committees that needs to come before the Council.)

Vice Mayor Roger Cassell: Poles, receptacles, and electrical connections have been placed at the former King Ford Property location, for power to be provided to the gazebo. Estimated completion time is 2 weekends. A light will be placed within the gazebo, with 3 lights illuminating the LOVE sign. Both picnic tables have been relocated on the property. People have been noticed using the gazebo, picnic facilities, and provided brochures. Council Member Allan “Cotton” Roberts asked about the recent placement of caution tape. Mr. Cassell said this was due to some construction and painting on the ramp leading to the gazebo.

Council Member Ron Kindle: Asked about water disconnections and revisiting disconnected residences to ensure water is not being used. Asked why meters are not locked when disconnection first occurs. Town Manager, Greg Jones said this was possible and would be done. Mr. Jones also suggested a possible solution to this would be to increase reconnection fees. Mr. Jones also said that an expense with keeping up with locks and keys could be incurred by the town. Mr. Kindle asked about a master key for all locks which could be obtained. Mr. Jones said locking the meter with a secured device would become practice for disconnections.

Mr. Kindle also made comments regarding the Cruzer Palooza event in September. He said some business owners in town had concerns with serving people who appeared to be intoxicated. He has had complaints from some people who either refuse to come to the events, or leave the event altogether because of this. Mr. Kindle said these people feel town events should be family-oriented. Town Manager, Greg Jones said this was a personal feeling, and that alcohol has been sold at each event this year.

Mr. Kindle asked about Knob Court. Mr. Jones indicated that he had read in previous minutes that this had been made into a private road or driveway. Mr. Jones said he needed to research the issue further.

Council Member Wallace W. Ross, Jr.: Asked about bulbs and streetlights. Mr. Jones said that the town is working to correct this. Mr. Ross also mentioned fixing sidewalk issues on Kane Street. Mr. Ross also said grass was high on Manville Road. Mr. Ross reported on the VML Richmond visit. Mr. Ross asked Mr. Jones about a recent VDOT meeting. Mr. Jones reported that this was designed to assist with completion of paperwork, documentation and administration with VDOT. Mr. Ross mentioned speaking with VDOT while in Richmond, and a program that could possibly match funds budgeted for streets within a municipality. Mr. Jones responded by indicating that most of the town’s streets are VDOT streets. Mr. Ross mentioned that the town of St. Paul attended and received 2 separate awards at the VML Conference. Other municipalities such as Pennington Gap and Big Stone Gap had booths at the conference. Mayor Perry said the reason for this is these municipalities have a group of volunteers that work within the town to positively promote their towns. Mayor Perry commended the Town Manager and the Events Committee for their continued work in promotion of the town.

Council Member Allan “Cotton” Roberts: Rally SWVA attended Gate City Frontier’s regularly scheduled meeting and went through the process of selecting a project with Gate City Frontier. The next meeting will be held 10-16-17 and a project will then be selected. The project looks to enhance what has already begun with Gate City Frontier. The project is only \$3,000, and Mr. Roberts suggested that other funds may be secured through the county, or by seeking other funding sources. The focus is likely on the wayside park/former King Ford property to enhance and attract from that standpoint, to include efforts to enhance and bring business to downtown.

D. **Sanitation Authority**

Vice Mayor and Sanitation Chair Roger Cassell: Recapped meeting held Monday, 10-9-17. Sanitation Authority has adopted a proposed revised PSA contract for submission. Audit findings will be presented to the PSA with the proposed contract.

XII. UNFINISHED BUSINESS

- **Noise Ordinance Amendment – Section 16.3 (Animals)**

Town Attorney, Michele Brooks presented the proposed amendment to the current Noise Ordinance, which is an addition to the current Section 16.3 Noise Ordinance. This is in response to current case law which allows a “reasonable standard”, rather than an actual decibel level measure, which is specified within the current ordinance. This is a proposal, and includes a shift or enforcement from Property Maintenance to Police Department enforcement. Town Attorney, Michele Brooks indicated the reason for this was that police officers are more available during the time of complaints. Language also has been changed from the current Class 2 misdemeanor to a Class 4. Class 4 misdemeanors only involve a fine, and are more enforceable. Enforcement provisions are currently set at “no less than \$50”, but can be changed/voted at the level in which Council deems necessary, with \$250 being the maximum fine prescribed by law. This fine can be levied per incident – i.e., if a dog continually barks for 7 days, the potential for seven separate offenses is allowed by law. Police enforcement will always have discretion on warnings/fines, depending on each situation. The proposed ordinance amendment adopts much of the language incorporated within smaller municipalities such as Abingdon, Virginia.

Vice Mayor Roger Cassell indicated his disagreement with Section D – 1(a) of the proposed amendment. “Across real property boundaries” has been changed to “within 50 feet”. Mr. Cassell indicated that normal conversations can be heard within 50 feet, and felt that this provision was not reasonable. Mr. Cassell indicated he thought the original language of “across property boundaries” should be kept within the proposed ordinance. Mr. Cassell also indicated that this was the language included in many other municipalities’ ordinances. Mr. Ross and Mr. Cassell asked for clarification of “50 feet” versus “across real property boundaries”, and Town Attorney, Michele Brooks satisfactorily explained to both, citing the definition of “excessive noise” and “reasonable”. Mr. Ross asked if music from festivals or town activities would be included within this ordinance, and Town Attorney, Michele Brooks cited the “exceptions” portion of the ordinance.

Motion made to approve amendment as presented.

Motion by: Council Member Allan “Cotton” Roberts
2nd by: Vice Mayor Roger Cassell

Discussion: Mr. Ross wanted to make sure the amendment coming before a vote was the same amendment that was presented previously. Mr. Cassell said the Noise Ordinance has existed “for years”, and no changes to the existing ordinance would be made. This vote is for amendment to the existing Noise Ordinance.

VOTE: Aye: 3
Nay: 1 – Wallace W. Ross, Jr.
Absent: 1 – Robin Richards
Abstain:

Motion carries.

XIII. NEW BUSINESS

- **RFP - Monthly CPA Accounting Services/2017 Pre-Audit**

Town Manager, Greg Jones said that this item should be 2 separate agenda items.

Motion made to amend agenda for 2 separate items: RFP – Monthly CPA Accounting Services and RFP – 2017 Pre-Audit.

Motion by: Vice Mayor Roger Cassell
2nd by: Council Member Allan “Cotton” Roberts

VOTE: Aye: 4
Nay:
Absent: 1 – Robin Richards
Abstain:

Motion carries.

- **RFP - Monthly CPA Accounting Services**

Mayor Frances Perry asked Town Manager, Greg Jones if this was to solely get quotes on the cost estimates for securing a CPA for monthly accounting services. Mr. Jones affirmed this. Mr. Ross asked who had placed a bid, and Mayor Perry, Vice Mayor Roger Cassell and Town Attorney, Michele Brooks said this is the reason for this vote – to submit a request for bids (RFP). Mr. Cassell said this is needed to determine the cost and to satisfy requests for audits by potential grant sources. Mayor Perry said that this was not an obligation to anything, but this was only to accept proposals for bids, and to determine cost-effectiveness.

Motion made to advertise RFP for Monthly CPA Accounting Services

Motion by: Council Member Allan “Cotton” Roberts
2nd by: Council Member Ron Kindle

VOTE: Aye: 4
Nay:
Absent: 1 – Robin Richards
Abstain:

Motion carries.

- **RFP – 2017 Pre-Audit**

Mayor Frances Perry said this would allow an RFP for a CPA to provide a pre-audit.

Motion made to advertise RFP for 2017 Pre-Audit

Motion by: Council Member Allan “Cotton” Roberts
2nd by: Vice Mayor Roger Cassell

VOTE: Aye: 4
Nay:
Absent: 1 – Robin Richards
Abstain:

Motion carries.

- **Purchase Public Works Truck**

Town Manager, Greg Jones asked for a postponement of this agenda item.

COUNCIL TAKES NO ACTION.

- **Approval to submit HSIP VDOT application for sidewalk replacement on Manville Road.**

Town Manager, Greg Jones asked Council to approve submission of application.

Motion made to allow Town Manager to submit HSIP VDOT application for Manville Road sidewalk replacement.

Motion by: Council Member Allan “Cotton” Roberts

2nd by: Council Member Ron Kindle

VOTE: Aye: 4

Nay:

Absent: 1 – Robin Richards

Abstain:

XIV. PUBLIC COMMENT – NEW BUSINESS

None

XV. CLOSED SESSION

Council/Town Attorney cites no need for Closed Session.

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Council Member Allan “Cotton” Roberts

2nd by: Council Member Ron Kindle

VOTE: Aye: 4

Nay:

Absent: 1 – Robin Richards

Abstain:

*Mayor Perry adjourned the meeting at 8:12 P.M., until the next regularly scheduled Council Meeting on November 14, 2017.

Frances Perry – Mayor

Wayne Bledsoe – Town Clerk