



**Gate City Town Council Meeting
12-Jan-10
156 E. Jackson Street**

*** PUBLIC HEARING ON GATE CITY INCENTIVE ZONES**

Mayor, Mark Jenkins called Public Hearing to order at 6:00 PM

Council Members Present: Cindy Coates, Tommy Herron, Frances Perry, Ashley Jenkins, Town Manager Steve Templeton, Town Attorney Mike Carrico, Vice Mayor Rita Tipton, Mayor, Mark Jenkins

Others Present: Chris Edwards, Jon McConnell, Joe McConnell, Ron Kindle, Debbie Kindle, Andy Miles, Larry Lane, Debra Lane, Roger Brooks, JE Hoover, Bucky Clabaugh, Robert Barker, Ellen Barker, Jay Dixon, Wallace Ross Jr.

Mayor, Mark Jenkins states that this ordinance is to encourage new business for new growth inside the town.

Public Comment: No public comment

Gate City Town Council closed public hearing at 6:01 PM

*** PUBLIC HEARING : CHAPTER 3 - ANIMALS AND FOWL**

Mayor, Mark Jenkins called Public Hearing to order at 6:01 PM

Council Members Present: Cindy Coates, Tommy Herron, Frances Perry, Ashley Jenkins, Town Manager Steve Templeton, Town Attorney Mike Carrico, Vice Mayor Rita Tipton, Mayor, Mark Jenkins

Others Present: Chris Edwards, Jon McConnell, Joe McConnell, Ron Kindle, Debbie Kindle, Andy Miles, Larry Lane, Debra Lane, Roger Brooks, JE Hoover, Bucky Clabaugh, Robert Barker, Ellen Barker, Jay Dixon, Wallace Ross Jr.

Public Comment: No public comment

Public hearing closes at 6:02 PM

I. CALL TO ORDER

Mayor, Mark Jenkins called the council meeting to order at 6:02 PM

II. Roll Call

Town Clerk, Angel Parker conducted roll call and the following members were present:

Present

Absent

Council Member, Cindy Coates

none

Council Member, Tommy Herron

Council Member, Ashley Jenkins

Council Member, Frances Perry

Vice Mayor, Rita Tipton

Others Present: Chris Edwards, Jon McConnell, Joe McConnell, Ron Kindle, Debbie Kindle, Andy Miles, Larry Lane, Debra Lane, Roger Brooks, JE Hoover, Bucky Clabaugh, Robert Barker, Ellen Barker, Jay Dixon, Wallace Ross Jr.

III. Invocation

Prayer was done by Rollie Hautz

IV. Pledge of Allegiance

Pledge of Allegiance was led by Mayor, Mark Jenkins

V. Proclamations, Congratulatory Resolutions, Awards, Appointments, Resignations, and Confirmations, Administration of Oaths and Introduction of Guest

Mayor, Mark Jenkins thanks the Public Works Crew for doing an exceptional job.

VI. Communications

None

VII. Reports

Council Reports:

None

Codification Committee/Property Maintenance:

Richard Hubbard handed out a list of property maintenance issues with attached pictures. He stated that this is an overview of the properties that are being looked at. Robert Mullins doesn't want to inspect anymore properties until we have taken some action on the properties that we have now. He has not met with Robert since the meeting with Mike Carrico because of snow and other cancellations. The property next to the school board office can be removed. Richard stated that David Gilmer said we need a lead paint inspection in addition to the demolition permit from the county, and we do not have it at this time. The Starnes Building can be removed by using the Public Works crew or putting it out for bid under procurement. Mayor Mark Jenkins says that the Town Manager can address issues if Robert can't address them in a timely manner. There is now an email notification for the town which is on Nixle.com. People have to sign up to receive the alerts such as: traffic, meetings, weather advisories and community. The Motor Vehicle ordinance which is included with packets, but suggests the council and the council's attorney to closely review it before going to public hearing. Changes have not been recorded properly in minutes and several changes that need to be made. Mayor, Mark Jenkins commends Richard for doing a good job.

Economic Development Committee:

Council Member, Cindy Coates states that the committee had met on January 4th, 2010 . She stated the topic of discussion was a Music Shelter that they are planning to build at Grogan Park. She said that several members from the Economic Development Committee and the Park Committee are forming a sub-committee to work jointly on such projects. She thanked the planning commission on getting things done quickly on the Technology Zone.

Engineer's Status Report:

Engineer, Andy Miles states that 1 bid was received and was within budget for the Clearwell Water Project. His office has evaluated the bid documents and everything seems to be in order. He had submitted this to the health department for review. He states that he had received a call from Richmond and that everything is in order and they will issue a letter concurring with the bid. Andy says that he needs authorization at this time to prepare the agreement to get it to the Town Attorneys office. He says that they are replacing an 8 to 12 inch line for the plant for the Regional water main that is by Gate City High School to Kane Street. The environmental clearance period should be closed out when they review the paperwork. VDOT has reviewed the plans. April's office with the health department, has not reviewed the plans yet, but as soon as that is done they should be able to advertise the project to bid. Andy speaks on the Downtown water street improvements and they had reviewed and approved the documents. The Scott County Water and Soil office has issued the land disturbance permit for erosion control. Paperwork was submitted to Norfolk Southern Railroad for a right of way. Jackson street sidewalk enhancement project plans are finished. Andy stated that he wanted to make a funding guideline handout for the meeting, but many programs have not issued dates for grant guidelines yet. He will prepare handouts for this when he gets the information. He informs the council that the American Recovery and Investment Act spent 25% funding last year and 50% will be spent this calendar year. He says that if there are any projects that the council wants to apply for, now is the time.

Façade Committee:

Council Member, Cindy Coates stated that the management team will be meeting Thursday, January 14, 2010. Town Manager, Steve Templeton stated that Rob Jones met with the owner of the residential apartment unit and went over the plans with her(owner) and a representative with RADA today.

Historical Committee:

Council Member, Frances Perry states that there is still no reply from William and Mary. She had sent them an email but hasn't heard anything back yet.

Manager:

Town Manager, Steve Templeton states that the trail at Grogan Park is completed. He says that they had lost some gravel due to the flooding. The Public Works Crew built 1 covered bridge and 1 crossing bridge with a stone façade. The trail and outdoor classroom are complete. As of today, the subcontractor is trying to fulfill part of his work, the painting can't be done until the concrete is a certain temperature. He says that he should

be finished in about 5 more days. Steve stated that the business license are nearly 100% collected. He says that QSQ has not paid their business license and has never accepted any letters at their address and the letter that the Chief of Police hand delivered to the owner has not been responded to. 98% of the Property tax has been collected. Manville Road Water Line Phase II has been completed since October and the maps are now on file. There was supposed to be a community meeting on Phase III, that runs across Copper Creek, but the meeting was cancelled for bad weather. The water will not be the Towns billing but PSA's. The water will be transmitted through the master meter at the Copper Creek River Bridge. The water department found a problem with the tanks in the Moccasin Hills area. The bladder tanks and small pumps are not working. One of the pumps has been overheating due to bad seals. He says the Town can rebuild for approximately \$2,500 to \$3,000 or can purchase a new one for a couple more thousand dollars. The pumps will be inspected week after next and will be liable for a fine if the problem is not corrected. Steve stated that he told Loretta to report it. Mike Carrico questions how water gets to the top of the hill if the tanks are not working. Steve answers that the pumps are continuously running and that is why the seals are leaking.

Park Committee:

Vice Mayor, Rita Tipton stated that there was no quorum at the last meeting but that Jeff and some of the members were there. She says on January 22nd that Jeff is meeting with the architect, the engineer and Chad King at the park to make sure everything has been done. The Park Committee chose some of their members to meet with Economic Development Committee to work on music shelter. Mayor, Mark Jenkins thanks Rita and the Civitan for everything that has been done.

Planning:

Vice Mayor, Rita Tipton states that there was not a meeting due to lack of quorum.

Police Department:

Chief of Police, Tom Smitley stated that for the month of December that the police department responded to 251 call services, 3 arrests, 8 crime reports, 5 accident, 2 DUI arrests and issued 37 summons. He said that the officers attended the annual Christmas Parade and that they all worked on New Years Eve. The Narcotics book is completed and will see results of investigations in the upcoming months. The Police Department is still working on the sexual predators book. He states they are working on a neighborhood resolutions project which involves officers working with the community to resolve problems. There were 2 new police officers hired today and will start the academy tomorrow. They received bids on Police vehicles: 1 purchased by budget and 1 purchased by grant. He is still working on putting the Narcotics hotline together.

Public Works:

Town Manager, Steve Templeton reported that there had been only 1 leak and it was located at Gate City High School. Public Works crews have put in numbers of hours and have done a great job at the park.

Sanitation Authority:

Council Member, Cindy Coates said that the authority meets tomorrow night, Jan. 13, 2010. Finally received bills from PSA for Oct., Nov., Dec.

Street Committee:

None

Treasurer:

Treasurer, Chris Edwards states that he as been working with Accufund. He said that it is a work in progress for reports on what the council wants to see. The Town has spent from year to date about 54% of the budget. With the new system he can run reports several ways and can see what bills are exactly paid. Cindy thanks Chris for working on the reports and says that it is helpful. Town Manager, Steve Templeton states that alot of the spent budget has been fronted for the park but will be received back from grants.

Water Committee:

None

Water Plant:

Town Manager, Steve Templeton states there is a 34% water loss. He said that the Town had a leak behind Broadwater's Drugstore and may explain part of this loss.

VIII. Public Comment

Robert Barker comments: Copy of original handout statement included with minutes.

Mayor, Mark Jenkins states that he wants the members of the Water Committee to meet with Robert Barker and the Town Manager to understand the charges that were charged.

IX. Closed Session

Motion made to go into closed session for legal or personnel matters

Motion by:

Council Member, Tommy Herron

Seconded by:

Vice Mayor, Rita Tipton

Yeas:	5
Neas:	0
Absent:	0

X. Entered Closed Session at

7:15 PM

XI. Return from Closed Session at

8:22 PM

Motion to return from closed session

Motion by:

Council Member, Frances Perry

Seconded by:

Council Member, Cindy Coates

Yeas:	5
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Neas: 0
Absent: 0

Certification of Closed Meeting read by Attorney Mike Carrico

Whereas, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted conformity with Virginia law;

Now, Therefore, Be it Resolved, that the Gate City Town Council Herby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which the certification applies and (2) only such business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Gate City Town Council.

Yeas: Council Member, Cindy Coates
Council Member, Tommy Herron
Council Member, Ashley Jenkins
Council Member, Frances Perry
Vice Mayor, Rita Tipton
Mayor, Mark Jenkins

Absent:

Neas: None

Motions coming out of closed session

Motion to advertise for a permanent part time office assistant at 20 hours a week and a temporary part time Police Officer at 20 hours a week for the Police Department

Motion by:
Council Member, Tommy Herron

Seconded by:
Vice Mayor, Rita Tipton

Yeas: 5
Neas: 0
Absent: 0

XII. Consent Agenda

- * Motion to approve payment of bills December, 2009

Motion by:
Council Member, Frances Perry

Seconded by:
Council Member, Tommy Herron

Yeas:	5
Neas:	0
Absent:	0

- * Motion to approve minutes December 8, 2009

Motion by:

Council Member, Frances Perry

Seconded by:

Vice Mayor, Rita Tipton

Yeas:	5
Neas:	0
Absent:	0

XIII. Unfinished Business

- * Hope House-has Mike received decision from Attorney General

No decision

- * Fire Department-Do we pay this or turn this over to Fire Department

No decision

- * Fire Department - give donation for helping with the water line
Town Manager, Steve Templeton stated that he had spoken to the chief and he said that he would be content if we waited until the end of the budget year. Mayor, Mark Jenkins states to table till another meeting.

- * Police Department - part -time administrative help request
has already been addressed

- * Hiring of an attorney to handle matters which Mike Carrico would be in conflict with on property maintenance issues
Council Member, Frances Perry states that she approached an attorney about handling matters for the Town that Mike Carrico has conflicts with. She asked the gentleman who is experienced with this practice if he would be interested in this. The gentleman has expressed interest in this and would work with the Town in any way that he could help. Council Member, Cindy Coates asks if he had submitted a resume. Frances states that he has not.

XIV. New Business

- * Possible budget item
Council Member, Frances Perry states that she went to a school board meeting to give them a report on the outdoor classroom since they had given us a donation on that. They are in the process of building a sports

complex and part of the funding is by donations. She wanted to bring this before the council for consideration that they might put this as an item/an amount in next years budget. She would like to return the favor since they donated to us. She requests the council to look at it now but put in the 2010 budget.

- * Gate City Incentive Zone - Chapter 29
Motion to adopt Incentive Zone Ordinance

Motion by:

Vice Mayor, Rita Tipton

Seconded by:

Council Member, Cindy Coates

Yeas:	5
Neas:	0
Absent:	0

- * Animals and Fowl - Chapter 3
Motion to adopt Animals and Fowl - Chapter 3

Motion by:

Council Member, Tommy Herron

Seconded by:

Council Member, Frances Perry

Yeas:	5
Neas:	0
Absent:	0

- * Possible action on ordinance amendments (public hearing, table)
Richard Hubbard had asked to table this

- * Resolution for Gate City Little League
Town Manager, Steve Templeton states that this is a resolution that is needed by the Town to allow Gate City Little League to be exempt from fees for the inspections by the health department that is about \$100 per concession use.

Motion to resolve the Gate City Little League to be exempt

Motion by:

Council Member, Frances Perry

Seconded by:

Vice Mayor, Rita Tipton

Yeas:	5
Neas:	0

Frances Perry questions the Arts and Craft business to be non-exempt for business license that was in the Town Managers report. Steve states that the businesses is nonprofit. Mark states that the banks require something certified from town before they will issue loans. Steve says that the way the code reads is that they could make requests and the board could act on it. Mark states he believes that the business license exempts nonprofit businesses. Mike Carrico states that as long as it is a 501C3 nonprofit then it is non-exempt. Frances questions if they need to make a formal written request. Richard says that the Town may waive for non profit on request.

Motion to adjourn meeting until February 9, 2010

Motion by:

Council Member, Cindy Coates

Seconded by:

Vice Mayor, Rita Tipton

Yeas: 5

Neas: 0

Absent: 0

Adjourned meeting until February 9, 2010

Mayor Mark Jenkins

Town Clerk Angel Parker