



GATE CITY TOWN COUNCIL MINUTES
JANUARY 14, 2014
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 - Kathy Riley

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

Others present: Benny Reed, Debbie Kindle

III. INVOCATION – Reverend Don Muncie

IV. PLEDGE OF ALLEGIANCE Benny Reed

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas, 4
Nays, 0
Absent, 1-R. Richards
Abstain, 0

Council Member, R. Richards arrived at 6:34 p.m.

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

- **Jeff Little, Rodefer, Moss and Company – 2012-2013 F/Y Audit Results** – Discussed the findings from the Town of Gate City 2012/2013 audit and answered questions from Town Council after his presentation.

VII. APPROVAL OF MINUTES

Motion made to approve the minutes for:

- **Public Hearing-Amend Ordinance, Chapter 15, December 10, 2013**
- **Public Hearing-Donate Police Department Building – December 10, 2013**
- **Public Hearing-Change Ordinance, Chapter 11, December 10, 2013**
- **Council Meeting, December 10, 2013**

Mayor Perry - Are there any corrections to the minutes. All minutes were approved as presented.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for December, 2013

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

IX. PUBLIC COMMENT

Benny Reed – Discussed the audit results of being unqualified as being good, thanked Greg Jones and Acting Chief, Fink, for taking care of the vulture problem and how he felt that donating the Police Department would be nice, but with the Town’s financial status stated the Town can’t afford to give assets away. Mayor Perry explained the benefits of having a Historic Society in the building would bring people into the town.

Mayor Perry closed the public comment session at 7:15 P.M. and opened the consent agenda session.

X. COMMUNICATIONS – No communications.

XI. REPORTS

A. Engineer’s Status Report – Council Member, R. Cassell, asked about the person who replaced Andy Miles, and Vice Mayor, A. Roberts, asked if they had started back on the sidewalks. Town Manager, G. Jones, provided the name of the person who replaced Andy and said the said the work on the sidewalks had resumed. Council Member, R. Richards, questioned how the original structure of the sidewalk originated. Town Manager, G. Jones, explained the costs of placing steps at every household, was not feasible, with steps placed between the households that are occupied. There is about four or five altogether. He explained it was done

sometime in January, last year, and they had a public hearing. Council Member, R. Richards, stated she has received many unhappy comments from the residents. Mayor Perry stated she received good comments. Vice Mayor, A. Roberts, stated it is a definite improvement of what was there.

B. Treasurer's Report – Vice Mayor, A. Roberts, questioned delinquent tax status, Council Member, W.W. Ross, Jr., questioned street budget and Council Member, R. Cassell, questioned Business License fees down and sell off real estate after three years delinquent. Town Manager, G. Jones, responded there is a plan to take action to collect on the delinquent taxes, we haven't gotten in to the season yet for business license with Vice Mayor, A. Roberts, stating you have to wait till you get your tax forms filled out to turn it in, and informed Council Member, W. W. Ross there is about ½ of the monies left in street budget.

C. Codification Committee/Property Maintenance – Council Member, W. Salyers, asked Town Attorney, M. Brooks, what the procedure when a file goes to her. Town Attorney, M. Brooks, stated she files a lawsuit in circuit court against the property owner.

D. Police Department Report – Council Member, W. Salyers, commented on the difference in numbers between the staff. He said, according to the report, it appears one officer is doing all the work and it needs to be looked into. Vice Mayor, A. Roberts, stated he noticed the same thing, but in the past we didn't have this type of report to look at.

E. Council Reports – No comments from Council Members, R. Richards and W. Salyers. Council Member, W.W. Ross, Jr., restated no signs of restaurants, gas stations coming into town. Council Member, R. Richards, explained the requirements and costs involved to qualify for this type of signage. Vice Mayor, A. Roberts, explained it is being reviewed through Economic Development Committee. He stated it is a matter of funding, costs for a study and it is not easy to get done. Town Manager, G. Jones, discussed the regulations regarding handrails at the west and east end of the town. He's looking at VDOT funding for the handrails. It is not a simple process to get approval through the state. Mayor Perry stated the efforts to do things, but want to do them the right way when we do them. Vice Mayor, A. Roberts questioned the status of the wall that is still up around the heat pumps and if they were finished. Town Manager, G. Jones, informed Council that no release has been signed, he will have them take care of the problem and will be closing out the back. Explained the reason the wall was left up was to protect the heat pumps. Council Member, R. Cassell, stated the condition of that wall is about to fall. Vice Mayor, A. Roberts questioned the debris that was pushed back into the building with Town Manager stating he would follow up.

F. Economic Development Committee – Vice Mayor, A. Roberts, missed the last meeting, understood it was a good meeting, their plan to have a workshop in February and asked Council for their input and ideas of events to generate revenue.

G. Historical Committee – No comments.

H. Manager – Town Manager, G. Jones, goes over his report as presented in the Town Council packet. Vice Mayor, A. Roberts stated social media is the way to go for advertising versus signs.

I. Park Committee – Council Member, R. Richards, stated they did not meet and the condition of the park was wet. Council Member, R. Cassell, stated the mosquitoes are bad in the low lying

areas and to possibly fill those areas that are low at the Gazebo and areas in the new edition. Mayor Perry suggested spraying for the mosquitoes and stated the reason we got the property is it's in a flood plan and you can't really building anything there.

J. Planning Commission – Council Member, R. Cassell, discussed items under their agenda, i.e., vacancy needing to be filled, election of officers pretty much stayed the same, five-year plan and working with the Economic Development Committee and the Town Attorney is finalizing the lease for the King Ford property.

K. Public Works – No comments.

L. Sanitation Authority – Council Member, R. Cassell, informed Council of Town Manager, G. Jones, drafting a Sanitary Sewer System policy for the Sanitation Authority to maintain consistency. He discussed the adoption of the sewer rates, the agreement with Kingsport to use their equipment and the condition of the interceptor lines after their inspection and discussed the 2005 smoke test results.

M. Street Commission – Discussed his missed meeting with VDOT and Town Manager, G. Jones, the sidewalk condition across the street from the sidewalk improvement project. Town Manager, G. Jones apologized about the miscommunication of where each party was to meet. He discussed VDOT's agreement to correct the swag on Chestnut and VDOT's improvement to right of way issues on Manville Road. The other issue was the sidewalk on Manville which was not the sidewalk, but with the wall that will need to be addressed by the town. Council further discussed the sidewalks in town.

N. Safety Committee – Council Member, W. W. Ross, Jr., re-addressed a communication warning for Town residents. Mayor Perry suggested he talk to the county regarding this topic and Council Member, W. W. Ross, Jr. suggested him and the Town Manager go together.

O. Water Plant – Vice Mayor, A. Roberts, stated the loss numbers are still up. Council Member, R. Cassell questioned the status of a back-up operator.

P. Events Committee – Vice Mayor, A. Roberts, informed Council of their plans to have a workshop in February.

XII. UNFINISHED BUSINESS

- **Approval to advertise for Public Hearing to sale real estate-415 Kane Street** – This item has been tabled until notified by Town Attorney to place on the agenda.
- **Approval to advertise for Public Hearing to donate the Police Department building to the Historic Society**

Motion made to approve advertise.

Motion by: Vice Mayor, A. Roberts 2nd: Council Member, R. Cassell

Vice Mayor, A. Roberts, stated he would like to see more enthusiasm from the Historic Society. He's not seeing any passion from them to take it. His concern is if we turn it over to them and they don't do anything with it.

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **VDOT Lease regarding King Ford Property** – Town Attorney, M. Brooks, stated she wants to get together with VDOT's attorney for any last minute changes before it is voted on. She requested it be tabled to next month's Council meeting.

XIII. NEW BUSINESS

- **Police Department lease expires February, 2014** – Town Manager, G. Jones, informed Council the current lease will expire next month. He recommends it to expire and move the Police Department back into Town Hall. He stated the laptops are in the vehicles which make their vehicles their office. Mayor Perry asked if there were any opinions from the Officers. Town Manager, G. Jones, stated the Acting Chief had no issues. Town Attorney, M. Brooks, questioned the location of the evidence room and Council Member, W. W. Ross, Jr., questioned parking for the vehicles. Town Manager, G. Jones, stated those items will be addressed and will be worked out.

Motion made to not renew the lease and bring them back to City Hall.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Rescind motion to reappoint Delaney Herron to the Planning Commission for a four year term**

Motion made to rescind the motion to reappoint Delaney Herron to the Planning Commission for a four year term.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Appointment of Tim Bartley from the Planning Commission to serve on the Board of Zoning Appeals Committee (BZA) from January 1, 2014 to December 31, 2014**

Motion made to appoint Tim Bartley to the Board of Zoning Appeals as the Planning Commission representative.

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Reappointment of James Craft and Dewey Breeding to serve on the Sanitation Authority Board from January 14, 2014 to January 13, 2018**

Motion made to reappoint James Craft and Dewey Breeding to serve on the Sanitation Authority Board from January 14, 2014 to January 13, 2018.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Reappointment of Jo Ann Castle to serve on the Planning Commission from January 1, 2014 to December 31, 2018**

Motion made to reappoint Jo Ann Castle to serve on the Planning Commission from January 1, 2014 to December 31, 2018.

Motion by: Council Member, R. Richards 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Review and decision regarding application from James Addington to be appointed to the Economic Development Committee**

Motion made to accept his application to be on the Economic Development Committee.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. W. Ross, Jr.

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

XIV. PUBLIC COMMENT – NEW BUSINESS – No comments.

Mayor Perry closed the public comment session for new business at 8:32 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss personnel and legal issues.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. W. Ross, Jr.

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

Mayor Perry opened the closed session at 8:32 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 8:47 P.M.

Motion made for Council to return from closed session.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

CERTIFICATION OF CLOSED MEETING – Read by: Town Attorney, M. Brooks

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 provisions 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 in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby 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 this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

VOTE: Yeas, 6
Nays, 0
Absent, 0
Abstain, 0

XVII. MOTIONS FROM CLOSED SESSION: No motions from closed session.

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas, 5

Nays, 0
Absent, 0
Abstain, 0

*Mayor Perry adjourned the meeting at 8:49 P.M., until the next regularly scheduled Council Meeting on February 11, 2014, at 6:30 P.M.

Frances Perry – Mayor

Kathy Riley – Town Clerk