

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
December 08, 2020
190 Beech St., Gate City, VA
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:36 P.M. BY: Mayor – Bob Richards

II. ROLL CALL – Town Clerk – Lydia Morales

	PRESENT:	ABSENT:
Mayor, Bob Richards	X	
Vice Mayor, Robin Richards	X	
Council Member, Allan “Cotton” Roberts	X	
Council Member, Roger Cassell	X	
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Tyler Kilgore	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	X – participated by telephone

Others present: Mark Spivey, Gate City Glass; Ron Kindle; Debbie Kindle; Frances Perry; Justin Miller, Chief of Police; Officer Jessica McGraw; Dave Wilson, Mattern and Craig; Pastor Andrew Barnes, First Baptist Church of Gate City; Debbie Cooper, Timothy Allen Pendergrass’ sister

III. INVOCATION – Pastor Andrew Barnes, First Baptist Church of Gate City

IV. PLEDGE OF ALLEGIANCE - Chief of Police Justin Miller

V. APPROVAL OF AGENDA

Motion made to approve the agenda with the final version being amended 12/08/2020 at 12:00 p.m.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye, 5
Nay,
Absent,
Abstain

Motion Carried.

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

1. Award Presentation: Timothy Allen Pendergrass – Appreciation for volunteering time to clean up and restore the tombstones at the cemetery.

Mayor Bob Richards introduced Ms. Debbie Cooper, Timothy Allen Pendergrass’ sister. Mayor Richards stated that Mr. Pendergrass has done a lot of work in Estill Cemetery and has sadly passed away. Tyler Kilgore presented the award to Ms. Cooper on behalf of the Cemetery and Historical Committee. Mayor Richards expressed his appreciation for the work that Mr. Pendergrass has done.

2. Officer Jessica McGraw to be recognized for completing the academy.

Chief Miller introduced Officer Jessica McGraw who completed the academy at the end of November and has started her field training. Officer McGraw gave a short introduction of herself.

3. Gift Basket Drawing

Council Member Wallace W. Ross, Jr. chose four entries from a bag filled with over 200 entries. The winners of the 2020 Christmas Open House gift baskets were Phyllis Stewart, Debra Nash, Lana Pope, and Marianna Roberts.

VII. APPROVAL OF MINUTES

1. Approval of November 10, 2020 Town Council Public Hearing Minutes -Special Exception and Use Permit: 559 Park Street.

Motion made to approve minutes as presented.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

2. Approval of November 10, 2020 Town Council Public Hearing Minutes -Special Exception and Use Permit: 639 Park Street.

Motion made to approve minutes as presented.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

3. Approval of November 10, 2020 Town Council Public Hearing Minutes -CONTINUITY OF GOVERNMENT.

Motion made to approve minutes as presented.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

4. Approval of November 10, 2020 Town Council Public Hearing Minutes -ELECTRONIC PARTICIPATION POLICY.

Motion made to approve minutes as presented.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

5. Approval of November 10, 2020 Town Council Minutes.

Motion made to approve minutes as presented.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for November 2020 as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

IX. PUBLIC COMMENT (Will be limited to 3 minutes per speaker.) - NONE

Mayor Richards closed the public comment session at 6:45 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - NONE

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 – Dave Wilson delivered the Engineer’s Status Report.

DEQ Sewer I&I Rehab Job: The contractor has completed the project with the rehabbing of manhole M8 just downstream of the Kane Street Bridge as of 12/3/20. M&C recommends the Town consider the project substantially complete at this point. This will allow the Town to utilize the awarded SSES grant money from DEQ to identify other areas for repair and/or replacement that can utilize future funding packages that would include additional grant funds rather than the loan funds that are remaining in the current project’s funding package.

Currently the overall budget is projected as stated below:

Construction	\$ 1,250,000.00
Contingency	\$ 60,066.00
Legal/Bond Counsel	\$ 6,000.00
Basic Engineering	\$ 128,000.00
Permits	\$ 9,325.00
Mussel Survey	\$ 8,100.00
Easements/ROW Maps & Deeds	\$ 23,452.00
Asset Management Plan	\$ 20,000.00
Easement Acquisition	\$ 4,405.00
Resident Project Inspection	\$ 90,000.00
Additional Engineering for Redesign	\$ 14,740.00

These projections are estimated and not final and total approximately \$1,614,088.00. The original project budget was set at \$2,111,595.00. Current estimated project savings are \$497,507.00. These savings will be realized from the construction and resident project inspection line items. The town has covered the required restocking fees in the amount of \$14,746.63. Mr. Wilson stated that the project has shown successful results thus far. Council Member Roberts stated that there has been several individuals who have contacted him concerning ventilation issues with their sewer. Council Member Roberts asked if the system could have been sealed so well that it is not venting properly. Mr. Wilson stated that he doesn’t believe so and that there are vents in the newly installed manholes and there are cleanouts at all sewer

connections. Mr. Wilson stated that the interior plumbing should be vented as well. Mr. Wilson stated that when comments like this are received in the future, he would like to talk to the residents and see exactly what they are concerned about. Mr. Wilson stated that odors within households are typically caused by unclean traps and can send sewer gas back into the home which is dangerous. Mr. Wilson stated that he would like to investigate each one of those cases.

Sewer Asset Management Plan: M&C has submitted the Asset Management Plan to the Town and DEQ for review. If anyone would like hard copies for review, please feel free to let me know. Contact info: djsnapp@matternandcraig.com , 423-782-7336.

H/C Ramp HSIP Project: The project was bid at Town Hall on Thursday, June 25th, there was only 1 bidder that submitted. The lone bidder was Estes Brothers Const. at \$211,669.65. This was approximately 3 times the project's cost estimate. The project was re-advertised on Sunday, October 11th in the Kingsport Times newspaper. A Pre-bid conference was held at Town Hall on October 27th at 10:00AM with two bidders in attendance (Thomas Construction and Ken Construction). Bids were opened at Town Hall on Thursday, November 12th at 10:00 AM. There were 3 bidders on the project with Estes Brothers Construction being the low bidder at \$156,069.65. This was approximately \$56,000 over the construction budget, however VDOT has provided additional grant funds to cover the funding shortfall. The bid approval package has been submitted to VDOT for approval to award the project to Estes Brothers Construction. We expect this should happen by the first of the year barring any unforeseen issues with bid approvals.

DEQ Sanitary Sewer Evaluation Study: DEQ has awarded the SSES funding package for Gate City (The Town's funding package totals \$100,000 and consists of \$75,000 grant money and a \$25,000 Town match). The Town is now authorized to start on this project by DEQ pending providing required paperwork to DEQ including procurement certification letters. Mr. Wilson stated that this will be a good tool to see if there are additional improvements that can further repair the collection system and any future projects that may be identified could be eligible for the next two funding cycles in which DEQ will offer a substantial amount of principal forgiveness.

VDH Backup Generator Project: VDH has offered funding in the amount of \$1,220,000 per the funding application for the Emergency Backup Generator Project M&C and the Town submitted last spring. The funding package consist of \$366,000 in grant funds and \$854,000 in loan funds with a term of 20 years. It is possible that a Waterworks Business Operations Plan could be attached to this project per the funding letter. The Town sent a letter stating their intent to accept the offer prior to the October 30, 2020 deadline.

Town Hall Renovations Project: The Town Hall Renovations Project (New Entryway) Plans and Specifications have been approved for construction by the Town. The plans have been submitted to the contractor (Egan Const.) for coordinating ordering the materials and establishing a construction schedule. The contractor has indicated they will have these items to M&C by 12/9/20 at which point the construction contract will be executed between the engineer and contractor to allow work to officially commence.

B. Manager's Report – Town Manager Greg Jones delivered the Town Manager's Report.

Capital Projects

Town

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

Ramp/Safety Rail West Jackson Street

HSIP grant application for the sidewalk replacement project on Manville Road was submitted on November 1st, 2017. Environmental Review has been completed and has been approved. VDOT has approved the final budget:

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type <i>(Choose from drop down box)</i>	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$14,556	HSIP	0%	\$0	\$14,556	
				\$0	\$0	
Total PE	\$14,556			\$0	\$14,556	\$6,056
Right of Way & Utilities						
Total RW						\$0
Construction	\$109,584	HSIP	0%	\$0	\$109,584	
				\$0	\$0	
Total CN	\$109,584			\$0	\$109,584	\$104,584
Total Estimated Cost	\$124,140			\$0	\$124,140	\$110,640

VDOT has also authorized the project to advertise for contractors. The advertisement will be for a minimum of 21 days.

The Pre-Bid Conference was held on May 28th, 2020 and the bid deadline has been set for June 17th, 2020.

Out of the four plan holders there was only one contractor who submitted a bid. The bid was in the amount of \$211,669.65 which exceeded the engineers estimate by \$135,119.65. Currently Mattern & Craig, Inc. is developing options for the Town to consider.

VDOT has approved the project to be readvertised. The Pre-Bid Conference will be held on October 27th, 2020 and the bid deadline has been set for November 12th, 2020.

Estes Brothers was the low bidder at \$156,069.65 which exceeded the latest Construction Budget by \$56,076.65.

VDOT has agreed to fund the difference. I have sent a written authorization request to award the project on December 2nd, 2020.

Manville Sidewalk Project

VDOT has awarded \$402,000.00 for this project. This project will begin July 2021.

Gate City High School Sidewalk Project (Shoemaker, Beech, Bishop, and Jones Streets)

HSIP Grant Application has been submitted. The project total including Engineering Fees is \$578,475.00. If awarded, the project will be included in VDOT's six-year plan with the expectation that funding will occur in 2024. To date, VDOT has this project listed as "pending".

- **Department of Housing and Community Development (DHCD): Park Street Housing Rehabilitation Project.**

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project. The funds will be used to rehabilitate seven residential homes, reconstruct two residential homes, and demolition of two vacant residential structures on Park Street. Our budget is as follows:

\$522,200 – DHCD
\$12,000 – Town (In-Kind)
\$534,200 – Total

The Park Street Housing project will be set up on a reimbursement. This project will coincide with the DEQ Wastewater Line replacement project valued at \$1.7 million. The Town may need to obtain a Bond Anticipation Note (BAN) to provide interim financing for both projects.

The project sign has been approved by DHCD and installed onsite.

The demolition order for the vacant house on Park Street has been approved and posted by the Gate City Code Official.

The Management Team has approved the following bids on July 13th, 2020:

639 Park Street: Substantial Rebuild and Demo: Day 3 Construction: \$94,920.00
649 Park Street: Demolition: Egan Construction: \$13,000.00
599 Park Street: Demolition: Egan Construction: \$13,500.00

The Management Team has approved the following bids on September 14th, 2020:

559 Park Street: Substantial Rebuild and Demo: Day 3 Construction: \$103,389.00
554 Park Street: Rehabilitation: Day 3 Construction: \$20,600.00
669 Park Street: Substantial Rebuild: Day 3 Construction: \$51,375.00
608 Park Street: Demo: Day 3 Construction: \$15,960.00

Demolition for 608 Park Street has been completed.

Demolition for 599, and 649 is ready to begin and should start soon. 554 Park Rehabilitation is ready to begin.

639 and 559 Park Street will need to be re-bid again due to time limits and rising material cost.

Town Council conducted a public hearing and has approved the Special Exception and Use Permits for 639 and 559 Park Street. Town Manager Greg Jones stated that building permits have been obtained and they are very close to getting started on that project.

Council Member Wallace W. Ross, Jr. asked if Robert Mullins is part of the board for this project in case there are any problems? Town Manager Greg Jones stated that Mr. Mullins is on the board.

- **Dog Park & Gateway Park**

Proposed funding of \$5,000 for the Gateway Park has been approved in the FY 2021 Town Budget. Our next project will be the installation of the Stack Fence along the front of the property.

The Planning Commission is moving forward with constructing a Stack Fence along the front right of way of Gateway Park. Below is a representation of what the stack fence will look like:



Proposed funding of \$5,000 for the Dog Park located at Grogan Park has been approved in the FY 2021 Town Budget. Our next project will be to address the drainage issue and install the interior fencing.

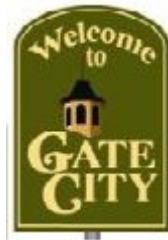
Council has approved a quote from Factory to You Fence of Kingsport for \$7,046.00 to install stack fence at Gateway Park. The project will begin on January 28th, 2021.

- **Banner Placement – Kane & Jackson Streets**

\$25,000 has been allocated through the FY 2019 budget to place new streetlight banners along Kane and Jackson Streets. The FY 2019 funding for this project has been transferred to the Capital Improvement Savings to continue the project in FY 2020.

I met Mr. Joel Mosca, Mosca Designs – Glenn Allen, VA during the Main Street meeting in Lynchburg, VA. Mosca Designs stated that they can help with the engineering requirements needed for permitting.

I have asked the Gate City Frontier, Inc to take the lead on this project. Gate City Frontier has informed me that the banner design has been developed. This design will be used on the tall AEP Street Lights.



This is the same design that was recommended by Arnett Muldrow & Associates, Ltd. who drafted the Revitalization Plan for Gate City back in 2007.

I met with AEP on October 26th, 2020 and discussed locating a permanent banner on the tall AEP streetlights. AEP stated that we can install 3’x10’ banners on the 30.5’ streetlight poles and 3’x5’ banner 20.5’ streetlight poles. A joint use application has been submitted to AEP and we are currently awaiting approval. Town Manager Greg Jones stated that AEP has sent us their agreement form and it has been submitted to our attorney for review.

Town Council approved the fall banner design shown below as recommended by the Economic Redevelopment Committee and the Planning Commission. The Street Committee has recommended approximately 20 flag poles to be removed from Jackson Street. 35 fall banners and 20 lower support arms have been ordered and installed. This project is complete.



- **Sidewalks – West Jackson Street**

Currently there are no sidewalks located on West Jackson Street past the Scott County Life Saving Crew: Council has approved to submit a HSIP application for the installation of sidewalks on West Jackson Street.

We have learned that VDOT will not be accepting HSIP applications this year. Further Council discussion will be required.

- **Grogan Park/Baseball Fields Flooding Issue**

I met with Scott County Schools, Gate City Little League, and Michele Brooks, Attorney on March 12th, 2019 to discuss the flooding issue at Grogan Park Baseball Fields. Under our agreement with Gate City Little League, the Little League is responsible for the maintenance of the baseball fields. Gate City Little League states that they are not using the High School Baseball Field and should not have to provide maintenance to the field. Gate City Schools stated that they will not be playing home games at Grogan Park due to the damage caused by the recent flooding. Gate City Schools did state that they will repair the fence wall at the High School Baseball Field.

I contacted Mr. Hubert Thomas with the U.S. Army Corp of Engineers for assistance in handling the flood issue at Grogan Park. He indicated that a creek survey will need to be conducted prior to determining a plan of action. A site visit was conducted on May 13th, 2019.

As a result of the site visit, the Army Corp of Engineers stated that they are expecting to receive additional budget funding due to the increase of flooding issue in our area. Mr. Thomas stated that the Army Corp of Engineers can do a stream study for Big and Little Moccasin Creeks.

Council has approved the letter of engagement for the Army Corp of Engineers to proceed with this survey.

Grogan Park along with the Town of Gate City received significant flooding on Wednesday, February 5th, 2020. The Big and Little Moccasin Water Shed was documented with pictures and turned over to the Army Corp of Engineers to help with the assessment project.

The flooding issue continues at Grogan Park. We have received 4.83” in April and 4.42” in May. The park has flooded seven times in March and April 2020.

The Army Corp of Engineers contacted me on June 30th, 2020 and stated that the survey has been officially fully funded and they are ready to start. A kickoff meeting was held on August 3rd and the survey has started. We were informed that the survey will take a year to complete.

- **Wastewater Line Replacement Project**

The Gate City Sanitation Authority has been awarded funding to replace the aging wastewater trunk lines.

The original funding has been awarded. The loan will be for twenty years at zero percent interest.

Base Funding			
Total	Grant	Loan	Yearly Payment
\$ 1,726,278	\$ 700,000	\$ 1,026,278	\$ 51,314

The bid opening ceremony was conducted on October 30th. The lowest bid was received at \$2,117,595.00. DEQ has agreed to loan the difference under the same terms as the original offer.

Ammended Funding			
Total	Grant	Loan	Yearly Payment
\$2,117,595	\$700,000	\$ 1,411,595	\$ 70,580

The Sanitation Authority did request additional grant funding, but DEQ stated that all the grant funds have already been allocated. Town Council has approved the Support Resolution. This project successfully closed on January 30th, 2020. The Notice to Proceed was signed on March 3rd, 2020 and the project has begun.

The contractors have made significant progress with this project. The project was scheduled to take one year to complete. The project is nearly complete. Due to environmental restrictions the remaining 185' of wastewater line located in the Little Moccasin Creek cannot be installed until after October 31st, 2020. This project is expected to be completed soon.

- **2021 Southwest Virginia Pilot Program Phase 1**

The Gate City Sanitation Authority has been awarded \$75,000.00 through the Virginia Clean Water Financing and Assistance Program Southwest Virginia Pilot Program. The project will consist of sanitation sewer evaluation study to help determine Inflow and Infiltration (I&I) issues in our wastewater collection lines. The following represents the budget for this project:

\$75,000.00 DEQ's Clean Water Financing and Assistance Program
 12,500.00 LENOWISCO Planning Authority (soft commitment)
 12,500.00 Gate City Sanitation Authority
 \$100,000.00 Total

- **Virginia Department of Health (VDH) – Backup Generator Project**

The Town of Gate City has received an offer letter from VDH for the Backup Generator Project.

The proposed project is consisted of the following:

The project includes:

- * Backup Generator: Water Plant
- * Backup Generators: Water Lines/stations (5x)
- * Booster Pump: Increase flow to water tank (reduce plant hours)
- * Master Water Meters: (5x) Reduce water leaks through better accountability.
- * Reclaim Tank Demo: Tank at water plant no longer used. Taking in rainwater.

The project estimated cost is \$1.22M will \$366k in grant/principal forgiveness. Our net cost will be \$854K payable over 20 years with an interest rate between 2.5% and 3.5% interest depending on market at the time of closing.

The debt retirement would be estimated at \$61,000/year based on 3.5%.

Town Council has approved this project. The following activities will need to be completed:

1. Waterwork Business Operation Plan: Needs to be updated.
2. Asset Management Plan: Completed
3. Capital Improvement Plan: Completed
4. Cross Connection Control Program: Completed and maintained
5. Engineering Procurement: In Progress
6. Bond Council Procurement: Needs to be addressed

Town Manager Greg Jones stated that the bond council are attorneys for our bond holders. Town Manager Greg Jones stated that when a bond is created they act as legal council for the people who buy the bonds, check the legitimacy of the project, and make sure all legalities are in place. Town Manager Jones stated that this is something that we have to pay for through the act of financing.

Council Action: Approve a Request for Proposals (RFP) to be issued for Bond Council services.

- **Utility Billing Software Replacement Project**

The Utility Billing Software replacement project is on hold while the Town completes the FY 2019 audit.

- **Telephone System Replacement – Town Hall**

The Request for Proposals (RFP) for a new Telephone System at the Gate City Town Hall has been completed and advertised. The due date for bids was September 24th, 2020. Town Council has awarded the project to TUC Technologies. The project budget has been set at \$7,189.20. The materials are currently on order and the project will begin soon.

Scott County has agreed to pay for this project through the CARES-Act Funding.

- **Virginia Tourism Corporation (VTC) – Recovery Marketing Leverage Program**

The Town of Gate City has been awarded \$20,000.00 grant (\$20,000 grant, \$13,300 In- Kind) from VTC under their Recovery Marketing Leverage Program. This marketing program is designed to stimulate new tourism marketing programs through the creation of tourism partnerships and to extend the “Virginia is for Lovers” campaign. The objective of this program is to leverage limited marketing dollars, resulting in increased visitor spending, revenue, and jobs.

Our objective is to market both the Creation Zoo and the Devil’s Bathtub to tourists who in turn will come to our downtown business district to eat, shop, and stay. Both destinations share our free summer concert event marketing demographics, and this program would offer greater exposure and

opportunity for our local businesses. To date, we have been marketing the Kickin Back at King Alley independently as its own destination. The VTC Recovery Marketing Leverage Grant Program will allow us the resources to develop partnerships with our local tourist destinations. Our goal is to increase traffic and sales for our downtown businesses. By forming marketing partnerships with our local tourist destinations, we can help contribute to the outdoor recreation market by helping to increase tourism and increase traffic and sales within our downtown business district.

In-Kind Match Value			
Marketing Plan Item	Description of Marketing Plan Item	Date of Placement or Activity	Budget Amount
Lamar Advertising	2x Billboard Rentals on Rt 23 Downtown Shopping	May - October 2021	4800
Facebook	VTC Co-op Program: Promote Concert Venues in Johnson City, TN	July - September 2021	2500
Lithographics	Print 40,000 tri-fold brochures; Market Creation Kingdom Zoo, Devil's Bath tub, local business, and concert events	May - October 2021	3000
WVEK Radio	90 radio ads, live remote, social media ads: Market King Alley Concert Events in the Kingsport TN market	July - September 2021	4800
WQUT Radio	93 radio ads, live remote: Market King Alley Concert Events in the Kingsport TN market	July - September 2021	4200
Blue Ridge Outdoors	VTC Co-op Program 1/2 page Print Ad: February Festivals and May Music events: Market concert events along with Creation Kingdom Zoo and Devil's Bath tub	February & May 2021	4300
Tripadvisor	VTC Co-op Program: Online advertising: Promote Creation Kingdom Zoo and Devil's Bath tub	July - September 2021	7000
Kingsport Times	3x Front Page Banner Ad in local newspaper; Promote Concert Events in Kingsport market	July-September 2021	600
Virginia Star	1/4 page ad in local newspaper: Promote Creation Zoo and Devil's Bath tub	July - September 2021	900
Virginia Star	Print 10,000 flyers: Promote Concert Events, Local Business, Creation Zoo, and Devil's Bath tub/print coupons that will be distributed during events	May - September 2021	1200
Total Budget Amount			33300.00

Scott County Tourism has indicated that they have also been awarded \$20,000.00 with the Recovery Marketing Leverage Program. Scott County and the Town will be meeting with Cumberland Marketing, Inc. to see if we can combine our resources. We will be meeting Thursday at 9 a.m.

2020 Town Events

Events scheduled for 2020:

King Alleyween: Saturday, October 24th, 2020: **Event Canceled due to COVID-19**

Veteran's Day Event: Wednesday, November 11th, 2020 – Grogan Park

Christmas Open House: Saturday, November 21, 2020

Shop Small Saturday: Saturday, November 28, 2020

Christmas Parade: Saturday, December 5th, 2020: **Event Canceled due to COVID-19**

The above events are still scheduled but may need to be revised due to the COVID-19 health issue.

The Veterans Day program was held at Grogan Park and was well received. Sergeant David Carter was this years' keynote speaker.

Businesses reported excellent sales for both the Christmas Open House and Shop Small Saturday. Food trucks were on hand as well as hayrides.

Other

Engineering Procurement

Town Council has voted to accept Request for Qualifications (RFQ) for qualified engineering firms. The RFQ has been drafted and approved by the Virginia Department of Health (VDH) and Virginia Department of Transportation (VDOT). Direct solicitation to Women Business Enterprise (WBE) and Minority Business Enterprise (MBE). Our direct solicitation has been submitted to VDH and VDOT and we are awaiting approval. The RFQ deadline was on February 20th, 2020. Council appointed Council Members Mr. Roger Cassell and Mr. Ron Kindle to the interview committee. The interview committee held the RFQ opening ceremony on February 20th, 2020. The RFQ's are currently under review.

This project has been on hold due to the COVID-19 health crisis. Engineers who have submitted RFQ's have been contacted. This project will be underway shortly.

Mayor Richards has appointed Mr. Tyler Kilgore to the Interview Committee along with Mr. Roger Cassell.

The original RFQ was held on February 20th, 2020, a couple weeks before the COVID-19 pandemic hit. This project has been on hold since. Council has approved to re-advertise the RFQ. The RFQ has been approved by VDOT. The RFQ's are due November 30th, 2020. The several Disadvantage Business Enterprises (DBE) have been direct solicited in accordance with VDOT's regulations. Legal advertisements have been posted in the Virginia Star and Kingsport Times. The full RFQ has been posted on the Town's website and is available at the Town Hall.

We have received six RFQ's from prospective engineering firms. The interview committee will need to meet to determine which firms will be interviewed.

Town Manager Greg Jones stated that the interview team met tonight before the council meeting and are in the process to short list to three engineering firms to see who will be interviewed.

CARES Act Funding - FEMA Public Assistance Grant

Under the "Coronavirus Aid, Relief, and Economic Security Act" or the "CARES Act" grant funding has been made available through the Virginia Department of Housing and Community Development (DHCD) for the following eligible activities:

On June 1st, 2020, we learned that the CARES Act funding was sent to Scott County. Gate City portion of the funding will be \$163,299. With this funding we will be able to complete the following COVID-19 mitigation activities:

- New Telephone System = \$7,189.20

- New Foyer to help protect our office employees and maintain social distancing. (Contract approved by Town Council under GES with Mattern & Craig) = \$99,900.00
- New Laptops and Tablets for Administrative Staff and Council.

Council Action: Approve iPad Tablets Purchase.

Council Action: Approve Fire Department, Turnout Gear: CARES Act Funding

FEMA’s Public Assistance Grant is available for the following activities:

- Reimburse for cleaning and PPE for employees
- Reimburse for PPE for Gate City Businesses



The total FEMA grant is expected to be \$15,940.01.

State Corporation Commission (SCC) CARES ACT Municipal Utility Relief Grant

The SCC CARES Act Municipal Utility Relief Grant became available on Tuesday, November 24th, 2020. The Grant Funding will allow relief for customers who are 30 and 60+ days delinquent with their water bill. Town Manager Greg Jones stated that the Town of Gate City was awarded a little over \$75,000 to assist our water customers who have been affected by COVID-19. Town Manager Greg Jones stated that the customers who are 60+ days behind will have first priority. Town Manager Greg Jones stated that customers will be required to fill out an application stating that they have been impacted by COVID-19.

Council Action: Approve grant application to the State Corporation Commission CARES ACT Municipal Utility Relief program.

Council Action: Create New/Separate Account: State Corporation Commission CARES Act Municipal Utility Relief Grant

GATE CITY WATER LEAKS

NOVEMBER-2020

<u>Name, Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
Scott County Offices 247 Willow Street-Jail	11/9/2020	¾” to 1” union; ¾” pex 5 ft, 1ton rock
Ralph L. Carter 143 Anderson Street	11/10/2020	2 ft, ctx ¾”, 1 meter box, 4 ctx nuts
Crossfit Ionracas 156 East Jackson Street	11/18/2020	Fixed leak caused by kitchen sink at Town Hall; Placed trap under sink
Scott County Offices 247 Willow Street-Jail	11/20/2020	6” line cast iron, 6” band, 8 ton rock

Town Manager Greg Jones stated that there were five leaks repaired in November. Town Manager Jones stated that he believes we are down to approximately 30% water loss. Council Member Roberts stated that he asked for this report to receive more information concerning the water loss.

- C. **Attorney's Report** – Town Attorney Michele Brooks delivered the Attorney's report via telephone. Town Attorney Michele Brooks stated that she needs some clarification concerning the crossover of duties between herself and TACS. Town Attorney Brooks stated that she does not want to cost the town money for duplicated efforts. Town Attorney Brooks suggested a meeting between herself, Town Manager Greg Jones and Robert Mullins before the next Town Council meeting. Town Attorney Michele Brooks stated that there is a lien against 946 West Jackson Street as well as first and second offense for the fines. Town Attorney Brooks stated that the intent is to demolish the property and is unsure if the council wants to spend the money for her to attempt to get fine money from this property when it is all going to be done as a lien against the property.

Town Attorney Michele Brooks stated that it is her understanding that TACS is going to be doing the liens. Town Attorney Michele Brooks asked Town Manager Greg Jones if TACS has begun anything on this yet? Town Manager Greg Jones stated that the properties turned over to Town Attorney Michele Brooks are to be enforced by her through the Town Code which states that when a NOV is issued there is a first, second and third offense. Town Manager Greg Jones stated that when we go out and do property maintenance, TACS is handling this. Town Manager Greg Jones stated that if the owners do not provide any reimbursement for the property maintenance, the Town can put a lien on the property. Town Manager Greg Jones stated that once the billing has been sent out for property maintenance, after thirty days, if the owner has not paid the bill, we can put a lien on the property. Town Manager Greg Jones stated that we do not need to go to the courts for anything of that nature. Town Attorney Michele Brooks asked how is that mechanism done and who will do it? Town Manager Greg Jones stated that he would be the one to handle this. Town Attorney Michele Brooks asked if Town Manager Greg Jones will perfect that, so that there is a record in the Circuit Court of a lien against a property? Town Manager Greg Jones stated yes, all he must do is provide a cover sheet and pay a \$7 fee to the Circuit Court Clerk. Town Attorney Michele Brooks stated that this is a different paradigm because part of our Town Code and what we have always done is seeking abatement as our first course of action. Town Attorney Michele Brooks stated that this is a total shift from what we have done for property maintenance in the last ten years. Town Manager Greg Jones stated that this is an easier and more efficient way. Town Manager Greg Jones stated that another option that we have is that if we have a property owner that does not pay their bill and we put a lien on their property, after two years of being a lien, we can auction the property off for payment of that lien. Town Manager Greg Jones stated that Town Attorney Michele Brook's involvement in the process is basically enforcing the Town Code to collect the fines for the first, second, and third offenses as it is written in the Town Code. Town Attorney Michele Brooks asked Town Manager Jones if he still wants her to seek abatement since she still has things pending against several of the properties, such as 946 W Jackson? Town Manager Greg Jones stated that is different because Town Attorney Brooks has been in abatement for this property for awhile now and should continue with that. Town Attorney Michele Brooks stated that she has filed something against 770 W Jackson already as well. Town Manager Greg Jones stated that 770 W Jackson is a first offense code violation. Town Attorney Brooks stated that is not what she filed against the property because it is a public safety issue. Town Attorney Michele Brooks stated that to initiate a \$100 fine in court, she will be spending \$300 of tax payer dollars. Town Manager Greg Jones stated that he cannot speak to that because Town Attorney Michele Brooks recommended the Town Code that Town Council passed. Town Manager Greg Jones stated that he is trying to make this process as efficient as possible for the town because quite frankly, our property maintenance has been terrible over the years. Town Attorney Brooks stated that she disagrees with that because we have had multiple properties that have been abated over the years. Town Attorney Brooks requested a meeting with Town Manager Jones before the next Council meeting.

Council Member Wallace W. Ross, Jr. asked if the county or the city has a lien on 194 Chestnut Street? Town Manager Greg Jones stated that we have not put a lien on it yet. Council Member Ross stated that the property was sold for taxes and asked if the county or the city sold the property for taxes? Town Attorney Michele Brooks stated that the city did not sell anything for taxes but she cannot comment on the county and would have to look up the specifics. Town Attorney Michele Brooks stated that if there are delinquent taxes and a property violation, a lien can be put on the property and it can be sold in two years. Council Member Ross asked if taxes are due, who has priority over the property to sell it? Town Attorney Michele Brooks stated that there is a statutory lien for real estate taxes in Virginia for the county and for the town that should be satisfied if the property is sold.

- **946 West Jackson Street**
 - 1st Offense
 - 2nd Offense
- **391 Highland Street**
 - 1st Offense
 - 2nd Offense
- **194 Chestnut Street**
 - Lien
 - 1st Offense
- **848 Jackson Street: Civil Lawsuit**
 - 1st Offense
 - 2nd Offense
- **412 Highland Street**
 - 1st Offense
 - 2nd Offense
- **493 Highland Street**
 - 1st Offense
 - 2nd Offense
- **110 Cross Street**
 - 1st Offense
 - 2nd Offense
- **337 Sergeant Street**
 - 1st Offense
 - 2nd Offense
 - Lien on Property/Town Abatement
- **248 Ravine Street**
 - 1st Offense
 - 2nd Offense
- **195 Ravine Street**
 - 1st Offense
 - 2nd Offense
- **Wall on 770 West Jackson Street**
- **Vacant Lot Highland/Starnes Street**
- **196 Ravine Street**
- **169 Reed Hollow**
- **394 Highland Street**
- **507 Cleveland Street**
- **1273 West Jackson Street**

- **362 Highland Street**
- **Vacant Lot on West Jackson Street**

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

Vice Mayor, Robin Richards – Vice Mayor Richards stated that we need to do a better job of notifying our businesses when things like the Christmas parade are cancelled. Vice Mayor Richards stated that she had two businesses who had no idea that the parade had been cancelled. Vice Mayor Richards stated that we can call, e-mail or visit the businesses to notify them of these types of cancellations. Council Member Roberts stated that the parade belongs to the fire department. Vice Mayor Robin Richards stated that we should still have something on our Facebook page or website about the parade being cancelled because it is a town function.

Council Member, Allan “Cotton” Roberts – Council Member Allan “Cotton” Roberts thanked the town crew for changing all the street lights. Council Member Roberts stated that the new bulbs, banners, and Christmas lights all look good. Council Member Roberts stated that the parking lot and bridge at the ball fields also looks great and hopefully they will be able to play ball on those fields this spring and summer.

Council Member Roberts stated that Gate City Frontier is selling Christmas ornaments and all of the proceeds go towards the theater. Council Member Roberts stated that they are available at The Family Bakery.

Council Member, Roger Cassell – Nothing to Report

Council Member, Wallace W. Ross, Jr. - Council Member, Wallace W. Ross, Jr. stated that the sidewalks in front of the stoplight at the intersection of Kane Street and Jackson Street need to be finished to enhance the appearance of the town.

Council Member Ross stated that he had previously mentioned putting tables and chairs in front of Nickel’s building and enhancing the windows to show people that this was a movie set. Council Member Ross stated that he believes that there was an agreement when the windows were put in that stated that the town would own that part of the building. Council Member Roberts stated that the loan has been forgiven already after a 10-year time frame. Town Attorney Michele Brooks stated that this discussion took place at council three or four years ago.

Council Member Ross recommended putting all of the businesses names in the paper and giving them recognition and appreciation for staying open and maintaining the town through COVID. Council Member Roberts stated that we could recognize all the businesses as one such as saying “all merchants” instead of listing them individually. Council Member Cassell recommended the ad say “all businesses” so that no one is missed.

Council Member Ross stated that there is a lot of construction on Highway 23 and in the future we may need to move our Welcome to Gate City sign.

Council Member, Tyler Kilgore – Nothing to Report

E. **Sanitation Authority** – Nothing to Report

F. **Police Department** – Chief of Police Justin Miller stated that the domestic violence vehicle is at the shop getting all of the equipment put in and the other vehicle has been marked. Chief Miller stated that once the domestic violence vehicle is equipped, the other vehicle will be taken to get equipped. Chief Miller stated that he received an e-mail stating that the state of VA will be allocating \$7.5 million in

grants to police departments for training and retention of their officers. Chief Miller stated that the amount of money given to each department is based on the number of full-time officers. Chief Miller stated that he is open to suggestions for training. Chief Miller stated that he is working on updating the policy because soon there will be changes in the state laws. Chief Miller stated that he should have this completed in a couple of months and will then check with VRSA to ensure everything is accurate. Vice Mayor Richards asked when the new laws will be in effect? Town Attorney Michele Brooks stated that most of the laws will be effective July 1st but there are some that are immediate such as the “no knock warrant” and there will be huge changes in the law.

Council Member Roberts stated his appreciation for the \$245 donation that the police department gave to the Hope House of Scott County. Chief Miller explained that the donation came from four of the officers and was part of the “no-shave November”. Chief Miller stated that once the domestic violence vehicle is equipped, the police department will be meeting with the Hope House to do a release about it.

XII. UNFINISHED BUSINESS

1. Fill Vacancy: Management and Project Rehabilitation Board/DHCD Housing Project

Town Manager Greg Jones stated that there are two names that council is considering for these vacancies including Frances Perry. Council Member Roger Cassell stated that John Castle is interested in serving in the vacancy as well. Council Member Roger Cassell asked Town Manager Greg Jones if this is for both boards? Town Manager Greg Jones stated yes. Mayor Bob Richards asked if one person serves on both boards? Town Manager Greg Jones stated yes. Council Member Roberts asked Town Attorney Michele Brooks what is the proper way to vote on this? Town Clerk Lydia Morales showed Town Manager Greg Jones an excerpt from the November 10th Town Council Minutes where he stated that “one person could fill both vacancies or two people can fill a vacancy on each board”. Town Manager Greg Jones stated that council has the option to have two people fill both vacancies where one is serving on each board. Town Manager Greg Jones stated that it doesn’t have to be one person on both boards, and it can be split up. Council Member Roberts stated that it should be done with one person on one board and one on the other. Mayor Bob Richards asked when we have vacancies like these, how do individuals know that they are open, do we advertise them? Town Manager Greg Jones stated that no, it has not been advertised and typically there is not a whole lot of interest in stuff like this. Vice-Mayor Robin Richards asked how do we know how much interest there is if we haven’t advertised it? Town Manager Greg Jones stated that if council would like, the item could be tabled, and an ad can be put out. Mayor Richards stated that it should be put out as an ad or at least on the website. Council Member Cassell stated that we are running into the problem of not having a quorum for our meetings. Mayor Richards stated that it is his concern that we will have the same people doing everything and not giving anyone else an opportunity if they wanted to help the community.

Town Attorney Michele Brooks stated that secret ballot can only be used to elect the chair or the vice-chair of the body and this will need to be an open vote. Mayor Bob Richards stated that there are two separate boards with openings on both. Vice-Mayor Robin Richards stated that the boards work hand in hand, and it is not uncommon for one person to be on both. Council Member Ross stated that since there are two positions, and two names, we don’t have to nominate. Council Member Roberts stated that if we have two people who want to volunteer, we should utilize them both. Council Member Cassell asked Town Manager Greg Jones to explain the difference between the two boards. Town Manager Greg Jones stated that there is a lot of overlap but typically the management team is involved in the processes that guides throughout the whole grant

process and the rehabilitation board focuses on the homes themselves. Council Member Ross asked if Mr. Castle has a preference as to which board he would like to serve on? Council Member Cassell stated no.

Motion made to nominate Frances Perry to serve on the Management Team and to nominate John Castle to serve on the Project Rehabilitation Board for the DHCD Housing Project.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 4

Nay: 1

Absent:

Abstain:

Motion Carried.

XIII. NEW BUSINESS

1. Brush Policy - TAKE NO ACTION

Mayor Bob Richards stated that he has asked several times for the ladies up front at the Town Hall to explain the brush policy to customers, but evidently it is not being done based on the complaints that he is getting. Town Manager Greg Jones asked Town Clerk Lydia Morales if that is true? Town Clerk Lydia Morales stated that it was not true and that customers are told that the brush policy states that brush must be cut into four-foot lengths and stacked into a small, manageable pile. Town Clerk Lydia Morales stated that the time and date that the customers are explained the brush ordinance is recorded on the work orders. Vice-Mayor Robin Richards stated that if we only tell customers that the brush must be four-feet, there are several other bullet points that are not being explained. Vice Mayor Richards stated that this policy is very burdensome to adhere to and we need to look at the policy again. Town Manager Greg Jones stated that the entire policy is concerned with yard waste and brush is just a portion of that. Council Member Roberts stated that the policy has already been re-done once and these bullet points are definitions of what everything is and the ladies at the front desk are explaining the brush pickup procedure. Council Member Roberts stated that many of the pictures listed are not in compliance with what the procedure says. Council Member Cassell stated that this procedure was created with the town crew in mind because they are doing it manually and anything that is done by machinery is an extra charge. Council Member Roberts stated that the town crew does more than what they are supposed to do just to get it picked up. Mayor Bob Richards stated that is the problem because customers are complaining that some are getting pickups while others are not. Mayor Bob Richards stated that customers are complaining that they are being put on the pickup list and later are being told that we cannot pick it up after the town crew comes to their location. Town Manager Greg Jones stated that as far as communication, it would be best to create an application where the customers must come to Town Hall and agree that they understand and will comply to the policies that way they are physically given the brush policy before the work order is ever created.

Town Manager Greg Jones stated that it is easy for us to tell the customers what we need and then we go to the property and it is an entirely different thing. Mayor Bob Richards stated that the policy is tedious to read and find out what meets the criteria. Town Manager Greg Jones stated that we make it very simple by saying it needs to be a small pile that our work crew can put into the back of the truck and be on their way. Mayor Bob Richards stated that when the town crew picks up more than they are supposed to, people complain that their neighbor's brush gets picked up and theirs does not. Vice-Mayor Robin Richards stated that we want to provide our citizens, who pay taxes, with the services that we can. Town Manager Greg Jones stated that he could not find another town that does this on a weekly basis because it is extremely taxing on resources. Council Member Ross stated that a lot of trees have been blown down this year and he believes this has caused a lot of the brush problem because people are cleaning it up and expecting the town to pick it up. Town Manager Greg Jones stated that we just don't have the resources to take care of everything that everyone wants us to take

care of. Mayor Bob Richards stated that he likes the suggestion of the application for brush pick up along with an explanation of the policy being provided when citizens come in to fill it out. Town Manager Greg Jones suggested putting a recording of the policy on the new phone system so that citizens can listen to the policy and then continue if they would like to place a work order. Council Member Kilgore stated that this would be better than the application process. Council Member Roberts reviewed the brush pickup numbers on the public works report and stated that we are picking up a lot of brush. Council Member Cassell asked if a woodchipper would help? Town Manager Greg Jones stated it would help a lot and would create mulch that we can use for something else. Vice-Mayor Richards stated that we should investigate getting a woodchipper that would be more efficient. Town Manager Greg Jones stated that we would still not be able to handle stumps. Mayor Richards stated that he requested that Town Manager Greg Jones tell the ladies up front to explain to citizens what the brush policy is because citizens say that they just tell them that we will pick it up and don't state the policy and then they get the idea that we will come and pick up anything. Council Member Ross stated that some citizens may not have a source to get their brush picked up so they cut it in smaller sizes so that the town can come and get it. Council Member Cassell stated that it is different for a homeowner to spruce up their residence than it is for someone to hire a contractor to cut down trees, which should include the price for them to pick it up and haul it away. Town Manager Greg Jones stated that this can also cause legal issues if someone gets hurt and the town were to have to go to court for something a contractor may have done. Town Manager Greg Jones stated that we should not be involved at all in those situations. Vice-Mayor Richards stated that things like tires are not supposed to be picked up either and she just recently saw tires that were at the trash can and are now gone. Town Manager Greg Jones requested the address. Council Member Cassell suggested looking into a woodchipper so that garbage truck doesn't get ruined and it would be a cost-effective purchase in the long run. Vice-Mayor Richards suggested that we investigate our process and decide if we should alter it to one time monthly, quarterly, etc. Mayor Richards stated that is difficult to get people hired and when the brush season comes back into play, we are looking at taxing our employees with this along with their other responsibilities. Council Member Roberts suggested contracting out the brush pickup. Mayor Richards stated that when we look at the budget for this coming year, we need to look at these options to alleviate some of these issues. Council Member Cassell asked what will we do about the issues that currently do not comply? Town Manager Greg Jones stated that if the property owner doesn't take care of it, it will become a property maintenance issue. Town Manager Greg Jones stated that we will work on a solution between now and budget time.

2. Decorative Lights - TAKE NO ACTION

Mayor Bob Richards stated that many of the streetlights have been out for quite some time and understands that there are issues with the equipment and that grant funding is being pursued to help with this issue, but in the meantime, are we going to put in the effort to keep the lights up or are we going to just turn them off? Council Member Roberts stated that he believes we should keep the lights up and do everything that we can to make it more feasible in the future such as having lights with one head instead of five and LED bulbs that will last longer. Council Member Roberts stated that the town crew put all new bulbs in the lights and the globes are deteriorating. Council Member Ross stated that at a conference that he attended, he was told that the lights could be changed to LED with only one light on top of the existing pole. Council Member Cassell stated that it costs approximately \$1,000 per head to change just the heads of the lights and adapters would have to be purchased as well. Council Member Ross stated that the lights are a safety issue because they could potentially fall on someone. Mayor Richards asked if we are going to spend money to replace the damaged bulbs that are causing the lights to go out to keep our town looking nice or are we going to let things go and wait until we can get the funds to replace the heads. Town Manager Greg Jones stated that we do have the opportunity to apply for the DHCD downtown revitalization grant to assist with the lights, however, it would be a much bigger project than streetlights alone and would take a couple of years to get through. Town Manager Greg Jones stated that this is the only avenue that he knows of that will replace the lights with grant money. Council Member Ross asked if there are waterproof bulbs? Council Member Cassell stated that he has never heard of them. Council Member Ross stated asked if the bulbs are getting shorted out because they don't have a cover? Town Manager Greg Jones stated yes, there is a lot of that

happening. Council Member Roberts asked if new globes can be purchased? Town Manager Greg Jones stated that they can and will be approximately \$60-\$70 per piece. Mayor Richards stated that he is sure water is getting in the lights but is not sure that is the whole problem with the lights going out. Council Member Kilgore stated that we should at least have someone look at the lights, especially if it is free of charge. Mayor Richards stated that waiting for the grant would save the Town money, but at the same time, we don't want to let things dilapidate. Council Member Ross asked why don't we ask the citizens, who may like to put in a donation to help make the lights look better? Mayor Bob Richards asked Council Member Cassell to get in touch with his contact to come and inspect the lights. Council Member Cassell stated that the AEP price was AEP taking the lights over and we would never have to deal with them again, but there are other cheaper alternatives. Vice-Mayor Robin Richards stated that this option is also very attractive. Council Member Cassell stated that he would work with Town Manager Greg Jones on this project and will report back to Council.

3. Request for Proposals – Bond Council

Town Manager Greg Jones stated that this must be done every couple of years as a procurement and is used for V-DOT projects or anything that we must go into a bond for.

Motion made to approve Request for Proposals for Bond Council.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

4. iPad Purchase: CARES Act Funding

Town Manager Greg Jones stated that this proposal includes iPads with 12.9 inch screens, which is the latest 4th generation that is out, with keyboards. Town Manager Greg Jones stated that we can purchase these through CARES funding for everyone on council and administrative staff as well as two for our town crew. Town Manager Greg Jones stated that these will be 100% funded and the procurement has been given to our attorney and she is ok with it. Town Manager Greg Jones stated that this particular model is sold for approximately the same price everywhere, so there is not really another price option to compare it to. Vice-Mayor Robin Richards asked if the list given is the total list that will be purchased? Town Manager Greg Jones stated yes, the keyboard will act as a case. Town Attorney Michele Brooks asked if there is Apple Care as part of this proposal? Town Manager Greg Jones stated that it comes with a warranty. Town Attorney Michele Brooks stated that Apple Care is a minimal cost for the protection that it provides. Town Manager Greg Jones stated that this would probably have to be something that we fund on our own, since there is a warranty, it may not qualify for CARES funding. Town Manager Greg Jones stated that he would look into it especially for the public works crew.

Motion made to purchase the iPads through the CARES Act funding.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

5. Approve grant application to the State Corporation Commission CARES Act Municipal Utility Relief Grant

Council Member Ross asked how much is the grant for? Town Manager Greg Jones stated that it is for a little over \$75,000. Council Member Ross asked if this \$75,000 is to help pay for the water bills? Town

Manager Greg Jones stated that this grant will affect our customers who were impacted by COVID-19 and were unable to pay their water bill. Council Member Ross asked if senior citizens will have priority? Town Manager Greg Jones stated that customers with a 60 day balance or more will take priority but it has to have occurred after March 1st and has to be COVID related.

Motion made to approve grant application to the State Corporation Commission CARES Act Municipal Utility Relief Grant.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

6. Create New/Separate Account: State Corporation Commission CARES Act Municipal Utility Relief Grant

Town Manager Greg Jones stated that he is not sure if the language in the grant that states "a separate account" means a separate account number needs to be assigned within the chartered accounts or physically a separate account needs to be created. Town Manager Greg Jones stated that he wants to be proactive and ensure everything is covered but will find out specifically what this means within the next week or two.

Motion made to create a New/Separate Account: State Corporation Commission CARES Act Municipal Utility Relief Grant.

Motion by: Tyler Kilgore

2nd by: Allan "Cotton" Roberts

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

7. Property Maintenance Violation: 176 Solon Street – Approval to File Lawsuit

Town Manager Greg Jones stated that he forgot to bring the paperwork for this property but it is the yellow house on Solon Street. Town Manager Greg Jones stated that the property owners have informed him that they are currently working on demolition and will respond to a written request. Vice-Mayor Robin Richards asked if the property owners are planning to demolish? Town Manager Greg Jones stated that the people next door purchased the property but have not demolished it yet. Town Attorney Michele Brooks stated that she needs to have clarification as to what the lawsuit is for. Town Manager Greg Jones stated that this is for the code that states the NOV for a property maintenance violation first offense is \$100 and is the same as the ones that we have done every month.

Motion made to approve to file a lawsuit for the Property Maintenance Violation: 176 Solon Street.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay: 1

Absent:

Abstain:

Motion Carried.

8. Planning Commission Appointments - Reappoint Mrs. Vickie Roberts to a Four-Year Term on the Gate City Planning Commission, Beginning January 1, 2021 and Ending December 31, 2024.

Motion made to accept the reappointment of Mrs. Vickie Roberts to a Four-Year Term on the Gate City Planning Commission, Beginning January 1, 2021 and Ending December 31, 2024.

Motion by: Tyler Kilgore

2nd by: Robin Richards

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

9. Planning Commission Appointments - Appoint Ms. Margaret Falin to a One Year Term on the Gate City Board of Zoning Appeals, Beginning January 1, 2021 and Ending December 31, 2021.

Motion made to appoint Ms. Margaret Falin to a One Year Term on the Gate City Board of Zoning Appeals, Beginning January 1, 2021 and Ending December 31, 2021.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 4

Nay: 1

Absent:

Abstain:

Motion Carried.

10. Fire Department, Turnout Gear: CARES Act Funding

Town Manager Greg Jones stated that he received a request last night from Fire Chief Brickey stating that the Fire Department needed some turnout gear. Town Manager Greg Jones stated that this is covered under our CARES Act Funding and the county administrator stated that it is approvable. Town Manager Greg Jones stated that he gave the county administrator the quote and if it is approved by council we can include this in our CARES Act Funding and get the Gate City Fire Department some turnout gear 100% funded. Council Member Cassell asked if this will take money away from the Town? Town Manager Greg Jones stated no it will be part of our \$163,000 and we are getting close to the end of the year and anything not spent will be lost.

Motion made to approve CARES Act Funding for the Gate City Fire Department Turnout Gear.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS - NONE

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss 1.) legal issues.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

Mayor Richards opened the closed session at 8:34 P.M.

XVI. RETURN FROM CLOSED SESSION

Motion made for Council to return from closed session.

Motion by: Allan “Cotton” Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay:
Absent:
Abstain: Motion Carried.

Council returned from closed session at 9:12 P.M.

CERTIFICATION OF CLOSED MEETING – Read by: Mayor Bob Richards

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.

ROLL CALL VOTE: Aye: Mayor, Bob Richards
Vice Mayor, Robin Richards
Council Member, Allan “Cotton” Roberts
Council Member, Roger Cassell
Council Member, Wallace W. Ross, Jr.
Council Member, Tyler Kilgore
Nay:
Absent:
Abstain: Motion Carried.

XVII. MOTIONS FROM CLOSED SESSION: NONE

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay:
Absent:
Abstain: Motion Carried.

*Mayor Richards adjourned the meeting at 9:14 P.M., until the next scheduled Council Meeting on January 12, 2021.

Bob Richards – Mayor

Lydia Morales - Town Clerk