



**GATE CITY TOWN COUNCIL
COUNCIL MEETING MINUTES
FEBRUARY 12, 2013
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 – Deputy Town Clerk – Judy Guinn

PRESENT: Mayor, Frances Perry
Vice Mayor, Allan “Cotton” Roberts
Council Member, Roger Cassell
Council Member, Robin Richards
Council Member, Wallace W. Ross, Jr.
Council Member, Walter Salyers

Others present: Town Attorney, M. Brooks, Benny Reed, Rev. Rollie Hautz, Arletha Newton, Chuck Newton, Debbie Kindle, Police Chief K. Birchfield

III. INVOCATION – Rev. Rollie Hautz

IV. PLEDGE OF ALLEGIANCE Sergeant of Arms, Chuck Newton

V. APPROVAL OF AGENDA

Motion made to add Downtown Parking under unfinished business

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

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

Motion made to add accepting of resignations of Town Manager Jeremy Keller, Joe Coates, and Harold Willis under section XIII New Business.

Motion by: Council Member W. Ross Jr. 2nd by: Council Member R. Richards

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

Motion made to approve the agenda with the additions.

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

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

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

Applications received for Building Board of Zoning Appeals Committee and Economic development and Revitalization Committee were mentioned, to be voted on in New Business.

VII. APPROVAL OF MINUTES

Mayor F. Perry - Are there any corrections to the minutes for the Town Council Meeting of January 8, 2013 and the Special Called Meeting of January 31, 2013 as presented?

Minutes approved as presented.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for January, 2013.

Motion by: Council Member R. Richards 2nd by: Council Member W. Ross Jr.

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

IX. PUBLIC COMMENT – none

Mayor F. Perry closed the public comment session at 6:41 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - none

XI. REPORTS

A. Engineer’s Status Report – no remarks

B. Treasurer’s Report –

Vice Mayor A. Roberts mentioned that there were 20 items over budget for the year and he was concerned.

Mayor F. Perry said that part of it could be due to the fact that they were items that were spent early and would work themselves out by the end of the year.

C. Codification Committee/Property Maintenance –

Vice Mayor A. Roberts said that they were working on a brush proposal, but would like to table it and when they are ready it will be added to the agenda for discussion.

Town Attorney M. Brooks – mentioned that she would meet with committee to work on business license ordinance.

D. Police Department Report – no remarks

E. Council Reports –

Vice Mayor, A. Roberts – mentioned that someone approached him about a dog running loose and that they called 911 and nothing was done.

Police Chief K. Birchfield - said that if they knew who the dog belonged to, they could cite them. Otherwise, they cannot. They must be sure to call when the dog is out, not later.

Vice Mayor, A. Roberts – Two times since Town Manager J. Keller has left, the siren has gone off after 11 pm. They had agreed to not sound it from 11 pm to 7 am.

Vice Mayor, A. Roberts – has a concern about Kane Street sidewalks. The sidewalk is being parked on in front of Williams Electric, causing people to have to get in street to walk through there.

Mayor F. Perry - asked the Street Committee to look at making a parking spot in that area.

Vice Mayor, A. Roberts – noticed an article in *Times News* Sunday about a Farmers Market Conference in Bristol, March 9, with a cost \$10 to attend. He wondered what the feeling was about trying to do a farmers market again. Would anyone like to attend this conference and was there any way that the Town could put out feelers to see what the local growers thought about Gate City having a Farmer's Market.

Council Member R. Cassell mentioned that he thought this might be something that would come under the Economic Development Committee since we were getting new members on it.

Council Member W. Ross, Jr. – mentioned that he was concerned that we never complete anything – moving street lights, sidewalk issues, Farmer's Market, and parking lot.

Mayor, F. Perry – said that these things should be addressed in a work session and not Council.

There was more discussion and the fact was mentioned that a lot of the issues go back to funding.

Council Member W. Ross, Jr. – asked if whether or not we should go to the county and ask for a matching fund from them for things like streets and sidewalks.

Mayor, F. Perry – said she would get him on the agenda if he wanted to speak to the County Supervisors.

Council Member W. Salyers – no report

Council Member R. Richards – said that a concerned citizen contacted her about not keeping police car maintenance within our district and would like more information about difference in cost locally and out of the county.

Council Member R. Cassell – no report

F. Economic Development Committee –

V. Mayor A. Roberts – no one at the meeting but him, but that would change with the new members coming in.

G. Façade Committee – no remarks

H. Historical Committee – no remarks

I. Manager- Town Manager - no remarks

J. Park Committee

Vice Mayor, A. Roberts – The Committee met with a Kingsport salesman at Grogan Park. Salesman said the park would work fine for a splash pad. He offered a kit that was a one pass-through and back into the creek with no pump station. It would be a touch system that would come on when touched. The Town could possibly use Public Works for the labor and save some of the costs. We would have to put out ad for bids when ready.

Council Member R. Richards – There is a lot of flooding and erosion at the park now.

Mayor F. Perry – We cannot do a lot about it now until after flood season. It will be spruced up by summer.

K. Planning Commission –

Council Member R. Cassell – Commission put out an ad for a public hearing to start the Capital Improvement Project that will go hand in hand with the 5 Year Plan. The public hearing is next month on the 1st Tuesday in March.

Town Attorney M. Brooks – mentioned that there was also a small change to the bylaws to allow for a holiday on the meeting day. Officers are the same as before.

L. Public Works – no remarks

M. Sanitation Authority –

Council Member R. Cassell –Town Manager met with Andy Miles, and Danko and did calibration of meters at sewer plant. Everything is good now.

N. Street Commission –

Council Member, R. Cassell – They are checking on whether or not Eva St. is the Town's responsibility. The garbage truck tears it up when they go in to pick up trash. Town needs to do something about the road and they will have to check the money in the budget.

Council Member, W. W. Ross, Jr. – discussed Back St. problem again. Would like to see it paved. Has been brought up many times during his time on the Council and even before that, but nothing has been done.

Town Attorney M. Brooks – would like to warn Town that if we pave a road and cause flooding or damage to someone's property, the Town is liable.

O. Safety Committee –

Council Member, W. W. Ross, Jr. – mentioned he and Town Manager made some changes to the safety manual after they discovered that the manual had never been approved. He would like for the Council to review the manual and vote on approving it at the next meeting. He mentioned that he and the Town Manager had met with Mr. Brickey for about two hours. They talked about a notification system and other things that could be used locally.

Mayor F. Perry – mentioned that there were many systems for emergency notifications on the internet. Some were very expensive.

P. Water Plant –

Vice Mayor, A. Roberts – Noticed that there was a big leak.

Council Member W. Salyers – Mentioned that he talked with Veolia and that they thought they could not help the Town of Gate City. The Water Plant was looking good as far as they were concerned.

Vice Mayor, A. Roberts – Said that he thought they were going to come back and do a presentation of their findings.

XII. UNFINISHED BUSINESS

• **Downtown Parking Issue**

All Council members mentioned that everyone they had talked to was in favor of not having the 2-hour parking limit. Council decided to amend the policy to eliminate the parking limit.

Motion made to suspend the enforcement of 2-hour parking until April 15.

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

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

Motion made to add to agenda under New Business the Public Hearing for amending the ordinance for 2-hour parking.

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

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

• **Proposed Solution for Water Project Overage** - (table)

XIII. NEW BUSINESS

• **Resolution for Little League User Agreement**

Motion made to accept the resolution for the Little League User Agreement.

Motion by: Council Member R. Cassell 2nd by: Council Member R. Richards

VOTE: Yeas, 5
 Nays, 0
 Absent, 0

Abstain, 0

- **Resolution for the Crooked Road Proposed Designation as a National Heritage Area** – (table)

- **Decision regarding Tommy Herron – Building Board of Zoning Appeals Committee Application**

Motion made to approve Tommy Herron as member of Building Board of Zoning Appeals Committee.

Motion by: Council Member R. Cassell 2nd by: Council Member W. Salyers

VOTE: Yeas, 4
Nays, 1 – Council Member W. W. Ross Jr.
Absent, 0
Abstain, 0

- **Decision regarding Jason McCully – Economic Development and Revitalization Committee Application**

Motion made to approve Jason McCully as member of Economic Development and Revitalization Committee.

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

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

- **Decision regarding Mark Freeman – Economic Development and Revitalization Committee Application**

Motion made to approve Mark Freeman as member of Economic Development and Revitalization Committee.

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

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

- **Decision regarding Brad McKee – Economic Development and Revitalization Committee Application**

Motion made to approve Brad McKee as member of Economic Development and Revitalization Committee.

Motion by: Council Member R. Cassell 2nd by: Council Member W. Salyers

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

Motion made to approve Jeremy Keller’s resignation from Town Manager position.

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

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

Motion made to approve Joe Coates’ resignation from the Economic Development and Revitalization Committee.

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

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

Motion made to approve Harold Willis’ resignation from the Economic Development and Revitalization Committee.

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

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

Mayor F. Perry appointed Jeremy Keller to the Activities Committee.

Motion made to advertise for a public hearing to amend the Parking Ordinance.

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

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

XIV. PUBLIC COMMENT – NEW BUSINESS – none

Council Member W. Salyers – mentioned the fact that he would like to get IPADS for Council members to save all the paper they are using and to keep up with the technology.

Council Member R. Cassell – mentioned that he was working with Town Treasurer C. Edwards to come up with estimate of cost of IPADS and service and would like for this item to be placed on the agenda for the next month.

Mayor Perry closed the public comment session for new business at 8:25 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

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

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

VOTE: Yeas, 5
7

Nays, 0
Absent, 0
Abstain, 0

Mayor Perry opened the closed session at 8:30 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:14 P.M.

Motion made for Council to return from closed session.

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

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:

Motion made to rent the building that is for rent by Farm Bureau, 1/2 of the building for the sum of \$500 per month effective as soon as possible on a one year lease.

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

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

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 9:16 P.M., until the next regularly scheduled Council Meeting, on March 12, 2013, at 6:30 P.M.

Frances Perry – Mayor

Judy Guinn – Deputy Town Clerk

Town of Gate City

Resolution for User Policy of Grogan Park

Whereas, the Town of Gate City is the owner of Grogan Park and (i) all playing fields, (ii) and facilities located on Grogan Park grounds; and

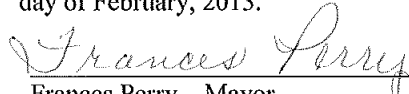
Whereas, Gate City Little League has been given permission by the Town of Gate City, Virginia to manage only the playing fields and facilities associated with the playing fields located on Grogan Park grounds, schedule games to be played on the playing fields located on Grogan Park grounds, and manage and operate the concession stand located on Grogan Park grounds; and

Whereas, Gate City High School has been given permission by the Town of Gate City to use the Senior League Baseball Field for games and practices at any time during their baseball season;

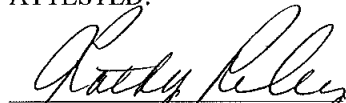
THEREFORE BE IT RESOLVED, that The Gate City Town Council endorses the User Policy outlined below:

1. Any individual or organization wishing to use any field or facility shall make a request to the Town Manager or Town Clerk to be placed on the agenda to appear before the Gate City Town Council during their regularly scheduled meeting to request said use.
2. Any individual or organization requesting use of any field or facility shall provide good reason and justification of why they should be allowed to use the requested field or facility, and must be insured and accept all liability for any damages caused as a direct result of use of any field or facility.
3. Any individual or organization granted permission to use any field or facility on Grogan Park grounds must sign an authorized user agreement between the Town of Gate City, Gate City Little League and themselves outlining the terms and conditions of said use.

ADOPTED in Gate City, Virginia this 12th day of February, 2013.


Frances Perry – Mayor

ATTESTED:


Kathy Riley – Town Clerk