

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
February 8, 2022
February 22, 2022
156 E. Jackson St., Gate City, VA
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:35 P.M. BY: Mayor – Bob Richards

II. ROLL CALL – Deputy Town Clerk – Lisa Loggans

	February 8th, 2022		February 22, 2022	
	PRESENT:	ABSENT:	PRESENT:	ABSENT:
Mayor, Bob Richards	X		X	
Vice Mayor, Robin Richards	X		X	
Council Member, Allan “Cotton” Roberts	X		X	
Council Member, Roger Cassell	X		X	
Council Member, Wallace W. Ross, Jr.	X		X	
Council Member, Tyler Kilgore	X		X	
Town Manager, Greg Jones	X		X	
Town Attorney, Michele Brooks	X		X	

Others present: Jason Snapp, Mattern and Craig; Gabe Edmunds, Virginia Star; Burke Greear, Highland Monument Company; Frank Kibler, Lenowisco; Pam Michaels and Mark Metcalf; Ellen Bailey; Diana Colbert; Carolyn Bailey; Sergeant Matt Stewart; Officer Derek Pearcy

III. INVOCATION – Mayor Bob Richards

IV. PLEDGE OF ALLEGIANCE – Mayor Bob Richards

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Allan Roberts
2ND: Robin Richards
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

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

Public Expression – Burke Greear, Highland Monument Company

- Highland Monument Company: Estil Cemetery Update
Mr. Greear shared information and pictures on the progress at Estil Cemetery; he stated he would like to conduct tours of the cemetery once project is completed and weather permits. Seventy percent of the tombstones have been treated and cleaned.

VII. APPROVAL OF MINUTES

1. Approval of January 11, 2022, Public Hearing Minutes: Cigarette Tax Rate

Motion made to approve minutes as presented.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 4
Nay: 1
Absent: None
Abstain: None

Motion carried.

2. Approval of January 11, 2022, Public Hearing Minutes: Change Local Election Date

Motion made to approve Public Hearing minutes as presented.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

3. Approval of January 11, 2022, Town Council Minutes.

Motion by: Allan Roberts
2nd by: Robin Richards
VOTE: Aye: 4
Nay: None
Absent: None
Abstain: 1

Motion carried.

VIII. APPROVAL OF PAYMENTS

- **Motion made for approval for payment of bills for January 2022 as presented.**

Motion by: Allan Roberts
2nd by: Roger Cassell
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

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

Pam Michaels, 534 Ruritan Run Road, Gate City, VA, presented to Town Council a proposal to open a Pool Room in Gate City, along with her boyfriend, Mark Metcalf. They will present their proposal to the Planning Commission on March 1, 2022, at their regularly scheduled meeting. Thereafter, a decision will be rendered on the applicants' proposal and permits.

Mayor Richards closed the public comment session at 6:58 P.M. and opened the consent agenda session.

X. COMMUNICATIONS

No Communication

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

H/C Ramp HSIP Project: Construction has commenced. The contractor has completed all concrete work at all three ramps and installed temporary safety rails. The contractor has begun fabrication of the safety handrails. Handrails at all ramps will be the last item to be installed due to the long lead time to fabricate.

DEQ Sanitary Sewer Evaluation Study: The smoke testing of the sanitary sewer system has been completed except for a few areas that are inaccessible due to manholes being covered over, these manholes will need to be uncovered by the Town to be able to complete overall system smoke testing. Mapping has been delivered to the Town detailing these areas for uncovering if desired. Several inflow locations (consisting of illegal connections) have been identified so far. Manhole inspections have been completed as well and the project is considered 60% complete overall currently. Flow monitoring is complete. CCTV of critical lines is scheduled for the week of 2/7. A final report with recommendations is expected to be delivered to the Town early 2022.

DEQ has relayed that they will have a round of ARPA funding available this spring (Application period is April 15 – June 15th tentatively) that the corrective actions identified in the SSES report will be a good candidate for. M&C would recommend submitting an construction project application for this funding round as it will be 100% grant funds.

VDH Backup Generator Project: VDH has granted additional funding to complete calibration of the Town's water system hydraulic model. Calibration of the model has been completed. A Preliminary Engineering Report has been delivered to

VDH for approval. VDH has now returned comments to be addressed. Once the PER is revised and approved by VDH, Project design will commence. Project is considered 12% complete currently.

VDH has indicated there is the option to request additional funding to cover the additional components of the project identified in the PER. This funding would most likely be a mix of loan and grant funds.

VDH Planning & Design Grant Application: The Town has voted to submit a Planning Grant Application to complete a water efficiency study. M&C conducted a Preliminary Engineering Conference with VDH on Tuesday, November 30th to discuss the appropriate scope for the project. M&C is in the process of revising the scope and completing the application. Upon completion it will be submitted to the Town for review. Upon approval by the Town it will be submitted to VDH for official consideration for funding.

Kane St. Sidewalk Transportation Alternatives Funding Application: The Town voted to submit the final application for consideration by the Commonwealth Transportation Board. M&C submitted the final application to the VDOT Smart Portal on Wednesday, September 29th prior to the October 1st deadline. The VDOT Bristol District Office called with some questions concerning the Town's procurement of engineering which we were able to show documentation that the Town had checked all applicable federal procurement guidelines with their initial advertisement for engineering services. The Bristol District indicated this would help the application score well. They also indicated the District level review was nearly complete and the application would be sent to Central Office for review shortly. A decision on funding approval is not expected till the summer of 2022.

During the agency meetings in Richmond a favorable review of the project was relayed by VDOT. It appears Gate City has ranked high and will most likely receive at least a portion or possibly all of the requested funding.

B. Town Manager's Report

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

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project.

February 2021 – 554 Park Street: Rehab complete
559 Park Street: Continuing to seek relocation
571 Park Street: Rehab Started
559 Park Street: Demolition complete
608 Park Street: Demolition complete
609 Park Street: Rehab: 50% complete
639 Park Street: Demolition complete
649 Park Street: Demolition complete

December 2021 – A DHCD CDBG Grant Application for the second phase of the Park Street Housing Rehabilitation Project was submitted on December 1st, 2021. Our total requested grant amount is \$425,759.00 which will address seven properties: four housing rehabs, one substantial rehab, and two demolitions.

- **Estil Cemetery Restoration Project**

December 2021- Tombstone restoration by Highland Monument Conservation is ongoing. The fence around Estil Cemetery has been replaced.

- **Banner Project**

Council has approved the banner design for the AEP Street Light Poles on June 8th, 2021. Council Action: Banners have been ordered; however, we do not have an expected arrival date.

July 2021 – No recent updates. We are still waiting for the banner and bracket order to arrive. – This project has been affected by the current national supply chain issue.

February 2022 – On July 13th, 2021, Council approved a quote from Southern Graphics for \$5,456.44 to print the banners. Southern Graphics has stopped communicating the status of this order after repeated attempts. **Council Action: Approve letter of default.**

- **Gateway and Sampson Mini Park Sign Installation**

November 2021 – This project was completed on October 12th, 2021

February 2021 – The Planning Commission has asked that a second sign be installed so that it is visible from Route 23 Southbound Lane. The Planning Commission asked that the sign be raised 1'-2'. Proposal has been approved. I have been informed that 50% of the workforce at Bristol Signs has been impacted by COVID.

- **Dog Park Project**

February 2021 - Factory to You Fence will be repairing 140' of fence line that was damaged due to a fallen tree. The estimated cost to repair is \$2,784.00. This project has been completed.

February 2021 - The Public Works Team has completed cleaning out the drainage line so that it will have better flow.

- **946 West Jackson Street and 337 Willow Street Demolition Project**

The demolition orders have been sent out to the property owners and advertised according to State Code § 15.2-906. Notices have also been posted at the property, Courthouse, and Town Hall.

Asbestos inspection has been completed on both properties. I have contacted eight contractors and only two contractors have expressed interest in this project.

February 2021 – I have contacted eight contractors on two separate occasions to solicit bids. I have only received one bid. Council Action: Approve bid from Egan Construction for demolition of 337 Library Street and 946 W Jackson Street.

- **US Army Corps of Engineers – Grogan Park Flood Study**

The US Army Corps of Engineers has completed the Grogan Park Flood Study. They met with the Park Committee on January 27th, 2022, and submitted their findings and recommendations. The US Army Corps is recommending a series of Levees, Sedimentation Removal, Water Storage (ponds), and bridge replacement to help remedy this flooding issue.

- **GATE CITY WATER LEAKS**

January 2022

Location	Repair Date	Materials used for Repair
144 Elliott Drive	1/12/2022	4 ft. CTX; 1 union; backhoe; Dodge truck (plumber cut the line)
143 Campbell Street	1/13/2022	¾" CTX; feed line to old meter cut off and capped; 3-ton rock

C. Attorney's Report

- **169 Reed Hollow Road**
Lawsuit: Tentative Court Date: February 21st, 2022
- **248 Ravine Street**
Lawsuit: Tentative Court Date: February 21st, 2022
- **195 Ravine Street**
Lawsuit: Tentative Court Date: February 21st, 2022
- **394 Highland Street**
Lawsuit: Tentative Court Date: February 21st, 2022
- **209 Highland Street**
Lawsuit: Awaiting Service of Process

- **00000 Red Hill Road**
Lawsuit: Awaiting Service of Process

Town Manager Greg Jones stated that 414 East Jackson Street and 1369 West Jackson Street should be removed from pending litigation. Both properties have new owners and are working toward property maintenance compliance. Attorney Michele Brooks stated that the property maintenance violation follows the land. She will need a progress update in sixty days.

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

Council Member: Wallace W. Ross, Jr. – Stated that he would like to see the pay increased for Council Members and increase budget for Council members to attend conferences.

Council Member: Allan Roberts: No Report

Council Member: Tyler Kilgore: Stated that the date for the Gravel at the Gate Bike Ride will be on May 21st, 2022. There is room for improvement on the proposed logo. Has received expression of interest from two bike shops in Kingsport who would like to sponsor the Gravel at the Gate Bike Ride.

Vice-Mayor: Robin Richards: Gate City Frontier, Inc. has developed the Shamrock Shimmy event which will be held on March 12th, 2022. There will be adult size slide, DJ Bingo and Dance. The Jeep Jamboree will be on May 28th, 2022. Volunteers are needed. Everyone is welcome to attend the Gate City Frontier, Inc. meetings.

Council Member: Roger Cassell: Stated that during the legislative meetings in Richmond, VA this year, VDOT indicated they were impressed with the Town's presentations and completion of our projects. VDOT gave favorable comments for our future projects and plans for the Town. The Town learned about additional funding through the Department of Housing and Community Development. Department of Environmental Quality will have 100% funding for projects through ARPA. The Town received favorable comments with all the agencies: VDOT, DEQ, DCR, DHCD, and VTC. The Town should score well with our pending grant applications.

E. **Police Department** – No report

F. **Sanitation Authority**-Stated billing issues still exist with PSA

XII. UNFINISHED BUSINESS

1. **VA Main Street: Agreement between Town and Gate City Frontier, Inc.**
Item moved to Unfinished Business on February 22, 2022, Adjourned Meeting.

XIII. NEW BUSINESS

1. **Ms. Ellen Bailey: Trash Complaint**

Ms. Bailey stated that the trash from resident at 154 Elliot Drive has a toxic odor. The odor is causing health issue with Ms. Bailey and her family. Ms. Bailey asked Town Council if something can be done about the odor. Town Manager Greg Jones stated that he investigated the complaint. The resident had their trash in a container and did not violate any ordinances. Council suggested that Ms. Bailey contact the Virginia Department of Health for guidance. Attorney Michele Brooks stated that she will research the issue and provide feedback at the next Town Council meeting.

2. Mr. Frank Kibler, Senior Planner, LENOWISCO Planning Authority – Discuss DHCD: CDBG Housing Rehabilitation Grant

Mr. Kibler stated that the Department of Housing and Community Development Housing grant is due April 1st, 2022. The Town did submit an application for Phase II of the Park Street Housing Rehabilitation Project last fall but feels that the Town will not be awarded funding. Mr. Kibler stated that it may have been a blessing due to the rising cost of building materials. This is an issue the DHCD is working out now. The new grant funding will address these issues. The Town will need to conduct a Public Hearing and pass a Resolution of Support prior to the grant application due date.

3. DHCD Planning Grant – Downtown Revitalization Grant Application Approval

Motion by: Allan Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None **Motion carried.**

4. Approve Demolition Quote: 337 Library Street

Council reviewed and voted to approve a bid from Egan Construction to raze 337 Library Street for \$19,000.00. The house is at the corner of Willow and Library Streets.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None **Motion carried.**

5. Approve Demolition Quote: 946 West Jackson Street

Council reviewed and voted to approve a bid from Egan Construction to raze 946 West Jackson Street for \$16,500.00.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None **Motion carried.**

6. Banner Project: Approval to send letter of default

Town Council voted to send a letter of default to a local business who has not delivered the Town Banners that have been on order since July 2021.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None **Motion carried.**

7. Board of Zoning Appeals: Need three more members

Council took no action. Item moved to New Business on February 22, 2022, Adjourned Meeting.

8. Approval: Renegotiate Scott County Public Service Authority Water Contract

CLOSED SESSION

Motion made for Council to enter into closed session to discuss renegotiation of the Scott County Public Service Authority Water Contract

Motion by: Roger Cassell
2ND: Wallace W. Ross, Jr.
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

Mayor Richards opened the closed session at 8:45 P.M.

RETURN FROM CLOSED SESSION

Motion made for Council to return from closed session.

Motion by: Roger Cassell
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

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

CERTIFICATION OF CLOSED MEETING – Read by: Town Attorney Michele 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.

ROLL CALL VOTE: Aye: Roger Cassell
Robin Richards
Tyler Kilgore
Allan “Cotton” Roberts
William W. Ross, Jr.
Bob Richards
Nay: None

MOTIONS FROM CLOSED SESSION: Approval: Renegotiate Scott County Public Service Authority Water Contract

Motion by: Allan Roberts

2nd by: Roger Cassell

VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

9. Contract Rye Engineering to conduct water leak survey

Town Council took no action.

10. Approval to adjourn meeting until: Tuesday, February 22nd, 2022

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

Town Council reconvened on Tuesday, February 22nd, 2022.

11. VA Main Street: Agreement between Town and Gate City Frontier, Inc.

Motion made to accept.

Motion by: Roger Cassell
2nd by: Tyler Kilgore
Roll Call Vote; Aye: Cassell, Richards, and Kilgore
Nay: Ross
Absent: None
Abstain: Roberts

Motion carried.

12. Board of Zoning Appeals:

Attorney Michele Brooks will be meeting with the new Board of Zoning Appeals to offer them guidance on their new role.

Council vote to approve the follow Board of Zoning Appeals members:

1. Mark Tipton
2. Janice Meade
3. Connie Johnson

Motion by: Allan Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

CLOSED SESSION

Motion made for Council to enter into closed session to discuss Personnel Issues.

Motion by: Allan Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

Mayor Richards opened the closed session at 6:37 P.M.

RETURN FROM CLOSED SESSION

Motion made for Council to return from closed session.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

Council returned from closed session at 7:05 P.M.

CERTIFICATION OF CLOSED MEETING – Read by: Town Attorney Michele 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.

ROLL CALL VOTE: Aye: Roger Cassell
Robin Richards
Tyler Kilgore
William W. Ross, Jr.
Allan “Cotton” Roberts
Bob Richards
Nay: None
Absent: None
Abstain: None

MOTIONS FROM CLOSED SESSION: Approval to Hire New Town Clerk

Mrs. Janice Torretta was appointed by Town Council to the Town Clerk position

Motion by: Robin Richards
2nd by: Allan Roberts
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

XIV. PUBLIC COMMENT – NEW BUSINESS

None

XV. ADJOURN

Motion made to adjourn.

Motion by: Allan Roberts
2nd by: Tyler Kilgore
VOTE: Aye: 5
Nay: None
Absent: None
Abstain: None

Motion carried.

*Mayor Richards adjourned the meeting at 7:05 P.M., until the next scheduled Council Meeting on March 8, 2022, at 6:30 p.m.



Bob Richards – Mayor



Lisa Loggans – Deputy Town Clerk