



GATE CITY TOWN COUNCIL MINUTES
MARCH 10, 2015
156 E. JACKSON ST.
6:30 PM

- I. COUNCIL MEETING CALLED TO ORDER AT 6:31 P.M. BY: Mayor - Frances Perry**
- II. ROLL CALL – Town Clerk - Kathy Riley**

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

Others present: Holly and Shannon Musick, Betty and Darius Hall, Jon McConnell, Margaret Falin.

- III. INVOCATION Allen “Cotton” Roberts**
- IV. PLEDGE OF ALLEGIANCE – Chief Scott Fink**
- V. APPROVAL OF AGENDA**

Motion made to approve the agenda.

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

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. – Town Manager, G. Jones, informed Council of the resignation of Kathy Riley, Town Clerk/Property Maintenance Official.**

- **Officer of the Month** for February was awarded to Officer Justin Miller. Chief Fink stated Justin is pro-active in the performance of his duties. He informed Council of his recent actions in taking down a hard criminal stating he did it in a swift and professional manner.

VII. APPROVAL OF MINUTES

- **Public Hearing regarding amendment of Gate City Ordinance, Chapter 4 on February 10, 2015 as presented?** – With no changes requested Mayor Perry approved the minutes as presented.
- **Public Hearing regarding the repeal of Gate City Tourism Zone Ordinance, Chapter 29, Section 29.2 on February 10, 2015 as presented?** - With no changes requested Mayor Perry approved the minutes as presented.
- **Public Hearing regarding the amendment of Gate City Animals and Fowl Ordinance, Chapter 3, Section 3.1 on February 10, 2015 as presented?** - With no changes requested Mayor Perry approved the minutes as presented.
- **Public Hearing regarding the F/Y 2015 Budget CIP Revision on February 10, 2015 as presented?** - With no changes requested Mayor Perry approved the minutes as presented.
- **Council Meeting on February 10, 2015 as presented?** - With no changes requested Mayor Perry approved the minutes as presented.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for February, 2015.

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

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

IX. PUBLIC COMMENT

Betty Spears Hall – Discussed speaking to Town Manager regarding chickens at her property, being informed of the recent ordinance change, having had chickens in the past on the property, currently on market to sell property, prospective buyers expressing interest to have chickens, distributed pictures of the property with chicken coop and ask Council to have the property grandfathered to still be able to have chickens. Town Manager, G. Jones, explained reason for the ordinance change due to complaints and issues. Town Attorney, M. Brooks, explained the legal issues. Council Member, R. Cassell, explained the inability to spot zone and cannot carry the grandfather rights to new owners and cannot make an exception.

Jon McConnell – Discussed letter he received regarding obtaining a permit to discharge a firearm, his intentions of shooting in the mountain next month, will charge anyone who comes on his property with trespassing and he will not ask for permission. Mayor Perry asked if he will hunt. He replied hunt, site guns, target practicing and will leave it to town to do whatever. Mayor Perry stated the town will follow the law. Other topics questioned by Mr. McConnell was

incorporation of his property into the town and he request for water/sewer to the property. Town Attorney, M. Brooks, informed him she or Council cannot provide legal advice, suggests he discuss his concerns with the Town Manager and recommends he seek legal counsel with his questions.

Mayor Perry closed the public comment session at 7:00 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - None

XI. REPORTS

A. Engineer's Status Report - None

B. Treasurer's Report – Vice Mayor, A. Roberts, informed Town Manager of his inability of pulling up PDF files sent from him.

C. Codification Committee/Property Maintenance - Town Attorney, M. Brooks, discussed two cases that went before the court. Council Member, W. Salyers, asked is the process could be speeded up with M. Brooks stating there were ways to speed it up.

D. Police Department Report - None

E. Council Reports – Council discussed recent snow removal for town streets and possible procedures for next year along with flooding situations in the town.

F. Economic Development Committee – Vice Mayor, A. Roberts, discussed meeting every two weeks, Ms. Wagers assistance, web site page for each event, sponsorship letters and McDonald's grand opening.

G. Historical Committee - None

H. Manager – Town Manager read his report as presented in the Council packet.

I. Park Committee – Vice Mayor, A. Roberts, informed Council of representative from Lenowisco attending the meeting and their discussion regarding properties the town owns, need to increase parking at the park and other planned activities.

J. Planning Commission - None

K. Public Works - None

L. Sanitation Authority – Vice Mayor, A. Roberts, commented about the numbers on the financial report is good.

M. Street Commission - None

N. Safety Committee – Council Member, W. W. Ross, Jr., reiterates the need for emergency notification for the town.

O. **Water Plant** – Council Member, W. W. Ross, Jr., discussed the cameras at the plant. Town Manager, G. Jones, stated he did check them and the cameras are running fine.

P. **Events Committee** - None

XII. **UNFINISHED BUSINESS** - None

XIII. **NEW BUSINESS**

- **FY 2016 Local Choice Health Insurance Options** – Town Manager, G. Jones, refers to the information placed in Council packet and explains the various plans, costs and coverage. Informed Council a decision needs to be made and signed off no later than April 1, 2015. Council questioned deductible cost between the plans, difference between comprehensive and the timeframe being too short to make a decision. It was agreed to not decide by to adjourn the meeting to March 24, 2015 at 6:30 p.m. to discuss options to make a decision.
- **Extend Bow Hunting Season in Gate City** – Town Manager, G. Jones, explained VML conference with a break out session with Virginia Department of Game and Inland Fisheries and the topic of extending the bow hunting season in Gate City. He stated the letter of intent need to be received by April 1, 2015. He provided the dates and restrictions that it entailed.

Motion made to apply to extend the bow hunting season in Gate City.

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

VOTE: Yeas, 4
Nays, 0
Absent, 0
Abstain, 1-W.W. Ross, Jr.

- **Approval to advertise for a RFP to Refinance 1984 Series Bond**

Motion made to approve to advertise for a RFP to refinance 1984 Series Bond.

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

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

- **Approval to advertise for a RFP to Raze 398 and 499 East Jackson Street**

Motion made to approve to advertise for a RFP to raze 398 and 499 East Jackson Street.

Town Attorney, M. Brooks, stated the order will need to be renewed.

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

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

- **Approval to advertise for a RFP to Pave Eva Street**
Motion made to approve to advertise for a RFP to pave Eva Street.
 Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts
 VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

- **Approval to advertise for a RFP to Replace Roof Town Hall**
Motion made to approve to advertise for a RFP to replace roof at Town Hall.
 Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell
 VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

- **Approval to appoint Greg Carter to the Sanitation Authority**
Motion made to approve the appointment of Greg Carter to the Sanitation Authority.
 Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts
 VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

- **Approval to have a 2014 Audit Workshop on April 14, 2015 at 6:30 p.m. preceding the regularly scheduled Council Meeting** – Town Manager, G. Jones, stated the auditors has specifically asked for it and provided reasons why. He requests this be placed under new business for next month and to adjust the agenda to place them first to speak.

IV. PUBLIC COMMENT – NEW BUSINESS - None

Mayor Perry closed the public comment session for new business at 7:58 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

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

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

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

Mayor Perry opened the closed session at 7:58 P.M.

XVI. RETURN FROM CLOSED SESSION

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

Motion made for Council to return from closed session.

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

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

XVII. MOTIONS FROM CLOSED SESSION: None

XVIII. ADJOURN

Motion made to adjourn until March 24, 2015 at 6:30 p.m.

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 9:15 P.M., until the next regularly scheduled Council Meeting on April 14, 2015, at 6:30 p.m.

Frances Perry – Mayor

Kathy Riley – Town Clerk