



GATE CITY TOWN COUNCIL MINUTES

April 12, 2016

156 E. JACKSON ST.

6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:30 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Town Clerk – Amanda McKenna

PRESENT: ABSENT:

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

Others present: Cody McElroy, Larry Collins, Tina Nash, and Kitty Barker

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE – Cody McElroy

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Walter Salyers

VOTE: Yeas, 5
 Nays,
 Absent,
 Abstain,

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

- **Officer of the Month- Dustin Folk**
- **2015 Excellence in Waterworks Operations/Performance Award-** Town Manager, Greg Jones stated that he was uncertain if Loretta was going to be able to attend to accept

the award and wanted to know if Council Member, Wallace W. Ross, Jr. would like to attend. Council Member, Wallace W. Ross, Jr., stated that he would like to attend.

VII. APPROVAL OF MINUTES

- **Council Meeting on February 09, 2016 as amended?**
Motion made to approve minutes as amended.
Motion By: Vice Mayor, Allan Roberts 2nd: Council Member, Wallace W. Ross, Jr.
VOTE: All yeah
- **March 8, 2016 Public Hearing for Special Use/Exception Permit as presented?**
Motion made to approve minutes with changes to date from 2015 to 2016.
Motion By: Council Member, Roger Cassell 2nd: Vice Mayor, Allan Roberts
VOTE: All yeah
- **March 8, 2016 Public Hearing for FY-2016 Budget Revision as presented?**
Motion made to approve minutes with changes to date from 2015 to 2016.
Motion By: Council Member, Roger Cassell 2nd: Vice Mayor, Allan Roberts
VOTE: All yeah
- **Council Meeting on March 8, 2016 as presented?**
Motion made to approve minutes as presented.
Motion By: Council Member, Roger Cassell 2nd: Council Member, Robin Richards
VOTE: All yeah
- **March 23, 2016 Special Called Meeting: Employee Healthcare Benefits as presented?**
Motion made to approve minutes as presented.
Motion By: Vice Mayor, Allan Roberts 2nd: Council Member, Wallace W. Ross, Jr.
VOTE: All yeah

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for March, 2016.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Wallace W. Ross, Jr.
VOTE: All yeah

IX. PUBLIC COMMENT

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

X. COMMUNICATIONS -None

XI. REPORTS

- A. **Engineer's Status Report-** Cody McElroy read report. Council Member, Roger Cassell asked if Cody could look into any safety grants that would help out our Police Department. Cody McElroy stated that he would research it. Council Member, Wallace W. Ross, Jr. asked about the water meters that we had installed. Cody McElroy stated that he really didn't believe that was the cause of the water loss, but they were looking into it.
- B. **Manager's Report-** Read Report and went into detail about the Handicap spaces around the courthouse needing to be moved as they are set up incorrectly.

C. Treasurer's Report

D. Codification Committee/Property Maintenance

E. Police Department Report

F. Council Reports – Vice Mayor, Allan Roberts stated that he wanted to give Town Manager, Greg Jones an “At-A-Boy!” because he has been very busy! Council Member, Wallace W. Ross, Jr., stated that the website only had a picture that was taken while the town was under snow and it didn't look as if there were many cars on Jackson St. He further suggested that there should be a picture near the Courthouse while court is in session to make the town appear more populated. He further inquired about the requirements of a business to make it to the website. Town Manager, Greg Jones stated that he would like all of the businesses to be on there. Council Member, Wallace W. Ross, Jr., asked about the requirements to be on it. Town Manager, Greg Jones stated that if they had a business license with the town that was all they needed. Council Member, Wallace W. Ross, Jr., stated that there was no mention of the businesses that were located in Gateway Plaza. Vice Mayor, Allan Roberts stated that at one time the businesses had to go online and claim themselves and that it was their responsibility. Town Manager, Greg Jones stated that we currently are using Trip Advisor and businesses no longer need to claim themselves. Council Member, Wallace W. Ross, Jr. handed out photos that he had taken of the King Ford Property and stated that there was a concern of his that there were no signs there stating that this was Gate City. He believes that the Gateway Sign was nice and it would be a pleasant sign to put there to enhance the beauty of the town. Council Member, Roger Cassel asked Council Member, Wallace W. Ross, Jr., if he realized that the Planning Commission was working on developing that property and that it would not happen overnight. Council Member, Wallace W. Ross, Jr., stated that it would show we are a growing community. He further believes that on the website we should address that there was a movie made in this town as well. He then asked who managed the website. Town Manager, Greg Jones stated that he was primarily responsible for website management. Council Member, Wallace W. Ross, Jr., asked why it took so many months to get things put on the website. Mayor, Frances Perry stated that all the information that he wanted on the website was on there. Council Member, Roger Cassell stated that Mr. Ross needs to realize that Town Manager, Greg Jones can only work on the website in bits and pieces at a time as there are other issues in town such as water loss to be worried about. Council Member, Wallace W. Ross, Jr., stated that he didn't get paid to make improvements to the town. He stated that he was allowed to have an opinion and make suggestions that would better the town. Mayor, Frances Perry stated that he did get paid, but he refuses to take it. Then she further stated that he only thinks of things for someone else to do. Council member, Walter Salyers stated that he wanted to bring up the issue of overnight parking along Jackson St. He stated that there have been Commercial vehicles parking in front of Commercial Electronics on nights and weekends and it is becoming an issue as people have to drive in the wrong lane in order to get around such vehicles. Vice Mayor, Allan Roberts stated that he believes a simple letter to the company would adjust that issue. Council Member, Robin Richards stated that she was approached by someone about the officers in town pulling people over for window tint. She then asked Police Chief, Scott Fink to address the issue. Chief, Scott Fink stated that it was state law for them to pull them over if the tint is too dark. Since it is state law, they are required to enforce it. It would almost be like letting someone go who sped but then pulled over the next one. In law enforcement we are required to act upon law breakers especially when it is in front of us. Council Member, Robin Richards stated that business owners are complaining because people do not want to come into town for fear of getting pulled over. Chief, Scott Fink stated that there were approximately 2 or 3 tickets in the last 6 months for

window tint. He further explained the reason of officer safety. Council Member, Robin Richards asked if it was necessary or if it was something that the town could look over. Chief, Scott Fink stated that it was required as it was the law. Council Member, Robin Richards stated that she just thought we could be a little more visitor friendly towards the situation. Chief, Scott Fink explained that even if he was able to tell her that they wouldn't write any more of the window tint tickets, the state police are still going to be sitting there waiting for them. He stated that a lot of people who get pulled over automatically assume that it was a Gate City officer because they were pulled over in Gate City, but it may be state police. Vice Mayor, Allan Roberts stated that he didn't think 3 tickets in 6 months felt like we were targeting window tint. Mayor, Frances Perry asked how someone could complain about a police officer doing a job that they were hired to do. Council Member, Robin Richards stated that she was not aware it was a state law, but now that she knows she will drop it. Council Member, Wallace W. Ross, Jr., asked Chief, Scott Fink if he was driving in a town police vehicle on a trip could he get pulled over for window tint. Chief, Scott Fink stated that yes because ONLY officers are exempt from the window tint and seat belt rules. Council Member, Robin Richards stated that she had another thing she wanted to talk about. She stated that business owners have been having issues when doing business with the town. She suggested that town hall employees needed to have better community relations with those who do business there. She further stated that she knew someone who came in to open a new water account who stated that they would rather do anything else in the world than to have to come into town hall again. Town Manager, Greg Jones stated that he agreed we needed to work on some community relations to ensure we foster a great experience when they come into town hall. He stated that he had a meeting with the employees and that he really thinks that the new account situation may have happened a little differently from what she was told. He further asked her if it was her almost step-son who made that complaint and she said yes it was. He stated that it had been addressed. Council Member, Robin Richards stated that she found where a dog waste station was located, even took an opportunity to make sure that everything on it was functioning which it was. She then stated that people are just not using it. There were feces everywhere with the station right there! Her final comments were that she attended the Chamber of Commerce Dinner and in the future she thinks it would be great if they each invited an employee and a date to the dinner so they may be able to develop some better relationships with our business owners. Vice Mayor, Allan Roberts stated that maybe it would be a good idea to say something in the Newsletter about the dog waste stations. Town Manager, Greg Jones stated that maybe the people needed to start getting ticketed then maybe that would help. Council Member, Roger Cassell asked the Mayor if she had an opportunity to go to the Board of Supervisors about the Animal Control. Mayor, Frances Perry stated that she was not going down there with no ammo such as information. Chief, Scott Fink stated that there had been contact made with the Attorney General and they are starting to respond and react more than they ever did before so they are confident that there have been some changes. Council Member, Roger Cassell stated that he was glad to see that something was finally happening.

G. Economic Development Committee

H. Historical Committee – Town Attorney, Michele Brooks stated that she is still working to get all of the documents gathered.

I. Park Committee – Vice Mayor, Allan Roberts stated that they have met and they are making progress.

J. Planning Commission

K. Public Works

L. Sanitation Authority-Council Member, Roger Cassell asked if there was any updates that Cody McElroy could give about the sewer mapping that was being completed. Cody McElroy stated that there has been 328 manholes discovered and a lot have been paved over.

M. Street Commission- Council Member, Wallace W. Ross, Jr., stated that he was looking for VDOT to do handrails and refurbish some sidewalks. He would also like us to try to get Park St paved as it is a VDOT Road. Council Member, Roger Cassell stated that if it needed it we needed to send a letter to them to let them know it needed to be done. Mayor, Frances Perry stated that she knew of 1 or 2 streets that the town needed to take care of. Council Member, Walter Salyers stated that we are halfway doing the repairs and may need to look at taking it all up and putting down fresh. Mayor, Frances Perry stated that Richmond, Chestnut, and Lombard Streets needed to be addressed. Council Member, Roger Cassell stated that he and Greg Jones were going to drive around and look at these roads.

N. Safety Committee – Council Member, Wallace W. Ross, Jr., stated that he was still wanting to get a community notification system as he had mentioned before and also check into more cameras for the park.

O. Water Plant – Council Member, Wallace W. Ross, Jr., stated that the cameras go black at the water plant and he is concerned about them because he wants to make sure no one is able to go put things in the drinking water and infect the town. Council Member, Roger Cassell asked why Mr. Ross was down at the water plant in the first place. Council Member, Wallace W. Ross, Jr., stated that it was his responsibility as he was on the safety committee and water plant committee. He further stated that he was there to learn.

P. Events Committee

XII. UNFINISHED BUSINESS

- **Vehicle Use Policy**- Town Attorney, Michele Brooks stated that she had checked into the Americans with Disabilities Act and surprisingly she doesn't believe that this policy applies. The Act was put into place for those who have a pronounced disability and if travel is REQUIRED. Council Member, Roger Cassell stated that he would still like the verbiage to include committee members. Council Member, Robin Richards asked if it would still be majority rules. Town Attorney, Michele Brooks stated that yes it would. Council Member, Robin Richards asked what would happen if there is an imminent need to go on a trip and the Council had not yet convened on the issue. A suggestion was made that the policy include verbiage that the Mayor would approve who goes on trips when needed. Council Member, Walter Salyers stated that right after the meeting there was a police officer who was shot just for being in his car at a red light and that maybe it was time to start looking for a town vehicle because it would be dangerous for our employees to be putting themselves in harm's way just because of the vehicle they are driving. Council discussed tabling the issue, when Council Member, Wallace W. Ross, Jr., stated that he was pretty sure you could only table an issue 3 times before it was killed. Town Attorney, Michele Brooks looked it up and stated that it was in fact after the 2nd time, however on the next meeting it would be placed under New Business.

XIII. NEW BUSINESS

- **East Jackson Street Sidewalk Project: Amend our task order to cover the environmental effort.**

Motion made to amend the task order.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Roger Cassell

VOTE: Yeas, 5

- **Proposed wall behind the Theater on Jackson Street. Food Pantry to build wall, Town to pay cost.**

Discussion held to respectfully decline the offer from the Food Pantry as the Town feels it is their responsibility to have this project completed. It is town property and the Food Pantry is there to help people so the town needs to do its part and take care of its own property.

- **Kitty Barker, Director of Heart of Appalachia, Sponsorship/Advertising Opportunities Gave a presentation about what they can do with advertising for Gate City.**

- **Dorcas Smith and Lillie Osborne Seeking Council approval for Chickens in Town.**

Larry Collins is the current owner of the property and stated that he believes he should be grandfathered in and allowed to have his chickens in town limits. Town Manager, Greg Jones informed Mr. Collins that unfortunately his chickens were not in an agricultural zoned location. Town Attorney, Michele Brooks further informed Mr. Collins that chickens were in fact included in the State's definition of the term livestock. She further offered to check into the issue further and stated she would get Mr. Collins further information within the week in the form of a letter about the chickens. Mr. Collins stated that that was not good enough and that he had already moved his chickens in fear of getting a fine, but he would just take them elsewhere and move out of town limits so that Town Attorney, Michele Brooks did not have to do any further research. Mr. Collins then left the building. No action was taken.

- **Police Department: Standard of Operations Approval**

Discussion was held to move this to old business on the next agenda and take no action as they would like to have more discussion about the Towing Enforcement Section.

- **Trash Can Notice of Violation Letter**

Discussion held about why the letter was needed such as approximately 65 residents and 5 businesses not abiding by the current ordinance and the need to make people aware of the issue. Many of the cans out there now are between 64-100 gallon cans and when they are full it is near impossible for the guys to pick them up. Council Member, Walter Salyers wanted to make sure that we inform the guys also that they need to treat the trash containers more respectfully as they have lost lids by throwing them and have broken cans by tossing them down to the ground.

Decision made to send the letter as needed.

- **Request for proposals: Wall at the Scott County Historic Society building.**

Motion made to receive proposals for the wall.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Robin Richards

VOTE: Yeas, 5

- **Virginia Retirement System Employer Contribution Rate Election**

Motion made to select the 5.28% option.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Roger Cassell
VOTE: Yeas, 5

- **Police Video Camera System Replacement: Funding to come from Gate City Asset Seizure Account.**

Motion made to transfer funds from Asset Seizure Account to the General Account in the amount of \$9,960.00.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Robin Richards
VOTE: Yeas, 5

- **Close out Rural Development Construction account and transfer \$20,765.80 to Capital Outlay Account**

Motion made to transfer \$20,765.80 to Capital Outlay.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Roger Cassell
VOTE: Yeas, 5

- **RFP: Life Insurance, Long and Short Term Disability Quotes.**

Motion made to seek RFP's for life insurance, long and short term disability quotes.

Motion by: Council Member, Roger Cassell 2nd by: Vice Mayor, Allan Roberts
VOTE: Yeas, 5

- **RFP: Pave access area to Scott County School Board's baseball field and parking lot aka Sports Complex.**

Motion made to seek RFP's to pave the access area to the Sport's Complex.

Motion by: Council Member, Allan Roberts 2nd by: Council Member, Roger Cassell
VOTE: Yeas, 5

XIV. PUBLIC COMMENT – NEW BUSINESS

XV. CLOSED SESSION

**Motion made for Council to enter into closed session to discuss 1.)Legal Issues
2.)Personnel Issues**

Motion by: Council Member, Roger Cassell 2nd by: Vice Mayor, Allan Roberts
VOTE: Yeas, 5

Mayor Perry opened the closed session at 9:35 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:48 P.M.

Motion made for Council to return from closed session.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Walter Salyers
VOTE: Yeas, 5

CERTIFICATION OF CLOSED MEETING – Read by: 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: Yeas, 6

XVII. MOTIONS FROM CLOSED SESSION:

Council returned from closed session at 10:00 P.M.

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Vice Mayor, Allan Roberts 2nd by: Council Member, Walter Salyer

VOTE: Yeas, 5

*Mayor Perry adjourned the meeting at 10:00 P.M., until the next regularly scheduled Council Meeting on May 10, 2016, at 6:30 p.m.

Frances Perry – Mayor

Amanda McKenna – Town Clerk