

TOWN COUNCIL MINUTES

Gate City Town Council Minutes
April 12, 2022
156 E. Jackson St., Gate City, VA
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:33 P.M. BY: Mayor – Bob Richards

II. ROLL CALL – Deputy Town Clerk – Lisa Loggans

	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	

Others present: Jason Snapp, Mattern & Craig; Gabe Edmunds, Virginia Star, Chief Justin Miller

III. INVOCATION – Allan Roberts

IV. PLEDGE OF ALLEGIANCE – Justin Miller

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Robin Richards 2nd by: Allan Roberts

VOTE: Aye, 5
Nay,
Absent,
Abstain Motion carried.

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

None.

VII. APPROVAL OF MINUTES

1. Approval of March 8, 2022, Town Council Minutes

Motion made to approve minutes as presented.

Motion by: Allan Roberts 2nd by: Robin Richards

VOTE: Aye: 5
Nay:
Absent:
Abstain: Motion carried.

2. Approval of March 29, 2022, Public Hearing Meeting Minutes

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 a 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 that have been addressed and returned for final approval. Once the PER 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. M&C has submitted an additional funding request on behalf of the Town that will allow the design and construction of all the improvements recommended in the PER.

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.

VDH ARPA Application: M&C is currently working on a VDH ARPA Grant Application for submission that will fund the recoating/rehab of 3 of the Town's water storage tanks. The Application is due by May 6th.

B. Town Manager's Report

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

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

March 2021 –

- 554 Park Street: Rehab complete
- 559 Park Street: Continuing to seek relocation
- 571 Park Street: Rehab complete
- 559 Park Street: Property Owners no longer interested in program.
- 608 Park Street: Demolition complete
- 609 Park Street: Rehab 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.

April 2022 – Phase I is complete. A compliance review will be held prior to closing this project in the next couple of weeks.

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

The Public Hearing was conducted on March 29th, 2022. Council approved the resolution of support during the Called Meeting on March 29th, 2022. The grant application was submitted on April 1st, 2022.

- **Estil Cemetery Restoration Project**

March 2022- Tombstone restoration by Highland Monument Conservation is ongoing. Seventy percent of the tombstones has been treated and cleaned.

April 2022- It was reported that the fence was pulling away from the fence frame. I have contacted the vendor. Repairs should be made shortly.

- **Banner Project**

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

March 2021 – A letter of default has been sent to Southern Graphics. The deadline to meet the conditions of the default letter is March 7th, 2022.

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.**

April 2022 – Letter of default has been sent to Southern Graphics. They did not respond. We are in the process of obtaining new quotes.

- **Dog Park Project**

March 2021 - The Public Works Team has completed cleaning out the drainage line so that it will have better flow. The drainage line is managing the 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 interested in this project.

March 2021 – Egan Construction has been awarded the contract to raze both houses. Work should be completed in thirty days.

April 2022 - Egan Construction will begin the demolition within two weeks.

- **Budget FY 2023**

The Finance Committee has met on March 17th, March 31st, April 7th, and April 11th. The draft Capital Improvement Plan, Long Term Debt, Employee cost, and draft budgets have been produced. Council Action: **Approve Public Hearing on May 10th, 2022.**

- **Franklin Street Paving Project**

We have received three quotes to pave Franklin Street. Council Action: Approved Turner Paving proposal in the amount of \$13,900.00.

- **GATE CITY WATER LEAKS**

<u>Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
220 Ravine Street	3/7/2022	¾ CTX; 1-¾" band; 1 ton rock
May Drive	3/17/2022	1-¾" band; ½ ton rock

Note: Water Loss is up to 42%. **Council Action: Approve Rye Engineering to conduct water leak survey.**

C. Attorney's Report

- **169 Reed Hollow Road**

Lawsuit: This court case was held on March 28, 2022. The defendant did show up to court. The Judge gave her an abatement period. The defendant states that work is in process.

- **248 Ravine Street**

Lawsuit: Judge ordered abatement. The defendant did not show up.

- **195 Ravine Street**

Lawsuit: Judge ordered abatement. The defendant did not show up.

- **394 Highland Street**

Lawsuit: Waiting on Service of Process

- **209 Highland Street**

Lawsuit: Waiting on Service of Process

- **00000 Red Hill Road**

Lawsuit: Waiting on Service of Process

Attorney Michele Brooks stated that the Transient Tax bill that Scott County sent to local businesses in Town is not applicable to businesses in Gate City. Virginia Code 58.1 S37.11 states that County tax imposed does not apply to the Town because the Town has already imposed the same tax.

Attorney Brooks informed Council that the state Cannabis legislation has failed to pass. The 3% tax on Cannabis products was in the legislation that failed. This legislation will be brought up again next year. This did not halt the legalization of Cannabis in 2024.

Council Member Roger Cassell asked if the state addressed the Skill games. Attorney Brooks stated she did not investigate that but will. Council Member Cassell asked if we are still receiving the taxes from Skill games. Town Manager Jones stated that the Town was receiving the tax up until last November.

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

Council Person Roger Cassell: Planning Commission is starting to see more requests for Air BnB's. The Zoning Ordinance does not specifically mention Air BnB's. Only boarding houses and tourist homes which are close to the same definitions as Air BnB's. The Planning Commission is looking to update ordinance to include Air BnB's.

The light over the Gateway Park sign has been installed.

Reported that people are starting to respond to the Dog Park that is currently being developed. The project will be well appreciated and used once the project is completed.

Vice-Mayor Robin Richards: Discussed the need to purchase two porta johns for our events. Two porta johns cost \$640/day to rent. Would like the Town to think about using the ARPA funding for the porta johns and handwashing station.

May 21st, 2022: Gravel at the Gate – Bike Ride

May 28th, 2022: Jeep Jamboree

September 3rd, 2022: Free Christian Concert

Volunteers are needed. There will be a meeting for Volunteers on April 21st at the Family Bakery.

April 23rd, 2022: Town cleanup day.

Reported that Gate City is receiving more people in Town due to the events and advertising.

Council Member Tyler Kilgore: No report

Council Member Allan Roberts: The banner for the Jeep Jamboree will be put up over King Alley shortly. Commended Mr. Gabe Edmunds of the Virginia Star for the article about Gate City in the annual Progress Edition.

Council Member Wallace W. Ross, Jr.: Asked how much it would cost the Town to purchase a traffic light at the Manville and Jackson Street intersection. Vice-Mayor Richards stated that is a VDOT street. Council Member Roberts asked if the Town could get a Speedometer to help with traffic on Jackson Street. Vice-Mayor Richards asked Council Member Ross to contact VDOT via email and ask. Council Member Ross stated that a Business District sign is needed on Rt. 23. Council Member Ross asked if the new banners can be mixed in with the banners the School Board recently put up. Town Manager Greg Jones stated that the banners the School Board recently put up is temporary until the Town banners can be located. Council Member Ross stated that the Picnic tables at Gateway Park are not visible because they are in the shade. Council should look at upgrading the parking lot on Water Street. Council Member Ross stated the Town should have a booth at the VML event. Vice-

Mayor Richards agreed and said she will help man the booth. Vice-Mayor Richards stated that Council Member Ross should be in charge of this effort. Council Member Ross stated that we should capitalize off Daniel Boone since the Wilderness Road runs by Gate City. Mayor Richards commended Council Member Ross on his ideas, and he needs to see them through.

Mayor Bob Richards: Mayor Richards commended Council Member Cassell for his help with one of the businesses in Town. Council Member Cassell helped the owners of the new Mexican Restaurant to find electrical contractors.

- E. **Police Department** – Mayor Richards asked about the increase in calls. Chief Justin Miller stated the Police Department normally gets more calls when it gets warmer outside. Calls will peek around July before they start to decrease.
- F. **Sanitation Authority** – Sanitation Authority Chairperson Roger Cassell stated that one of the board members resigned. The qualifications to serve on the Gate City Sanitation Authority is that you can either live in Town or own land in Town. The Sanitation Authority typically meets quarterly and is looking for someone to fill the vacant board member position.

XII. UNFINISHED BUSINESS

Replace beams at Gate City Theatre

Town Manager Greg Jones stated that Mattern & Craig, Inc. will have a structural engineer evaluate the beams at the Gate City Theatre. Council Member Roberts stated that a contact he knows with VDOT has given him three construction companies who can evaluate the beams.

XIII. NEW BUSINESS

1. Franklin Street Paving Project

Motion made to award the paving project to Turner Paving in the amount of \$13,900.00

Motion by: Allan Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

2. Refuse Collection Policy

Attorney Michele Brooks stated that she has reviewed other localities Refuse Collection Policy. Attorney Brooks asked if the Town is going to require everyone in Town to use the trash containers? Council stated that everyone will be required to use the trash containers and nothing else. Council Member Cassell stated that the new trash containers will be 96 gallons. Council Member Roberts stated that the new trash containers will work with the new Trash truck that is on order. Council Member Cassell stated that the residents will need to put their trash in approved trash bags. The Town will not pick up loose trash. The trash will need to be bagged and placed into the new trash containers. Council Member Ross asked if the new Trash truck will be able to go all over Town. Town Manager Jones stated that we will discuss that a little later own in the agenda. Loose trash that is discarded around the trash containers can be a litter violation. Town Manager Jones asked if littering offenses will be charged by the Police Department. Attorney Brooks stated that the Gate City Police would issue the littering citations. Attorney Brooks asked if residents get a second trash container and they pay for it, do they own it? Or do we charge rent? Council stated the second trash container can be rented to the residents if they need it.

3. Trash Can Quotes

Motion made to order 1,100 96 gallon trash containers in blue from Mid-Town Equipment in the amount of \$59.50 each plus shipping. ARPA Funds will be used for this purchase.

Motion by: Allan Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

4. VDOT Resolution: Funding Commitment & Signature Authority

Motion by: Allan Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

5. ARPA Budget

Town Manager Greg Jones presented Council with a draft ARPA Budget as recommended by the Finance Committee. Town Manager Jones stated that if Council would like to make changes to let him know. The equipment purchase will include trash can containers; equipment includes a trash compactor that will fit in a bed of a truck, trash, and sanitation trucks, and razing delapidated homes. With the new Trash Truck and compactor, we will be able pick up everyone's trash throughout town. The ARPA funds have to be obligated by December 2024 and spent by December 2026. Vice-Mayor Richards stated that she would like to see the ARPA funds used to pave the parking lot on Water Street. Council Member Roger Cassell commended Mr. Dale McConnell for the research he did for the equipment the Public Works team needs.

6. FY 2023 Budget: Capital and Community Improvement Plan

Town Manager Greg Jones submitted the draft Capital Improvement Plan to Council as recommended by the Finance Committee. The Capital Improvement Plan tracks projects and equipment replacement through 2026. The plan includes the projects Council approved last year. The projects that are highlighted in green are projects proposed to be paid with the ARPA funding. Between now and 2026 there are \$17.9 million in proposed projects through 2026.

7. FY 2023 Budget: Submit Draft Budget to Council

Town Manager Greg Jones presented the draft FY 2023 Town Budget as recommended by the Finance Committee. The Public Hearing is proposed for May 10th, 2022 and Council will vote on the final budget on June 14th, 2022. The Water Fund expenditures have gone up. The chemical costs have gone up dramatically in the past year. Water rate increase will be needed for the next fiscal year to balance the budget. The Town's Bondholders require a Debt Service Coverage Ratio of 115% meaning the Town needs enough revenue to pay for operational cost and have enough left over to pay for long term debt plus 15%. If we do not increase the water rates, we are looking at having a 66% Debt Service Coverage Ratio. Mattern & Craig, Inc. will be proposing the new water rates in a few months.

8. FY 2023 Budget: Approve Public Hearing for May 10th, 2022

Motion made to have a Public Hearing to seek public comment on the proposed FY 2023 Town Budget on May 10th, 2022.

Motion by: Allan Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

9. CLOSED SESSION

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

Motion by: Robin Richards

2nd by: Allan Roberts

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

Mayor Richards opened the closed session at 8:16 P.M.

10. 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:

Absent:

Abstain:

Motion carried.

Council returned from closed session at 9:32 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: Bob Richards, Robin Richards, Allan Roberts, Tyler Kilgore, Roger Cassell, and
Wallace W. Ross, Jr.

Nay: None

Absent:

Abstain:

11. MOTIONS FROM CLOSED SESSION:

1. Vice-Mayor Robin Richards motioned to have a Public Hearing on May 10th, 2022 to seek public input on Council Pay amendment.

Second by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

2. Vice-Mayor Robin Richards motioned to hire Ms. Jennifer Taylor for the Position of Town Clerk. In the event that Ms. Taylor does not accept the position, candidate B will be offered the position.

Second by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

3. Council Member Allan Roberts motioned to accept Ms. Brittany Black's resignation as Town Clerk.

Second by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

4. Council Member Allan Roberts motioned to increase wages for employees who did not receive a pay amendment in the amount of 6%.

Second by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

5. Council Member Roger Cassell motioned increase the wage for the Town Manager to \$73,000.00 to take effect on July 1st, 2022.

Second by: Allan Roberts

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion carried.

12. Water Loss Accountability: Rye Engineering Water Loss Survey

Motion made to hire Rye Engineering to conduct a water loss survey for \$31,000.00

Motion by: Allan Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

13. VDH ARPA Grant: Water Tanks Painting and Maintenance

Motion made to apply for the ARPA VDH grant for Water Tank Painting and Maintenance.

Motion by: Allan Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

14. VDH ARPA Grant: ARM Water Meter Reading System

Motion made to apply for the ARPA VDH grant for ARM Water Meter Reading System

Motion by: Allan Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion carried.

15. ADJOURN

Motion made to adjourn.

Motion by: Allan Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

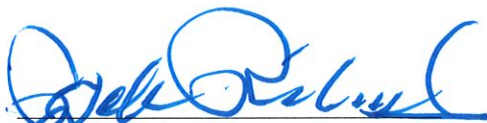
Absent:

Abstain:

Motion carried.

Mayor Richards stated during budget discussions we all have difference in opinions. Mayor Richards appreciated Council for conveying their opinions in a respectful manner. Mayor Richards stated that we got things accomplished.

*Mayor Richards adjourned the meeting at 9:47 P.M., until the next scheduled Council Meeting on May 10, 2022, at 6:30 p.m.



Bob Richards – Mayor



Lisa Loggans – Deputy Town Clerk