

***GATE CITY TOWN COUNCIL MEETING &
PUBLIC HEARING***

***APRIL 8, 2008
156 E. JACKSON ST.
6:00 PM***

PRESENT: Mayor Jenkins
Vice-Mayor Tipton
Council Hurt
Council Cassell
Council Perry

ABSENT: Council Herron

I. PUBLIC HEARING CALL TO ORDER

Mayor Jenkins opened the Public Hearing regarding water policy amendments at 6:02 P.M.

II. PUBLIC COMMENT

Mayor Jenkins asked if anyone had any questions or comments. Mike Carrico said he has reviewed the policy and the changes that have been made.

A. Debbie Kindle

Mrs. Kindle asked the Council if there is supposed to be a copy available for those attending the meeting to review. Mike Carrico told her there should be a copy. Council Cassell said there has been a copy of the water policy on file in the Town Hall, and he also said the biggest changes to the policy included changes to fines, penalties, and adjustments. Mrs. Kindle asked if Public Works could give residents a notice and ask them if they are able to pay their bills before their water is disconnected. Mayor Jenkins responded by saying that customers are already two months past due when their water is disconnected.

B. Wallace W. Ross, Jr.

Mr. Ross asked the Council if the water policy will be amended based on the concerns citizens present at the Public Hearing. Mike Carrico answered Mr. Ross by saying that people can put their input in and suggest changes. Mr. Ross asked how the Council could evaluate and make changes if they didn't have any overall evaluation. Mr. Carrico said the policy affects whole changes, and the water policy won't necessarily be passed at this meeting. Council Cassell said that many of the changes being made are corrections to typographical errors that have gone uncorrected. He then explained various examples of changes to the policy.

Council Cassell stated that he, Council Perry, Cindy Coates, and Rhonda Stacey spent over 6 hours examining the policy so that now anyone can come and look at the policy and be able to understand it. He also mentioned other big changes. Tap fees will now be simpler, and equal fees will be due upon connection for both renters and owners. In-town transfer customers with good credit will not be charged an additional deposit. Debbie Kindle commented that there has never previously been a time for the audience to comment. Mayor Jenkins proposed to close the public hearing and re-advertise for another public hearing concerning the water policy to be held next month.

Mayor Jenkins adjourned the Public Hearing at 6:29 P.M.

III. COUNCIL MEETING CALL TO ORDER

Mayor Jenkins called the Town Council Meeting to order at 6:29 P.M.

IV. ROLL CALL

PRESENT: Mayor Jenkins
Vice-Mayor Tipton
Council Hurt
Council Cassell
Council Perry

ABSENT: Council Herron

V. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation: Bob Copeland
Pledge of Allegiance: Chuck Newton, Sergeant at Arms

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

- A. Mayor Jenkins congratulated Steve Templeton on his appointment as Town Manager, Jean Shell on her appointment as Treasurer, and Audra Fritz on her appointment as Town Clerk.
- B. **Peggy McLain – Daughters of the American Revolution**
Ms. McLain with the National Society of the Daughters of the American Revolution presented the DAR Community Service Award to Mr. Ernest J. Trig Robinette. She explained that this award is a National Award and congratulated Mr. Robinette for receiving the award. Ms. Gene McClellan will present Mr. Robinette with the paperwork. Mayor Jenkins thanked Mr. Robinette for his hard work.

VII. COMMUNICATIONS

Robert Mullins was unable to attend the meeting. Mike Carrico will be meeting with Mr. Mullins on April 25 to discuss property codes.

*Mayor Jenkins closed the Communications session and opened the Reports session.

VIII. REPORTS

A. Manager

Steve Templeton explained that he has only been serving as Town Manager for six days. He has been spending time with Cindy Coates to become familiar with the different duties he will be fulfilling as Town Manager. Mr. Templeton has met with Andy Miles of Arnette and Muldrow. Stoney Falin has taken Mr. Templeton around town to see areas that have been affected by the water policy amendments in the form of new sewer charges. He has also been reading town policies and procedures, and he attended computer training for the ArcReader mapping software. Mr. Templeton expressed his

excitement to be serving the Town of Gate City. He feels the town has a great staff and leadership, and he believes Gate City is on the right path to revitalization.

B. Police Department

The council received a copy of the monthly report from Jason Cox. Mayor Jenkins said the Police Department had done a lot of work during the previous month. Chief Cox said warmer weather brings busier times.

C. Public Works

Mayor Jenkins asked Stoney Falin if there had been much flood damage. Mr. Falin said there had not been much damage, just a lot of trash. Mayor Jenkins also stated that the town needs to advertise for people interested in mowing and weed-eating. Mr. Falin agreed.

D. Water Plant

Loretta Cruby announced that the Water Plant will be receiving an award for excellence in water treatment. Mayor Jenkins congratulated Ms. Cruby and said the town would be represented at the awards ceremony. Ms. Cruby said the consumer report will be sent out soon. Water loss for the month is a little high, and Ms. Cruby believes it is attributed to seed companies sowing grass seed without permission to use Town water. Mayor Jenkins said the Police Department needs to look into that situation. Council Cassell asked for a ballpark figure of unaccounted hydrant usage. Stoney Falin said Ms. Cruby does a good job and would be hard to beat.

E. Sewer Plant

None

F. Planning Commission

The Planning Commission has received a request from Ronnie Lane concerning rezoning portions of property from residential to commercial. The Town Council and Planning Commission recently held a joint commission to rezone from RI to CI.

Council Tipton stated that there has been an applicant for the Planning Commission. She suggested they wait until a time when they actually need to fill the position in order to comply with the by-laws stating that the commission should include five **OR** seven members. Adding another member at this time would give the Planning Commission six members.

G. Street Committee

The Street Committee has been in contact with Tim Addington. Mr. Addington said certain streets were not named because they were missed during the naming process. Wallace W. Ross, Jr. showed the Council a picture of Gravel Street. Mike Carrico said it was a matter of getting a survey done and then waiting until the survey has been completed. He said Tim Addington would need to be contacted and the street could be named through 911. Council Cassell said he would feel better if the Town waited until surveying has been completed. This process would be done with no cost to the Town.

Two different residents have complained of people parking on the streets. The street signs that say "No Parking" are faded. Jason Cox will watch and enforce the parking regulations.

Council Cassell addressed the issue of paying to have the Town's ArcReader software updated with the latest re-zoning information. He said the price would be a small amount to owe for the information.

H. Sanitation Authority

None

I. Economic Development Committee

Council Tipton stated that the Economic Development Committee is working on the National Historic Registry. Jay Dixon is working on what needs to be done. Council Tipton hopes that the gate signs will be done by June 13, 2008 for the Clinch Mountain Music Fest. During the Clinch Mountain Music Fest there will be one stage in front of the Town Hall and another stage in front of the Courthouse. During this year's festival the town is planning on controlling crafts to save space. Council Tipton said they are expecting more people to attend this year, and she also said the Economic Planning Commission is planning on sending a formal invitation to Virginia Governor Tim Kaine. Mayor Jenkins stated that he has already sent an invitation to the Governor. The Economic Development Committee is meeting Monday, May 5 to discuss the Town's comprehensive plan.

J. Water Committee

None

K. Park Committee

The Park Committee will be meeting April 9 at 10:00 a.m., and they will have more information at the next council meeting. Mayor Jenkins thanked VDOT for cleaning the wall coming into Gate City. They are going to touch up the other wall.

L. Council Reports

M. Treasurers Report

Cindy Coates was not present at the meeting. The Council had copies of the Treasurer's report. Mayor Jenkins pointed out cost differences in random employee drug testing costs. He stated that he was going to find out what caused those differences.

Council Perry proposed that an open reception for the Town to meet the new Town Manager and Treasurer be held on April 24 or April 25, 2008. The issue was moved to New Business.

*Mayor Jenkins closed the Reports session and opened the Public Comment session.

IX. PUBLIC COMMENT

A. Tommy Quillen

Mr. Quillen asked the Council when they expect to hear whether or not the Town will receive the CDBG grant money. Mike Carrico said they should know by June 2008. Mr. Quillen asked if it looked favorable for the town. Mr. Carrico told him it that it does look favorable but we need to continue to push for support. Mr. Carrico also commented on the great turnout supporting the project that was lacking during the last application. Mayor Jenkins said the Lenowisco representative was very impressed with the Town's efforts.

B. Ray Kilgore

Mr. Kilgore told the Council that he has two water bills in the amount of \$1000 and \$800. He has only had one leak but that one leak has affected two water bills. The Town notified Mr. Kilgore of his leak. After Mr. Kilgore fixed the leak his next bill was \$1000. Mr. Kilgore only got an adjustment on one bill, and inquired of the Council whether or not he was entitled to an adjustment of both since they occurred as a result of only one leak. Mike Carrico said they would have to look into what happened between the time Mr. Kilgore was contacted by the Town and the time when he received his second bill. Council Cassell said the water lost from the leak was still water that the Town had to treat and ended up losing. The Council suggested that Town Manager Steve Templeton look into and address the situation. The Council will make a decision on Mr. Kilgore's case at the next meeting.

C. Wallace W. Ross Jr.

The Council received a communication from Wallace W. Ross Jr. regarding several issues. Mr. Ross inquired about the money spent for the development of downtown Gate City. He stated that \$50,000 was spent on the planning for the Performing Arts Center. The Council said that was not true. \$35,000 of grant money was spent on the planning of the downtown revitalization projects. Mr. Ross asked the Council what the Town's budget will be for this year. Mayor Jenkins said the Town has a budget of \$1.9 million.

Mr. Ross showed the Council several pictures of properties that need improvement. Mr. Ross stated that nothing has been done to improve these properties for two years. The Council informed Mr. Ross that certain streets have been given to VDOT for maintenance. Mr. Ross said he had concerns about giving streets to the state because nothing gets taken care of when that happens. Mr. Ross asked the Council if it would be possible to correct these building and streets that are in such bad shape. Council Cassell asked Mr. Ross to write down the street names and they will look at and prioritize the streets.

Mr. Ross asked if public comment was still limited to 5 minutes per person. Mayor Jenkins told Mr. Ross that there needs to be a maximum amount of time for total public comment. The total amount of time will be divided among everyone who wished to make a comment during the public comment session.

X. CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

MOTION: Motion by Perry, Seconded by Tipton
To approve the Consent Agenda.

VOTE: Yeas, 4
Nays, None
Absent, Council Herron

- A. Approval of Town Council meeting minutes of March 11, 2008.
- B. Approval of bill payments for March 2008 in the amount of \$133,135.53.

*Mayor Jenkins closed the Consent Agenda and opened the Unfinished Business session.

XI. UNFINISHED BUSINESS

*Mayor Jenkins altered the schedule to let Jason Cox present his information second.

A. Fireworks Display

Bob Smith of Dynamic Effects Fireworks Company needs to know if the Town will be using his services for the Town’s 4th of July celebration. Mr. Smith can do the fireworks show for \$4995. Cindy Coates will have a draft budget by May. The budget for this activity has been \$3000 in the past years. Council Cassell said the Town would be getting a professional fireworks show with no liability to the Town for \$1900 more than is usually paid for the show. This year’s budget has already been spent, and the new amount has to be in the proposed budget. A public hearing must be held before the Town can enter into a contract with Mr. Smith. This issue can not be voted on at the present time, but the Council can further discuss whether or not it will be added into the budget. It can not be voted on until the issue is presented to the public. Mayor Jenkins suggested that the town have a celebration without fireworks because of the liability. He also proposed that the Town focus on growing the Clinch Mountain Music Fest and make it the main focus of summer festivities.

B. Police Vehicles

The Council received copies of bids for an Explorer and Crown Victoria. These bids are in regards to the Department of Agriculture and Rural Development Grant. Mike Carrico said the grant is a 50/50 grant meaning the Town has to pay 50%. Mr. Cox said he was currently in the process of looking at different routes but the Town will not be paying a lot to get these vehicles. Mr. Cox does not expect delivery of the vehicles until July or August. Mr. Cox said the money will be secured. The Police Department has five vehicles to sell and place towards the purchase of the new vehicles. Mr. Carrico suggested the Council make a motion to bid on lowest 50/50 funding contingent on Police Department securing the necessary funds.

MOTION: Motion by Perry, Seconded by Cassell
To approve the lowest bid contingent on Police Department securing the funds.

VOTE: Yeas, 4
Nays, None
Absent, Council Herron

C. Issue regarding stray cats/dogs at large complaints

Council Perry has been approached by several citizens concerning the problem of stray cats and dogs running at large through the town. She has received communication from three people about a house that has 25-30 cats in it. These cats are free to run all over the neighborhood. Council Perry asked what could be done to control the situation. Council Cassell stated that he has received complaints about dogs running loose, and he has had contact with the County who is willing to pick up stray dogs. Mike Carrico said the Commonwealth’s Attorney needs to be made aware of the situation in order to enforce and charge the private in-home “humane society” that is home to the 25-30 cats mentioned by Council Perry. Council Cassell said the dogs are causing accidents and the Town needs a leash law regardless of whether or not the animals have tags. Mr. Carrico suggested that the Town Manager meet with the County Administrator and work with Rufus in order to get the situation taken care of and to let the public know something is being done.

*Mayor Jenkins closed the Unfinished Business session and opened the New Business session.

XII. NEW BUSINESS

*Resolution for Property Maintenance enforcement was deferred to the next Council Meeting

A. Issue of providing garbage services to residents outside of town limits

Mayor Jenkins had previously asked Stoney Falin if it would be possible to go to a five day trash pick-up routine. Mr. Falin said he feels like it can be done. This new routine would include approximately 35-40 extra customers. This decision would hinge on whether or not the majority of residents affected would want the service. Town Manager Steve Templeton will look at the potential ways to provide this service.

B. To advertise for a Public Hearing on water policy revisions

MOTION: Motion by Cassell, Seconded by Tipton
To hold a Public Hearing for the amended water policy to precede the regularly scheduled Town Council Meeting.

VOTE: Yeas, 4
Nays, None
Absent, Council Herron

C. Joint Public Hearing of Town Council and Planning Commission

MOTION: Motion by Perry, Seconded by Tipton

VOTE: Yeas, 4
Nays, None
Absent, Council Herron

D. Town Manager and Treasurer Reception

MOTION: Motion by Cassell, Seconded by Perry
To hold a reception to meet the Town Manager and Treasurer on Friday, April 25, 2008 from 2 P.M.-6 P.M.

VOTE: Yeas, 4
Nays, None
Absent, Council Herron

XIII. ADJOURN

MOTION: Motion by Cassell, Seconded by Tipton
To adjourn the meeting.

VOTE: Yeas, 5
Nays, None
Absent, None

*Mayor Jenkins adjourned the meeting at 8:25 PM.

Mayor Mark Jenkins

Town Clerk Audra Fritz