

# TOWN COUNCIL MINUTES



Gate City Town Council Minutes  
April 9, 2019  
156 E Jackson Street  
6:30 PM

**I. COUNCIL MEETING CALLED TO ORDER AT 6:33 P.M. BY: Mayor - Frances Perry**

**II. ROLL CALL – Deputy Town Clerk – Lisa Loggans**

PRESENT: ABSENT:

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

Others present: Debbie Kindle, Tommy Quillin, Debra Gillenwater, Billy McClellan, Thomas Lovell, D. Lovell, Leonard Taylor, Sherry Edwards, Melanie Spencer, Kevin Barnette, George Hunley, Ada Hunley, Myra Taylor, Melanie Spencer, Jason Barr, Jennifer Hartman, Joe Hall, Sherry Rowe, Mattie Lovell, Patricia Casteel, Tony Casteel, Landon Ellis, James Wood, Lisa Estep, Camron Estep, Mike Peaks, Rebecca Crockett (Lenowisco), Kevin Barnette (Pastor), Josey McDairnie, Emma Borders, Chris Borders, Jason Snapp (Mattern & Craig), Marley Brooks, Chief Terry Sivert

**III. INVOCATION – Pastor, Kevin Barnette**

**IV. PLEDGE OF ALLEGIANCE - Chief, Terry Sivert**

**V. APPROVAL OF AGENDA**

**Motion made to approve the agenda.**

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Ron Kindle

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**

- **Approval of March 12, 2019, Town Council Public Hearing Minutes  
Motion made to approve minutes as presented.**

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Approval of March 12, 2019, Town Council Minutes**  
**Motion made to approve minutes as presented.**

Motion by: Roger Cassell

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

### **VIII. APPROVAL OF PAYMENTS**

**Motion made for approval for payment of bills for March 2019 as presented.**

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

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

1. **Tommy Quillin** (Property is in Tommy's name- Reservoir Location): Quillin stated that he is concerned about the progress of a question that he stated a few months ago concerning the property near the reservoir that is titled in his name. Town Attorney Michele Brooks stated that the Town is still waiting on the new GIS Maps and that she wants to make sure that the most accurate information and record are obtained before any resolutions are made. Brooks stated that she apologizes for any delays, but that she is continuing to work on the issue and has the majority of the information ready to go once the new GIS Maps are available. Brooks also stated that within the next couple of months all information should be obtained as she will be able to schedule a meeting with Mr. Quillin.
2. **Billy McClellan**, 2358 Red Hill Rd.: McClellan stated that he attended this meeting concerning his water bill and that Deputy Town Clerk Lisa Loggans told him that he would not be able to set up an account through the Town connected to his checking account to pay his water bill. Mayor Frances Perry stated that in order to pay your bill automatically through your checking account, you have to set it up through your bank. Mr. McClellan stated that he wanted to be reimbursed for the fees charged due to the lack of information, and that Ms. Loggans should have given him the information about the bank before now and he will no longer pay with a credit card.
3. **Debra Gillenwater**, 1497 Bristol Hwy (Rents to Highway 23 Auction): Debra Gillenwater stated that when the renter has his auction, it is successful and once the parking lot is filled, participants park near the road and walk to the building. Apparently, this is causing a problem with Town Manager Greg

Jones, it was her understanding that Mr. Jones stated individuals should not park in the Gateway Park. Mayor Frances Perry stated the property belongs to VDOT and the Town has it leased for the purpose of travelers stopping, resting, walking their dogs, etc. and VDOT has signs along the road that state no parking along this side of the road. The Town doesn't want the space used as a parking lot because it takes away from the intended purpose. Ms. Gillenwater stated that the auction is in the evening. Council Member, Roger Cassell stated that the grass was being torn up by others who previously parked there. Ms. Gillenwater asked if there are no parking signs currently at the location? Town Attorney, Michele Brooks stated that VDOT has signs placed in front that state no parking and they have the right-of-way and there is not supposed to be any parking in the VDOT right-of-way. Ms. Gillenwater asked where the council suggested that the auction participants should park? Ms. Gillenwater also stated that the business is tax income for the Town and she wants to work with the Town in any way that she can. Council Member, Allan "Cotton" Roberts stated that he is glad the business is doing so well. It seems like the business has almost outgrown the facility that is being used. Roberts suggested asking Smith Electrical if they would want to partner together to allow the auction to use their parking lot or using Century-link's parking.

4. **Thomas Lovell**, 3762 US Hwy 23 N (Business); 266 Crescent Circle (Residence): Thomas Lovell stated he is the owner of the auction and has had trouble with parking ever since he has been there. He has had many businesses all around Gate City. Lovell stated that he stays outside before the auction starts and parks cars so that no one parks on the Town property. However, he does not stay outside once the auction begins. Lovell stated he understands the issue with individuals parking in the park but there are police officers there every time the auction is opened, and it is hurting his business. Lovell stated that he has suggested to Town Manager Greg Jones to put signs up at the park stating no parking after 5 p.m. or fines will be imposed. Lovell stated that individuals believe this is a public park and don't understand why you can't park in a public park. Lovell stated that the signs Town Manager Greg Jones has previously put up were placed near his business, but his customers are coming in from the opposite side and parking in the park because they don't see the signs from that direction. He suggested placing the signs directly in front of the park to avoid confusion. Council Member Allan "Cotton" Roberts asked if Mr. Lovell had attempted to ask Mr. Smith if he could use his parking lot?

Lovell stated that Mr. Smith put up a fence immediately after a discussion with Mr. Lovell concerning the auction simply to keep the property divided. Mr. Lovell stated that one of the police officers was rude and inconsiderate. Lovell stated that the Town is gaining tax revenue from the business monthly and he wants to come to a solution to make it work for the business and the Town. Council Member Wallace W. Ross, Jr. asked if Mr. Lovell had thought about hiring someone to monitor the parking situation? Lovell stated that he believes a lot of the problems could be solved if signs were added in visible areas that stated exactly what the Town is wanting to convey. Mayor Frances Perry stated that the signs can be added. Mr. Lovell stated that he believes that would be a good solution. He also wants the police to stop harassing individuals who attend the auction because it is spreading around negative conversations about the auction. Mayor Frances Perry stated she doesn't believe the police department is harassing individuals; they are just doing the job that they were hired to do. Mayor Frances Perry stated that it is the Town's responsibility to maintain their property and that they will put the signs up. Town Attorney, Michele Brooks asked if anyone had received a ticket for parking violation? Mr. Lovell stated that no one had received a ticket, however, the police officer had been extremely rude and degrading of women. Town Manager Greg Jones stated that the video footage of that engagement would be reviewed. Thomas Lovell stated that he believed it needed to be reviewed. Lovell asked if he could hold a flea market on the weekends at the business? Town Manager Greg Jones stated that as long as it was part of his business and stated on the business license then there would be no problem with it.

Lovell later asked how can individuals purchase beer during Gate City events and walk around with it? Mayor Frances Perry stated that there was no alcohol last year and individuals are only allowed to have beer within the designated lot. Town Manager Greg Jones stated that permits were obtained for the alcohol at the events. Mr. Lovell stated that individuals who are not at the events get arrested for public intoxication.

5. **Leonard Taylor:** Mr. Taylor asked what the operating hours of the park are? Mayor Frances Perry stated that the park is open 24 hours a day, seven days a week. Leonard Taylor asked if the VDOT signs were there before the park was created? Mayor Frances Perry stated that some signs were. Mr. Taylor stated that it seems like there could be some “give” between the police department, the Town and the auction concerning the parking at night. Taylor stated that people typically don’t come to the park at night anyway. Mayor Frances Perry stated we don’t know if they do or not, if someone was traveling through and they wanted to stop and rest at night who is to say that isn’t going to happen and if the park is full of cars, it is defeating the intended purpose of the park. Mr. Taylor stated that he did not understand why individuals would get harassed for parking in front of the park. Mayor Perry asked what he meant by harassed? Mr. Taylor stated the police are giving individuals who park there a hard time. Chief Terry Sivert stated the police department is not going there looking for individuals parking there; the only time we go out there is when we get a complaint. Chief Sivert stated we are not allowed to disclose complaints but we do have to enforce and attend to these complaints. Mr. Taylor asked if Chief Sivert saw a safety issue with individuals parking along the road? Chief Sivert stated that it could potentially be a safety issue; however, there should be signs all the way down the road stating no parking. Council Member Wallace W. Ross Jr. asked how many cars are typically parked up to the entrance of the park along the road? Mr. Taylor stated typically three to four cars on the highway next to the park, not on the grass.
6. **Sherry Edwards:** Edwards asked how can you have something that is an EPA problem, like the fenced in area, and lease everything around it. Town Attorney Michele Brooks stated that there was an environmental study done and when the Town took over the lease for the property, they wanted us to assume liability for the petroleum residue and we would not do that which is the reason why it is fenced off. The state owns the whole park and the Town has leased everything around the fenced off area for the purpose of a park. Ms. Edwards asked if the park is a rest area and dog park; can everyone at the auction bring their dogs? Mayor Frances Perry stated that the dog park is located at Grogan Park; however, this is a public park and you are part of the public but that doesn’t mean you can park your car there as part of the business parking lot. Ms. Edwards asked why the lot is blocked off near Smith Electrical? Town Attorney Michele Brooks stated that VDOT blocked it off to create a parking ride in 2020. Council Member Robin Richards stated that a public hearing was held by VDOT at Town Hall in 2018 to reveal their plans for the parking ride.
7. **Melanie Spencer, Weber City:** Spencer stated that she attends the auction because she likes to shop small and keep the revenue in the area that she lives. She stated that the Town is limiting the possibilities of shopping small for everyone, including teenagers, by turning individuals away who aren’t allowed to park and they leave. Spencer stated that tax dollars are being lost. Mayor Frances Perry stated that it is not the responsibility of the Town to furnish parking for businesses. Spencer stated that this may be why there are so many empty businesses on Jackson Street. Mayor Frances Perry stated maybe a small van could be purchased by the business and individuals could park in the municipal parking lot and the van service could drive as many individuals to the auction as they want. Billy McClellan asked where the money was coming from to pay for the park? Town Attorney Michele Brooks stated that the lease is one dollar a year and the members of the Planning Commission spent a long time to make this a grand spot for Gate City. Mayor Frances Perry stated that she agrees there needs to be more things for younger people to do, and we are trying to improve this Town one small step at a time. We have to start somewhere. Ms. Spencer stated that she graduated from Gate City High School in 1984 and there wasn’t a thing for young people to do then and here it is 2019 and there still isn’t anything for them to do. Ms. Spencer stated that when Taco Bell opened the Town had police officers directing traffic the first few days that they were open. Council Member Allan “Cotton” Roberts stated that Taco Bell paid for the officers to do that. Ms. Spencer asked if the officers were off duty in city uniforms using city resources, the vehicles, uniforms, etc. to get paid for an off-duty job? Council Member Roger Cassell stated that they wanted the officers for safety and traffic control. Mayor Frances Perry stated that it was a one-day grand opening.

8. **Kevin Barnette:** Barnette asked if there is any way that the business could apply for a parking permit to park at the Gateway park during the auction hours? Council Member Roger Cassell stated that the grass would get torn up. Mr. Lovell asked where the parking would be in the future once the Town makes the improvements to the park that they have suggested since there may not be enough room? Barnette asked if the parking lot would be expanded within the park and if so couldn't the Town and Mr. Lovell work together on that? Town Manager Greg Jones stated that the park was not really designed for that and if the suggestion did go that route, the Town would have to go back and reapply for the lease because it would no longer be an entrance way for a park it would be an entrance way for a business. Council Member Roger Cassell stated that the Town had to show VDOT exactly what was going to be placed there and everything that gets done there has to go through them. This process took five years to get the lease. We are trying to do a little bit each year with the budget to make it more recognizable as a park and improve it to enhance the gateway to Southwest Virginia. It will just take time and money to do all the things we have planned for it. Council Member Wallace W. Ross Jr. asked if the business was located somewhere else would it help with the parking situation? Mr. Lovell stated that the Highway gets more business than anywhere else in the county. Council Member Wallace W. Ross Jr. suggested using the old Family Dollar location within Gateway Plaza. Mr. Lovell stated that the rent would be much higher.

Mayor Perry closed the public comment session at 7:34 P.M. and opened the consent agenda session.

**X. COMMUNICATIONS - NONE**

**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**

**DEQ Sewer I&I Rehab Job:** We have received VDOT and DEQ approval to advertise. All signed Easements have been delivered to the Town for recording. Sanitation Authority voted to move forward with the project as currently designed and leave the Magnolia Ave. section of the sewer line in the overall scope of the project. This route will require an endangered species/habitat survey to be completed before the surface water disruption permits will be approved for construction by USACE and DGIF. Mattern & Craig will submit an additional task order to coordinate and carryout this work. The project schedule will now tentatively be to advertise the project for const. in late winter/early spring 2020 and begin construction in early summer 2020.

**Water Treatment Plant Upgrades:** The roofing, water meters, SCADA, clearwell baffles, and backwash control systems have all been installed. The doors included in the project are still under the review phase by VDH concerning AIS Certification. There are ongoing discussions about the accuracy of the SCADA system installed, these concerns will be addressed by project closeout. We have identified an alternate to the existing flow controls at the water plant and have submitted and received approval of a change order to complete this work. This work is approximately 6 weeks out. Substantial Completion was scheduled for Jan. 11<sup>th</sup>. This date was not met by the contractor and they have submitted a time extension request. Any damages will be discussed upon the conclusion of the project.

**Asset Management Plan:** M&C to submit a preventative maintenance and operational plan for the Town to extend the life and performance on their assets to VDH. The plan will also include an inventory of all the Town's assets associated with its waterworks system. M&C will finalize the plan as the WTP Project gets underway in the next couple of months.

**H/C Ramp HSIP Project:** All environmental agencies have responded and the appropriate paper work has been submitted, VDOT has now cleared the environmental document. VDOT has requested

additional changes to the construction plans. These revision will be completed and plans resubmitted to VDOT for approval. Once we receive approval to advertise the Town will be required to advertise for a minimum of 30 days. Then the bidding and negotiation phase will begin before awarding the contract.

**Sanitary Sewer GIS Mapping:** shop files containing all readily locatable sewer manholes in Gate City's sewer system have been sent to the Town's GIS vendor for uploading into purchased GIS software. A manhole database has also been submitted for inclusion in the GIS software. Once the software has been uploaded with all information this will complete the sanitary sewer infrastructure GIS network.

## **B. Manager's Report**

### **Capital Projects**

#### **Water Treatment Plant**

- **Water Treatment Plant Upgrade Project/WSL 21-17** - Roof Replacement project, steel doors replacement, backwash control system, chlorine room scales, generator, telemetry system and Clearwell baffling system will be developed into one project.

The Roofing project, Backwash Control System, and the Telemetry system with grounding treatment is complete. Commercial Water meters replacement has been completed.

The Clearwell Baffles have been installed. They will be put into service once the bacteriological samples have been completed and approved by VDH. Substantial completion deadline was not met on January 11th, 2019. Mattern & Craig has received a time extension request.

#### **Town**

- **Highway Safety Improvement Project (HSIP)**

##### **Ramp/Safety Rail West Jackson Street**

HSIP grant application for the sidewalk replacement project on Manville Road was submitted on November 1st, 2017. Environmental Review has been completed and is currently under review by VDOT. Hazardous material assurances documentation has been completed. We are currently awaiting VDOT to approve the final plans.

##### **Manville Sidewalk Project**

VDOT has awarded \$402,000.00 for this project. This project will begin July 2021.

##### **Gate City High School Sidewalk Project (Shoemaker, Beech, Bishop, and Jones Street)**

HSIP Grant Application has been submitted. The project total including Engineering Fees is \$578,475.00. If awarded, the project will be included in VDOT's six year plan with the expectation that funding will occur in 2024.

- **Gate City Theater & Public Facilities**

Planning Grant for the Gate City Theater, Town Hall, and proposed Community Center have been submitted to Rural Development (USDA) - (Community Facilities Technical Assistance and Training/TAT Grant). The TAT Grant is a planning grant that will focus on engineering and environment plans to make the best use of our public facilities. The total funding request is \$50,500 from Rural Development. Our proposed budget will include:

\$20,000 Preliminary Architectural Report (PAR) - TAT Grant  
\$5,500 Site assessment and environmental review - TAT Grant  
\$25,000 Marketing Analysis - Gate City Theater (match) - ARC Grant  
\$50,500 Total

The TAT grant has been awarded.  
The ARC grant was awarded on August 15, 2018.

Lenowisco Planning Authority has hired The Lane Group to complete the architectural report and marketing analysis. Scope of work has been completed.

Spectrum Design met with the Economic Redevelopment Committee, Mayor Perry, Members of Gate City Frontier, Inc. Board of Directors on March 29th, 2019. Spectrum Design presented preliminary designs for the Community Center and Gate City Theater. Design options were discussed, and input received.

Updated Workplan:

3-29-19: Spectrum Design to meet with the Town to review the preliminary market research findings.

4-22-19: Draft Marketing Plan due.

5-06-19: Spectrum Design to meet with the Town to receive comments about the draft report.

5-17-19: Final Marketing Plan due.

- **Department of Housing and Community Development (DHCD):  
Town-Wide Housing Needs Assessment Planning Grant**

A Planning Grant has been awarded to the Town from DHCD. The planning grant will identify housing needs in Gate City. The successful completion of the Planning Grant will allow the Town to submit Construction Grant Application for the target area(s) of need identified from the Planning Grant process.

On October 9th, 2018, DHCD awarded the Town \$40,000.00 to complete the TownWide Housing

Needs Assessment Planning Grant.

Our first task is to advertise a Request for Proposals (RFP) for an individual or firm to complete DHCD's requirements for implementing and administering a Housing Needs Assessment planning grant. Town Council has approved the RFP and the deadline for proposal submission was set for December 20th, 2018 at 3:00 PM.

The Selection Committee met on January 3rd, 2019 and reviewed the RFP's submitted.

Town Council has approved Ms. Anna Meade/Housing Rehab Specialist Service to perform surveys of residential structures in the Town for the purpose of determining concentrations of blight and potential Community Improvement projects.

The Kick Off meeting was held on January 17, 2019 with DHCD and the Management Team. Our deadline in completing the Town-Wide Housing Assessment Planning is December 30, 2019. Town Council approved the DHCD Housing Rehabilitation Planning Grant Project on March 12th, 2019.

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

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project. The funds will be used to rehabilitate seven residential homes, reconstruct two residential homes, and demolition of two vacant residential structures on Park Street. Our budget is as follows:

\$522,200- DHCD

\$12,000- Town (In-Kind)

\$534,200- Total

The Management Team, LENOWISCO Planning Authority, and Anna Meade, Housing Specialist met with DHCD on March 28th, 2019 to discuss pre-contract activities.

**Council Action: • Pre-Contract Activity: DHCD Park Street Housing Rehabilitation: Approve the following:**

- \* **Minority-Owned and Female-Owned Business Notice.**
- \* **Department of Housing and Urban Development Handicapped Regulations.**
- \* **Local Business and Employment Notice.**
- \* **Non-Discrimination Policy.**
- \* **Residential Anti-Displacement and Relocation Assistance Plan Certification.**
- \* **Section 3 Local Business and Employment Plan**
- \* **Section 504 Grievance Procedure.**
- \* **Resolution for Compliance Park Street Housing Rehabilitation Project.**
- \* **Certification of Signatures and Address.**
- \* **Fair Housing Certification.**
- \* **Project Rehabilitation Board**

- **Dog Park & Gateway Park**

o Trees and brush have been removed from the project area. Town Crew has installed drainage tile to improve drainage at the Dog Park. The outer chain link fence has been installed.



o Town Council has approved a change in the scope of work for the fence at Gateway Park and has awarded the bid to Factory To You Fence of Kingsport. The fence has been installed,  
o Stack Fence for the Gateway Park will be completed under Force Account. We are presently obtaining quotes.

- **Banner Placement- Kane & Jackson Streets**

\$25,000 has been allocated through the FY 2019 budget to place new street light banners along Kane and Jackson Streets.

- **Dropbox Installation at Town Hall Drive Through**

Currently the Drive Through is receiving customers who are dropping off Water Bills. Installing a Drop Box beside the Drive Through will free up our staff to perform other activities. The Drop Box will also speed up the wait times for customers who just want to drop off their water bills.

Council has approved the purchase and installation of the Drop Box on March 12th, 2019. The Drop Box is currently on order and will be installed upon arrival. Street Lights - Paul Wade Drive/Eva Street/Arora Street I met with Harold Walker, AEP, and Council Member Roger Cassell on December 5, 2018 to look into installing Street Lights on Paul Wade Drive, Eva Street, and Arora Street. A total of seven Street Lights has been approved by Council to be installed at a cost of \$11,651.29.

AEP informed the Town that the property owners on Paul Wade Drive do not want to install the Street Lights on their property. Street Lights were not installed in this area as a result.

Two Street Lights on Eva Street and one Street Light on Arora Street have been installed at a cost of \$4,977.90. Upon inspection it was noticed that a third street light should be installed on the curve section of Eva Street. The Town will be working with AEP to install a Street Light in this area.

- **Sidewalks- West Jackson Street**

Currently there are no Sidewalks located on West Jackson Street past the Scott County Life Saving Crew: Council has approved to submit a HSIP application for the installation of sidewalks on West Jackson Street.

Council has approved to submit a HSIPA/DOT Grant Application by the deadline in November 2019.

- **Grogan Park/Baseball Fields Flooding Issue**

I met with Scott County Schools, Gate City Little League, and Michele Brooks, Attorney on March 12th, 2019 to discuss the flooding issue at Grogan Park Baseball Fields. Under our agreement with Gate City Little League, the Little League is responsible for the maintenance of the baseball fields. Gate City Little League states that they are not using the High School Baseball Field and should not have to provide maintenance to the field. Gate City Schools stated that they will not be playing home games at Grogan Park due to the damage caused by the recent flooding. Gate City Schools did state that they will repair the fence wall at the High School Baseball Field.

I contacted Mr. Hubert Thomas with the U.S. Army Corp of Engineers for assistance in handling the flood issue at Grogan Park. He indicated that a creek survey will need to be conducted prior to determining a plan of action. Mr. Thomas stated that a site visit would be in order.

- **FY 2020 Town Budget Calendar**

Below is the Budget Calendar for the FY 2020 Town Budget:

February 28th, 2019: Department Flead's deadline in submitting needs. - **Complete**

March 27th, 2019: Finance Committee Meeting - **Complete**

April 2nd, 2019: Complete Proposed FY 2020 Budget - **Complete**

April 5th, 2019: Finance Committee Meeting – **Complete**

April 9th, 2019: **Council to vote on holding a Public Hearing Submit proposed FY 2020 budget to Council for input**

April 24th, 2019: First Public Hearing Notice/Advertising

May 8th, 2019: Second Public Hearing Notice/Advertising

May 14th, 2019: Public Hearing/Council Input

June 11th, 2019: Adopt FY 2020 Town Budget

- **2019 Town Events**

**Movie Nights @ Gate City Theater**

Saturday, June 15, 2019- October Sky

Saturday, July 13, 2019- Love Story

Saturday, August 24, 2019 - Shrek

Saturday, September 21, 2019- Remember The Titans

Saturday, October 26, 2019-The Addams Family

**Run the Gate 5K**

Saturday, June 15, 2019

**Love Rocks!!**

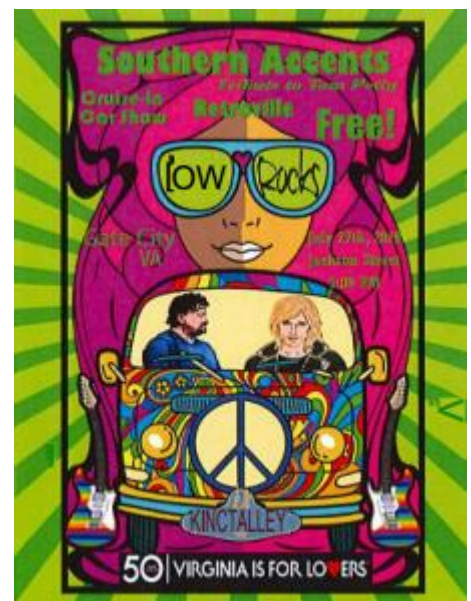
Saturday, July 27, 2019

Retroville Band

Southern Accents (Tom Petty Tribute Band)

**Gate City Cruise-In**

Saturday, August 10, 2019



Cruise-In Car Show  
Railway Express Band  
Brickyard Road (Lynyrd Skynyrd Tribute Band)

**Cruzer Palooza**

Saturday, September 7, 2019  
Cruise-In Car Show  
Asylum Suite Band  
Benny Wilson Band  
Thunder Struck (AC/DC Tribute Band)

**King Alleyween (Halloween Event)**

Saturday, October 26, 2019

Veterans Day Event - Monday, November 11, 2019  
Christmas Open House - Saturday, November 23th, 2019  
Shop Small Business Saturday- Saturday, November 30, 2019  
Gate City Christmas Parade-Saturday, December 7, 2019

• **Events Committee**

The Events Committee met with the Scott County Director of Tourism on March 21st, 2019. The Events Committee was informed that a \$10,000 grant has been awarded to help promote the 50th year anniversary of the Virginia is for Lovers marketing campaign. The grant fund in part will go to help marketing support for the Love Rocks event scheduled for July 27th, 2019.

The 2019 Sponsorship letters have been mailed. The following businesses have committed to sponsor this year’s events: State Farm Insurance - Bronze Sponsor, Quillin Hardware - Friends of Gate City Sponsor, Dr. David Templeton D.D.S. P.C. - Friends of Gate City Sponsor, Pizza Plus - Bronze Sponsor, Farmers & Miners Bank - Bronze Sponsor, Mountain Region Family Medicine - Bronze Sponsor, and Mattem & Craig - Bronze Sponsor.

• **Food Truck Rally**

I attended the Food Truck Rally in Johnson City, TN on March 23rd, 2019. There were seven food trucks in attendance. I was able to make contact with all of the Food Trucks in attendance. They all expressed interest in attending the Love Rocks event in July.

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

**Council Member, Allan “Cotton” Roberts**

\*No Report\*

**Council Member, Wallace W. Ross, Jr.**

Council Member, Wallace W. Ross, Jr. stated that Chestnut Street still has a gap in it, even though VDOT has been notified over six years ago. Ross stated that when individuals who don’t live there turn in, they hit that bump extremely hard, and it may take someone bumping their wheel off for

something to be done about it. Mayor Frances Perry asked if it is a VDOT owned road? Town Manager, Greg Jones stated that it is a VDOT road. Mayor Frances Perry stated that Council Member Wallace W. Ross, Jr. needs to take this matter to VDOT. Council Member, Wallace W. Ross Jr. stated that the issue has already been discussed with VDOT and nothing has been done. Ross stated that it is odd that VDOT will work on issues on the East part of town, but not in other areas. Ross stated that he has asked VDOT if it is being addressed and they told him yes and he was also told by Town Manager Greg Jones that it would be addressed in Richmond. Mayor Frances Perry stated that she would give Council Member Ross the constituent telephone number for VDOT and if he can get his friends and neighbors who are concerned about this road to call, it will mean a whole lot more than it will for anything to done through council.

Council Member, Wallace W. Ross, Jr. stated that there is another issue concerning a safety hazard on Chestnut in the lot with the chimney. Mayor Frances Perry asked if it was private property? Council Member, Wallace W. Ross, Jr. stated that the lot was being dealt with for a while but the cleanup process has slowed down. Town Attorney Michele Brooks stated that the Town does not have a property maintenance supervisor at this time due to the current supervisor being on medical leave. Brooks stated that until someone is available to really deal with property maintenance, we are at a stand still with any property maintenance issues unless it is an emergency. Brooks stated that she does not think there is anything that can be done at this time.

Council Member, Wallace W. Ross, Jr. stated that he received an e-mail from VML concerning making reservations for the conference in October. Ross asked if any other council members had received the e-mail? Council Member Roger Cassell stated that he also received the e-mail. Ross asked if the council was ready to go ahead and register for the conference in Roanoke? Town Manager Greg Jones stated that he would go ahead and register for a couple of rooms.

Council Member, Wallace W. Ross, Jr. stated that he received an e-mail concerning putting ribbons on the street poles. Town Manager Greg Jones stated that these are awareness ribbons raising awareness about sexual harassment and the e-mail was shared so that council members would know why the ribbons were there.

Council Member, Wallace W. Ross, Jr. stated that he has heard that an award for water quality may be received by the Town. Ross asked what date the award would be presented? Town Manager Greg Jones stated that he believes it will be presented on the day after the VML dinner that is already scheduled. Jones stated that Loretta Cruby will be attending the ceremony to receive the water quality award. Council Member, Wallace W. Ross, Jr. stated that he would also like to attend as a representative for the Town Council. Town Manager Greg Jones stated that would be up to Council Member Ross and the other council members.

Council Member, Wallace W. Ross, Jr. stated that many of the street lights are still out, and I hope that we can get the lights working in order to beautify our town. Many of the lights are also coming loose.

#### **Council Member, Ron Kindle**

Council Member Ron Kindle stated that he would discuss his report during the CrossFit agenda item.

#### **Vice-Mayor, Robin Richards**

\*No Report\*

#### **Council Member, Roger Cassell**

\*No Report\*

## **Mayor, Frances Perry**

Mayor, Frances Perry stated that on Thursday, May 2, 2019 at 12:00 p.m. National World Day of Prayer will be observed on the courthouse steps and organized by the ministerial association. A short speech, prayer, the national anthem and a couple of hymns will be presented during this time. Mayor Perry asked if there were any types of permits needed to do this? Town Manager Greg Jones stated that there were no permits needed; however, the ministerial association may need to gain clearance from the courts since the event will be held there. Mayor Frances Perry wanted this event put onto Facebook. Town Manager Greg Jones stated that he would put it on the Facebook page.

### **D. Sanitation Authority**

\*No Report\*

## **XII. UNFINISHED BUSINESS**

### **• Crossfit Request: Business Expansion Request**

-Town Attorney, Michele Brooks stated that she has reviewed the contract for CrossFit and an addendum will have to be made. Brooks stated that she has already begun drafting an addendum based on what is wanted by Council. Brooks stated that she had called Nathan Kilgore earlier that day to find out if he would be attending the council meeting and if he had contacted David Gilmer, the building inspector, to see what type of, if any, permits are needed but she had not received any response from Mr. Kilgore. Brooks stated that the council will need to state anything that they believe will need to be put into the addendum, the Mayor will need to sign it, and Mr. Kilgore will need to sign that he has written permission to complete his expansion request. Brooks stated that it is part of the lease that if anything material is going to be changed, written permission must be given. Council Member Ron Kindle stated that based on the photos given to council it seems like Mr. Kilgore is running a day care center downstairs. Kindle asked if there is any type of liability with the children coming in there? Mayor Frances Perry stated that Mr. Kilgore has his own insurance and it is not a day care just a room where the kids can play and entertain themselves while their parents workout. Town Attorney Michele Brooks stated that Mr. Kilgore is required to maintain the insurance and liability for the children. Council Member Kindle asked if the gym is open 24 hours per day won't the electric and water bill be higher? Will anything be added to include the additional expenses of these bills in the addendum? Mayor Frances Perry asked if the electric could be on a separate meter? Town Manager Greg Jones stated that it would not be an easy task to separate those things. Town Attorney Michele Brooks stated that she could include a stipulation that if these costs increase, reevaluation may be needed. Council Member Roger Cassell stated that Mr. Kilgore has already stated that he would not have a problem with paying the extra costs. Mayor Frances Perry stated that she thought it would be a wise choice to include the stipulation just as a precaution. Council Member Ron Kindle asked if the water costs would increase due to the showers in the gym? Town Attorney Michele Brooks stated that there was only one shower and she did not believe there would be a problem with a lot of water usage. Council Member Wallace W. Ross, Jr. asked why the economic development committee met? Town Manager Greg Jones stated it was because Mr. Kilgore is wanting to expand his business as the overall goal. Council Member Ross asked if we will get to see a proposal of the contract of the work before it takes place or go through the contract? Town Manager Greg Jones stated that Mr. Kilgore had already shown photos of the work he planned to do. Town Attorney Michele Brooks stated she has already been through the lease and the expansion request is something very simple; it would just mean that he is allowed to do that with the proper permits and that he has a licensed contractor to complete the work. It is more of the concept of council allowing Mr. Kilgore to do it.

Council Member Roger Cassell asked if Mr. Kilgore completes the work himself instead of using a licensed contractor, what repercussions will we have? Town Attorney Michele Brooks stated that those actions would make Mr. Kilgore in breach of his lease and it can be cancelled. Mayor Frances Perry

stated that if Mr. Kilgore was going to do the work on his own, he would have already gone and done it. He would not have taken the proper steps to get approval.

Motion to authorize Michele Brooks to prepare an addendum to Mr. Nathan Kilgore's lease that would permit him to remove the non-low bearing walls and the drop ceiling with this work being completed by a licensed contractor and with all proper permits acquired.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

**Motion Carried.**

### **XIII. NEW BUSINESS**

- **Conduct Public Hearing - May 14, 2019: FY 2019 Budget Amendment**

Motion to advertise for and conduct a public hearing on May 14, 2019 for the FY 2019 Budget Amendment.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Conduct Public Hearing – May 14, 2019: FY 2020 Proposed Budget**

Motion to advertise for a public hearing on May 14, 2019 for the FY 2020 Proposed Budget.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Advertise to Request for Proposals: Pave Knob Court**

- Vice-Mayor Robin Richards asked if Knob Court is a street? Council Member Allan Cotton Roberts stated that it is more similar to a driveway and has around two houses. Council Member Wallace W. Ross, Jr. stated that when he was on the street committee, they had a case where there were not enough houses on the road to gain approval to pave it. Council Member Ross asked what are the criteria to gain proposals for paving this street? Council Member Roberts stated that the street is located near the park and the Town is responsible for maintaining it. Council Member Ross asked if the estimated cost would be around \$20,000? Town Manager Greg Jones said that is a rough estimate, but it will remain unknown until we receive proposals. Council Member Wallace W. Ross, Jr. stated that he was asking in regard to how streets gain the criteria to move up the list of streets when there are so many streets on the west end not getting paved. Council Member Allan "Cotton" Roberts stated that there is a list of streets that we work from. The worst condition streets are attended to first. Vice-Mayor Robin

Richards stated that Council Member Ross can see Town Manager Greg Jones to receive a list of streets in order to stay on top of things. Council Member Ross stated I will stay on top of things but for instance on 10-20-18 a check was approved for 588 dollars for Stoney and I didn't find out about it until after it was done. Council Member Roger Cassell stated that he did not believe it was the responsibility of any committee to come for approval for these types of things. It is your responsibility to make recommendations. Council Member Ross stated that by the bylaws, it states that I should represent and make recommendations, but I should also know how some of the money is spent.

Motion to advertise to request for proposals to pave Knob Court.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Advertise to Request for Proposals: Bowen Drive Extension**

Motion to advertise to request for proposals for the Bowen Drive extension.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **House Demolition: 609 Park Street/Tax Map Number: 146A6A 13 – DHCD Park Street Housing Rehabilitation Project area**

- Town Attorney Michele Brooks stated a court order for demolition of this property had been obtained in 2012. Court orders are only good for one year; therefore, the council will need to start new on the project. However, council will be able to use documentation and photos from the previous court order. Town Attorney Brooks stated that the court order will need to be removed, a judge will have to sign off, and a petition will have to be filed. This should take approximately sixty days. Mayor Frances Perry asked if the fire department could use this demolition as part of their training? Town Attorney Michele Brooks stated that she was unsure if this could be safely done due to the other houses around the location, but that she will look into whatever type of demolition the council wants to perform to ensure that it will be legal and safe.

Motion to authorize Town Attorney Michele Brooks to reapply for and seek the demolition of 609 Park Street/Tax Map Number: 146A6A 13 – DHCD Park Street Housing Rehabilitation Project area.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation Appointment.**
  - \* **Appoint Coordinator per Section 504**

- Town Manager Greg Jones stated that typically, the Town Manager is appointed as coordinator for these types of projects and upon council's approval, I will take care of that role. Essentially, the coordinator will be receiving notices and replying to any communication created by these notices.

Motion to appoint Town Manager Greg Jones as the coordinator per Section 504 for the Pre-Contract Activity of the DHCD Park Street Housing Rehabilitation Appointment.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation: Advertisement.**  
\* **Advertise Minority-Owned and Female-Owned Business Notice-Times News**

Motion to advertise a Minority-Owned and Female-Owned Business Notice in Times News.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation: Advertisement.**  
\* **Advertise Department of Housing and Urban Development Handicapped Regulations. – VA Star**

Motion to advertise Department of Housing and Urban Development Handicapped Regulations in the Scott County VA Star.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation: Advertisement.**  
\* **Advertise Local Business and Employment Notice – VA Star**

Motion to advertise Local Business and Employment Notice in the Scott County Virginia Star.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 4

Nay: 1

Absent:

Abstain:

**Motion Carried.**



- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**  
\* **Advertise Non-Discrimination Policy- VA Star**

Motion to advertise Non-Discrimination Policy in the Scott County Virginia Star and publicly in the Town Hall building.

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**  
\* **Advertise Residential Anti-Displacement and Relocation Assistance Plan Certification- VA Star**

-Council Member Wallace W. Ross, Jr. asked if this project will follow the same guidelines of the Housing and Development Act of '74? Mayor Frances Perry stated that no other projects have ever gotten this far. Rebecca Crockett from Lenowisco stated that the adoption of the Residential Anti-Displacement and Relocation Assistance Plan Certification is necessary because it shows that everyone involved in this project is willingly involved and are not forcefully being displaced or relocated.

Motion to advertise Residential Anti-Displacement and Relocation Assistance Plan Certification in the Scott County Virginia Star.

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**  
\* **Advertise Section 3 Local Business and Employment Plan – VA Star**

Motion to advertise Section 3 Local Business and Employment Plan in the Scott County Virginia Star.

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**  
\* **Advertise Section 504 Grievance Procedure – VA Star**

Motion to advertise Section 504 Grievance Procedure in the Scott County Virginia Star.

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**
  - \* **Resolution for Compliance Park Street Housing Rehabilitation Project**

Motion to approve a Resolution for Compliance Park Street Housing Rehabilitation Project.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

ROLL CALL VOTE: Aye: Roger Cassell, Robin Richards, Wallace W. Ross, Jr., Ron Kindle,  
Allan "Cotton" Roberts

Nay:

Absent:

Abstain: **Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**
  - \* **Submit Certification of Signatures and Addresses**

-Town Manager Greg Jones stated that the signatures will need to be either Mayor Frances Perry or Vice-Mayor Robin Richards. Rebecca Crockett from Lenowisco stated that she will prepare the pay requests and then up load them and Town Manager Greg Jones will hit submit. Crockett explained in further detail that the signers will therefore not be signing off on pay requests; however, if there is something that needs to be signed, certification of signatures will authorize the signers to give the go ahead at the request of the Town Manager.

Motion to submit certification of signatures and addresses to DHCD.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**
  - \* **Approve Fair Housing Certification**

- Rebecca Crockett from Lenowisco stated that this motion will certify that the Town agrees to do one Fair Housing Activity per year. This can be classified as a post or publishing an advertisement.

Motion to approve Fair Housing Certification.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**
  - \* **Appoint Project Rehabilitation Board**

- Rebecca Crockett from Lenowisco stated that the board will present items to the rehab board such as prioritizing the applications and approve pre-qualified contractors. The management team will oversee the project in general and the rehab board will perform voting tasks.

Motion to appoint Roger Cassell, Robin Richards and Sparkplug Debbie Kindle as the Project Rehabilitation Board.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Wallace W. Ross, Jr.

VOTE: Aye:4

Nay:

Absent:

Abstain: 1

**Motion Carried.**

- **Pre-Contract Activity: DHCD Park Street Housing Rehabilitation:**
  - \* **Approve Resolution to Appropriate Funding**

Motion to approve resolution to appropriate funding.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Ron Kindle

ROLL CALL VOTE: Aye: Roger Cassell, Robin Richards, Ron Kindle, Wallace W. Ross, Jr.,  
Allan "Cotton" Roberts

Nay:

Absent:

Abstain:

**Motion Carried.**

- **Agree to Settlement and Release Agreement: Sensus USA, Inc.: Residential Meter Replacement Issue**
  - Town Attorney Michele Brooks stated that 2,000 water meters will be replaced at their expense and new 20-year warranties will be given on all of them as well as GPS information. Vice-Mayor Robin Richards asked if a time frame had been given on the replacements? Town Attorney Michele Brooks stated that as soon as the release agreement is signed, they will start replacing.

Motion to agree to settlement and release agreement with Sensus USA, Inc. concerning the residential meter replacement issue.

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

#### **XIV. PUBLIC COMMENT – NEW BUSINESS**

**NONE**

#### **XV. CLOSED SESSION**

NONE

**XVI. RETURN FROM CLOSED SESSION**

NONE

**XVII. MOTIONS FROM CLOSED SESSION:**

NONE

**XVIII. ADJOURN**

**Motion made to adjourn.**

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

\*Mayor Perry adjourned the meeting at 8:40 P.M., until the next regularly scheduled Council Meeting on May 14, 2019, at 6:30 p.m.

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Frances Perry – Mayor

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Lisa Loggans – Deputy Town Clerk