



GATE CITY TOWN COUNCIL MINUTES
May 10, 2016
156 E. JACKSON ST.
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:32 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Town Clerk – Amanda McKenna

PRESENT: ABSENT:

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

Others present: Cody McElroy, Matt Ison, Jordan Sloan, Ron and Debbie Kindle.

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE –

V. APPROVAL OF AGENDA

- **Motion made to approve the agenda with changes to move Blackburn, Childers & Steagall, CPAs - FY 2015 Town Audit to the beginning of the meeting.**

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

VOTE:	Yeas,	4
	Nays,	
	Absent,	1
	Abstain,	

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

➤ **Officer of the Month- Dustin Folk**

VII. APPROVAL OF MINUTES

• **Council Meeting on April 08, 2016 as presented?**

Motion made to approve the minutes as presented.

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

****Moved from New Business****

• **Blackburn, Childers & Steagall, CPAs - FY 2015 Town Audit**

Gave presentation and explanation of the FY 2015 Town Audit.

****Meeting to resume as listed.****

VIII. APPROVAL OF PAYMENTS

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

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

VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

IX. PUBLIC COMMENT

Mayor Perry closed the public comment session at 7:27 P.M. and opened the consent agenda session.

X. COMMUNICATIONS

XI. REPORTS

A. Engineer's Status Report- Read Report Council Member, Wallace W. Ross, Jr., asked if we were finding the leaks that have been in the reports? Cody McElroy stated that it may have something to do with the Commercial Meters that have not yet been changed. He further stated that it may have something to do with there not being enough water to pass through the large meters to be accounted for.

B. Manager's Report- Read Report

C. Treasurer's Report – Council Member, Wallace W. Ross, Jr., questioned the Councilmen salary and wondered why it was \$6,000.00 all the way across the line. Town Manager, Greg Jones states that it should only be that way until June 30, 2016. He further explained that the year was not yet over. Mayor, Frances Perry stated that the YTD meant Year to Date. Council Member, Wallace W. Ross, Jr., stated that on Page 5 there was a donation of \$400.00 to the church and he asked if that was for fundraising. Town Manager, Greg Jones stated that no it was due to an Employee's child passing away and the town was giving towards the funeral expenses but had to make the donation through a 501(c)3. So this donation was made to the church who in turn made the donation to the funeral home. Vice Mayor, Allan Roberts questioned if the next time something like this had to happen, if there would be an explanation off to the side of the line item. Council Member, Wallace W. Ross, Jr., stated that on Pg 9 ... Town Manager, Greg Jones stated that that was for Jackson St. Council Member, Wallace W. Ross, Jr., stated that he was wondering

about the handrails in front of the bank. Town Manager, Greg Jones stated that there was a separate grant application for that.

D. Codification Committee/Property Maintenance – Property Maintenance Inspector, Amanda McKenna stated that she spoke with Building Official, Robert Mullins who stated that there were going to be some code changes that will be coming soon and we will need to get them approved and adopted into the Town Code.

E. Police Department Report – Officer, Dustin Folk gave a presentation to see if the town would be interested in obtaining another Narcotics dog as 30% of the arrests that they make are due to drugs. The Town Council stated that they would be interested in getting another dog as they would like to minimize the drug activity in Gate City.

F. Council Reports – Vice Mayor, Allan Roberts stated that he had received complaint about the trash letter for the size of the garbage cans. He stated that he had also had a concerned citizen make a complaint about the treatment that they receive at Town Hall and he highly recommends a Customer Relations Course for the Town Employees. Council Member, Robin Richards stated that it was the same thing that she had stated the month prior. Vice Mayor, Allan Roberts further stated that he wanted to give a big Thank You to the Boone Society and the Town as it was a big success to have them here. He then stated that Chris' Department Store was moving merchandise out and that there had been activity over there. Council Member, Wallace W. Ross, Jr., expressed thanks to the town for allowing him to go to the conference that he was able to attend and accept the Gold status award for the Water Treatment Plant. He then stated that there were over 80 towns qualified and we were able to get gold. He went on to say that it was really expressed what a good job the town is doing with our water. Mayor, Frances Perry stated that Loretta was doing a wonderful job. Council Member, Wallace W. Ross Jr., stated that in the Virginia Town Magazine page 6 it states that St. Paul, Virginia is getting a hotel. He further stated that they always have a booth at the conference and it pays off. He stated that the book gives lots of guidance for things Councilmen may not know such as insisting that you get the budget proposal by April 1st of every year. He then stated that on June 15th there will be a Regional Supper in Big Stone Gap and he would like to attend. Mayor, Frances Perry stated that she was also a member of the County Courthouse Committee and at their last meeting they requested that the Town and County work together for Veteran's Day. They also suggested that it be done at the Courthouse as the elderly are having a harder time getting around at the park.

G. Economic Development Committee – Vice Mayor, Allan Roberts stated that there will be a Chamber Breakfast Friday morning at 7:15. Council Member, Wallace W. Ross, Jr. and Council Member, Robin Richards would like to attend the breakfast.

H. Historical Committee – Council Member, Robin Richards stated that she had nothing to report. Vice Mayor, Allan Roberts asked if we had taken over the cemetery officially because there are some maintenance and upkeep issues. Town Attorney, Michele Brooks stated that we were kind of in Limbo on that property right now and we could not do anything with it until we moved forward. Town Manager, Greg Jones stated that we may need to amend the agenda to open a savings account for the cemetery money as they have already provided us with a check.

I. Park Committee – Vice Mayor, Allan Roberts questioned if the grill was completed yet. Council Member, Roger Cassell stated that they were working on it.

J. Planning Commission- Council Member, Roger Cassell stated that some members of the commission had met at the park with Town Manager, Greg Jones and looked at a piece of property that seems to lay very well and would probably make a great place for a dog park. JoAnn Castle may want to put something in the newsletter to see if there is any citizen interest in having a dog park. He further stated that they were unable to meet in May due to Town Elections, but they had received an inquiry on right of access on a property, but that it would get worked.

K. Public Works- Mayor, Frances Perry stated that she wanted to give her compliments to the weed eaters. They were doing a good job.

L. Sanitation Authority- Council Member, Roger Cassell stated that we were working on GIS mapping and that the Auditors would be there tomorrow night to give us their briefing on the audit. He further stated that we were going to need at least 2 more members to fill seats on the authority or we would be unable to meet. One member that is leaving is Jim Craft. Mr. Craft has sat on this board for 30 years, but he is no longer able to hear the things being discussed. The other that is leaving is Greg Carter because he has decided to move out of town. It was further discussed that Dewey Breeding would probably be the next in line to resign. Mayor, Frances Perry stated that the county typically puts ads in the paper when they have positions come open. She further stated that we may need to check with our neighborhoods to see if there is any interest there. Council Member, Roger Cassell stated that we may need to adjust the meeting to a different night as Wednesday is Church night.

M. Street Commission- Council Member, Wallace W. Ross Jr., stated that the grass was very high on Manville Rd and we used to send out letters telling people that they needed to mow their grass. He further stated that he would like us to consider moving the Gate City sign to the Gateway Park area so that it may be seen. Mayor, Frances Perry informed Councilman Ross that the sign did not belong to the Town and we could not just move it when we wanted to. It was decided that Council Member, Wallace W. Ross, Jr., could go to the school and investigate it further if he wanted the sign to be relocated. Council Member, Roger Cassell stated that since mowing was brought up that there seems to be some locations that wait for a letter each time that they mow. He asks that Town Attorney, Michele Brooks and Property Maintenance Inspector, Amanda McKenna to work together and put together an offense and punishment list for an ordinance that may assist people into staying in compliance. Mayor, Frances Perry stated that there needed to be some work completed on Sergeant St and Jay St as it was caused by a leak.

N. Safety Committee – Council Member, Wallace W. Ross Jr., stated that he would like to look at getting an alert system for the town. Officer, Dustin Folk stated that he had spoken to another town about a system that they were using that seemed to be pretty efficient and it ran around \$2,500.00 a year. He stated that he could get more information if needed.

O. Water Plant

P. Events Committee – Vice Mayor, Allan Roberts stated that there was a 5K coming up and it should have approximately 200 runners which would be the biggest run completed in Gate City.

**** Motion made to move Travel Policy to unfinished business and add Open a Savings Account for the Cemetery Maintenance funds under new business.**

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

VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

XII. UNFINISHED BUSINESS

- **Travel Policy**

Discussion regarding verbiage of the policy. Council Member, Wallace W. Ross, Jr. stated that this item has been on the agenda at least 3 times previously and had also been tabled 3 times which kills the motion. Once the motion has been killed it takes some time before you can have some back to it. I don't know how we can have a motion since it was killed. Town Attorney, Michele Brooks stated that she didn't believe that the motion was killed as there was no action taken on the policy previously. Mayor, Frances Perry stated that there was no motion or anything taken that there was just no action taken. Council Member, Wallace W. Ross, Jr. asked if there was information about us not taking any action. Vice Mayor, Allan Roberts asked Mr. Ross what he would like to have them do. Council Member, Wallace W. Ross, Jr. stated that he thought there had do be a motion to table an item, and he knows in the past we had tabled items without a motion. Town Attorney, Michele Brooks stated that she had not corrected it at the time, but had went back to it to correct it. Council Member, Wallace W. Ross, Jr. stated that he would like Mrs. Brooks to look it up in Robert's Rules and Town Attorney Michele Brooks stated that she had done that and read it aloud at the last meeting. She then asked the rest of the Council if they wanted to hear it again. Council Member, Roger Cassell stated that he was ready to vote on it and be done with it. Vice Mayor, Allan Roberts stated that he was ready to make a motion.

Motion made to approve the policy as written.

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

Council Member, Robin Richards stated that she wanted them to consider adding a yearly calendar and that every overnight event we set how many we would like to attend. This way if we send for example, 2 or 3 to VML this year then next year a different 2 or 3 can go. Mayor, Frances Perry stated that she thought that would be separate from the Travel Policy. She further stated that we had discussed this before as we are on staggered terms we should allow the new people to attend and give them the opportunity. This policy specifically deals with payment and reimbursement of trips. Council Member, Robin Richards stated alright. Council Member, Wallace W. Ross, Jr. asked what steps would he need to do as far as receiving a letter in writing to have the VML look at this policy to give me an interpretation of it. Can I request that? Town Attorney, Michele Brooks asked request what? Council Member, Wallace W. Ross, Jr. stated that he wanted VML to look at the policy and give him an understanding of it. Mayor, Frances Perry stated that the VML doesn't determine how we set our policies. Council Member, Wallace W. Ross, Jr. asked if he could have the option to do it or is that a no? Mayor, Frances Perry stated that Mr. Ross could write a letter to whoever he wanted to write a letter to. She further stated that we don't control who he writes a letter to. Council Member, Wallace W. Ross, Jr. asked what his legal right as a Councilperson would be when there is a situation that he doesn't quite understand. What option does he have? Mayor, Frances Perry stated that we do not tell you what you can and cannot do Mr. Ross. She then asked if there was any further discussion on the travel policy. There were no responses so she called for a vote.

VOTE: Yeas, 4

Nays,
Absent, 1
Abstain,

XIII. NEW BUSINESS

- **Open a Savings Account for the Cemetery Maintenance funds under new business Motion made to open a savings account for the Estill Cemetery Maintenance Fund.**

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

VOTE: Yeas, 3
Nays, 1- Wallace W. Ross, Jr.
Absent, 1
Abstain,

- **Emergency Procurement: Hire a contractor for Clyde Williams Bridge Motion made to hire a contractor for the Emergency Procurement of Clyde Williams Bridge**

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

ROLL CALL VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

- **Emergency Procurement: Bond funding for Clyde Williams Bridge Repair Motion made to approve funding up to \$150,000 for the Clyde Williams Bridge Repair.**

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

VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

- **Trash Receptacle Issue**

TAKE NO ACTION—Town Manager, Greg Jones will handle this issue.

- **Item for Discussion: Council Member, Wallace W. Ross, Jr., Authority to Approve Mileage Reimbursement on Current Travel Policy**

Discussion held about the mileage reimbursement for 10-7-2015 trip made by Council Member, Wallace W. Ross, Jr.

Council Member, Wallace W. Ross, Jr., stated that he attended the legislature conference in 2015 and also Roanoke and a VML conference. I haven't received any money through the whole 2015 because I have not seen it because I was told by Mr. Jones that I was not eligible for it. So is this board telling me I am not eligible for it. Town Manager, Greg Jones stated that that was not in fact what he said. Council Member, Wallace W. Ross, Jr., stated that yes it was turned down in the email I sent for funding. Town Manager, Greg Jones stated that it was a Council directive that stated he was only allowed to pay Mr. Ross for 1 trip, but Mr. Ross had turned in 2 trips. Council Member, Wallace W. Ross, Jr. stated that he has asked several times who had the authority to tell him...Town Manager, Greg Jones stated that he as following the directions given by Council...Council Member, Wallace W. Ross, Jr. stated that he was not talking about in 2015 when Mr. Jones turned it down that had no bearing on this.

Mr. Jones turned me down from going to the VML. Town Manager, Greg Jones stated that he did. Council Member, Wallace W. Ross, Jr. asked what grounds Mr. Jones had. Town Manager, Greg Jones stated that there was a town vehicle available for use. Council Member, Wallace W. Ross, Jr. stated that Mr. Jones did not have the authority to do that. Town Manager, Greg Jones stated that he disagreed. Council Member, Wallace W. Ross, Jr. stated that we needed to find out. He further stated that what he could not understand was that Mr. Jones is the Town Manager and he (Mr. Ross) had to get 125 names and go through a booth to get elected so he didn't know how Mr. Jones had the authority to say that he (Mr. Ross) had to meet a certain criteria by the voters, but yet you (Mr. Jones) come to us (Council) for the job. And another thing, who delegates that that vehicle was a town vehicle. He doesn't remember us (Council) designating that vehicle as a town vehicle because it is a Police vehicle. So how do you as a Town Manager have authority over me as a Council member? He took in consideration and did not put in for every trip that he made. He further stated that if he had put in for every trip ya'll (Town of Gate City) would owe him some money. He only puts in for certain things. He went to Roanoke, turned down. He went to VML, turned down. Now the Council was involved for 2016, which I believe was very confusing. So somewhere we need to have a understanding for the fact that am I (Mr. Ross) your (Mr. Jones) boss or are you (Mr. Jones) my (Mr. Ross) boss? Mayor, Frances Perry stated that Council Member, Wallace W. Ross, Jr. was not a boss. She further stated that the council as a whole tells him...individual council members have no control over the manager. No, Sir. She further stated that she gave him a piece of paper on the Town Manager a while back for him to read. She then stated that Council Member, Wallace W. Ross, Jr. did not have the right to come in here and tell him (Town Manager) what to do on his own. Council Member, Wallace W. Ross, Jr. started to speak while Mayor, Frances Perry was speaking and then Mayor, Frances Perry stated that the Town Manager only works as a directive from the Council as a whole and he (Mr. Ross) needs to put that in his pipe and smoke it. Council Member, Wallace W. Ross, Jr. stated that he didn't understand why he was the only person that had to be regulated under this policy. Council Member, Robin Richards stated that we (Council) were all regulated under the policy.

**Motion made to reimburse Councilman Ross for \$379.51 for mileage for the 10-7-2015 trip.
 Motion made by: Council Member, Roger Cassell
 NO SECOND. Motion died on the floor.

- **Request for proposals: Wall behind Theater Building on Jackson St.**

Town Manager, Greg Jones stated that he spoke with Stoney (Public Works Supervisor) about the town crew completing the work, but it was his recommendation that the town hire a contractor.

Motion made to get request for proposals for the wall behind the theater on Jackson St.

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

VOTE: Yeas, 4
 Nays,
 Absent, 1
 Abstain,

- **Public Hearing for FY 2017 Budget (between June 21st and June 30th)**

Motion made to hold and advertise for a Public Hearing on June 28th at 6:30 PM.

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

VOTE: Yeas, 3
 Nays, 1- Wallace W. Ross, Jr.

Absent, 1
Abstain,

- **Special Call Meeting: To approve FY 2017 Budget (between June 21st and June 30th)**
Motion made to hold and advertise for a Special Call Meeting on June 28th immediately following the Public Hearing.

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

VOTE: Yeas, 3
Nays, 1- Wallace W. Ross, Jr.
Absent, 1
Abstain,

XIV. PUBLIC COMMENT – NEW BUSINESS

XV. CLOSED SESSION

**Motion made for Council to enter into closed session to discuss 1.) Personal
2.)Legal- potential pending litigation**

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

VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

Mayor Perry opened the closed session at 9:54 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 10:06 P.M.

Motion made for Council to return from closed session.

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

VOTE: Yeas, 4
Nays,
Absent, 1
Abstain,

CERTIFICATION OF CLOSED MEETING – Read by: Michele Brooks

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

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

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

and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

ROLL CALL VOTE: Yeas, 5
 Nays,
 Absent, 1
 Abstain,

XVII. MOTIONS FROM CLOSED SESSION:

Council returned from closed session at 10:09 P.M.

XVIII. ADJOURN

Motion made to adjourn.

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

VOTE: Yeas, 4
 Nays,
 Absent, 1
 Abstain,

*Mayor Perry adjourned the meeting at 10:10 P.M., until the next regularly scheduled Council Meeting on June 14, 2016, at 6:30 p.m.

Frances Perry – Mayor

Amanda McKenna – Town Clerk