

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
May 11, 2021
190 Beech St., Gate City, VA
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:34 P.M. BY: Mayor – Bob Richards

II. ROLL CALL – Town Clerk – Lydia Morales

	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: Jim Addington; Debbie Kindle; Sam Dockery; Cindy Dockery; Randy Sluss, Randy’s Towing; Jeff Mann & Lisa Mann, J&L Towing; Burke Greear, Highland Monument Conservation LLC; Betty Elliott; Chief of Police Justin Miller; Jason Snapp, Mattern & Craig; Darrell Fletcher, Interim director of missions for the Clinch Valley Baptist Association

III. INVOCATION - Darrell Fletcher, Interim director of missions for the Clinch Valley Baptist Association

IV. PLEDGE OF ALLEGIANCE - Chief of Police Justin Miller

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Roger Cassell

2nd by: Allan “Cotton” 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 April 13, 2021 Town Council Minutes.

Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

VIII. APPROVAL OF PAYMENTS

- **Motion made for approval for payment of bills for April 2021 as presented.**

Motion by: Allan “Cotton” Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

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

- **Debbie Kindle** – Mrs. Kindle stated that she is here concerning an issue at 209 Highland Street. Mrs. Kindle stated that there is a constant police presence at this residence. Mrs. Kindle stated that the residents have a Tahoe type vehicle that hasn’t had tags on it for over one year. Mrs. Kindle stated that the resident takes the vehicle out and revs the engine up and drives it on the highway at all hours of the day and night. Mrs. Kindle stated that this is a public nuisance. Mrs. Kindle stated that the residents dog went to another resident’s home and attacked their yorkie and pushed her up against the door and gave her two black eyes. Mrs. Kindle stated that the residents let the dog out around 9 p.m. Mrs. Kindle stated that there are people living in yard barns on the residence and the yard looks like a junk yard. Mrs. Kindle stated that she would like to know if the Town Council can look at adopting a public nuisance ordinance to give the police department more ammo. Mrs. Kindle stated that this has made life miserable to live there. Mrs. Kindle stated the current ordinance that states that residents can have one inoperable vehicle in their yard makes your neighborhood look that much worse and she would like the Town to adopt an ordinance that states no inoperable vehicles can be in the yard. Council Member Roger Cassell stated that Town Attorney Michele Brooks is aware of the dog issue and Town Manager Greg Jones is also aware. Town Manager Greg Jones stated that this is the first time he is hearing about the property maintenance issues but will look into it and will list Mrs. Kindle as the initial complainant. Chief Miller stated that on their last court date, there were six citations served on these residents for the dog issue, but the judge dismissed all of them except for one. Council Member Cassell stated that many of the neighbors are concerned with these issues and are scared of the dog as well.
- **Burke Greear**, Highland Monument Conservation, LLC: Update on Cemetery Restoration – Mr. Greear stated that the restoration project is a 3-phase project and he is currently in portion 2A which consists of documentation of all of the stones in the cemetery. Mr. Greear stated that over 700 stones, including foot stones, have been photographed. Mr. Greear stated that the entire cemetery has been treated with a biological solution which kills anything on the stones that may discolor them. Mr. Greear stated that each monument is being assigned a GPS coordinate and will be plotted on an interactive map. Mr. Greear stated that all of the information being discovered, will be uploaded to findagrave.com. Council Member Cassell asked if there are any buried headstones? Mr. Greear stated that there are a couple that are buried and during phase 3 we will orient all of the stones and repair any damage. Council Member Cassell asked Town Manager Greg Jones if the GPS software that Mr. Greear is using to map the stones can be uploaded into the Town’s mapping software? Town Manager Greg Jones stated that he would look into this but believes there will not be a problem. Mr. Greear stated that there are 356 monuments marked so far not including foot stones and the earliest marked burial is 1836. Mr. Greear stated that each stone will have a paper record as well as an electronic record. Council Member Roberts stated that the Town is cutting down the trees and replacing the fence at the cemetery and asked if there is anything else that may be needed that

Mr. Greear would recommend? Mr. Greear stated that filling in some of the sunken graves may help as far as a safety aspect goes and he can mark the locations that need to be filled in.

Mayor Bob Richards asked if there was anyone who arrived late who would like to sign the sheet to speak? There was no response.

Mayor Richards closed the public comment session at 6:58 P.M. and opened the consent agenda session. Mayor Richards re-opened the public comment session at 7:40 P.M. to allow Ms. Elliott to speak before beginning NEW BUSINESS.

- **Ms. Betty Elliott** – 277 Highland Street - Ms. Elliott stated that there is a family that lives at 207 Highland Street and since they have moved onto the street, there has been a constant noise and officers have been there over different matters. Ms. Elliott stated that the resident revs the engine of an unmarked vehicle at 10 p.m. at night when others are trying to rest. Ms. Elliott stated that her aunt lives one house down from the residence and she has cancer. Ms. Elliott stated that she believes there should be an ordinance that could be enforced to deal with this type of situation. Ms. Elliott stated that there are individuals living in out buildings on the property as well. Ms. Elliott stated that she is not the only resident that feels this way and she loves where she lives but this situation makes her very nervous. Town Attorney Michele Brooks stated that she has this issue to research and assured Ms. Elliott that she will look into it. Council Member Cassell asked Town Attorney Brooks to research if a nuisance abatement may work.

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 – Jason Snapp delivered the Engineer’s Status Report.

DEQ Sewer I&I Rehab Job: The contractor has substantially completed the project. A substantial completion walk through was completed with Greg Jones (Town Manager), Bill Spencer (DEQ), Robert Estes (Contractor), Homer Vandergriff (Contractor), and Jason Snapp (M&C) on Friday, December 18th at 10:00AM. A project punch-list was compiled during this meeting and has been distributed to all involved parties. The contractor has provided notice that they have completed all punch list items. Final completion closeout documents will be processed and final payment to the contractor recommended.

Currently the overall budget is projected as stated below:

Construction	\$ 1,208,498.96
Contingency	\$ 0.00
Legal/Bond Counsel	\$ 6,000.00
Basic Engineering	\$ 128,000.00
Permits	\$ 9,325.00
Mussel Survey	\$ 8,100.00
Easements/ROW Maps & Deeds	\$ 23,452.00
Asset Management Plan	\$ 20,000.00
Easement Acquisition	\$ 4,405.00
Resident Project Inspection	\$ 80,000.00
Additional Engineering for Redesign	\$ 14,740.00

These projections are estimated and not final and total approximately \$1,502,520.96. The original project budget was set at \$2,111,595.00. Current estimated project savings are approximately \$609,074.04.

These savings will be realized from the construction, resident project inspection, and contingency line items. The town has covered the required restocking fees in the amount of \$14,746.63.

Sewer Asset Management Plan: M&C has submitted the Asset Management Plan to the Town and DEQ for review. DEQ has approved and is awaiting project closeout documentation.

H/C Ramp HSIP Project: Estes Brothers Const. has been awarded the project. The NTP was set for March 29th and the contractor has been working through the materials submittals/approval process. Construction on the project is expected to start in the next few weeks.

DEQ Sanitary Sewer Evaluation Study: DEQ has awarded the SSES funding package for Gate City (The Town's funding package totals \$100,000, and consists of \$75,000 grant money and a \$25,000 Town match). The Town is now authorized to start on this project by DEQ pending providing required paperwork to DEQ including procurement certification letters, signed engineering task order, and a project schedule. Mr. Snapp stated that the signed task order has been forwarded to DEQ. Mr. Snapp stated that the study will consist of smoke testing, flow monitoring, tv inspection of the lines. Mr. Snapp stated that there is an opening to apply for construction funds July of next year which we will try for since there is a six month turn around time on this report. Council Member Cassell asked if the residential will be handled through our ordinance? Mr. Snapp stated yes, that any cleanout connections or residential connections are addressed through ordinances and are typically the home owners responsibility to take corrective action through the Town's ordinances.

VDH Backup Generator Project: VDH has offered funding in the amount of \$1,220,000 per the funding application for the Emergency Backup Generator Project M&C and the Town submitted last spring. The funding package consist of \$366,000 in grant funds and \$854,000 in loan funds with a term of 20 years. It is possible that a Waterworks Business Operations Plan could be attached to this project per the funding letter. The Town sent a letter stating their intent to accept the offer prior to the October 30, 2020 deadline. The Town and Mattern & Craig had a preliminary project call with VDH on January 27 at 10:00 AM. During this meeting the Town, Engineer, and VDH discussed the project and final funding selection process as well as schedule and adding a Water Business Operations Plan to the funding package. VDH has now approved adding the WBOP to the funding package as 100% grant funds. M&C is in process of providing the task order to the Town for review and approval. Once this is in place the Preliminary Engineering Report phase will commence. Mr. Snapp stated that construction plans are expected to be complete by February 17, 2022 to assist with the interest rate on the loan terms.

Town Hall Renovations Project: The Town Hall Renovations Project is nearing completion as the project is approximately 95% complete currently. The anti-microbial door handles are the only items left to install and we are currently waiting on them to be manufactured. The contractor has installed interim door handles to get the doors functional until the anti-microbial handles come in.

B. Manager's Report – Town Manager Greg Jones delivered the Manager's Report.

- **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.

460 Park Street - wastewater issue is completed.

639 Park Street – rehabilitation to 166 Margie Street and demolition are on hold pending owner relocation. Town Manager Greg Jones stated that there is an investor occupation for 571 Park Street and 609 is expected to be rehabbed as well.

Council Member Roger Cassell added that the project is in search of licensed contractors. Town Attorney Michele Brooks asked if the contractors have to be Class A? Town Manager Jones stated that he believes so. Council Member Cassell stated that the contractor would have the potential to rehab two homes and possibly build another.

- **Gateway Park**

Planning Commission has been in discussion about sign procurement and placement. I have been instructed to reach out to a sign vendor to help develop and locate a sign.

- **Finance Committee Meeting – FY 2022 Budget**

The proposed FY 2022 Town Budget has been updated to reflect actual and FY 2022 forecast for real estate tax and business license tax receipts. Receipts are ahead of previous projections. Street Paving and Law Enforcement Training budgets have been increased.

- **USDA Grant Award**

The Town has been awarded up to \$26,200 in funding to help offset the cost for the two 2018 Dodge Durango's that had been purchased for the Police Department. This project is expected to close in a couple weeks.

- **DCJS Body Camera Grant Award**

The Town has been awarded \$3,591 for new Body Cameras for the Police Department. This grant was a 50/50 with a total project cost of \$7,182. Body cameras have been received. This project will be closed shortly.

- **Estil Cemetery Restoration Project**

Council awarded the Fence Replacement contract to TriCities Fence for \$15,905.00. TriCities Fence stated that they could not complete the project at the quoted price due to increases in cost. TriCities Fence stated that the new cost would be \$17,905.00. I contacted Factory to You Fence and they stated that they would honor their quote for \$16,434.00. Factory to You Fence was awarded the project as they were the next lowest bidder.

Majestic Tree Service has been hired to cut down the large tree that is in the fence line for \$1,000.00. The tree will be removed as soon as the weather clears up. Once the tree is removed the fence replacement project will start.

- **FEMA Grant**

The Town received a FEMA Grant to pay for personal protection equipment in the amount of \$15,940.01. This grant has been closed. Originally the grant was 75/25 split. FEMA ended up paying 100% of the cost.

- **Virginia Tourism Grant**

The Town has received a \$20,000 marketing grant from the Virginia Tourism Corporation. Corporate Image in Bristol Virginia has been procured (through Scott County) to create video, brochure, and placement ads. The video shoots started today and will continue the week of May 17th, 2021

- **2021 Events**

The events committee met on Thursday, April 6, 2021 and discussed the following event schedule for this year:

- July 10th: Park Event – Civitan: Movie in the Park
Concert Event: Hootie and the Brofish, Matchbox 2.0, Joe Young Magic
- August 7th: Kiss the Grit Bike Race
Concert Event: Asylum Suite, Night Train, Jenkins School of Dance
- September 4th: Concert Event: Borderline, Retroville, Head Games, Jenkins School of Dance
- October 31st: King Alleyween event
- November 11th: Veterans Day
- November 20th: Christmas Open House
- November 27th: Shop Small Saturdays
- December 4th: Christmas Parade

Vice-Mayor Robin Richards added that Run the Gate 5K will be held on June 19, 2021 at 8 a.m.

● **GATE CITY WATER LEAKS**

April 2021

<u>Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
132 Ruth Road	4/1/2021	1” line ctx, 1 ton rock, 1-1” band
198 Reed Hollow Road	4/5/2021	¾” band, 1 ton rock
909 Manville Road	4/12/2021	Changed out PRV (previous one burst)
614 Broadwater Avenue	4/27/2021	Placed 3 new gaskets in meter; repaired leak

C. **Attorney’s Report** – Town Attorney Michele Brooks delivered the Attorney’s Report.

● **946 West Jackson Street**

1st Offense

2nd Offense

Town Attorney Michele Brooks stated that meeting with the county attorney and building inspector to address the demolition is all that is pending on this property. Town Attorney Brooks stated that the issue is that the county and city taxes have not been paid for three years and the county will not do a demolition permit without that.

● **169 Reed Hollow Road**

Lawsuit

Town Attorney Brooks stated that this issue has been filed and we are awaiting service of process.

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

Vice Mayor, Robin Richards – Vice-Mayor Richards stated that she has had two complaints this past month. Vice-Mayor Richards stated that one of the complaints was the leak on Darter Street which has now been corrected. Vice-Mayor Richards stated that the second complaint was concerning the weed eating in town and she explained that Mr. Frazier is doing the best he can with the personnel shortage he

has. Town Manager Greg Jones asked if there is a specific area that the complaint was concerning? Vice-Mayor Richards stated that the complaint was concerning the Darter Street and Highland Street area.

Council Member, Allan “Cotton” Roberts - Council Member Roberts stated that volunteers are needed for the Run the Gate event for handing out water, traffic stops and registration. Council Member Roberts stated that the first Small Town Saturday was held on May 1st and it was very successful and Yum-Yum food truck sold out. Council Member Roberts stated that the Hungarian Sausage King food truck is supposed to be at the next Small-Town Saturday event in June. Council Member Roberts stated that he received a call from the Tir-Cities Jazz Orchestra who would like to come play at one of the Small-Town Saturday events, possibly in King Alley.

Council Member, Roger Cassell - NONE

Council Member, Wallace W. Ross, Jr. - Council Member Wallace W. Ross, Jr. stated that a portion of the sidewalk is complete at the light where Kane Street and Jackson Street meet, and he hopes that the entire area could be finished. Council Member Ross stated that this would help beautify that section. Town Manager Greg Jones stated that council has already approved for this project to be scoped and he and Mattern & Craig have been working on that. Town Manager Jones stated that the pre-application is due towards the end of the month.

Council Member Ross stated that at the bridge at Kane Street if you are in the right-hand side you must speed up to get across and you may get a ticket even though you will slow down once in the correct lane.

Council Member Ross asked what is the criteria for someone to apply for a job to cut the grass? Town Manager Greg Jones stated that we are looking for a business that specializes in mowing yards that also has a contractor’s license and insurance. Council Member Ross stated that we used to hire individuals for summer help. Town Manager Greg Jones stated yes, but there is a labor shortage right now. Council Member Ross stated that most job applications are now online and those who are able to work may not have access to the internet or computer skills. Town Manager Greg Jones stated that we have tried a temp agency, prisoners for outwork, and now SCOTT Service and as he has alluded to before, we are having a difficult time getting people in to work right now. Council Member Roberts asked if Frazier’s Mowing is still working for the Town? Town Manager Greg Jones stated yes, but he is by himself as well because he cannot find any help either.

Council Member Ross stated that the timer is off on the lights on the east end of town and there is a difference in the brightness of these lights compared to the ones that have been replaced.

Council Member Ross asked if the water was safe when the power went off for six hours last month (April 29th)? Town Manager Greg Jones stated yes, the water was already in the tank and ready to be consumed. Town Manager Jones stated that his concern is that if the power goes out and we drop below 9 or 10 ft and there is a fire or a water leak, pressure can potentially be lost, and contaminants can get in but that did not occur in this instance. Council Member Ross asked if the power is off any longer than that, do we need to call residents and let them know that the water is unsafe? Town Manager Greg Jones stated that once the water is in the tank, it is fine. Town Manager Jones stated that when the water drops below a certain level and pressure is lost, that is when unsafe conditions are created. Town Manager Jones stated that we sell water in wholesale to PSA and if there is ever a situation like this and we feel that we are losing more water through consumption than we can put back in the tank, then we would call PSA and tell them to stop pulling water from us.

Council Member, Tyler Kilgore - NONE

E. Sanitation Authority – Council Member Roger Cassell stated that Sanitation Authority received a counterproposal from PSA and a reply has been sent. Town Attorney Michele Brooks stated that the Sanitation Authority and the PSA are in on-going negotiations and are hopeful.

F. **Police Department** – Chief of Police Justin Miller delivered the police department report. Chief Miller stated that there were 0 DUI arrests in April which he is hopeful that this means that drunk drivers are avoiding town more. Chief Miller stated that monthly defensive tactics training has resumed and this month the officers went over the Duty to Intervene policy and a member of the Commonwealth Attorney’s office attended and participated in some of the training as well. Chief Miller stated that at the end of the year, he will be presenting Officer McGraw with a life saving award for her efforts on a mental health call in which she applied a tourniquet to both arms of an individual who attempted suicide by cutting himself. Chief Miller stated that Officer McGraw kept the individual from bleeding to death and as of right now, he is still alive.

XII. UNFINISHED BUSINESS - NONE

XIII. NEW BUSINESS

1. Sam’s Towing

Deferred Until After Closed Session.

2. Payoff Debt: Backhoe: \$38,218.43

Town Manager Jones stated that there is a surplus in the General Fund and recommended that it be used to pay off some debts.

Motion made to pay off debt: Backhoe: \$38,218.43

Motion by: Allan “Cotton” Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

3. Payoff Debt: Police Vehicle: \$22,490.76

Town Manager Greg Jones stated that this would also be paid off through the surplus in General Fund.

Motion made to pay off debt: Police Vehicle: \$22,490.76

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

4. Payoff Debt: Town Hall: \$41,204.64

Town Manager Greg Jones stated that this would also be paid off through the surplus in General Fund.

Vice-Mayor Richards asked if this means the Town Hall building? Town Manager Greg Jones stated yes.

Motion made to pay off debt: Town Hall: \$41,204.64

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye:5

Nay:

Absent:

Abstain:

Motion Carried.

5. Section 18-3, 18-4: Trash Container Issue

Town Manager Greg Jones stated that he understands that Council wants to enforce the trash cans, but as the policy reads, the solid waste containers or plastic bags are approved. Council Member Cassell asked if 18-4 could have gotten renamed when everything was transferred to Municode? Town Attorney Michele Brooks stated that it is possible, but the way that it is defined, we will have to change the ordinance if Council wants trash to be in a receptacle. Council Member Cassell asked Town Attorney Brooks if she would like to write a proposal? Town Attorney Brooks stated she would be happy to if that is what Council requests. Council Member Cassell stated that he does not believe that it was called yard waste when the ordinance was created. Town Manager Greg Jones stated that we need to know what the enforcement will be if someone does not comply. Council Member Cassell stated that if we don't pick up the garbage it will make the situation even worse. Council Member Kilgore asked if research could be conducted on what other municipalities are doing in situations like this? Town Attorney Brooks stated yes. Vice-Mayor Richards stated that there is another locality that is enforcing their policy, but they purchased a brand-new trash can for every resident so that people could comply, and it is not a burden. Town Manager Greg Jones stated that the locality also picked up a new trash truck to go with the cans. Town Manager Greg Jones stated that the new trash truck is on our capital improvement plan for 2025, but we did not look at the garbage cans just the truck. Town Attorney Michele Brooks stated that she would bring samples of the ordinance to the next Town Council meeting.

TAKE NO ACTION.

6. Lombard Street Paving: Award Project

Town Manager Greg Jones stated that as a response to the Lombard Street Paving Project, we had four bids. Town Manager Jones stated that the low bid was \$19,050 but he is not recommending this one because the insurance policy doesn't name the person who will be performing the work. Town Manager Jones stated that the next one is W-L Construction and Paving and their bid is in order at \$23,625 and this is the contractor that he would recommend for this project. Council Member Cassell stated that the Lombard extension has been estimated at over \$6,000 and it leads to a private driveway, has never been paved before or allowed for the public to drive on. Council Member Cassell asked why we should pay \$6,000 to pave it? Council Member Cassell stated that the extension is gravel now and they are going to have to re-build the road bed and that is why it is so expensive. Council Member Cassell stated that when residents asked for it to be paved, the extension was never mentioned. Vice-Mayor Richards stated that there are many other streets like this in town including Twig Street, so we need to make a decision to pave all of these or none of these types of streets and maintain consistency on these decisions. Council Member Cassell stated that this extension is only serving one property owner. Vice-Mayor Richards stated yes, but that one property owner pays taxes. Council Member Cassell stated that one of the bid states that the Town must supply the gravel to build the road bed and that they will have to spray the weeds. Council Member Roberts stated that it is a red flag that the extension has never been paved before. Vice-Mayor Richards stated that we have many streets in town that have not been paved before that are town streets and if we make this decision on this one, we will need to make the same decision on the others. Vice-Mayor Richards stated that as part of the Street Committee she is proposing that we pass on paving Lombard at this time and revisit how Council feels about paving the areas like this and move onto the number 2 on the list to pave which would be Franklin Street. Council Member Cassell stated that the town crew used to do small jobs like this and that is why we bought the pavement roller. Vice-Mayor Richards suggested that we provide gravel for these roads. Vice-Mayor Richards suggested holding off on paving the extension for this year. Council Member Cassell stated that we may need to see how many streets like this we have and we may be able to get them all paved at once and asked Vice-Mayor Richards to put together a list of the short streets.

Motion made to adjust the paving project for Lombard Street to exclude the extension and be sent out for re-bid.

Motion by: Robin Richards

2nd by: Roger Cassell
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

7. Public Hearing: Proposed Ordinance: Penalty for collection of unpaid taxes

Town Manager Greg Jones stated that we have the ability to create an ordinance that will allow us to collect our fees if we have to go into collections for real estate taxes or anything tagged on as real estate taxes such as collection expenses, attorney fees, etc.

Motion made to approve Public Hearing: Proposed Ordinance: Penalty for collection of unpaid taxes

Motion by: Allan "Cotton" Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss 1.) legal matters.

Motion by: Allan "Cotton" Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

Mayor Richards opened the closed session at 8:14 P.M.

XVI. RETURN FROM CLOSED SESSION

Motion made for Council to return from closed session.

Motion by: Allan "Cotton" Roberts
2nd by: Robin Richards
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

Council returned from closed session at 8:47 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: Mayor, Bob Richards,
 Vice Mayor, Robin Richards,
 Council Member, Allan “Cotton” Roberts,
 Council Member, Roger Cassell,
 Council Member, Wallace W. Ross, Jr.,
 Council Member, Tyler Kilgore
 Nay:
 Absent:
 Abstain:

XVII. MOTIONS FROM CLOSED SESSION: NONE

STATEMENT FROM CLOSED SESSION:

1. Sam’s Towing

Town Attorney Michele Brooks stated to Mr. Sam Dockery that she believes that everyone here values him and his business, however, based upon the review of the tax records provided and advice given by the Town Attorney, The Town Council will not interfere with the decision of the Chief of Police to make the decision regarding the 911 towing list. Mr. Dockery stated that he has been here 32 years and the Council has not done anything to help him in this town. Mr. Dockery stated that his wife has a legal wrecker service. Mr. Dockery stated that at the last meeting, he was told that if he could show that he has two businesses, one being his and one being his wife’s, they could be put back on the list. Town Attorney Brooks stated that Chief Miller will make the decision regarding the 911 list. Mr. Dockery asked if he could get the money back for Southwest Towing’s business license? Town Attorney Brooks stated that he could not get the money back for a business license. Mr. Dockery stated that the town is not going to allow him to do business and they won’t let him have his money back. Town Attorney Brooks stated that no one is keeping Mr. Dockery from doing business. Mayor Bob Richards stated that Mr. Dockery can still tow vehicles.

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

 Nay:

 Absent:

 Abstain:

Motion Carried.

*Mayor Richards adjourned the meeting at 8:53 P.M., until the next scheduled Council Meeting on June 08, 2021 at 6:30 p.m.

Bob Richards – Mayor

Lydia Morales - Town Clerk