

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
May 12, 2020
190 Beech St., Gate City, VA
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:37 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Town Clerk – Lydia Morales

	PRESENT:	ABSENT:
Mayor, Frances Perry	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, Ron Kindle	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: Jason Snapp, Mattern & Craig; Debbie Kindle; Nathan Kilgore; Officer Ethan Penley; Chief of Police Justin Miller;

III. INVOCATION- Vice-Mayor Robin Richards

IV. PLEDGE OF ALLEGIANCE - Chief of Police Justin Miller

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Allan “Cotton” Roberts

2nd 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.

Mr. Eric Lane, Owner of Pal’s of Gate City – Beautification Award – Mr. Eric Lane was absent and his presentation will be rescheduled

Town Manager Greg Jones discussed the promotion of officer Ethan Penley to Sergeant. Sergeant Ethan Penley: Promoted to Sergeant with the Gate City Police Department

Mayor Frances Perry presented Town Manager Greg Jones with a present for his anniversary month with the Town of Gate City.

VII. APPROVAL OF MINUTES

- **Approval of March 10, 2020, Town Council Minutes.**
Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts
2nd 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 and April 2020 as presented.

Motion by: Allan “Cotton” Roberts
2nd by: Roger Cassell
VOTE: Aye: 5
Nay:
Absent:
Abstain: **Motion Carried.**

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

Mayor Perry closed the public comment session at 6:45 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 – Jason Snapp delivered the Engineer’s Status Report

DEQ Sewer I&I Rehab Job: Mr. Jason Snapp delivered the update on the DEQ Wastewater Line Replacement Project. Mr. Snapp stated that as of today, they are approximately 45% complete of the original scope contract. The contractor has completed all the “dig & replace” sewer line installation on the project. The only actual sewer line installation left to be completed within the original project scope are the sections to be rehabbed or pipe burst. Other items remaining to be completed are paving operations and to establish new vegetation on disturbed areas. The project is approximately 40% complete overall. Mr. Snapp stated that the creek crossing has been completed.

The overall scope of the project has been modified to better address infiltration issues with The Town’s Sewer System. We have completed TV inspections of the Burnt Cabin Branch Collector line and will evaluate its condition for rehab. We will continue to complete evaluations throughout the system to utilize the approximate \$500,000 savings realized with the change in project scope.

Mr. Snapp stated that trench paving should be completed by the end of the week. Council Member Allan “Cotton” Roberts asked if there has been any changes to the water loss numbers since the project has began? Town Manager Greg Jones stated that it will not be known for a couple of months. Mr. Snapp stated that the lining system will hopefully be used on some of the pipes rather than pipe bursting them, especially in people’s yards. Vice-Mayor Robin Richards asked if the lining is done, is there anything that can disrupt or tear it, such as someone driving over it? Mr. Snapp stated that it is possible but if the sock was busted, they would not put that in the line.

Sewer Asset Management Plan: M&C is working on the Sewer Asset Management Plan and will be coordinating with DEQ over the next few months to complete. Mr. Snapp stated that inventory is complete and the financial portion is mainly what is left to do on this project. Mr. Snapp stated that a sinking fund will need to be completed to tell the Town what they need to put back to replace their system every lifespan.

H/C Ramp HSIP Project: VDOT has approved the final budget and VDOT should notify the Town of approval to advertise any day. At that point we will advertise the project for 30 days, review the bids and then award within 60 days of bid opening. Mr. Snapp stated that the project will be advertised this Sunday for thirty days in the Kingsport Times. Mr. Snapp stated that the bid opening will be in person. Mr. Snapp stated that after bids are open, VDOT gives 60 days to approve and award the contract. Mr. Snapp stated that 90 days should be expected before the contract can be awarded and pre-con can begin. Mr. Snapp stated that he expects the handicap ramps to be in by the fall. Council Member Wallace W. Ross, Jr. asked if it will be late August before construction can start? Mr. Snapp stated that in the best case scenario it would be 90 days from today before they could think about starting construction. Mr. Snapp stated that a good start date would be most likely in September. Council Member Wallace W. Ross, Jr. asked why they start projects in the fall when it turns cold? Mr. Snapp stated that is just when it gets approved.

Mr. Snapp stated that the VDH grant application has been finalized and has to be postmarked by Friday at 4 p.m. Mr. Snapp stated that this project includes six backup generators, a new pump station, security fencing at all of the pump stations and five master meters throughout the water system, and demolition of the existing reclaim tank at the water treatment plant. Mr. Snapp stated that the overall project is estimated at \$1.22 million dollars. Mr. Snapp stated that the target water rate based on median household income in Scott County is \$33.92. Mr. Snapp stated that according to his projections a principal forgiveness of 52% would have to be given for a rate increase not to occur. Mr. Snapp stated that according to his projections, if they do not give that forgiveness, the rate increase will be \$2.66 which is about 8% above the existing rates. Mr. Snapp stated this is not final, VDH will have to review the application.

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

Capital Projects

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 has been approved. VDOT has approved the final budget:

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$14,556	HSIP	0%	\$0	\$14,556	
				\$0	\$0	
Total PE	\$14,556			\$0	\$14,556	\$6,056
Right of Way & Utilities						
Total RW						\$0
Construction	\$109,584	HSIP	0%	\$0	\$109,584	
				\$0	\$0	
Total CN	\$109,584			\$0	\$109,584	\$104,584
Total Estimated Cost	\$124,140			\$0	\$124,140	\$110,640

VDOT has also authorized the project to advertise for contractors. The advertisement will be for a minimum of 21 days.

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 Streets)

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.

- **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 Park Street Housing project will be set up on a reimbursement. This project will coincide with the DEQ Wastewater Line replacement project valued at \$1.7 million. The Town may need to obtain a Bond Anticipation Note (BAN) to provide interim financing for both projects.

The project sign has been approved by DHCD and installed onsite.

The Management Team and Rehabilitation Board met on April 4th, 2020 and May 5th, 2020 via telephone conferencing. DHCD indicated that the Town's audit for FY 19 needs to be submitted asap. DHCD is holding pay request submissions until audit is complete. DHCD stated that they are flexible with their deadline considering the COVID-19 health issue. There are three contractors who desire to be pre-approved for the project. Asbestos Contractor Quotes have been approved by the board. Discussed potential zoning appeals and need information from property owners.

- **Dog Park & Gateway Park**

The Gateway Park has been funded \$5,000 in FY 2020 Budget to continue development. Our next project will be the installation of the Stack Fence along the front of the property.

The dog park located at Grogan Park has been funded \$5,000 in FY 2020 Budget to continue development. The next project will be to address the drainage issue and locate interior fencing.

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

\$25,000 has been allocated through the FY 2019 budget to place new streetlight banners along Kane and Jackson Streets. The FY 2019 funding for this project has been transferred to the Capital Improvement Savings to continue the project in FY 2020.

I met Mr. Joel Mosca, Mosca Designs – Glenn Allen, VA during the Main Street meeting in Lynchburg, VA. Mosca Designs stated that they can help with the engineering requirements needed for permitting.

I have asked the Gate City Frontier, Inc to take the lead on this project. I suggested that Gate Frontier, Inc. form a subcommittee to include Gate City High School, community sparkplugs, etc. to be involved in the design phase of the banners.

- **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.

We have learned that VDOT will not be accepting HSIP applications this year. Further Council discussion will be required.

- **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. A site visit was conducted on May 13th, 2019.

As a result of the site visit, the Army Corp of Engineers stated that they are expecting to receive additional budget funding due to the increase of flooding issue in our area. Mr. Thomas stated that the Army Corp of Engineers can do a stream study for Big and Little Moccasin Creeks.

Council has approved the letter of engagement for the Army Corp of Engineers to proceed with this survey.

Grogan Park along with the Town of Gate City received significant flooding on Wednesday, February 5th, 2020. The Big and Little Moccasin Water Shed was documented with pictures and turned over to the Army Corp of Engineers to help with the assessment project.

The flooding issue continues at Grogan Park. We have received 4.83” of rain since April 23rd, 2020. The park has flooded seven times in March and April 2020. I have been in contact with the Army Corp of Engineers. They are tasked with the current COVID-19 health issue, but I will continue to document and communicate our issues with them.

- Kane Street & Jackson Street Paving & Parking Plan**

The Virginia Department of Transportation (VDOT) informed the Town that Kane Street and Jackson Street – Sue Street to Aurora Street will be repaved in the coming weeks. VDOT will be responsible for replacing the crosswalks and centerline striping, but the Town is responsible for parking spaces striping.

A Parking Plan has been developed by Mattern & Craig, Inc. and approved by VDOT. Out of the six contractors that have been contacted to submit a bid, only two responded.

Council has approved the Parking Plan and has awarded the bid to Precision Pavement Markings. A kick-off meeting was held on November 5th, 2019 with Precision Pavement Markings. This project had been scheduled and cancelled on three separate occasions due to the weather. We are hoping to start this project this week; however, the weather forecast is predicting rain. This project will begin as soon as the weather permits.

The parking restriping project continues to be on hold due to the weather. The contractors need three days of at least 50-degree weather without rain. There has only been three times that these conditions have been met since last October 2019.

- Wastewater Line Replacement Project**

The Gate City Sanitation Authority has been awarded funding to replace the aging wastewater trunk lines.

The original funding has been awarded. The loan will be for twenty years at zero percent interest.

Base Funding			
Total	Grant	Loan	Yearly Payment
\$1,726,278	\$700,000	\$1,026,278	\$51,314

The bid opening ceremony was conducted on October 30, 2019. The lowest bid was received at \$2,117,595.00. DEQ has agreed to loan the difference under the same terms as the original offer.

Ammended Funding			
Total	Grant	Loan	Yearly Payment
\$2,117,595	\$700,000	\$1,411,595	\$70,580

The Sanitation Authority did request additional grant funding, but DEQ stated that all the grant funds have already been allocated. Town Council has approved the Support Resolution. This project successfully closed on January 30th, 2020. The Notice to Proceed was signed on March 3rd, 2020 and the project has begun.

The contractors have made significant progress with this project. The project was scheduled to take one year to complete. The project is now at the 40% completion mark. All the replacement sewer lines have been completed. The remaining lines will be rehabilitated or pipe burst. The

project has been modified to address additional infiltration concerns. Burnt Cabin Branch will be evaluated in addition to the scope of this project.

- **Utility Billing Software Replacement Project**

The Utility Billing Software replacement project is well on its way. We are expected to go live with the new software implementation on July 1st, 2020. The Town’s administrative staff will need three days of training prior to implementation.

Council Action: Approve transfer of funds from Capital Outlay Account to General Fund.

2020 Town Events

On April 12th, 2020, the Town Hosted a Social Distancing Community Easter Egg Hunt. Participants colored Easter eggs and taped them to the windows in their homes or businesses. Then on April 10th - 12th, participants drove or walked through town to see how many eggs they could find.

Events scheduled for 2020:

Throwback Movie Night: Friday, July 24, 2020 – Municipal Parking Lot

Throwback Concert: Saturday, July 25, 2020 – Jackson Street
Band: Retroville
Band: Matchbox 2.0

Back to School Bash: Saturday, August 1st, 2020 -Jackson Street
Movie & Inflatables

Tractor and Farm Vehicle Cruise-In – Saturday, August 15th, 2020
Band: Aaron Walker Band
Band: The Tangbangers

Kiss the GRIT Bike Ride: Saturday, September 26th, 2020
50 miles – Spearhead Trails

Rock & Roll All Night & Cruise In: Saturday, September 26th, 2020 – Jackson Street
Band: Benny Wilson Band
Band: Asylum Suite
Band: Dress to Kill: Kiss Tribute Band

King Alleyween: Saturday, October 24th, 2020

Veteran’s Day Event: Wednesday, November 11th, 2020 – Grogan Park

Christmas Open House: Saturday, November 21, 2020

Shop Small Saturday: Saturday, November 28, 2020

Christmas Parade: Saturday, December 5th, 2020

The above events are still scheduled but may need to be revised due to the COVID-19 health issue.

Budget Calendar for FY2021

February 25th, 2020 - First Finance Committee Meeting Scheduled.
(Completed)

February 28th, 2020 - Department Head's deadline in submitting needs.

~~March 20th, 2020 - Submit Street Assessment (Street Committee)~~

~~March 24th, 2020 - Finance Committee Meeting (Confirmed)~~

~~April 2nd, 2020 - Complete Proposed FY 2021 Budget~~

~~April 7th, 2020 - Finance Committee Meeting (unconfirmed)~~

~~April 14th, 2020 - Council to vote on holding a Public Hearing~~

~~Submit proposed budget to Council for input~~

~~April 29th, 2020 - First Public Hearing Notice/Advertising~~

~~May 6th, 2020 - Second Public Hearing Notice/Advertising~~

~~May 12th, 2020 - Public Hearing~~

June 9th, 2020 - Adopt FY 2021 Town Budget

Our budget calendar has been significantly impacted by the COVID-19 health crisis. On March 23rd, 2020, Governor Ralph Northam issued Executive Order 53 – restrictions for restaurants, recreational, entertainment, gatherings, non-essential retail businesses, and school closures. The restrictions will impact our business license tax, meals tax, sales tax, water and wastewater revenues. Our forecast indicates that this issue will not pose too much of an impact for this year’s budget. Up until the COVID-19 health issue, the Town’s forecast would have exceeded many of our revenue projections. The current effects of the COVID-19 on our local economy will not be known to us until early June. April’s receipts for the Meals Tax will be due by the end of May. This will give us a month’s worth of data to model FY 21 budget lines that are affected by the COVID-19 health crisis

Below is a table listing assumption provided by Fiscal Analytics, LTD (distributed by VML)

FY 2020 Revenue Loss Assumptions		FY 2021 Revenue Loss Assumptions	
Real Property	1%	Real Property	5%
Personal Property	1%	Personal Property	5%
Local Sales Tax	5%	Local Sales Tax	10%
BPOL	2%	BPOL	25%
Transient Occupancy	25%	Transient Occupancy	25%
Meals	25%	Meals	25%
All Other	2%	All Other	5%

Council Action: Approve the Continuity of Government in response to the COVID-19 Pandemic

Tourism Zone Amendment

The Finance Committee met on January 7th, 2020 to discuss amending the incentive offered to retail businesses by our current Tourism Zone ordinance:

(1) Rebate on business, professional and occupational license tax imposed by the town pursuant to chapter eleven of the town Code, in an amount equal to 50 percent of the tax paid by the qualified tourism business each year of the incentive period that is directly attributable to the qualified tourism business. For those qualified tourism businesses that are existing tourism businesses, rebates shall only be applicable to taxes assessed and paid on the portion of gross receipts directly attributable to the expansion of the business.

(2) Rebate on real estate tax imposed by the town pursuant to chapter six of the town Code, in an amount equal to 100 percent of the tax paid by the qualified tourism business each year of the incentive period that is directly attributable to the qualified tourism business. Real estate must be located in the defined tourist zone and be listed on the National Register of Historic Places. Improvements, remodeling, and construction work must be approved by the department of historic resources to qualify for this incentive. Qualified tourism businesses shall receive the benefits of the tourism zone incentives for a period of three calendar years (the "incentive period"), or until such time that the business no longer operates or qualifies as a qualified tourism business, whichever is the first to occur. If the business ceases to be a qualified tourism business or removes its operation from the tourism zone during a year in which the rebate applies, the business shall not be qualified or receive the rebate for that year or thereafter.

Our discussion included offering 100% BPOL and Real Estate Tax reimbursement, along with water/sewer tap credit up to \$1,000. A draft version is being developed and approved by the Virginia Tourism Corporation.

Council Action: Approve Public Hearing for June 9th, 2020.

Other

Engineering Procurement

Town Council has voted to accept Request for Qualifications (RFQ) for qualified engineering firms. The RFQ has been drafted and approved by the Virginia Department of Health (VDH) and Virginia Department of Transportation (VDOT). Direct solicitation to Women Business Enterprise (WBE) and Minority Business Enterprise (MBE). Our direct solicitation has been submitted to VDH and VDOT and we are awaiting approval. The RFQ deadline was on February 20th, 2020. Council appointed Council Members Mr. Roger Cassell and Mr. Ron Kindle to the interview committee. The interview committee held the RFQ opening ceremony on February 20th, 2020. The RFQ's are currently under review.

This project has been on hold due to the COVID-19 health crisis. Engineers who have submitted RFQ's have been contacted. This project will be underway shortly.

Respond to Coronavirus Disease (COVID-19)

Met with the Employees on Friday, March 6th, 2020 and discussed the Coronavirus. I developed interim guidance plan for our employees. The best defense is awareness and preparation.

On Monday, April 7th, 2020, the Town Hall was temporarily closed to protect our employees. A teleworking plan had been developed for the administrative staff. All calls to the Town Hall have been

answered and directed to the appropriate department. Residents and Customers have been encouraged to pay their water bill online. Customers have not been assessed any service fees for making payments online. There have been no late fees assessed and water service has not been terminated due to non-payment. Payments have been accepted at our drop box locations at the Gate City Town Hall Lobby or Drive-Thru. Our Public Works team has reduced services. Brush Pickup and new water tap services have been temporarily suspended. Garbage Collection will continue as normal. Our Police Department engagement has been for emergency matters only. Our employees have been instructed to maintain social distancing and to wear personal protective equipment. Grogan Park has remained open, but visitors have been encouraged to remain in groups less than ten (10) and practice social distancing.

Currently we are working on a plan to reopen the Town Hall. “Sneeze guards” will be constructed next week for the Office Manager and Town Clerk workstations. Additional protocol measures will also need to be developed to ensure the safety of our employees including air filters and more.

In an effort to keep the community informed, a resource webpage has been created and linked to MyGateCity.com. We have also used our social media platforms, webpage, mass messaging system to keep our community informed. We also have engaged with SCTV Community Channel 30 and VA Star to help with public information.

During this pandemic, we have been in communication with the Virginia Department of Emergency Management (VDEM), Ballad Health Emergency Operations Center, the Virginia Department of Health (VDH), and Virginia Risk Sharing Association (VRSA).

Town Manager Greg Jones stated that according to VRSA, we do not have to have any type of policy to take temperatures as far as employees, but if we feel that a temperature needs to be taken, this must be done in confidentiality. Town Manager Greg Jones stated that employees could take their temperatures before arriving to work and verbally say that they do not have a temperature. Town Manager Greg Jones stated that VRSA recommends that we keep the Town Hall closed. Town Manager Greg Jones stated that employees could continue working inside the office, but the Town Hall would be closed to the public. Town Manager Greg Jones stated that VRSA suggested that if an individual comes in to pay their water bill and they cannot pay by any other means, we need to take their temperature and if they have any type of fever, they need to leave immediately. Town Manager Greg Jones stated that in an effort to protect our employees, he believes this is the direction we need to go. Town Manager Greg Jones stated that if Council Members need to check their mailbox, they can come in after hours.

CARES Act

Under the “Coronavirus Aid, Relief, and Economic Security Act” or the “CARES Act” grant funding has been made available through the Virginia Department of Housing and Community Development (DHCD) for the following eligible activities:

- Construction or rehab of structures to be used for shelters, testing or equipment manufacturing
- Training programs for healthcare workers or service industry jobs transitioning to food/pharmaceutical delivery systems
- Acquisition costs for telework/telemedicine services
- Job creation or business development for manufacturing of COVID-related materials, supplies or equipment (PPE)

On Monday, April 20th, 2020, I had a telephone conference with Matt Weaver with DHCD and indicated the flowing funding needs for the Town in response to COVID-19:

- * Funding to offset cost in providing free online payments platform to our residents/customers.
- * Funding to pay for laptop computers for Council Members for video/virtual Council meetings.
- * Funding to pay for laptop computers for admin employees to promote teleworking.
- * LogMeIn software for admin employees to access work computers from home.
- * Zoom video conferencing software for video/virtual Council meetings.
- * Law Enforcement Overtime due to COVID-19.
- * PPE equipment
- * Town Hall sanitation/cleaning
- * Segregate employees from public at Town Hall. Our Town Hall has an open floor plan in which the employees are in direct contact with other employees and walk in traffic.

We will be working with DHCD in the coming weeks to help recover costs associated with our response to COVID-19 health issue through the grant funding provided by the CARES act.

Meetings attended:

VML Telephone Conference: Tuesday, April 21st, 2020: Dr. Jeffrey Stern, State Coordinator with VDEM and Dr. Ron Carlee from Old Dominion University presented Virginia COVID-19 Models. Stated that spread of COVID/results changing daily. Virginia is near hospitalization level peak. Don't know how accurate models are until after the fact. Lack of testing in Virginia. One to many ICU bed or ventilators cost a few thousand dollars; one too few cost lives.

Scott County COVID-19 Information Exchange: webinar: Thursday, April 23rd, 2020: Hosted by: Scott County Economic Development. The Virginia Employment Commission, Workforce Development Board, and Virginia Community Capital discussed resources that are available to local business affected by the COVID-19 health crisis.

Virginia Municipal League: Telephone Conference: Wednesday, April 29, 2020: Angela L. Navarro, the Deputy Secretary of Commerce and Trade and Cassidy Rasnick, the Deputy Secretary of Commerce and Trade for the Commonwealth of Virginia discussed the Governor's plans to restart Virginia's businesses as we move forward. Discussed taking a phase approach for lifting restrictions. Need information on source of data before moving into phase one. Need 14 days of downward trends in cases. Data will drive when businesses can reopen. In addition to downward trend must increase testing capacity, PPE and increasing public health workplace employees.

Vice-Mayor Robin Richards asked if VRSA gave a date as to how long they advise we keep the office closed? Town Manager Greg Jones stated no, they can't due to the unpredictability of the virus. Town Manager Greg Jones stated that it is just a suggestion to keep the employees safe. Vice-Mayor Robin Richards asked what will the procedure be for testing temperature, do they sign a form? Vice-Mayor Robin Richards stated that you have to be careful with taking temperatures of individuals and you're interpreting the temperature. Town Attorney Michele Brooks stated at this point the Town Hall is closed

to citizens and we just need a posting on the door that if they come in, they are agreeing to have their temperature taken.

Council Member Wallace W. Ross, Jr. asked if the drive-thru will be open for business? Town Manager Greg Jones stated that we will be leaving the drive-thru closed since there is a drop-box located directly next to it. Town Manager Greg Jones stated that there will most likely be one or two people who have no other way to pay other than cash, these are the individuals that we will let in after they have taken the temperature scan. Council Member Wallace W. Ross, Jr. stated that if the employees wore gloves to handle payments through the window, that would protect them. Town Manager Greg Jones stated that it is still unnecessary because there is a drop-box close by. Council Member Wallace W. Ross, Jr. asked if it would be possible to have a private company come in to sanitize the office? Town Manager Greg Jones stated that this has been done. Town Manager Greg Jones stated that there is a company that comes in each week to clean and the employees do it on their own as well, once in the morning and once in the afternoon. Council Member Wallace W. Ross, Jr. asked what is the cost of the company? Town Manager Greg Jones stated it is approximately \$300 per month plus the cost of cleaning. Vice-Mayor Robin Richards asked if this is the current process, whether COVID is here or not? Town Manager Greg Jones stated not necessarily, the cleaning has been upgraded to include Clorox and different things.

Council Member Roger Cassell asked what Town Manager Greg Jones' recommendation would be concerning having driving school the first week of June? Town Manager Greg Jones stated it would be up to the governor. Town Attorney Michele Brooks stated that as of right now, the executive order states that there cannot be a gathering of ten or more people indoors for any reason through June 10th.

Council Member Wallace W. Ross, Jr. asked if the council will still need to meet at the county building since it will be too close for us to meet at Town Hall? Town Manager Greg Jones stated that was the original reason for meeting at the county building and this is a fluid situation.

Town Manager Greg Jones stated that it was suggested that blue light bulbs be placed in the Town street lights in honor of the first responders during the COVID situation. Town Manager Greg Jones asked if anyone has been able to see the bulbs? Members of Council replied that they have not seen the bulbs. Town Manager Greg Jones stated that this was done last week, however, the color may be too pale to be noticed. Council Member Roger Cassell stated that the lights downtown are having issues with bulbs being out anyway. Vice-mayor Robin Richards stated that there are busted bulbs as well. Town Manager Greg Jones stated that the bulbs did not stand out quite the way he had hoped.

Town Manager Greg Jones stated that there has been a parade arranged for the seniors within the county that will take place on June 13th, 2020 in Gate City along the same route as the Christmas Parade. Town Attorney Michele Brooks stated that outdoor celebrations of any kind are prohibited by the executive order until June 10th. Town Manager Greg Jones stated that he has explained to the parade committee that it is a fluid situation.

Town Manager Greg Jones stated that the flea market is reopening Friday. Town Attorney Michele Brooks stated that we just need to be sure that they understand what the guidelines are for social distancing.

- C. **Attorney's Report** Town Attorney Michele Brooks stated that property maintenance is on hold until the courts re-open, possibly on Monday. Town Attorney Michele Brooks stated that she will be switching e-mail services and advised Council to look for her new e-mail.

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

Council Member Wallace W. Ross, Jr. – Council Member Wallace W. Ross, Jr. stated that across from Quillen Hardware on Kane Street, where the grass has been cut, they did not blow the grass and the drain gets stopped up when it rains. Council Member Wallace W. Ross, Jr. stated that since the grass cutting got started late, some of the grass has gotten pretty high. Town Manager Greg Jones stated that he did not believe that they got started late and asked which areas Council Member Ross is referring to? Council Member Wallace W. Ross, Jr. stated that it was high all around town. Town Manager Greg Jones stated that it has been raining a lot. Mayor Frances Perry stated that the public works start mowing at one end of town and work their way all the way through and by the time they get back out here it is grown back up. Council Member Wallace W. Ross, Jr. asked what will be done about the properties where the grass is getting high already. Town Manager Greg Jones stated that property maintenance has been on hold and the courts have been closed. Council Member Wallace W. Ross, Jr. asked if we have the option to send a letter to remind them? Town Manager Greg Jones stated that is part of the property maintenance service.

Council Member Wallace W. Ross, Jr. stated that the street lights are not working properly. Mayor Frances Perry asked Council Member Roger Cassell if the storms we have been having affect the street lights? Council Member Roger Cassell stated that it would not affect it unless it run in on it and in his opinion, it is the old age of the sockets.

Council Member Wallace W. Ross, Jr. asked if it would be feasible for us to write a letter to all of the businesses that have been open during this time to thank them for keeping us going and in appreciation of their efforts? Town Manager Greg Jones stated that it is certainly feasible and we can do that.

Council Member Allan “Cotton” Roberts – Council Member Allan “Cotton” Roberts stated that the water loss is down to 26.16% and that is fantastic.

Council Member Ron Kindle – NONE

Vice-Mayor Robin Richards - Vice-Mayor Robin Richards asked what the eta is on the generators? Town Manager Greg Jones stated that the grant application is due on the 15th and the VDH will entertain that and will send back a letter of offer which will tell us what type of grants we can get, what type of principal we will be receiving, and the terms. Town Manager Greg Jones stated that it will then come back to council to decide to move forward with the project or not. Town Manager Greg Jones stated please disregard Mr. Jason Snapp’s comments on the rates because they will be driven by the cost of the project and we do not know what that cost will be and how it will land on our budget. Town Manager Greg Jones stated once the information is received back from VDH we will be better able to determine rates. Vice-Mayor Robin Richards asked if these will be the generators for the water back-up in the event that the power goes out again, we will be able to pull? Town Manager Greg Jones stated yes and that according to his project summary for the project, the Town has lost power 21 times in the last eighteen months.

Vice-Mayor Robin Richards asked who is responsible for refilling the pet waste boxes in town? Town Manager Greg Jones stated that the town crew is normally responsible. Vice-Mayor Robin Richards stated that she has been refilling them and someone stopped her to thank her and stated that there had not been bags for a long time.

Vice-Mayor Robin Richards stated that the street lights are a problem and there has been pieces of flags hanging from the flags downtown. Vice-Mayor Robin Richards stated that one thing is not that big of a deal, but all of these things together makes us look like a town that just doesn’t care. Vice-Mayor Robin Richards stated that new flags have been ordered and normally Civitan foots half of the bill. Town Manager Greg Jones stated they have been received and an email has been sent to Rita Forester. Mayor Frances Perry stated that the Civitan used to keep up with when they needed to be replaced as well and that is where that falls back on the Civitan, not the town crew. Vice-Mayor Robin Richards asked if it is Civitan responsibility? Mayor Frances Perry stated that is was before, but the Civitan is probably like a lot of other things where membership is decreasing, and no one is coming along to take up the slack.

Vice-Mayor Robin Richards asked if there are any additional banners other than what is hanging up? Town Manager Greg Jones stated no. Vice-Mayor Robin Richards stated that there are no banners towards Rex's building and Misty's salon, and they feel left out. Vice-Mayor Robin Richards stated that there are banner poles there. Vice-Mayor Robin Richards asked why we don't have enough banners to go towards these businesses in town? Town Manager Greg Jones stated that we are working on that through the banner replacement project. Town Manager Greg Jones stated that Gate City Frontier will be coming up with the design and we will be placing banners throughout town.

Vice-Mayor Robin Richards stated that she has had two phone calls concerning events. Town Manager Greg Jones stated that as of right now, events are on hold and we will not know anything until after June 10th. Vice-Mayor Robin Richards asked if the contracts with the bands tell whether we have to pay them if they come or not? Town Manager Greg Jones stated that he will have to go back and look at that.

Vice-Mayor Robin Richards stated that the park is torn up and we will have to spend a fortune to repair it. Town Manager Greg Jones stated that is why we have the Army Corps of Engineers involved so they can figure out what the problem is and develop a plan to address it. Mayor Frances Perry stated that someone had suggested to her that a portion of the park would make a great wetlands project for the school system.

Council Member Roger Cassell - Council Member Roger Cassell stated that the garbage ordinance requires lids and suggested putting something on social media to remind individuals of this ordinance. Council Member Cassell stated that trash is being littered throughout town. Town Manager Greg Jones stated that he has informed Chief Miller that moving forward we need to start writing littering tickets.

- E. **Sanitation Authority** – Town Attorney Michele Brooks stated that discussion with the PSA is continuing. Town Attorney Michele Brooks stated that once we are able to meet again as a group, we will be close to getting some things settled.

XII. UNFINISHED BUSINESS - NONE

XIII. NEW BUSINESS

1. Nathan Kilgore, Owner of CrossFit: Requests reduction in rent due the COVID-19

Mr. Kilgore stated that he had spoke to Town Manager Greg Jones in the middle of March concerning his rent reduction due to COVID-19. Mr. Kilgore stated that Town Manager Jones told him to wait to make another payment until the Council could discuss this issue. Mr. Kilgore stated that his business has been closed for eight weeks but has implemented procedures to maintain continuity with his customers. Mr. Kilgore stated that although the governor has approved a soft reopening, he is unsure of how many customers will return fully to the gym and may not know until business can resume as normal. Mr. Kilgore stated that he has had 12 of 40 members pay this month, but has not forced anyone to pay. Mayor Frances Perry asked how many individuals are in a full class? Mr. Kilgore stated that his largest class is approximately 8 people at one time. Mayor Frances Perry asked if Mr. Kilgore pays one flat rate or if it is divided into rent, water, and lights? Mr. Kilgore stated that he pays one flat rate. Mr. Kilgore stated that on Monday he will do a soft opening outside and will have to invest a little money to provide outdoors what his business normally offers indoors. Mr. Kilgore stated that he is unsure of how long this will last and feels that this phase will last more than two weeks. Council Member Wallace W. Ross, Jr. asked how Mr. Kilgore plans to sanitize his business? Mr. Kilgore stated that he will be following the guidelines set out by the state, including a sanitation station and will not use things that cannot be sanitized fully, such as the ropes. Mr. Kilgore stated that he is going to arrange his schedule to have opportunity to sanitize between each class. Council Member Wallace W. Ross, Jr. asked Mr. Kilgore if he has been working with Town Manager Greg Jones to apply for grants for small businesses? Mr. Kilgore stated that he applied for the SBA loan as soon as it opened. Mr. Kilgore stated that he received \$4,000 from the loan and

has used it to sustain himself since it is uncertain that anymore money may be coming in. Mayor Frances Perry suggested a motion be made to forgive three months of rent and give a grace period of three months to Mr. Kilgore. Town Attorney Michele Brooks asked to investigate the legality of forgiving the rent and suggested that the council temporarily suspend the rent if they desire to do that during the meantime. Town Manager Greg Jones suggested moving the suspension through June. Council Member Ron Kindle asked if we are just suspending it for a temporary amount of time, but Mr. Kilgore may have to pay later? Mayor Frances Perry stated yes, depending on what happens to the business. Council Member Allan “Cotton” Roberts asked if Mr. Kilgore has looked at the loan from the EDA and Chamber of Commerce? Mr. Kilgore stated he would give them a call.

Motion made to suspend the collection of Mr. Kilgore’s rent through the end of March, April, May and June 2020.

Motion by: Roger Cassell
2nd by: Allan “Cotton” Roberts
VOTE: Aye: 4
Nay:
Absent:
Abstain: 1

Motion Carried.

2. Continuity of Government for the Town of Gate City

Town Attorney Michele Brooks stated that the Continuity of Government for the Town of Gate City is based off of model ordinances put out by the local government attorney’s association. Town Attorney Michele Brooks stated that there are certain deadlines that can be suspended. Town Attorney Michele Brooks stated that the Continuity of Government for the Town of Gate City will expire and is just to get us through this emergency situation. Town Attorney Michele Brooks stated that the business license filing deadline has been extended to June 15, 2020. Town Manager Greg Jones stated that our revenue target for the year for business licenses has been exceeded. Town Attorney Michele Brooks stated that the water interest and penalties are waived through June 18, 2020 and no one’s water or sewer will be terminated during that time. Town Attorney Michele Brooks stated that brush pickup is suspended until June 15, 2020. Town Attorney Michele Brooks stated that the budget deadline has been pushed back to August 15, 2020. Council Member Allan “Cotton” Roberts stated that he saw where someone’s water was cut off in the work order list. Town Attorney Michele Brooks stated that it is not cut off unless they move or ask for it to be cut off. Council Member Wallace W. Ross, Jr. asked if this will have any effect on the election coming up? Town Attorney Michele Brooks stated this will expire in six months and will have to be repassed after that time frame.

Motion to approve the Continuity of Government for the Town of Gate City

Motion by: Allan “Cotton” Roberts
2nd by: Roger Cassell
VOTE: Aye: 4
Nay:
Absent:
Abstain: 1

Motion Carried.

3. Electronic Participation Policy

Town Attorney Michele Brooks stated that the electronic participation policy goes beyond the emergency meeting and allows members to participate electronically if they are unable to physically attend a meeting. Town Attorney Michele Brooks stated that the mechanism to do that is to notify the mayor or chair of the meeting of a specific reason which doesn’t have to be shared with the rest of the world and you can do that up to twice a year. Town Attorney Michele Brooks stated that this is a model ordinance that came from VML and parrots the FOIA

statute on electronic participation. Council Member Allan “Cotton” Roberts asked if it will expire in six months as well? Town Attorney Michele Brooks stated it will expire in six months because it is being passed under the emergency and will need to be readopted once this emergency is over. Council Member Wallace W. Ross, Jr. stated that he thought there was something of this nature already in the policy. Town Attorney Michele Brooks stated that this is a model ordinance to allow you to participate by electronic means. Town Attorney Michele Brooks stated that when this first came out, you didn’t have to have a policy, but FOIA is changed often and this is an evolving issue. Vice-Mayor Robin Richards stated that the policy states that if the member participates electronically because of a personal reason, the minutes must reflect that specific nature of personal matter cited by the member. Vice-Mayor Robin Richards stated that the mayor or whoever was called in will state it. Vice-Mayor Robin Richards stated that she spoke to VML and no one has the right to question the reason for participating electronically. Council Member Wallace W. Ross, Jr. asked if you are unable to participate physically and electronically what do you do? Town Attorney Michele Brooks stated that you do not have to participate in that case. Town Attorney Michele Brooks stated that for example if you are sick, you may not be able to participate either way, electronic participation is just an option if you want to. Council Member Wallace W. Ross, Jr. asked if this will cover closed session? Town Attorney Michele Brooks stated yes. Mayor Frances Perry stated that you can participate in the entire meeting, public or closed. Council Member Wallace W. Ross, Jr. asked if there is someone else present with him and there is a need to go into closed session, will he need to just ask that person to leave? Town Attorney Michele Brooks stated yes.

Motion to approve the Electronic Participation Policy as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

4. Public Hearing: Proposed Amendment to the Tourism Zone Ordinance

Motion to hold a Public Hearing for the Proposed Amendment to the Tourism Zone Ordinance on June 9, 2020 prior to the regularly scheduled Town Council Meeting.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

5. Transfer: \$29,283.00 from Capital Outlay Account to General Fund: CUSI: Continental Utility Billing, Inc – New water and sewer utility billing software.

Motion to Transfer: \$29,283.00 from Capital Outlay Account to General Fund for the CUSI: Continental Utility Billing, Inc – New water and sewer utility billing software.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS - NONE

XV. CLOSED SESSION - NONE

XVI. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

*Mayor Perry adjourned the meeting at 8:35 P.M., until the next scheduled Council Meeting on June 9, 2020.

Frances Perry – Mayor

Lydia Morales - Town Clerk