

TOWN COUNCIL MINUTES



Gate City Town Council Minutes

June 9, 2020

190 Beech St., Gate City, VA

6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:55 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; Lisa McCarty, Scott County VA Star; Casey and Nathaniel Wells and Family; Bob Richards; Mike Carrico; Debbie Kindle; Terry Kilgore; Justin Miller, Gate City Chief of Police

III. INVOCATION – Mayor Frances Perry

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.

Mayor Frances Perry introduced Nathaniel Wells and presented him with an award for his heroic efforts in aiding a friend on Cherokee Lake on May 2, 2020.

Terry Kilgore presented Ron Kindle with a plaque for his service on the Town Council.

Terry Kilgore presented Mayor Frances Perry with a plaque from the town and a commendation from the House of Delegates in recognition of her service as mayor of the Town of Gate City.

VII. APPROVAL OF MINUTES

1. Approval of May 12, 2020, Town Council Minutes.

Motion made to approve minutes as presented.

Motion by: Ron Kindle

2nd by: Allan “Cotton” Roberts

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for May 2020 as presented.

Motion by: Roger Cassell

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

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

1. Mr. Mike Carrico: Closure of King Alley – Mr. Mike Carrico thanked the Mayor and Ron Kindle for their service to the Town of Gate City. Mr. Carrico complimented the public works department, Town Attorney Michele Brooks, and Town Manager Greg Jones. Mr. Carrico addressed his concerns about the closure of King Alley. Mr. Carrico stated that King Alley is the roadway that connects everything on the North side of Jackson Street to Jackson Street via the only traffic light in town. Mr. Carrico stated that he opposes the closure of King Alley. Mr. Carrico stated that he uses this street everyday and has given each council member a copy of the traffic count that was done in 2014 upon request of the mayor at that time due to Mr. Carrico’s opposition to the closure of King Alley six years ago. Mr. Carrico stated that the traffic count during that three day time frame in 2014, there was at least 165 cars that used King Alley for either ingress or egress from King Alley onto Jackson Street. Mr. Carrico stated that moving forward six years we have more cars on King Alley than we’ve ever had, especially since most people go through the drive-thru at the drug store. Mr. Carrico stated that he has personal gain to keep the street open because that is the access to his office and his parking, as well as for his tenants who live upstairs.

Mr. Carrico stated that the telephone co-op is probably the largest employer in the town of Gate City if the school system is excluded. Mr. Carrico stated he attended the telephone co-op meeting last night and addressed them about the closure of King Alley. Mr. Carrico stated that the board of directors of the telephone co-op voted unanimously to oppose the closure of King Alley because they too use that street. Mr. Carrico stated that although there is other access, the street that goes up to Quillen Heights is steep and sometimes cars scrape at the bottom and it would be slick as glass in the winter. Mr. Carrico stated that anyone coming from Moccasin Avenue or from Manville, if they don’t feel safe pulling off of Moccasin Avenue onto Jackson Street, they have safe access by turning left going out and accessing Kane or Jackson Street via King Alley.

Mr. Carrico stated that Walgreen’s spent a lot of money putting the parking lot and drive-thru in, where you can come in off of Jackson Street and go through the drive-thru and go back out onto Jackson Street via King Alley. Mr. Carrico stated that this is a daily occurrence that is often used more than once daily. Mr. Carrico stated that thinking of the safety of the citizens, it is safer to access a roadway with a traffic light and if King Alley is closed, a traffic light could be placed at Moccasin Avenue and Jackson Street if you have a million dollars you want to spend but that

would not be a good utilization of our tax dollars. Mr. Carrico stated that he is all for green spaces and understands that we need a place where people can eat since the governor has decided that people cannot come inside to sit down and enjoy a meal. Mr. Carrico stated that he was told that the town wants to put tables in King Alley and that would be good if it wasn't utilized so frequently by the citizens. Mr. Carrico suggested using the town parking lot as a green space. Mr. Carrico stated that people may say that is too far to go from Family Bakery to walk down to the parking lot, but we all need exercise. Mr. Carrico asked the council to think about how the closure will affect the citizens who utilize the town and use that street everyday. Mr. Carrico suggested conducting another traffic study before the public hearing is done. Mr. Carrico stated that the largest employer, telephone co-op and individuals going to the Dollar General who park in Broadwater's parking lot use King Alley to exit and go home. Mr. Carrico stated that he is asking the Council to do the right thing for the Town of Gate City and expressed his appreciation for the opportunity to speak to Council.

Mayor Perry closed the public comment session at 7:20 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 report.

DEQ Sewer I&I Rehab Job: Mr. Snapp stated that pipe bursting the vocational school line will not be a viable option due to the proximity of the fiber line that CenturyLink owns to the sewer line. Mr. Snapp stated that Portland Utility is not willing to pipe burst the line due to the liability. Mr. Snapp stated that CenturyLink stated that if the fiber line is touched it will be \$200,000. Mr. Snapp stated that others involved believe that the liability would be on CenturyLink since they cannot accurately verify where the line is at. Mr. Snapp stated that Mattern & Craig recommended to the Sanitation Authority to conduct CIPP on that line instead and that is what they are going to go with at this point. Mr. Snapp stated that the contractor has given a 10% price break on the contracts as they were since this is a lesser product.

The contractor has completed the "dig and replace" sections of the Vocational School Line and the downtown sections of line along Ezra McNutt Alley and King Avenue. Discussions are ongoing about lining the remainder of the Vocational School Line due to a proximity issue with a fiber line owned by CenturyLink. The portion of the Little Moccasin Creek Line starting behind Patriot Fuels up to the Kane St. Bridge we have decided to replace after further evaluation, however work cannot begin on this section of line till September 15th due to time of year restrictions. Mr. Snapp stated that there is infiltration at the joints on this line as well as some sediment build up issues. We have also decided to line the last 2 sections of line at the lower end of the Burnt Cabin Branch line. The upper reaches of this line are still under review for replacement. Mr. Snapp stated that all of the dig and replace outside of Moccasin Creek has been completed and he believes they have patched everything except for possibly Ezra McNutt.

Mr. Snapp stated that the project will still have some funds left over even after the Little Moccasin Creek Line which is suspected to be in the \$2,000- \$3,000 range. All sections to be video inspected have been completed and discussions are ongoing about the best use of the remainder of funds.

Mr. Snapp stated that change order 2 was approved during the Sanitation Authority meeting and will allow the pipe lining versus the pipe bursting. Mr. Snapp stated that the project is approximately 40% complete.

Mayor Frances Perry stated that she is receiving several complaints about the paving being done after the sewer project. Mayor Frances Perry asked if Mr. Snapp is responsible to see that the roads are put back? Mr. Snapp stated yes, but they have only trench paved at this point and will come back and do a surface coat on it that will cover the whole road. Mayor Frances Perry stated that she will pass this information along to our citizens.

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 JR Enfield needs to complete verification on the pump station that sends sewage to PSA. Mr. Snapp stated that he expects this to happen in the next couple of weeks and finishing touches will be put on that.

H/C Ramp HSIP Project: Project Pre-bid was held at Town Hall on Thursday, May 28th, there were 3 bidders in attendance. Mr. Snapp stated that another contractor called and requested plans, making a total of 4 plan holders now. The project bid opening is scheduled for Wednesday, June 17th at Town Hall. Once bids are opened, they will be reviewed and sent to VDOT for approval. It is expected VDOT approval will take approximately 60 days. Mr. Snapp stated that construction should start approximately 90 days after the bids open. Council Member Wallace W. Ross, Jr. asked if three bids came in on the 28th? Mr. Snapp stated no, no bids have been opened yet just 3 plan holders who sat in on the pre-bid meeting and one more who called. Council Member Wallace W. Ross, Jr. asked if once the bids are open and they make that decision, how long would it be before you can process it 60 or 90 days? Mr. Snapp stated that he expects it to be about 90 days after the bids are open because by contract, we have 60 days to award the contract and once you do that you still have to set a pre-con and invite V-DOT and everyone involved to talk about the project and set a notice to proceed date that is typically a couple of weeks after that. Council Member Wallace W. Ross, Jr. asked how long Mr. Snapp thinks it will take to finish this project? Mr. Snapp stated he believes if they start in October, they should be done early in the year.

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.

The Pre-Bid Conference was held on May 28th, 2020.

Bid Deadline has been set for June 17th, 2020.

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 demolition order for the vacant house on Park Street has been approved and posted by the Gate City Code Official.

The next Management Team and Rehabilitation Board meeting will be on Monday, July 6th, 2020.

- **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.

I have meet with Mr. Greg Irving, Principal of the Gate City Vocational Center, on May 21st, 2020. They now have vinyl printers and can produce banners for the Town.

- **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” in April and 4.42” in May. The park has flooded seven times in March and April 2020.

- **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 have only been three times that these conditions have been met since last October 2019.

Precision Pavement has been contacted multiple times since May 27th, 2020. They have not responded to our phone calls or emails. I am recommending Bracken Asphalt Maintenance to complete the project. They were the second bidder that responded to our Request for Proposals last October.

Town Attorney Michele Brooks asked if Town Manager Greg Jones attempted to reach Precision by writing a letter? Town Manager Greg Jones stated that he attempted to reach them by e-mail 3 or 4 times and several times by phone and it is all documented.

Council Action: Award Parking Striping Project to Bracken Asphalt Maintenance.

- **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 30th. 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.

Our Administrative Staff training for the new utility billing software will be completed on Thursday, June 11th, 2020.

2020 Town Events

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.

Council Action: Cancel the Music Concert Events for 2020

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)
- June 4th, 2020 - Finance Committee Meeting (Confirmed)
- June 4th, 2020 - Complete Proposed FY 2021 Budget
- June 9th, 2020 - Council to vote on holding a Public Hearing
Submit proposed budget to Council for input
- July 1st, 2020 - First Public Hearing Notice/Advertising
- July 8th, 2020 - Second Public Hearing Notice/Advertising
- July 14th, 2020 - Public Hearing
- August 11th, 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%

Tourism Zone Amendment

Town Manager Greg Jones stated that we were supposed to hold a public hearing before the Council meeting tonight, but we will reschedule for the meeting in July.

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 Tourism Zone Ordinance Amendment.

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.

Town Manager Greg Jones stated that one of the interviewing team members will be leaving office on June 30th and we will need to make an appointment for this opening in July. 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.

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 heath issue through the grant funding provided by the CARES act.

On June 1st, 2020, we learned that the CARES Act funding was sent to Scott County. Gate City portion of the funding will be \$163,299. Funding guidelines will be sent to the Town shortly.

Meetings attended:

AEP – May 22nd, 2020

Met with Mr. Jessee Sallee, Customer Service Representative for AEP to discuss options for our streetlight in downtown Gate City. Also discuss the requirement for the Banners to be located on the existing AEP streetlights. Mr. Sallee will be drafting a proposal and will present it to the Town shortly.

C. Attorney's Report

1. 946 West Jackson Street – Town Attorney Michele Brooks stated that the Town has sought an order for the town to do clean-up. Town Attorney Michele Brooks stated that there is a hearing set to get a judgment lien against the property on June 26th. Town Attorney Michele Brooks stated that this is a lien that will be treated just like a tax lien that will last for twenty years.

Vice-Mayor Robin Richards asked what happens to the property month after month, does the lien negate the owner from responsibility for the upkeep? Town Attorney Michele Brooks stated that the property owner is always responsible for it. Town Attorney Michele Brooks stated that we asked to do it because the property owner has essentially walked away. Town Attorney Michele Brooks stated that this is a property that very likely needs to be demolished, but that is a separate issue and council would have to approve it. Town Attorney Michele Brooks stated that she wants to make sure that any work that the town has done is recouped. Town Attorney Michele Brooks stated that the lien against the property, if the property is sold, would have to be paid first just like the taxes out of the sale of the property. Vice-Mayor Robin Richards asked if the property is still sitting there with no mowing being done? Town Attorney Michele Brooks stated that she believes the town crew has mowed it when it has been mowed. Town Manager Greg Jones stated that when we receive a complaint against it we will take action on it. Town Attorney Michele Brooks stated that we have an ongoing order and anything that is done can be docketed as a judgement lien against that property. Town Attorney Michele Brooks stated that she has not been asked to look at demolition, but Mr. Robert Mullins considers that it meets the criteria of the asset being diminished by 50%.

2. 391 Highland Street – Town Attorney Michele Brooks stated that the property owners have been served and they have 21 days to respond to the complaint and after that we can set a hearing.
3. 194 Chestnut Street – Town Attorney Michele Brooks stated this has been filed and the property owners are out of state. Town Attorney Michele Brooks stated that she is trying to find a reputable service of process and she hopes to have this one done in the next week to ten days. Council Member Wallace W. Ross, Jr. stated that this property's grass is getting high. Council Member Ross asked if in the next ten days, will we be able to mow the grass since it is still private property? Town Attorney Michele Brooks stated that the town crew can mow it, but the property owners have not been served with the court papers to proceed against them civilly and where they are out of state, it makes it a little more complicated. Town Attorney Michele Brooks stated that she will have to get service of process before she docket a judgment lien against them. Council Member Wallace W. Ross, Jr. stated that the neighbors have been cutting part of the grass, can they claim any claim against the town for that? Town Attorney Michele Brooks stated that she doesn't know of any responsibility that the town has to the adjacent property owners, but they could potentially sue the property owners themselves. Council Member Wallace W. Ross, Jr. stated that there is a piece of property on Chestnut Street that the town owns that has grown up for years and years.

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 there has been intense rainfall and the grass has been growing this season. Council Member Wallace W. Ross, Jr. stated that there is a property on Chestnut Street that the town owns that has not been cut. Council Member Alan "Cotton" Roberts stated that he did not know that we owned any property on Chestnut Street and asked Town Manager Greg Jones if we did? Town Manager Greg Jones stated that he believes we do but will have to research it.

Council Member Wallace W. Ross, Jr. stated that he could not tell when the blue bulbs were on in the street lights and asked when these were installed? Town Manager Greg Jones stated that he believed it was about two months ago and it was a good idea to honor the first responders during COVID-19 but the blue lights did not resonate the

way we had hoped they would. Council Member Wallace W. Ross, Jr. stated that the VML said they had one light that would fit on that pole. Council Member Wallace W. Ross, Jr. asked Town Manager Greg Jones if he is still looking at this option and talking to AEP? Town Manager Greg Jones stated that he has just asked AEP what options they can develop for that and has not received feedback back yet. Mayor Frances Perry stated it is in the long-term plan to replace the lights.

Council Member Wallace W. Ross, Jr. stated that he has mentioned before enacting a raise for the council. Council Member Wallace W. Ross, Jr. asked what are the proper steps to ask for a raise for the council? Town Attorney Michele Brooks stated that the council cannot vote on a raise for themselves, a public hearing would have to be conducted because it is part of the budget and would have to be held at the next council meeting. Town Attorney Michele Brooks stated the council could not vote for a raise for themselves, however, and it would be at least two years from that time.

Council Member Wallace W. Ross, Jr. asked when will the auditors have the audit done? Town Manager Greg Jones stated that they are working on it now.

Council Member Roger Cassell - Council Member Roger Cassell stated that he had a request from a resident on Estill Heights requesting a children at play sign on a VDOT street. Town Manager Greg Jones stated that the request will have to go through VDOT because it is in their right-of-way. - Council Member Roger Cassell stated that FedEx and UPS are flying around that circle. Chief of Police Justin Miller asked Council Member Roger Cassell to find out what time the speeding is most frequent from the resident. Chief Justin Miller stated that his procedure for speed complaints is to send the officers to do radar at the times speeding is most prevalent and have the officers send him an email when they do it with the amount of warnings, citations and stops that they make. Mayor Frances Perry asked Town Manager Greg Jones to make the request to VDOT and to put Bowen Drive on the request as well. Town Attorney Michele Brooks recommended for the property owner to call FedEx or UPS with the speeding complaint as well.

Vice-Mayor Robin Richards - Vice-Mayor Robin Richards stated that there is no longer any funding for the sidewalks on West Jackson and asked if there are other options we are going to look at? Town Manager Greg Jones stated that we will see if VDOT has another avenue for funding. Vice-Mayor Robin Richards stated that from the hours of 4:45 to 8:00 weekdays, there are 8 to 12 people walking and jogging in the road and cars are waiting behind them to go in the other lane and go around them and someone is going to get hit. Vice-Mayor Robin Richards stated that the grass is so high they cannot walk in it next to the road. Vice-Mayor Robin Richards stated to Chief of Police Justin Miller that daily, people are speeding around others who are going the speed limit at the quarry. Vice-Mayor Robin Richards stated that with all the people walking, it is important that we do not drop the ball on looking for funding for sidewalks at West Jackson.

Vice-Mayor Robin Richards asked what is the status on the generators for the pump stations? Town Manager Greg Jones stated that the application has been submitted and we are waiting on an offer from VDH.

Vice-Mayor Robin Richards stated that she reached out to Wade Belcher at VDOT and he came to look at a couple of issues. Vice-Mayor Robin Richards stated that the first issue is the lack of paving on Darter Street. Vice-Mayor Robin Richards stated that Mr. Belcher has the list of paved streets out to 2021 and the chances of getting Darter paved soon are slim but they did mark some spots and are going to fill in two squares that were left in the road. Vice-Mayor Robin Richards stated she has also received a complaint about the brush growth coming down from 23 onto Una Street and there are lots of snakes coming from the brush. Vice-Mayor Robin Richards stated that Mr. Belcher is going to look at this and take it back to the appropriate VDOT employee to see if we can get that sprayed. Vice-Mayor Robin Richards stated that she had a complaint about the power lines in the trees on Darter and Campbell Street, but that Town Manager Greg Jones has given her the AEP contact and she will call that in this week. Vice-Mayor Robin Richards stated that Mr. Belcher is going to give her a summary of his findings and she will bring it back next month.

Vice-Mayor Robin Richards stated that the park committee met and there are a few things that need to be brought to Council that she was not even aware of. Vice-Mayor Robin Richards stated that Grogan Park is open but the

bathrooms are closed and we have ceased reservations for the shelters. Vice-Mayor Robin Richards stated that people are still going even without reservations. Vice-Mayor Robin Richards stated that Grady Peters with the soil and water conservation is coming to look at the water damage at the dog park.

Council Member Ron Kindle - Council Member Ron Kindle stated that where the paving has been done on Highland Street and Virginia Ave there are drop offs, but he has already discussed this with Town Manager Greg Jones and he is checking on it.

Council Member Allan “Cotton” Roberts - Council Member Allan “Cotton” Roberts stated that Gate City Frontier met at Grogan Park last night and it is the first time they have been able to meet in three months since the COVID-19 pandemic began.

Council Member Allan “Cotton” Roberts stated that he noticed a small bump in the water loss. Town Manager Greg Jones stated that the leak near the quarry pond probably had a lot to do with it. Vice-Mayor Robin Richards asked what caused the leak at the quarry, was it the construction? Town Manager Greg Jones stated yes it was construction based.

Mayor Frances Perry - Mayor Frances Perry stated that she has had people calling from the Highland area concerning the paving and she has driven around to see the complaints. Mayor Frances Perry asked if Lombard Street is part VDOT and part town owned? Town Manager Greg Jones stated yes. Mayor Frances Perry stated that the individuals on Lombard Street want to know what they have to do to get the rest of their street paved. Town Manager Greg Jones stated that it is in the proposed budget. Mayor Frances Perry stated that the other streets are Franklin Street and Richmond Street. Vice-Mayor Robin Richards stated that a resident asked her to look at Franklin Street and we need to do something about that street. Council Member Ron Kindle stated that he thought they just paved Richmond Street not long ago. Mayor Frances Perry stated that she meant Benton instead of Richmond. Mayor Frances Perry stated that she has asked the street committee to give a report a few months ago and it was on Ron’s list but she never got a report from Council Member Wallace W. Ross, Jr. Council Member Wallace W. Ross, Jr. stated that over the years he has given a lot of suggestions concerning the streets. Council Member Wallace W. Ross, Jr. stated that his drawback is that he can never find out how much money there is for the streets. Mayor Frances Perry stated that she asked for the report so that it could be given to the finance committee so that they could see if they could work that into the budget and she did turn in Council Member Ron Kindle’s report.

E. Sanitation Authority - NONE

XII. UNFINISHED BUSINESS

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

Town Manager Greg Jones stated that Mr. Kilgore came by last month and requested a reduction in rent and we needed to determine how much of his rent is proportionate to his utilities and that came out to about \$225 per month for utilities and that is the amount we need to collect every month from him. Council Member Roger Cassell asked what Mr. Kilgore pays each month? Town Manager Greg Jones stated \$850. Council Member Allan “Cotton” Roberts stated that for COVID-19 he could not even open his business and \$225 is the minimum we must charge him. Council Member Wallace W. Ross, Jr. asked if Mr. Kilgore received a grant for \$4,000? Council Member Roger Cassell stated that Mr. Kilgore stated this would go towards preparing his equipment to reopen. Council Member Wallace W. Ross, Jr. asked if Mr. Kilgore closed on March 23? Vice-Mayor Robin Richards stated that people stopped going even before he closed. Town Attorney Michele Brooks stated that she believes the first executive order was put in place on March 13th.

Motion made to charge the minimum of \$225 per month for March, April, May, and June 2020 and to forgive the remainder of the total due.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 3

Nay: 2

Absent:

Abstain:

Motion Carried.

XIII. NEW BUSINESS

- **Approval to auction surplus equipment: Police SUV Ford Explorer 2008**
Vin: 1FMEU73E98UB25587

Town Manager Greg Jones stated that these are being replaced with the new vehicles. Mayor Frances Perry asked if they will be put on govdeals.com? Town Manager Greg Jones stated yes.

Motion made to approve to auction surplus equipment: Police SUV Ford Explorer 2008

Vin: 1FMEU73E98UB25587

Motion by: Robin Richards

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approval to auction surplus equipment: Police Cruiser Ford Crown Vic 2010**
Vin: 2FABP7BV5AX121959

Motion Made to approve to auction surplus equipment: Police Cruiser Ford Crown Vic 2010

Vin: 2FABP7BV5AX121959

Motion by: Robin Richards

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approval to auction surplus equipment: Tractor with Brush Hog Ford EA4546 1989 Unit: 9B17B #BB96605**

Motion made to approve to auction surplus equipment: Tractor with Brush Hog Ford EA4546 1989 Unit: 9B17B #BB96605

Motion by: Robin Richards

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:
Abstain: **Motion Carried.**

- **Approve amended Tourism Zone Ordinance Sec: 24-65:**

TAKE NO ACTION

AMEND THE AGENDA

- Motion made to amend the agenda to add to advertise for a Public Hearing to amend Tourism Zone Ordinance Sec: 24-65 on July 14, 2020 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- Motion made to advertise for a Public Hearing to amend Tourism Zone Ordinance Sec: 24-65 on July 14, 2020 at 6:30 p.m.

Motion by: Roger Cassell

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Approve Weber City Refuse Collection Proposal**

Town Manager Greg Jones stated that we were contacted by the Town of Weber City whose trash service has been contracted out through a private service and their contract expires on June 30th. Town Manager Greg Jones stated that the Town of Weber City has asked us to participate in a RFP for trash pickup one time a week of 250 stops. Town Manager Greg Jones stated that this fits well with us because we have one day a week that we are not picking up trash. Town Manager Greg Jones stated that he proposed to the Town of Weber City that we can pickup trash on Thursdays under certain conditions including it must be under council approval, one pickup per week, no tires or brush or anything of that nature, trash must be bagged and loose trash picked up, five bags per household, trash must be placed outside by 7 a.m., no pickups for missed trash. Town Manager Greg Jones stated that we can set this up on a trial basis for three months that way if we get into it and it doesn't work out, we can back out of it and we can renegotiate the fee once a year. Town Manager Greg Jones stated that he proposed \$33,539 per year for the one-day pickup for Weber City. Town Manager Greg Jones stated that the Town of Weber City has agreed to it on the condition that the Town of Gate City Town Council agree to it and if the Council is ready to agree to it, we can move forward on July 1st.

Vice-Mayor Robin Richards asked do we need to hire anyone for that additional labor? Town Manager Greg Jones stated no we already have the equipment and the personnel to do it. Mayor Frances Perry asked if we aren't picking up trash on one day a week and we can spare the people to go to Weber City to pick up trash, are we going to make enough money to hire people to mow through July, August, September and October? Town Manager Greg Jones stated that we will get part-time people for that. Mayor Frances Perry stated that she thought we didn't have any money for part-time people. Town Manager Greg Jones stated that we have two on the budget. Council Member Allan “Cotton” Roberts stated that we always budget for part-time in the summer to help with cutting the

grass. Mayor Frances Perry stated that she is mowing two places on each end of Gate City to be a volunteer and try to help her town and there are places where the weeds are three feet high. Town Manager Greg Jones stated that we are mowing Grogan Park now and properties where the owners have defaulted on the property. Mayor Frances Perry stated that she has citizens who are asking her about mowing. Council Member Wallace W. Ross, Jr. stated that he thought Thursdays were set aside to pick up the extra trash. Town Manager Greg Jones stated they are set aside for brush pickup. Council Member Wallace W. Ross, Jr. stated that he has seen a lot of brush around town. Town Manager Greg Jones stated that brush pickup has been suspended due to COVID-19 and will start back up mid-June. Council Member Wallace W. Ross, Jr. asked if once we start this, will we be able to maintain the grass and keep the trash picked up here in town and on Thursday go to Weber City and do that as well? Town Manager Greg Jones stated that we will have to hire additional part-time personnel. Vice-Mayor Robin Richards asked if this will be just part-time for summer months? Town Manager Greg Jones stated yes. Town Manager Greg Jones stated that we have someone who believes they can fix the small tractor that has been out of service. Council Member Allan "Cotton" Roberts stated that he personally sees it as a win-win to help the community and neighbor town out and gives our town exposure as far as the truck being out there helping. Mayor Frances Perry stated that she agrees with this one hundred percent but asked how do you answer your citizens when they see our trash truck in Weber City and the streets in front of their houses are not mowed? Council Member Allan "Cotton" Roberts stated that Town Manager Greg Jones is going to address this with some part-time help and it will only be during the summer months that mowing will need to be done. Mayor Frances Perry stated that she is not opposed to helping Weber City but wants the citizens of Gate City to know that we are looking out for them. Council Member Roger Cassell stated that if the public works guy can get the tractor fixed and put an arm on it, they will be able to mow with that instead of having to use weed eaters. Council Member Allan "Cotton" Roberts stated that it is on a three month trial basis and if we need to pull out of it, we can. Council Member Wallace W. Ross, Jr. stated that he is for the progress of Weber City, but the grass is already high and if it was currently maintained he could see doing this but wonders if we are taking on too much. Town Manager Greg Jones stated that is why it is on a three month trial period and we can see how it goes for both us and Weber City. Council Member Allan "Cotton" Roberts stated that it is \$2,795 that they have to pay us per month. Town Attorney Michele Brooks asked how long does it take to pick up for 250 people? Town Manager Greg Jones stated that it takes one day and that the trash that we currently pick up Monday through Wednesday are 250 people per day and Friday is 100, so for us it is just another day.

Council Member Wallace W. Ross, Jr. asked what will we do when we have a holiday? Town Manager Greg Jones stated that if there is a holiday, it will be picked up the following week. Vice-Mayor Robin Richards asked if they are aware of that? Mayor Frances Perry called for a vote.

Motion made to approve Weber City Refuse Collection Proposal.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 3

Nay: 2

Absent:

Abstain:

Motion Carried.

Town Attorney Michele Brooks stated that she will need to get with Mr. Carrico to do a contract for this. Town Attorney Michele Brooks asked if it will be three months starting July 1st? Town Manager Greg Jones stated yes. Vice-Mayor Robin Richards asked who will be monitoring this and how will the Council know how this is performing in three months? Town Manager Greg Jones stated that he will report back in three months and see if we want to continue or drop it. Vice-Mayor Robin Richards stated that maybe the Town Hall can keep a log of any complaints we may have. Town Manager Greg Jones stated that complaints would not come to us, they would come to Weber City. Vice-Mayor Robin Richards stated that she meant Gate City issues that are not being taken care of. Town Manager Greg Jones stated that we are doing that already. Vice-Mayor Robin Richards stated that we want to make sure that we aren't escalating or having more complaints coming since we start in Weber City because if we do, the root cause may be that we are out of town for one day a week. Council Member Roger Cassell stated that if this works out, we can put all of it or half of it in the public works capital improvement plan towards public works equipment. Mayor Frances Perry stated that she is all for it as long as we can keep our

citizens happy. Vice-Mayor Robin Richards asked if the motion we voted on tonight is only for a three month trial period? Town Attorney Michele Brooks stated that is correct. Town Manager Greg Jones stated we will pick it back up in three months and see where we are at.

- **Approve Domestic Violence decal package for Police Cruiser**

Chief of Police Justin Miller presented the Domestic Violence decal package to the Council. Chief Miller stated that it is common for departments to have one car in the fleet that is dedicated to something important to them to show support. Chief Miller stated that since the Gate City Police Department works so closely with the Hope House of Scott County here in town, he thought it would be a good idea to mark this car as a domestic violence awareness car. Chief Miller stated that the design would be similar to the example photo but would have smaller ribbons near the gas tank instead of a big one on the hood. Council Member Roger Cassell asked why are we not marking both vehicles? Chief Miller stated that the original plan when Chief Sivert was here was to leave both unmarked and one was going to be an investigator vehicle and the other for the Chief of Police. Chief Miller stated that he decided to mark one of the two because he is trying to get enough training for his officers to be able to handle investigations. Chief Miller stated that he prefers to have a marked vehicle on patrol and doesn't want to mark the other car because it will be the one he uses and he doesn't patrol as much as the other officers and in case it is needed for surveillance or out of town training. Chief Miller stated this will have four out of five vehicles in the fleet marked.

Motion made to approve Domestic Violence decal package for Police Cruiser.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve to hold a Public Hearing to temporarily close King Alley: Create a green space.**

Council Member Allan "Cotton" Roberts stated that he is not asking for seating outside of the Family Bakery and that Gate City Frontier has been looking for a little over a year for a green area downtown for everyone who works downtown to have an area to sit and have lunch. Council Member Allan "Cotton" Roberts stated that the Gate City Frontier has discussed asking Kevin Helms to come set up his barbecue trailer and possibly have a different food truck every week. Council Member Allan "Cotton" Roberts stated that this is a way to draw people to downtown. Council Member Allan "Cotton" Roberts stated that Gate City Frontier is a Mainstreet organization that is trying to stimulate economic growth downtown. Council Member Allan "Cotton" Roberts stated that it is our goal not to close it permanently. Mayor Frances Perry stated that the town owns a piece of property on the corner of Red Hill Rd and East Jackson Street that would make a nice green area and the road behind has been condemned and could be used as parking. Council Member Allan "Cotton" Roberts stated that the intent is that it would be downtown so that people can walk to it. Council Member Wallace W. Ross, Jr. asked what impact will it have on the older population and citizens because it is difficult to navigate other streets such as Cleveland? Council Member Allan "Cotton" Roberts stated that it would just close during the Summertime. Council Member Roger Cassell asked since the traffic study is so old, can we do another one for comparison? Town Manager Greg Jones stated yes. Council Member Roger Cassell stated that you cannot take a firetruck up Woodland because it drags the tailboard. Vice-Mayor Robin Richards stated that we need to consult the fire department. Town Manager Greg Jones stated that he will reach out to them.

Motion made to approve to hold a Public Hearing to temporarily close King Alley: Create a green space.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

- **Approve to hold a Public Hearing for the proposed FY 2021 Town Budget**

Motion made to approve to hold a Public Hearing for the proposed FY 2021 Town Budget.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 848 Jackson Street**

Town Manger Greg Jones stated that these are property complaints that we have received and issued a notice of violation and are now asking the Town Council to proceed with civil penalties on these properties. Town Manager Greg Jones delivered a file to Town Attorney Michele Brooks for each approved civil penalty lawsuit.

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 848 Jackson Street

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 391 Highland Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 391 Highland Street

Motion by: Roger Cassell

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 412 Highland Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 412 Highland Street

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 493 Highland Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 493 Highland Street

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 110 Cross Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 110 Cross Street

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 337 Sergeant Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 337 Sergeant Street

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 248 Ravine Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 248 Ravine Street

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): 195 Ravine Street**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): 195 Ravine Street

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Civil Penalty Lawsuit under Section 6.6 (F): Vacant Lot on the Corner of Highland and Starnes Street.**

Motion made to approve Civil Penalty Lawsuit under Section 6.6 (F): Vacant Lot on the Corner of Highland and Starnes Street.

Motion by: Roger Cassell

2nd by: Allan "Cotton" Roberts

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve Property Maintenance Lawsuit: violations 2012 Virginia Maintenance Codes: 301.2 & 304.1: 770 West Jackson Street**

Town Manager Greg Jones stated that this is the retaining wall that is about to collapse and is a lawsuit that will allow us to take the property owner to court to see if we can get the judge to push him to repair it. Town Attorney Michele Brooks asked if the wall is a public safety issue? Town Manager Greg Jones stated that it is and we can go ahead and repair it ourselves but it will probably cost \$10,000 - \$15,000 so we will take the property owner to court and see if the judge can get some results first. Town Attorney Michele Brooks asked if Robert Mullins has looked at the wall in person? Town Manager Greg Jones stated not personally, but he has seen pictures. Town Attorney Michele Brooks suggested that Mr. Mullins look at the wall in person because if it is a public safety issue, it makes her nervous to wait to go to court.

Council Member Wallace W. Ross, Jr. asked if VDOT owns the street? Council Member Roberts stated yes. Town Attorney Michele Brooks stated that she believes the wall is the property owners responsibility. Mayor Frances Perry stated that the deed states that the owner's property starts at the corner of Lombard and Jackson Street. Town Manager Greg Jones stated that the notice of violation has been given to them and they have an appeal date and we do have service. Vice-Mayor Robin Richards asked if we hold all people in town that have walls falling to the same standard? Town Manager Greg Jones stated that it is all under the same code but there are several options on how to handle it. Vice-Mayor Robin Richards stated that there are others on Jackson street that are falling in the street as well. Vice-Mayor Robin Richards stated that Vickie Roberts stated that the Army Corps put up the walls and this may be why the property owners think that this is not their responsibility because whoever had the property to start with didn't build the wall. Town Manager Greg Jones stated that in the deeds themselves the retaining wall belongs to the property owner unless it is specifically mentioned otherwise because it benefits the property owner.

Motion made to approve Property Maintenance Lawsuit: violations 2012 Virginia Maintenance Codes: 301.2 & 304.1: 770 West Jackson Street

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

- **Approve \$15,000 transfer from General Fund to Capital Outlay Account for the purchase of a used truck for the Town Crew.**

Motion made to approve \$15,000 transfer from General Fund to Capital Outlay Account for the purchase of a used truck for the Town Crew.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approve to apply for Grant: 2020 Coronavirus Emergency Supplemental Funding Grant (CESF)**

Town Manager Greg Jones stated that this is a grant that is through DCJS with a ceiling of \$50,000 and is funding that we can use to bring someone into the police department for one year.

Motion made to approve to apply for Grant: 2020 Coronavirus Emergency Supplemental Funding Grant (CESF)

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Cancellation of the July, August, and September 2020 Concert Events**

Mayor Frances Perry asked if there are any contracts that we have to honor? Town Manager Greg Jones stated that the contracts that we have, we can reschedule. Council Member Wallace W.

Ross, Jr. asked how much will it cost if we do that? Town Manager Greg Jones stated that we just have to reschedule for 2021, it will be no additional cost.

Motion made to cancel the July, August, and September 2020 Concert Events due to budget constraints.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **WITHDREW: Approval: Bid from Bracken Asphalt Maintenance to stripe parking in downtown Gate City.**

Motion made to approve bid from Bracken Asphalt Maintenance to stripe parking in downtown Gate City.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

Town Attorney Michele Brooks recommended voting to rescind the previous approval and notify Precision in writing.

- **Council Member Allan "Cotton" Roberts withdrew his motion to approve bid from Bracken Asphalt Maintenance to stripe parking in downtown Gate City.**
- **Rescind the motion to approve bid for Precision Marking to stripe parking in downtown Gate City due to their delay in honoring the contract.**

Motion made to rescind the approved bid for Precision Marking to stripe parking in downtown Gate City

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **Approval: Bid from Bracken Asphalt Maintenance to stripe parking in downtown Gate City.**

Motion made to approve bid from Bracken Asphalt Maintenance to stripe parking in downtown Gate City.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **If Bracken Asphalt Maintenance does not accept the previous bid, Town Manager Greg Jones has permission to move forward with an RFP to get someone else to stripe parking in downtown Gate City.**

Motion made if Bracken Asphalt Maintenance does not accept the previous bid, Town Manager Greg Jones has permission to move forward with an RFP to get someone else to stripe parking in downtown Gate City

Motion by: Allan “Cotton” Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS - NONE

XV. CLOSED SESSION - NONE

XVI. RETURN FROM CLOSED SESSION - NONE

XVII. MOTIONS FROM CLOSED SESSION: NONE

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

*Mayor Perry adjourned the meeting at 9:12 P.M., until the next scheduled Council Meeting on July 14, 2020.

Frances Perry – Mayor

Lydia Morales - Town Clerk