



GATE CITY TOWN COUNCIL MINUTES
JULY 8, 2014
156 E. JACKSON ST.
6:30 PM

- I. COUNCIL MEETING CALLED TO ORDER AT 6:30 P.M. BY:** Mayor - Frances Perry
- II. ROLL CALL –** Town Clerk - Kathy Riley

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

Others present: Benny Reed, Lisa McCarty

- III. INVOCATION** Reverend Tommy Holtzclaw
- IV. PLEDGE OF ALLEGIANCE –** There was a moment of silent prayer in memory of Sergeant of Arms, Chuck Newton, who passed away from the last meeting. Officer, Chandler Dickenson led the meeting in the Pledge of Allegiance.
- V. APPROVAL OF AGENDA**

Motion made to approve the agenda. -Town Attorney, M. Brooks, addressed the reappointments of employees explaining when the charter was changed to do the staggered terms, it was not amended to follow the Mayor’s term regarding the reappointments, but reads after the elections. You will need to do reappointments after each election, unless you amend the charter and Town ordinance regarding appointments. Council Member, R. Cassell, asked if the Police Chief is not an appointed position why it is not listed. Town Manager, G. Jones, stated it is, but we have an acting Chief and not ready for that because we haven’t advertised for it yet.

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE:	Yeas,	5
	Nays,	0
	Absent,	0
	Abstain,	0

VI. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS. - None

VII. APPROVAL OF MINUTES

- **Council Meeting of June 10, 2014 as presented?** – Council Member, R. Richards, addressed her question under Water Plant Report regarding price of what is charged for sold water to match the price of water to our residents was not in the minutes and asked that it be added to last month’s minutes. Council Member, W.W. Ross, Jr., asked who has the final decision of what will be placed in the minutes. Mayor Perry stated it is the Clerk’s job and if any additions are needed to be made, this is when it should be requested. Mayor Perry informed Council that in minutes the only thing required to be recorded are motions and votes. Council Member, W.W. Ross, Jr., explained about him making a mistake regarding the Life Saving Crew and it wasn’t in there.

Motion made to approve the minutes with Robin Richards additions.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Public Hearing of June 24, 2014 regarding proposed F/Y 2014-2015 Budget as presented?**

Motion made to approve the June 24th minutes as presented.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W.W. Ross, Jr.

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

- **Special Called Meeting of July 1, 2014 regarding adoption of proposed F/Y 2014-2015 Budget as presented?**

Motion made to approve those minutes as presented.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for June, 2014.

Motion by: Council Member, W. Salyers 2nd by: Council Member, W.W. Ross, Jr.

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

IX. PUBLIC COMMENT - Benny Reed – Complimented Greg Jones and Council Members. He suggested Council Members and citizens talk to the Town Manager with their questions and concerns prior to the meeting versus in the meeting to keep the meetings shorter. He mentioned Council's need to be talking about positive things we have enough negative. He stated, in his opinion, we don't need to have negative things brought into the meetings at all if it can be handled outside of the meeting. He commented on the first responders, Police Officers, Fire Department and Life Saving Crew and being partners with all of them with the health and safety of the citizens should be the first priority when you are looking at your budget and doing more for those people instead of doing less.

Mayor Perry closed the public comment session at 6:42 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - None

XI. REPORTS

A. Engineer's Status Report – Council Member, R. Cassell, asked if Andy Miles was still the Engineer. Town Manager, G. Jones, responded that Vaughn & Melton was still our Engineers and without a contract. Council Member, R. Cassell, stated Andy used to show up and now have no representation if you have questions. Town Manager, G. Jones, stated he could have him here if you would like. Council Member, R. Richards, questioned if it was good to work without a contract. Town Manger, G. Jones, informed her it is a unique situation with it falling in the middle of current projects, but will be addressed at next month's Council meeting.

B. Treasurer's Report – No comments.

C. Codification Committee/Property Maintenance – Town Attorney, M. Brooks, advised Council the number of cases that were referred to her will be filed for court either Thursday or Friday. Council Members discussed the need for action, yards not being mowed and fines to be placed against repeat offenders. Town Attorney, M. Brooks, informed Council fines can be done, but would require an amendment to the Ordinance. Property Maintenance Official, K. Riley, explained the process she follows in notification to property owners regarding violations.

D. Police Department Report – Council Member, W. Salyers, commented on one Officer still under performing. Town Manager, G. Jones, is aware of it, it has been on-going for some time and has a plan on that and hoped to see improvement next month. Vice Mayor, A. Roberts, commented his appreciation of the Officers checking on his doors and leaving cards of their visit.

E. Council Reports – There were no reports from Vice Mayor, A. Roberts, Council Members, W.W. Ross, Jr., and W. Salyers. Council Member, R. Cassell, asked if the requirement for standing committees other than the Planning Commission and Sanitation Authority that has by-laws if there is any criteria regarding membership requirements that members either need to live in the town, live in Scott County, own a business in the county or do we let anyone who wants to serve be on the committee. He felt if you want to serve on a committee and make decisions for the town, you should live over here or own a business and have an interest in it. He commented Mark Freeman does not live in the county anymore with Mr. Freeman stating he had to move in with his parents. Council Member, R. Cassell, doesn't understand how someone who doesn't live here

and make decisions for this town. Mayor Perry stated a Committee doesn't have a right to make a decision but a right to make a suggestion to Council. Council Member, R. Cassell, responded a lot of decisions being made are without Council input. Mayor Perry stated even the Planning Commission cannot make a decision, but can make a recommendation for Council. She stated Committees are supposed to do the leg work and bring their suggestions to Council, with Council Member, R. Cassell agreeing. Town Manager, G. Jones, stated we did a push for Economic Development and did go over budget with items that cost more than what thought they would. Mayor Perry commented the Town Manager has right to make purchases up to \$5,000. Vice Mayor, A. Roberts, commented if you bring everything to Council, nothing would get done. Council Member, R. Richards, questioned what happens when they go over a the budget and provided an example of \$25,000 provided for Economic Development and you go over it, does that have to come to Council. Town Attorney, M. Brooks explained of when the aggregate budget goes over 1%, not one line item, than it would need a Public Hearing which would be a lot of money for the whole town.

F. Economic Development Committee – Vice Mayor, A. Roberts, informed Council of the combined meetings with the Events Committee meeting being held the first and third Monday of each month. He discussed good information received at the Marion Conference and to do the Kickin' Back at King Alley for three years would have to be done before you can get on the Crooked Road list to get money coming in through tourism. Council Member, R. Cassell, suggested another night other than Friday to not be in competition with Kingsport and suggested a sun cover for the band members/stage. Vice Mayor, A. Roberts, stated their decision to go with Friday night was to not be in competition with Carter Fold. Vice Mayor, A. Roberts, complimented Mark Freeman as being an asset to the town, he is here every week to set up the stage and may not be a resident, but does more than the residents. Council Member, W.W. Ross, Jr., discussed the Nixel account (emergency notification) and the need to establish borders of where Gate City is.

G. Historical Committee – No report.

H. Manager – Town Manager went over his report as presented in the Council packet. He informed Council the Grillin' at the Gate event date has been changed to October 4 and 5, 2014 to avoid competing with the October Fest that was scheduled for the same dates of September 13 and 14, 2014. Mayor Perry commented we need to set a definite date and stick to it because people go from event to event and place it on their calendars and a lot of the bands book themselves in advance. Council discussed the Town Hall air conditioning system and units.

I. Park Committee – Council Member, R. Richards, informed Council it was a good meeting and their suggestion of having a Park Appreciation Day for the town. Town Manager, G. Jones, stated they would like to have it the first weekend in August on a Saturday.

J. Planning Commission – Council Member, R. Cassell, informed Council it was an abbreviated meeting with nothing to report.

K. Public Works – Council discussed the vendor's responsibility of cleaning up their trash when the flea market is over, the past procedure of the flea market closing at a specific time, suggested a Police Officer go down there and any trash left to issue a littering ticket to each person leaving the trash, no bathroom facilities available, the need to set up guidelines, and it being the fire department's responsibility.

L. Sanitation Authority – Council Member, R. Cassell, discussed the future vacancy that will occur when Rodney Baker moves out of town and asked for recommendations, Dan Danko’s retirement due to health issues with the new director being Mike Dishman and his desire to for him and Greg to set up a meeting with Mr. Dishman.

M. Street Commission – Council Member, W.W. Ross, Jr., questioned information received from Town Manager of quotes on paving and their dates and asked if Requests for Proposals were done. Town Manager, G. Jones, informed Council RFP’s were not done, that he was just gathering numbers for budgetary purposes, they were non official bids and were just used as an estimate of figures. Council discussed the process of paving of streets, Town Manager has a list of streets that is on the Five-Year Plan, attendance and inability of attendance of Council Members of the meeting regarding the streets, whose responsibility is it to paint crosswalk areas around the school and Cleveland/Antique/Jackson Streets, the need of individuals/residents to contact VDOT regarding road conditions and the placement of signs in the middle of Jackson Street to make it more pedestrian friendly. Town Manager, G. Jones, informed Council of an up-coming meeting he will have with VDOT.

N. Safety Committee – No reports.

O. Water Plant – Vice Mayor, A. Roberts, commented the water loss is below the target. Town Manager, G. Jones, informed Council the installation of the new meters will provide more accurate readings.

P. Events Committee – Items were discussed under the Economic Development Committee report.

XII. UNFINISHED BUSINESS

- **Discuss and decision regarding speed limit at Moccasin Hill Drive area on E. Jackson Street.** - This item was tabled until August Council Meeting.
- **Discuss and decision regarding car count for King Alley and bandstand.** – Town Manager, G. Jones, provided figures of the traffic count of a two-week time period for King Alley being consistent of 200-225 cars and the costs involved for town employees to set-up stage on Friday and taking down the stage on Monday. Vice Mayor, A. Roberts, provided his opinion he is okay with how it is now, but will need to rethink it for next year. He felt if the stage is left up it can be used as a form of advertisement and would establish a venue each week. Council Member, W.W. Ross, Jr., expressed his concern of navigating out of the streets if this street is blocked. Mayor Perry suggested making a plan, gather pros and cons of information and present it to Council.

Motion made to leave the street open for the remainder of this year and reevaluate next year, and to close the road on Friday to put the stage up and to take it down on Monday.

Motion by: Council Member, W. Salyers 2nd by: Council Member, R. Cassell

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0
	5

XIII. NEW BUSINESS

- **Labor Day Employee Appreciation Lunch on Friday, August 29, 2014.**

Motion made to use Scott County Golf Course facility.

Motion by: Council Member, W. Salyers 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

- **Request from 911 to place a speed bump on Hemlock Drive.** – This item was tabled until August Council Meeting.

- **Discuss and decision to advertise for a Council Workshop.** – This item was tabled until later in the year.

- **Discuss and decision regarding adoption of Library of Virginia Records Retention and Disposition Schedules.** – Town Attorney, M. Brooks, informed Council of her attendance to the Local Government Attorney Conference explained to the reason and need to adopt the retention and disposition schedules, along with information regarding Council emails.

Motion made to adopt the Library of Virginia Records Retention and Disposition Schedules.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

- **Discuss amending the Charter regarding appointment of Vice Mayor on Council** – Town Attorney, M. Brooks, explained this is an item that does not have to be done now. She provided reasons to Council why they may want to choose Vice Mayor after every election. Council discussed the following the Mayor term in regarding the reappointment employees to provide employment security to those employees in those positions. Town Attorney, M. Brooks, recommended that Council look at the Ordinance which deals with your appointment employees. Council Member, R. Cassell, agreed with Town Attorney regarding reappointed employees and the need to provide job security to those employees hired. Council members agreed to leave the charter the same regarding the appointment of a Vice Mayor.

- **Nomination for Vice Mayor** – Council Member, W.W. Ross, Jr., nominated Allan “Cotton” Roberts for Vice Mayor and Council Member, R. Richards, nominated Roger Cassell for Vice Mayor. Paper vote (secret ballot) was taken from Council Members with results read by Town Clerk, K. Riley. Results were four votes for Allan “Cotton” Roberts and one vote for Roger Cassell. Allan “Cotton” Roberts was appointed as Vice Mayor.

- **Appointment of Greg Jones as Town Manager**

Motion made to appoint Greg Jones as Town Manager

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas, 5
Nays, 0
Abstain, 0
Absent, 0

- **Appointment of Michele Brooks as Town Attorney**

Motion made to appoint Michele Brooks as Town Attorney

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W.W. Ross, Jr.

VOTE: Yeas, 5
Nays, 0
Abstain, 0
Absent, 0

- **Appointment of Chris Edwards as Town Treasurer**

Motion made to appoint Chris Edwards as Town Treasurer

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas, 5
Nays, 0
Abstain, 0
Absent, 0

- **Appointment of Kathy Riley as Town Clerk**

Motion made to appoint Kathy Riley as Town Clerk

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas, 5
Nays, 0
Abstain, 0
Absent, 0

- **Appointment of Judy Guinn as Deputy Clerk**

Motion made to appoint Judy Guinn as Deputy Clerk

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas, 5
Nays, 0
Abstain, 0
Absent, 0

- **Appointment of _____ as Sergeant of Arms** – Council discussed possible names and requirements for this appointment. Decision was made to table until the August Council Meeting.

IV. PUBLIC COMMENT – NEW BUSINESS – No comments.

Mayor Perry closed the public comment session for new business at 8:38 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss legal and personnel issues.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

Mayor Perry opened the closed session at 8:38 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:24 P.M.

Motion made for Council to return from closed session.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell

VOTE: Yeas, 5
Nays, 0
Absent, 0
Abstain, 0

CERTIFICATION OF CLOSED MEETING – Read by: Town Attorney, M. Brooks

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

VOTE: Yeas, 6
Nays, 0
Absent, 0
Abstain, 0

XVII. MOTIONS FROM CLOSED SESSION: There were no motions coming out of closed session.

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

*Mayor Perry adjourned the meeting at 9:26 P.M., until the next regularly scheduled Council Meeting on August 12, 2014, at 6:30 p.m.

Frances Perry – Mayor

Kathy Riley – Town Clerk