

TOWN COUNCIL MINUTES



Gate City Town Council Minutes
August 13, 2019
156 E Jackson Street
6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:40 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Acting Town Clerk – Lydia Lane

	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: Debbie Kindle, Chief Terry Sivert, Bob Richards, Jason Snapp; Mattern & Craig, Andrew Johnson; Commonwealth Attorney, Jessica Keith; Office Manager for the Commonwealth Attorney, Jeff Oaks and wife

III. INVOCATION- Bob Richards

IV. PLEDGE OF ALLEGIANCE - Chief Terry Sivert

V. APPROVAL OF AGENDA

Mayor Frances Perry requested an addition under New Business pertaining to the request from the foundation of Mountain Empire Community College for the annual donation from the Town of Gate City.

Motion made to approve the agenda with the addition of MECC Foundation request under New Business.

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. - NONE

VII. APPROVAL OF MINUTES

- **Approval of July 9, 2019 Public Hearing Minutes: Residential District Zone R-2 Ordinance**
Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5
Nay:
Absent:

Abstain: **Motion Carried.**

• **Approval of July 9, 2019 Town Council Minutes**

Council Member Wallace W. Ross, Jr. stated that a portion of the July 9, 2019 minutes needs to be revised regarding the approval of the May 14, 2019 minutes. Town Attorney Michele Brooks asked if Council Member Ross asked the Town Clerk to review these minutes at the last council meeting? Council Member Ross stated that he did and that he had previously approved the minutes because he had just received the minutes before the council meeting and did not really have time to review them until later on after the vote had already been taken. Town Attorney Michele Brooks asked if Council Member Ross had listened to the audio? Council Member Ross stated that he had not because that is not the audio that he requested. Council Member Ross stated that the minutes that he was referring to were the minutes of January 2019 because this is where the trip would have been approved. Town Attorney Michele Brooks stated that the issue presented before Council is whether or not the Council Minutes of July 9, 2019 are incorrect. Town Attorney Michele Brooks asked Council Member Ross if he is stating that there is something about those minutes that are incorrect? Council Member Ross stated that the May 14, 2019 minutes are incorrect. Town Attorney Michele Brooks stated that the Council is now discussing the approval of last month's minutes and she wants to ensure that everyone is on the same page. Council Member Ross stated that July 9, 2019 is when he addressed the issue with the approval of the May 14, 2019 minutes. Town Attorney Michele Brooks suggested that a motion needs to be made to deal with the July 9, 2019 minutes first and then if Council Member Ross wants to address the May 14, 2019 minutes, that needs to be done separately so that there is no confusion and minutes are approved appropriately.

Mayor Frances Perry stated that this is just approving what was done at the last Council meeting and doesn't have anything to do with going back to January or any other time. Council Member Allan Cotton Roberts stated that it does because part of the meeting minutes state "take no action" until that information is brought to council. Mayor Frances Perry stated that this does not contain where Council will need to go back this is just dealing with what was said and done at the last meeting. Town Attorney Michele Brooks stated that perhaps this needs to be added to Old Business rather than dealing with it at this moment, because at this point we are only trying to approve the minutes based on whether or not they are an accurate reflection of what happened at the July meeting.

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 July 2019 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.)

Debbie Kindle – Mrs. Debbie Kindle stated that she was asked to come before council on behalf of Eola’s Beauty Salon regarding the extension of the crosswalk. Mrs. Kindle stated that Eola called the state approximately a year ago to speak with them about the curb that is sticking out and impeding handicap individuals who park in front of her beauty salon. Mrs. Kindle stated that these individuals have to maneuver around the curb, then they are out in the traffic, then they are out in Cleveland Street, and if they need to turn a wheelchair, they are out in the traffic again. Mrs. Kindle stated that Richmond VDOT could see that it is a real safety hazard and that something needed to be done. Mrs. Kindle stated that Eola has requested that the council contact Richmond before someone is seriously injured. Mrs. Kindle stated that individuals are also coming down Cleveland Street and are having to get into traffic in order to turn due to the curb sticking out. Vice-Mayor Robin Richards asked who VDOT stated that the curb was a safety hazard to? Mrs. Kindle stated that VDOT stated this to Eola. Town Manager Greg Jones stated that a new parking plan is being developed that should help with this issue. Mrs. Kindle stated that Eola is also concerned because the new commercial doors open outward and individuals riding bicycles and skateboards on the sidewalk could pose a safety issue. Mayor Frances Perry stated that skateboards are not allowed on the sidewalk. Town Manager Greg Jones stated that he has had a discussion with Eola regarding this and instructed her to call the emergency service line when she sees this in order to get someone dispatched out and prevent it.

Andrew Johnson, Commonwealth Attorney – Mr. Johnson handed out copies of his budget amendment proposal. Mr. Johnson stated that there had been some discussion about whether or not he could show exactly what is collected within the state in regard to his proposal. Mr. Johnson stated that he brought the Council the compensation board fines and fees collection assessment for fiscal year 2018. Mr. Johnson stated that in 2018 the total court assessment for the combined general district court and juvenile court, which are the two courts addressed in Mr. Johnson’s proposal that are misdemeanors for the towns of Gate City and Weber City and the Sheriff’s Department, was \$881,935.92. Mr. Johnson stated that the delinquent fines and fees for 2018, which are collected by the Commonwealth Attorney’s office, were over \$250,000. Mr. Johnson stated that the gross amount collected by his office was \$128,890. Mr. Johnson stated that the 2017 collections in comparison to the 2018 collections can also be seen in this document. Mr. Johnson stated that in 2017 \$632,536.09 was collected and the net collections for the Commonwealth Attorney’s office were \$111,147. Mr. Johnson stated that there is a consistent half a million dollars coming out of this county for misdemeanors that goes to Richmond and is applied to the budget for the state when approximately 80% of this money could stay here in our jurisdictions. Mr. Johnson stated that a vast majority of the cases come from the sheriff’s office and the next largest come from the Town of Gate City. Mr. Johnson stated if the 2018 collection was divided equally among the four agencies, that would be well over \$130,000 per agency on a yearly basis that is being paid by the defendant. Mr. Johnson stated that Town Attorney Michele Brooks stated that these individuals are judgement proof. Mr. Johnson stated that what you can take from this is that over 60% of these individuals come in and pay their fine and those that don’t pay are collected through a passive collection method. Mr. Johnson stated that he plans to pursue these fines more aggressively and even civilly. Mr. Johnson stated that he has brought this before Council again because he is passionate about it and believes it will benefit Gate City, Scott County and Weber City. Mr. Johnson stated that too much money is being sent to Richmond that could stay here and help our localities. Mr. Johnson asked the Council Members to consider this and hopefully talk again with him some other time.

Jeff Oaks – Mr. Oaks asked Chief Terry Sivert if he knew that Officer Matt Stewart was fired from the county? Town Attorney Michele Brooks stated that she will instruct any member not to discuss personnel matters publicly. Mayor Frances Perry stated that Mr. Oaks needed to address the Council. Mr. Oaks stated that he will just let the matter go.

Mayor Perry closed the public comment session at 7:07 P.M. and opened the consent agenda session.

X. COMMUNICATIONS

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 from Mattern & Craig gave the Engineer’s Status Report.

DEQ Sewer I&I Rehab Job: We have received VDOT and DEQ approval to advertise. All signed Easements have been delivered to the Town for recording. Dinkins Consulting completed the Mussel Survey on Monday, July 1st and found one live mussel. The report has been submitted to USACE and VDGIF, those agencies have notified VMRC of their concurrence and VMRC has begun drafting the surface water alteration permit. Once the permit is received the project can be advertised. The project schedule will now tentatively be to advertise the project for const. in late winter/early spring 2020 and begin construction in early summer 2020.

Water Treatment Plant Upgrades: All work has been completed. We will schedule a final inspection in the next couple of weeks to get the project closed out. Substantial Completion was scheduled for Jan. 11th. This date was not met by the contractor and they have submitted a time extension request. Any damages will be discussed at the final inspection.

Asset Management Plan: M&C to submit a preventative maintenance and operational plan for the Town to extend the life and performance on their assets to VDH. The plan will also include an inventory of all the Town's assets associated with its waterworks system. Now that the Water Treatment Plant Project is complete, we will submit the Asset Management Plan shortly.

H/C Ramp HSIP Project: All environmental agencies have responded, and the appropriate paperwork has been submitted, VDOT has now cleared the environmental document. VDOT required revisions have been made and plans and specification have been resubmitted. We are now waiting for VDOT approval to advertise, once we receive approval to advertise the Town will be required to advertise for a minimum of 30 days. Then the bidding and negotiation phase will begin before awarding the contract.

Jason Snapp stated that a stripping plan that was previously developed will be put into place soon, as VDOT is paving Jackson Street. Mr. Snapp stated that he will be changing some of the parking to be angled parking in order to fit more parking spaces in. Mr. Snapp stated that he will submit this to Town Manager Greg Jones and go through VDOT to get approval.

B. Manager's Report

Capital Projects

Water Treatment Plant

- Water Treatment Plant Upgrade Project/WSL 21-17 - Roof Replacement project, steel doors replacement, backwash control system, chlorine room scales, generator, telemetry system and Clearwell baffling system will be developed into one project. Project is complete except for the VDH approval of the Asset Management Plan. Final inspection will be completed in the next couple weeks.

Substantial completion deadline was not met on January 11th, 2019. Mattem & Craig has received a time extension request.

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. We are currently awaiting VDOT to approve the final plans. Once the

final plans are approved, we will be ready to bid.

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.

• **Gate City Theater & Public Facilities**

Planning Grant for the Gate City Theater, Town Hall, and proposed Community Center have been submitted to Rural Development (USDA)- (Community Facilities Technical Assistance and Training/TAT Grant). The TAT Grant is a planning grant that will focus on engineering and environmental plans to make the best use of our public facilities. The total funding request is \$50,500 from Rural Development. Our proposed budget will include: \$20,000 Preliminary Architectural Report (PAR)-TAT Grant \$5,500 Site assessment and environmental review- TAT Grant \$25,000 Marketing Analysis- Gate City Theater (match) ~ ARC Grant \$50,500 Total

The TAT grant has been awarded.

The ARC grant was awarded on August 15, 2018.

The Marketing Analysis has been completed and the ARC grant performance reports have been submitted. The Preliminary Architectural Report (PAR) has also been completed.

• **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 Waste-Water 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.

All the DHCD preliminary contract activities have been completed. Once the Town receives and executes the DHCD contract, this project will be ready to begin.

• **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 MainStreet meeting in Lynchburg, VA. Mosca Designs stated that they can help with the engineering requirements needed for permitting. This project should start soon.

• **Streetlights - Paul Wade Drive/Eva Street/Arora Street**

I met with Harold Walker, AEP, and Council Member Roger Cassell on December 5, 2018 to look into installing Street Lights on Paul Wade Drive, Eva Street, and Arora Street. A total of seven Street Lights has been approved by Council to be installed at a cost of \$11,651.29. AEP informed the Town that the property owners on Paul Wade Drive do not want to install the Street Lights on their property. Streetlights were not installed in this area as a result.

Two Street Lights on Eva Street and one Street Light on Arora Street have been installed at a cost of \$4,977.90. Upon inspection it was noticed that a third streetlight should be installed on the curve section of Eva Street. The additional streetlight on Eva Street has been ordered from AEP at a cost of \$1,712.13. The Town Crew has removed the trees for the third streetlight on Eva Street.

AEP has installed the third streetlight on Eva Street. This project is now complete.

• **Sidewalks - West Jackson Street**

Currently there are no sidewalks located on West Jackson Street pass the Scott County Life Saving Crew: Council has approved to submit a HSIP application for the installation of sidewalks on West Jackson Street.

Council has approved to submit a HSIP/VDOT Grant Application by the deadline in November 2019.

• **Grogan Park/Baseball Fields Flooding Issue** I met with Scott County Schools, Gate City Little League, and Michele Brooks, Attorney met 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.

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. In anticipation of the paving project, Matten & Craig has developed a parking plan. This plan is still being developed and will be proposed shortly. K.V.W.V. Traffic Control, Inc has been procured by VDOT to stripe the centerline and crosswalks. K.V.W.V Traffic Control, Inc has indicated that they are willing do stripe the parking spaces for the Town. This could be a potential savings to the Town since the contractor is already mobilized. They will give us a quote once the final Parking Plan has been submitted and approved by VDOT.

Water System Survey

The Gate City Water Distribution has been experiencing higher than normal water loss for the past couple months. Currently we have a 50% water loss representing about three million gallons of unaccounted water per month. Rye Engineering has been contacted and has submitted a quote for \$25,000.00 for a complete water system survey in an effort to arrest our unaccounted water loss. This would be considered an emergency procurement as this project needs to be completed as soon as possible. Rye Engineering can begin this project on Thursday, August 12th, 2019 upon the approval of Town Council.

VIRGINIA DEPT OF HEALTH DIVISION OF DRINKING WATER MONTHLY REPORT

MONTH/YEAR: July-19

PWS#: 1169405

DISTRIBUTION SYSTEM PERFORMANCE

A1	Gals of water placed Into distrib ayatam from Gate City treatment plant	11,093,000
A2	Gals of water placed Into distrib system from Scott County PSA master meter	1,430,000
A3	Total Gals of water placed into distrib system (A1+A2)	12,333,000
B	Gals of water transferred to Scott County PSA	1,477,300
C	Gals of water placed Into distrib system that are not transferred to Scott County (A3-B)	11,035,700
D	Average gal# per day placed Into distrib system for customers other than Scott County PSA (C/days in month)	330,035
E	Gals of water metered to other customers	4,733,600
F	Total gals of water accounted for (B+E)	3,248,300
G	Total gals of water unaccounted for (A3-F)	6,207,200
H	Apparent percent of water lost from distrib system (100*G/A3)	M.17%
I	Number of connections	1,443
J	Avg gals/day placed Into distrib system per non-SCPSA waterworks customer (D/I)	247

Distrib. System Performance Goals:

- * Leas than 10% lot* of water placed Into distrib system
- * Lea* than 150 Qpd of water placed Into dlatrib system par non-othar waterworks customer

Significant Deficiency:

- *Greater than 30% leakage of water placed Into diatrib system

Council action: Approve Rye Engineering’s quote to conduct a water distribution system survey.

Council Member Allan “Cotton” Roberts stated that a precise log needs to be made of each one of the leaks found so that, if needed, we can go back and see

where the lines were leaking before. Vice-Mayor Robin Richards asked if the leaks can be recorded in the new software. Town Manager Greg Jones stated that yes that could be done in the new GIS system which will be able to document water and sewer lines as well as zoning and photo documentation.

• **2019 Town Events**

Movie Nights @ Gate City Theater Saturday, August 24, 2019-Shrek

Gate City Cruise-In

Saturday, August 10th, 2019

Railway Express

Brickyard Road - Lynyrd Skynyrd Tribute Band

The following businesses are our FY 2020 event sponsors.

Gold Sponsors: First Community Bank and Scott County Board of Supervisors,

Silver Sponsors: New Peoples Bank and Scott County Life Saving Crew.

Bronze Sponsors: Pal's Sudden Service, Mattem & Craig, Jenkins School of Dance, Commercial Electronics, Fanners and Miners Bank, Mountain Region Family Medicine, Pizza Plus, and State Farm Insurance.

Friends of Gate City: Tucker and Becky Coleman, Dr. David Templeton, and Quillin Hardware.

Mayor Perry and I met with Scott County Tourism, Scott County Assistant

Administrator, and Spearhead Trails new Program Manager, Mr. Brandon Napier on

August 6th, 2019. We discussed creating a bike race event that will involve several Scott

County communities including Gate City. We will meet again on September 10th to continue

our discussion in creating this new event. Mr. Napier is also planning the first Jeep and Dual

Sport Bike Poker Run hopefully for the first weekend in October 2019. The routes have not

been determined but it will include Scott, Wise, and Lee County. The start or finish will be in

Gate City.

Property Maintenance Issues

The following properties have been issued a notice of violation (NOV) letter

Property Maintenance Report

Tax Map Number	Violation(s)	Date NOV Sent	Property Tax ID Number	Years RE Tax Delinquent	RE Tax Due	Status	Notes
146A6 B R B 146A6 B R A, I-5;14	301.2 RESPONSIBILITY 304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE 302.5 RODENT HARBORAGE 304.7 ROOFS AND DRAINAGE 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY	6/3/2019	17098 17099	2018 \$ 2017 \$ 2016 \$ 2015 \$ 2014 \$ 2013 \$	85.80 99.53 109.95 127.53 138.58 36.96	Habitual	Established Service Grass Cut/NOV's still existing On hold - property being sold
146A6 9 G 31-35	304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE 302.5 RODENT HARBORAGE 302.8 MOTOR VEHICLES 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.	5/31/2019	14403	2018 \$ 2017 \$ 2016 \$ 2015 \$ 2014 \$	147.51 171.10 169.02 304.10 330.42	Habitual	Established Service Turned over to TAGS Approval to remove vehicle
146A6 B R 7-9; 146A6-8-6-D	301.2 RESPONSIBILITY 304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE 308.2 DISPOSAL OF RUBBISH 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY	12/28/18 5/31/19	13511	Current		Habitual	Established Service Front yard cut/NOV's still exist
146A2 A 16	301.2 RESPONSIBILITY 304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE 302.5 RODENT HARBORAGE 304.1.1 CHIMNEYS AND TOWERS 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY	6/19/19	13869	2016 \$ 2017 \$ 2018 \$	38.05 30.61 26.40	Habitual	Established Service Turned over to TAGS for Judicial Sale
145A2 1B2	301.2 RESPONSIBILITY 302.4 WEEDS 302.5 RODENT HARBORAGE 309.1 INFESTATION	6.25.19	14499	2018 \$	49.50	Cleared	Released 8/6/2019
146A2A 11	334.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE. 302.5 RODENT HARBORAGE, 302.8 MOTOR VEHICLES ARTICLE II - ABANDONED OR INOPERATIVE MOTOR VEHICLES 18-18. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.	6/25/19 8/9/19	13735	2016 \$ 2017 \$ 2018 \$	154.80 140.10 120.78	Habitual	NOV Sent on 6/25/19 Lost by PO Turned over to TAGS for Judicial Sale
146A2 A 8	301.2 RESPONSIBILITY. 304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE. 302.5 RODENT HARBORAGE. 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.	8.25.19 8.8.19	14553	2018 \$	132.99	Habitual	NOV Sent on 6/25/19 Returned NOV Sent on 8/9/19 to P.O. Box

Town Manager Greg Jones stated that the yellow locations have been turned over to TACS. Mr. Jones stated that properties who are in violation of property codes and who are not paying taxes will be moved to the top of the list.

Virginia MainStreet- Downtown Intersections Conference

I attended the Downtown Intersection conference hosted by the Virginia Mainstreet program in Lynchburg, VA on July 22nd- 24th, 2019 along with Mr. Allan “ Cotton” Roberts, Chairperson of Gate City Frontier, Inc.

We participated in the Downtown Living Tour. We toured historic structures that have been restored and repurposed into lofts and apartments. The breakout sessions that we attended included: Redevelopment of large historic buildings, Driving Development through mixed use, Assessing the physical character of your downtown, shifting the center of gravity in your downtown, future of American downtown, and creating a retail destination to name a few. Congratulations are extended to St. Paul Tomorrow, Inc for winning the Mainstreet Idea Pitch Competition.

Council Member Allan “Cotton” Roberts stated that individuals coming in for tourism are more interested in an experience-based trip rather than a product based trip because they can purchase products online but can gain unique experiences through their travel.

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

Council Member Allan “Cotton” Roberts – Council Member Roberts asked Town Manager Greg Jones what is the next step for the theatre project? Town Manager Greg Jones stated that the next step is to develop presentations and determine funding sources. Council Member Roberts asked if this needs to be presented to Council? Town Manager Greg Jones stated that starting through economic development and putting something together for Gate City Frontier and then presenting to Council would be the next best move to figure out the approach. Mayor Frances Perry recommended creating a video presentation that may entice investors. Council Member Roberts stated that he has met an individual who works for a firm that has purchased historical tax credits and he sent us some information. Council Member Roberts stated that there are \$1.8 million of historical tax credits that can be sold to a bank that will be part of the funding. Council Member Roger Cassell stated that the drawings of the Gate City Theater need to be exposed to the public so that they can be aware of what we are doing.

Council Member Roberts stated that Gate City Frontier would like to do another project to let the downtown residents and merchants know that the organization is there to do something in the community.

Council Member Roger Cassell – Nothing to Report.

Council Member Wallace W. Ross, Jr. – Council Member Ross asked if the lot on Chestnut Street that has the chimney is going to be taken care of soon? Town Manager Greg Jones stated that it will be taken care of as soon as the Town is caught up on other issues. Council Member Ross stated that it has been nine years.

Council Member Ross stated that the yellow and red fire hydrants are two different types that have different levels of water reach. Council Member Roger Cassell stated that is NFPA coding and how they rank the fire department rating. Council Member Roger Cassell stated that the top cap color is the water flow level. Council Member Ross asked why are there red ones then? Council Member Cassell stated that there should not be anymore red ones because Fire Chief Brickey has painted all of them. Council Member Ross asked if most cities have the same standards? Council Member Roger Cassell stated yes that the ISO sets the standard for what they want to see in conjunction with NFPA. Council Member Ross asked if they can put out the same pressure through the same type of fire hydrants? Council Member Roger Cassell stated that there may be different brands, but the top cap color determines the level of flow of the fire hydrant. Council Member Ross stated that when there was a fire, the yellow hydrant didn’t perform correctly and the red one across the street didn’t work.

Council Member Ross asked if the Town is in the process of purchasing bulbs for the streetlights since there are nighttime events being held now? Mayor Frances Perry stated that the budget would have to be increased by a large amount and we would have to hire a lot more public works individuals than what we have because what we have are overworked and underpaid already. Mayor Frances Perry stated that Council Member Ross needs to set a list of priorities of whether he wants the grass mowed, the light bulbs to burn, the trash picked up or the water leaks fixed. Council Member Ross stated that when he was on this board there were two men who kept the grass cut. Council Member Ross stated that he has been advocating the infrastructure since he has been on this board.

Council Member Ross stated that the pothole on Chestnut Street needs to be repaired and it has been several years that this has been reported. Council Member Roger Cassell stated that Town Manager Greg Jones has already brought this to the attention of the assistant resident in Richmond. Council Member Cassell stated that the assistant resident stated that they have already fixed it and that's the way it is going to stay. Mayor Frances Perry stated that it would make a lot of difference if the citizens would call the citizen complaint number, especially since the Town Manager has already brought it to their attention. Town Attorney Michele Brooks explained that the Town does not have the authority to alter a VDOT street and if they do, that could incur a lot of liability for the Town. Council Member Ross stated that the Town may not be able to alter the street, but they can have communication with VDOT, that is why we pay our Town Manager. Council Member Roger Cassell stated that the Town Manager has communicated with VDOT.

Council Member Ron Kindle – Council Member Ron Kindle stated that there are many individuals flipping houses creating excessive amount of debris that the Town Crew is having to spend a lot of time cleaning up. Council Member Kindle asked if there is any way that we could charge them after a reasonable amount of debris is picked up? Town Manager Greg Jones stated that we are not picking up debris after a contractor. Council Member Allan “Cotton” Roberts stated that if a contractor asks for this debris to be picked up, they are charged for the pick-up. Council Member Kindle stated that a lot of this debris is coming from Campbell Street. Town Manager Greg Jones stated that Campbell Street contains a lot of brush that needs to be picked up and is part of the work orders for the Town Crew.

Vice-Mayor Robin Richards – Nothing to Report.

Mayor Frances Perry- Mayor Frances Perry stated that Fire Chief Jeff Brickey has determined the theme of this year's Christmas festivities to be “Clinch Mountain Christmas” and he needs the Council to determine who will be named as the parade marshal.

D. **Sanitation Authority** - Council Member Roger Cassell stated that the Sanitation Authority met on August 12, 2019 for a special called meeting and Auditor Larry Sturgill presented the final review of the financials. Council Member Cassell stated that Town Attorney Michele Brooks sent the PSA Attorney and Mike Dishman a list of dates for the two committees to meet and discuss financials and the contract.

XII. UNFINISHED BUSINESS

Motion made to amend the agenda to address the Council Meeting Minutes 5-14-2019.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

Council Member Wallace W. Ross, Jr. stated that the May 14, 2019 minutes state that “Council Member Ross stated that Vice-Mayor Robin Richards went to Roanoke without approval.” Council Member Ross stated that this is a misprinted statement because he was discussing the trip to Richmond and it should be deleted. Mayor Frances Perry asked if the issue is the place? Council Member Ross stated that it is the issue because it needs to be Richmond instead of Roanoke. Town Attorney Michele Brooks stated that the Town Clerk was asked to record verbatim minutes and send out audio to each council member. Town Attorney Michele Brooks stated that the main issue first: is Council Member Ross correct about what he said and secondly: does the Council want to rescind the approval of the minutes and amend them based on that. Town Attorney Michele Brooks asked if these issues are the ones that Mr. Ross is concerned about? Council Member Ross stated yes that they are the issues to be discussed. Discussion concerning the above stated issues continued.

Motion made to rescind the approval of the May 14, 2019 Minutes.

Motion by: Wallace W. Ross, Jr.

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

Motion made for the May 14, 2019 Minutes to reflect the changes of Roanoke to Richmond in the statement “Council Member Ross stated that Vice-Mayor Robin Richards went to Roanoke without approval.”

Motion by: Wallace W. Ross, Jr.

2nd by: Allan “Cotton” Roberts

NO VOTES WERE MADE:

Aye:

Nay:

Absent:

Abstain:

Motion Failed.

Motion made to approve the May 14, 2019 Minutes with the addition of the verbatim May 14, 2019 portion of minutes concerning what Council Member Wallace W. Ross, Jr. is concerned about to the May 14, 2019 Council Minutes.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

XIII. NEW BUSINESS

- **Postpone September 10th, 2019 Council Meeting: Conflict in Schedule, VDOT Conference**

Town Manager Greg Jones explained that he will have a VDOT conference to attend during the same week as Council.

Motion made to change the September 10th, 2019 Council Meeting and move it to September 3, 2019 at 6:30 PM or immediately following Planning Commission Meeting.

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye:5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Postpone October 8th, 2019 Council Meeting; Conflict in Schedule, VML Conference**
Motion made to postpone October 8th, 2019 Council Meeting and move it to October 15th at 6:30 PM.

Motion by: Allan "Cotton" Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye:5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Section 16.4 Weapons, Discharge Firearms – Public Hearing**
Motion made to advertise for Public Hearing concerning Section 16.4 Weapons, Discharge Firearms on September 3, 2019.

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Request for donation to Mountain Empire Community College Foundation Scholarship**
Mayor Frances Perry stated that the Council has always donated \$250 to the scholarship program. Mayor Frances Perry read the e-mail from MECC. Mayor Frances Perry asked that the donated amount be doubled to \$500 since the college has a donor willing to match the donation if the college can raise \$25,000 total.

Motion made to donate \$500 to the Mountain Empire Community College Foundation for scholarships for Scott County students.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

XIV. PUBLIC COMMENT – NEW BUSINESS

Ellen Bailey- Ms. Ellen Bailey stated that there is a clear sand like substance in the water. Ms. Bailey asked if the water had been filtered or if there are plans to filter the water? Town Manager Greg Jones stated that sometimes

when the water lines need to be flushed out, silt can accumulate but it is not uncommon for this to happen. Town Manager Greg Jones stated that the Town can flush the lines.

Ms. Ellen Bailey asked if a census is being taken in Gate City? Mayor Frances Perry stated that a census is being taken and it is legitimate.

Ms. Ellen Bailey stated that a man was in the Manville area going from home to home offering to work on the homes. Ms. Bailey stated that this man told her that grant money had been given to improve the area. Ms. Bailey asked what happened to this project? Mayor Frances Perry stated that it was a planning grant that got voted down. Town Manager Greg Jones stated that a town wide housing assessment is currently being done through a grant. Town Manager Greg Jones stated that the Park Street section of Town will begin in a few months, and once it is finished, we will be able to determine which portions of Town we need to move onto next. Mayor Frances Perry stated that Council is working on improving the whole Town, but it will have to be done a section at a time.

XV. CLOSED SESSION

**Motion made for Council to enter into closed session to discuss 1.) legal matters and
2.) personnel matters only.**

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

Mayor Perry opened the closed session at 8:22 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:34 P.M.

Motion made for Council to return from closed session.

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

CERTIFICATION OF CLOSED MEETING – Read by: Town Attorney Michele Brooks

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

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

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

ROLL CALL VOTE: Council Member, Roger Cassell - AYE
Vice-Mayor, Robin Richards - AYE

Council Member, Wallace W. Ross, Jr. - AYE
Council Member, Ron Kindle - AYE
Council Member, Allan "Cotton" Roberts - AYE

XVII. MOTIONS FROM CLOSED SESSION:

- **Rye Engineering Contract, Water Survey Project**
Motion made to perform an emergency procurement for \$25,000 under the code 2.24303 subsection F to Rye Engineering with the emergency being the immense water loss that is now at 50%.
Motion by: Robin Richards
2nd by: Allan "Cotton" Roberts
VOTE: Aye: 5
 Nay:
 Absent:
 Abstain: **Motion Carried.**

- **Sports Complex Access Road: Approval to pay 1/3 of cost/Don's Paving & Sealing quote.**
Motion made to do a procurement to approve up to \$10,000 to pay 1/3 of the cost of the sports complex access road in conjunction with Scott County and the Scott County School Board.
Motion by: Robin Richards
2nd by: Allan "Cotton" Roberts
VOTE: Aye: 5
 Nay:
 Absent:
 Abstain: **Motion Carried.**

- **Hire Town Clerk Position**
Motion made to hire Lydia Lane as the Town Clerk position.
Motion by: Allan "Cotton" Roberts
2nd by: Ron Kindle
VOTE: Aye: 5
 Nay:
 Absent:
 Abstain: **Motion Carried.**

- **Approve Wage Classification Plan**
Motion made to approve the wage classification plan.
Motion by: Allan "Cotton" Roberts
2nd by: Roger Cassell
VOTE: Aye: 5
 Nay:
 Absent:
 Abstain: **Motion Carried.**

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 9:39 P.M., until the next scheduled Council Meeting on September 3, 2019 at 6:30 PM.

Frances Perry – Mayor

Lydia Lane - Acting Town Clerk