



***GATE CITY TOWN COUNCIL MEETING MINUTES
SEPTEMBER 11, 2012
156 E. JACKSON ST.
6:30 PM***

PUBLIC HEARING:

PROPOSED AMENDMENT TO TOWN OF GATE CITY WATER POLICY SECTION V-WATER CHARGES MULTIPLE HOOK-UPS ON ONE (1) METER AND SECTION XIV – SCHEDULE OF FEES AND CHARGES – TAP FEES

I. Mayor, Frances Perry called Public Hearing to order at 6:32 P.M.

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

Others present: Town Attorney, Michele Brooks, Town Manager, Jeremy Keller, Debbie Kindle

III. NEW BUSINESS

- **PROPOSED AMENDMENT TO TOWN OF GATE CITY WATER POLICY SECTION V-WATER CHARGE FOR MULTIPLE HOOK-UPS ON ONE (1) METER AND SECTION XIV – SCHEDULE OF FEES AND CHARGES – TAP FEES.**

Town Manager, J. Keller – Provides Council with an explanation that he was provided from Office Manager, Judy Guinn. Currently, as it is, the Town, is losing money on the multiple hook-ups with Council Member, Roger Cassell, inputting when this was implemented, the Town felt the it was losing money as well.

IV PUBLIC COMMENT

Debbie Kindle – Discusses the billing rate changes from past and the adoption date. She questions those property owners who have multiple users, but are not being charged the multiple user fees. States increase in fee would present a hardship and the landlord should come in to Town Hall, but there is

only a few that will come in advising they are a double user. She advises of a list she provided Town Hall of those that were double users.

Vice Mayor, A. Roberts – Questions how are we losing money when water is going through the meter and we are charging for the water with Council Member, R. Cassell explaining if you had separate meters, you would have two minimums.

Debbie Kindle – Discusses how she is a multiple user with her home and cottage she rents out since 2003. She doesn't have a problem, but wants it to be fair.

Mayor Perry – Explains the problem as having single meters with multiple users and if every user had a single meter there would be no question as to everybody paid.

Vice Mayor, A. Roberts understands a trailer park with one meter furnishing 15 trailers, but states he owns one building and questions why he would have to pay two different bills when he has one water bill coming to him. He doesn't feel it is right.

Council Member, W.W. Ross, Jr. – Questions Ms. Kindle if she had prior notice in the paper about this.

Council Member, R. Cassell – Asks if this will increase sewer rates with Town Clerk explaining the fee is an additional fee, not a double fee. Explaining it will be a minimal fee based on the rates set by Council for the minimal fee on water, which is currently \$23.00 with Town Attorney, M. Brooks reading from the Water Policy regarding fees.

Mayor Perry – Asks how we are losing money with Council Member, R. Cassell replying we are not losing money, we're just not making money, just losing that minimum.

Mayor Perry – Asks if Town Manager would like to explain the reason for revision for Section XIV.

Town Manager, J. Keller – Provides the reason for this request as being the Methodist Church did another hook-up with a total bill to the town being about \$4,500.00 in materials, not including labor. Per policy, the commercial water tap fee is \$2,500.00 for the intention to cover town's costs, including labor.

Vice Mayor, A. Roberts- Questions the tap procedures for a new meter, reads the proposed revision to the Water policy, "prices listed, \$650.00 Residential ¾" and \$2,500.00 Commercial 2", will be the minimum fee. A final total will be submitted to property owner based on total materials and labor" asking if it would be calculated in with Town Manager, J. Keller replying yes.

Council Member, R. Richards – Asks the date this would take effect with Mayor Perry informing her it would be immediate after it has been adopted.

Council Member, W. W. Ross, Jr. – Suggests tabling for further discussion.

Close Public Comment at 6:29 P.M.

V. Public Hearing closes at 7:03 P.M.

Mayor Frances Perry

Town Clerk, Kathy Riley

PUBLIC HEARING:

TO REQUEST RECEIPT OF PROPOSALS FROM FINANCIAL ORGANIZATIONS REGARDING FINANCIAL TERMS TO SECURE A LOAN BY THE TOWN OF GATE CITY. THE ONLY PROPOSED USE OF THE FINANCIAL LOAN IS TO PAY FOR THE COSTS OF RENOVATING THE TOWN'S POLICE DEPARTMENT BUILDING.

I. Mayor, Frances Perry called Public Hearing to order at 7:04 P.M.

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

Others present: Town Attorney, Michele Brooks, Town Manager, Jeremy Keller

III. **NEW BUSINESS**

- **TO REQUEST RECEIPT OF PROPOSALS FROM FINANCIAL ORGANIZATIONS REGARDING FINANCIAL TERMS TO SECURE A LOAN BY THE TOWN OF GATE CITY. THE ONLY PROPOSED USE OF THE FINANCIAL LOAN IS TO PAY FOR THE COSTS OF RENOVATING THE TOWN'S POLICE DEPARTMENT BUILDING.**

Town Manager, J. Keller – Explains to Council this is for permission for the Town to ask the banks, if needed, for a loan for the renovations or purchase of a new building for the Police Department.

Council Member, R. Richards – Asks, this will not obligate us in any way with Town Manager, J. Keller replying no.

IV **PUBLIC COMMENT**

Close Public Comment at 7:06 P.M.

V. **Public Hearing closes at 7:06 P.M.**

Mayor Frances Perry

Town Clerk, Kathy Riley

- I. **COUNCIL MEETING CALLED TO ORDER AT 7:06 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

Others present: Town Attorney, Michele Brooks, Town Manager, Jeremy Keller, Debbie Kindle, Ronnie Sloan, Chuck Newton, Arletha Newton, Carolyn Bailey, Ellen Bailey, Diana Colbert, Andy Miles, Ron Baker, Chuck Bridwell

- III. **INVOCATION** Rollie Hautz
- IV. **PLEDGE OF ALLEGIANCE** Sergeant of Arms, Chuck Newton
- V. **APPROVAL OF AGENDA**

Motion made to approve the agenda to add Mr. Buston under Item VI.

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.

Steve Buston, VDOT – He introduces himself and addresses questions/issues that were presented prior to the meeting.

1. **Trucks coming through the town** – he will follow up on redirecting trucks on Jackson Street with signage or US 23 be designated a truck route.
2. **Crosswalks/Pedestrian traffic** – There will be a crosswalk painted on Jackson Street at the Courthouse before the cold weather. The crosswalk at the Town office will not be put in without running it into someone’s entrance. Discusses other crosswalks in town, but they are not hatched (painted with diagonal hatch lines). Will check to see if that can be done, to make it more visible. Mayor Perry asks for crosswalk to be placed at the library. Council Member, W. W. Ross, Jr. asks about possibility for stop light with the pedestrian figure like Bristol with Mr. Buston saying probably not, these streets are maintained by VDOT and Bristol maintains streets under the City of Bristol. He is not for sure, but he will check into it.
3. **Speed of Traffic** – Feels that is a speed enforcement issue. Vice-Mayor, A. Roberts asks who regulates the speed limits. VDOT sets speeds on roads, but a speed study needs to be done before action can be done and explains what a speed study is. Vice-Mayor, A. Roberts

addresses crossing the street at Jackson and Kane, with cars making a right turn, not knowing when to walk/don't walk and asks who would put up the sign, the town or VDOT with Mr. Buston responding, it would probably be VDOT and will get back to Council on that.

- 4. Make sidewalks wider for green areas** – Discusses Jackson Street is a wide street and would have areas where the sidewalk could be widened with parallel parking. Placing tables off the sidewalk would not be permitted, but if sidewalk is widened, the tables could be placed there, as long as there was a barrier between traffic and the sidewalk, but would be a big expense. Refers to Town of Marion regarding their receipt of enhancement money to increase their green space. Mayor Perry questions if sidewalk was widened in front of The Family Bakery, we could do that with Mr. Buston replying he thinks we could with permit, but would need to see a sketch of what you want. Council Member, R. Cassell questions the same proposal presented earlier about The Family Bakery and it was turned down with Mr. Buston responding it wasn't to widen the sidewalk, just placing tables up with no barrier, but will look at it. Council Member, W. W. Ross, Jr. – Questions the condition of sidewalk on Manville Road with Mr. Buston responding VDOT will tell the Town it is the Town's responsibility. He informs Council of a revenue sharing program for cities, towns and counties and possibly working with the county to request the money.
- 5. Mowing reimbursement** – Mowing is done by contract to low bidder and it would not be possible to pay the Town. Mayor Perry asks how the Town can get the state roads in our city limits on the mowing list so contractors will come in and mow them with Mr. Buston responding he would check it out with his maintenance department and that it would be just twice a year as a reference. Council Member, W.W. Ross, Jr. – Discusses the high grass on Manville Road with Mr. Buston providing the call center 1-800-367-ROAD for maintenance concerns to be logged and will alert them this was discussed.

Mayor Perry – Informs Mr. Buston 3-4 years ago streets were flagged to be paved, but only a portion were done and questions when they will be done with Mr. Buston informing Council of a list of roads that will be paved next summer. Discusses the roads at the water line construction to be placed on list for paving next year and will see about getting a copy of the list. He also advises between now and next summer of possible budget cuts.

Vice Mayor, A. Roberts – Asks if VDOT owns the building beside the Smith Electric Contractors (L&S Motors) going towards Weber City citing the condition of the building with Mr. Buston stating yes. Vice Mayor, A. Roberts, describes the condition of the building asking when will it be demolished. Mr. Buston states he will be back in touch with his findings.

VII. APPROVAL OF MINUTES

**Mayor Perry - Are there any corrections to the minutes for August 14, 2012 as presented?
Declared approved as presented by Mayor Perry.**

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for August, 2012

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

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

IX. PUBLIC COMMENT

Ellen Bailey, 144 Elliott Drive – Discusses:

- Questions commercial law of running a business in a residential area with Town Attorney responding the zoning policy addresses some of that, Chapter 24 of the Town Ordinances which is on the website for the Town.
- Neighbor repairing lawnmower, trucks, etc. causing air pollution problems asking how you define major/minor car repair with Town Attorney responding without doing research to determine what area you are in is a difficult question to answer, requesting she provide specifics with Mr. Keller.

Vice Mayor, A. Roberts asks if there is a garage with Ms. Bailey responding no, he is using his back yard.

Council Member, R. Richards – Asks if he has a formal business with Ms. Bailey responding it's been rumored to her he puts items on Craig List.

- Concerns of fumes, health problems and neighbor being uncooperative
- Mayor Perry** – Requests Town Clerk to look up the Zoning of the address for the permitted use of that area to answer her questions.
- Questions road situation in Big Stone Gap area with Mayor Perry referring her to contact VDOT.
 - Suggests commercial trucks to cover loads.

Mayor Perry closed the public comment session at 8:04 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - None

XI. REPORTS

A. **Engineer's Status Report** – Discusses status of various projects:

Water line project

- Has received completion approval
- Punch list meeting schedule for next week
- Repaving of the roads
- Replacing 400' of water line on Cedar Street

Moccasin Hills

- Has construction approval from Dept. of Health
- County wants to move the tank to another location
- Informs Council the size of tank, it provides a 2-day storage, has a control valve in event of a fire or big peak demand to open along with the basic operation of the tank
- Completion date estimation to be April

Water Plant/Meters

- Waiting for the go to bid letter from the Health Dept.
- Advises Council the need to get with the Bond Counsel for pre-loan steps

B. **Treasurer's Report** –

Vice Mayor, A. Roberts – Questions the collection of delinquent taxes with Town Manager, J. Keller informing him names and amounts have been provided to TACS (Collection Agency) and waiting to hear from them.

Vice Mayor, A. Roberts – Asks what the collection fee is with Town Manager informing him there is a 30% fee charged on top of outstanding taxes with the Town not out of anything.

C. Codification Committee/Property Maintenance –

Town Attorney, M. Brooks – Provides status on legal action against property owners.

Council Member, R. Cassell – Questions filing a lien against S. Moore property

Vice Mayor, A. Roberts – Questions the reimbursement process with Town Attorney providing the legal process of liens. Vice Mayor, A. Roberts asks questions the standards of items on the street, specifically the corner of Jackson and Kane with Mayor Perry responding it will be looked into.

D Police Department Report – Chief Birchfield reads his report, provides answers regarding installation of child safety seats and schedule of patrols. Mayor Perry informs Council of Officer, Matt Taylor's picture on Facebook which show the public a human side of the police force.

E. Council Reports –

Vice Mayor, A. Roberts – Discusses condition of handrails at corner of Kane/Jackson Street and Antique Street, pot holes at Clyde Williams, and the 911 horn going off with the following responses: Mayor Perry will have public works look at rails, Council Member, R. Cassell, states Clyde Williams is on the list for patching, Town Manager, J. Keller, has addressed the horn with Kathie Noe and was to meet with Jeff Brickey, but he did not appear.

Council Member, W. W. Ross, Jr. – Discusses brush pick up that was not picked up at an address on Manville Road (Church of Christ) and the alley way at Manville and Gravel Rd. has not been cut with the following responses: Town Manager, J. Keller stating the brush pile did not meet guidelines for pick up and the property owner was informed it did not meet specifications, Mayor Perry informs him from time the grass is cut and the crew cuts to the other end of town, that area will be high again. She further explains with the high volume of rain, the grass has grown more this year and she will drive by it to check it out.

Council Member, R. Richards – Discusses citizen's concern about erosion at Grogan Park and will meet with him with Vice Mayor, A. Cotton present.

Council Member, R. Cassell – Requests reports be moved down further on agenda so Mr. Sloan can speak. Discusses noise ordinance, barking dogs, him contacting dispatch, decibel meter, the officer with decibel meter and asks for reconsideration with the following responses: Vice Mayor, A. Roberts asks if an officer went to the home of the dog's owner with Council Member, R. Cassell, responding no., Town Attorney, M. Brooks replies giving a warning is a good thing, but her concern is the decibel meter needs to be calibrated and asks if Sheriff's Office/State Troopers have a decibel meter, Chief Birchfield has asked for the decibel meter company to send operating instructions and said the officer should go to the dog owner's home. Mayor Perry suggests contacting the company to get the meter working properly so any summons issued will be properly backed up.

F. Economic Development Committee – Committee did not meet due to the holiday.

F. Facade Committee –

Vice Mayor, A. Roberts – Discusses the committee is communicating by email regarding the murals for Battery Depot and Chris' have been approved. Mayor Perry informed Council the

mural at Battery Depot has been started, provides status of the theater and Mark Chapman's building.

H. Historical Committee – Nothing to report.

I. Manager-

Town Manager, J. Keller – Discusses:

- Grillin' at the Gate festival went well, was under budget and received good feed-back from the vendors, with Mayor Perry complimenting Jeremy on his planning of the event.
- Information received from various contractors regarding the Police Department building, leaks at the Police Department building with no guarantee that will prevent the water coming in, other options for placement of the Police Department and requests an additional month of time before a decision is made. Council Member, R. Cassell discusses AEP downstairs as an option explaining part of their crew was going to Kingsport with a few remaining downstairs. Mayor Perry states with arrangements made of moving the Police Department into Town Hall it is best to take our time and make the right decision. Council Member, W.W. Ross, Jr. asks estimate of cost to repair and to tear it down with Town Manager providing figures to repair. Mayor Perry states possibly placing it on GovDeals for someone to pay us to tear it down for its materials and that no bids have been taken regarding tearing down the building. She asks if Council has no problem to just take it easy
- Other options for police cruisers of replacing the new cruiser with two low mile vehicles and still receive a good deal and turns it over to Chief Birchfield for further explanation.

Chief Birchfield – Discusses:

- Dealing with Bill Kirkpatrick, Police Cruisers LTD, from Middleton, OH, provies Council with year, make, mileage, warranties and prices on two vehicles for a total price of \$26,375.00, plus equipment. Mayor Perry asked what the price would be for equipment per car with Chief Birchfield responding he has no idea because some of the equipment on our cars can be used on these vehicles and the money would come from the Asset Seizure Fund and he would use no more than the \$30,000 allotted from last Council meeting. Council Member, R. Cassell expresses his concern with the vehicle with 60,000 miles. Mayor Perry asks if Chief will be looking at the car before they were purchased with Chief responding definitely and he has a friend who buys for 16 dealerships that has volunteered to go with him.

Motion made to amend the agenda to move to new business and resume reports at a later time.

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

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

Motion made to add the discussion of the Police Cruisers to the agenda under unfinished business.

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

VOTE: Yeas,	5
Nays,	0

Absent, 0
Abstain, 0

J. Park Committee –

Council Member, R. Richards – Has nothing to report

Council Member, W.W. Ross, Jr. – Asks if the trails can be paved for handicap accessibility.

Council Member, R. Richards - Expresses concern of erosion with flooding and has seen people in wheelchairs at the park.

Vice Mayor, A. Roberts - Questions the feasibility due to it being in a floodplain and it would be nice to have it paved, but would be big funds.

Town Manager, J. Keller - Informs Council it was a DCR grant and with regulation/stipulations they may not allow pavement to go down once gravel has been placed.

Mayor Perry – Discusses the splash pad with the committee agreeing to get the plans and funds to start on it in the spring. She addresses Council Member, R. Richards to get with other committee members to change the 4:00 p.m. meeting time to 4:30 p.m. due to her work hours.

K. Planning Commission –

Council Member, R. Cassell – States the church sign is on the agenda.

L. Public Works –

Town Manager, J. Keller – Compliments the Town Crew saying they are hard workers.

Mayor Perry – Addresses brush pick up being up.

M. Sanitation Authority –

Council Member, R. Cassell – Discusses:

- The condition of the interceptor line, provides the July percentage of flow up to 61.4% due to the rain and explains this is why he is pushing to get it fixed as soon as possible.

N. Street Commission –

Council Member, R. Cassell - Asks Council Member, W. W. Ross, Jr. if he received the email about the meeting with Ronnie Lane Friday at 3:00 p.m. with Mr. Ross replying he didn't get a chance to look at his computer.

O. Safety Committee –

Council Member, W. W. Ross, Jr. – Comments on the Safety Committee Guidelines have been corrected with the rest of the guidelines looking good.

Town Manager, J. Keller – Discusses the handrails that were approved by VDOT. He spoke to the Vocational School and they can construct, paint and install them with four (4) stainless steel bolts at \$30.00 per rail. He will contact Juanita Wells regarding how the rails will be installed.

Motion made to amend the agenda to place construction of the handrails under new business of the agenda.

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

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

P. Water Plant –

Vice Mayor, A. Roberts – Asks when the town can see an improvement in numbers from the new water line with Town Manager, J. Keller responding tie in of the lines will be in the next couple weeks with a partial improvement in October and a full improvement in the November report.

Mayor Perry – States water loss percentage looks good.

XII. UNFINISHED BUSINESS

- **Discuss estimate of “Optional” additional work on Kane Street (8”) costing between \$80,000-\$100,000 and Cedar Street (6”) costing between \$35,000-\$45,000.**

Town Manager, J. Keller – Repeats what Andy Miles stated of it being too costly to look at Kane Street with Cedar Street in a more dire condition. There is money in the budget that is available for Cedar Street if Council wants to do it. It would need Council approval tonight so Andy can submit change orders with the Dept. of Health to get it done.

Motion made to proceed with the Cedar Street water line improvement.

Motion by: Council Member, R. Cassell 2nd by: Council Member, R. Richards

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

Motion made to allow Chief Birchfield to make the decision to pursue the purchase of two used cruiser at his discretion at \$30,000 limit.

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

VOTE: Yeas, 4
Nays, 1-R. Cassell
Absent, 0
Abstain, 0

Council Member, W. Salyers – Asks about a discussion, there was no discussion.

Motion made to rescind the vote.

Motion by: Council Member, R. Cassell 2nd by: Council Member, R. Richards

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

Council Member, R. Richards – Suggests placing a ceiling on the price of the equipment and to put a ceiling on the mileage not to go over something with Chief Birchfield explaining the

remainder would come out of the Asset Seizure Fund and further explains the first proposal were on cars with 100,000+ miles.

Mayor Perry – Comments to Council the Chief and Officers will be using the cars and he would not place him or his men in a vehicle he does not feel they should be in.

Council Member, W. Salyers – Expresses his concern about current police cars in the Town’s possession with low mileage that are said to not be in good shape and asks if the Town has a good maintenance program on our cars with Chief Birchfield responding the town has not had a good maintenance program in the past but we do now.

Council Member, W. Salyers – Breaks down the mileage on current police cars with the Town and states his issue is if we want to purchase vehicles with 60,000 miles, plus.

Council Member, W. W. Ross, Jr. – Asks if a maintenance record will be provided with the cars with Chief Birchfield responding he will talk to the gentleman to request a copy of the maintenance records if he has them.

Council Member, R. Cassell – Expresses same concern as Council Member, W. Salyers regarding the purchase of a vehicle with over 60,000 not being much better than what we are taking off the road.

Chief Birchfield – Discusses the warranty on the vehicle, along with extra warranty that can be purchased.

Town Attorney, M. Brooks – Requests Chief Birchfield to provide her with a copy of the warranty for her to review.

Mayor Perry – Asks if there is any further discussion, then we will vote, all those in favor of the motion to allow Chief Birchfield to purchase two used automobiles, at his discretion, under the \$30,000 allotted.

Council Member, W. Salyers – Questions the word discretion, stating that whatever he gets, we have to live with and it is leaving ourselves open with Council Member, R. Richards agreeing to place a stipulation on it.

Motion made to give Chief Birchfield permission to go look at and purchase vehicles, used vehicles, keeping the mileage under 60,000 miles to be within the same money bracket that we agreed on of \$30,000 to be at his discretion, working with the Town Manager.

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

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

Town Clerk, K. Riley – Asks if the former motion to purchase a new vehicle from last month’s Council Meeting need to be rescinded?

Motion made to rescind the vote to purchase a new vehicle for the Police Department.

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

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

XIII. NEW BUSINESS

- **Decision regarding the proposed amendment to Town of Gate City Water Policy Section V-Water charge for multiple hook-ups on one (1) meter and Section XIV – Schedule of Fees and Charges – Tap Fees.**

Mayor Perry – Recommends to Council this be done in two parts.

Amend Water Policy Section V

Motion made to leave multiple hook-up fee on one meter at \$10.00 as currently stated in the policy.

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

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

Amend Water Policy Section XIV

Motion made to adopt the fees as proposed under the new changes to the tap fees (\$650 Residential ¾” and \$2,500 Commercial 2”, will be the minimum fee. More expenses could be incurred dependent on the price of the meter, other equipment and supplies. A final total will be submitted to property owner based on total materials and labor via invoice).

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

VOTE: Yeas,	4
Nays,	1-W.W. Ross, Jr.
Absent,	0
Abstain,	0

- **Decision regarding receipt of proposals from financial organizations regarding financial terms to secure a loan by the Town of gate City.**

Town Manager – Explains to Council this will allow him to ask banks to provide submittals for money, if we need it.

Motion made to allow Town Manager to seek proposals for financing for improvements or whatever is decided for the Police Department.

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

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

- **Ron Baker – Water Bill**

Ron Baker – 153 W. Jackson Street – Discusses:

- Settlement on water leak a year ago with Mayor Perry informing Mr. Baker this request

has been discussed with an action already taken on it. It is a mute subject.

- His loss of patience and he his intention to proceed in court with Mayor Perry informing Mr. Baker, if he has a new subject to come before the Council to hear they will listen, but the matter he presents has been settlee as far as the town is concerned.

Mayor Perry takes a vote of the Council to see if they would like to hear Mr. Baker on this matter.

No Votes: Council Member, R. Cassell
 Council Member, W. Salyers
 Council Member, R. Richards

Yes Votes: Vice Mayor, A. Roberts
 Council Member, W.W. Ross, Jr.

- Difficulty in hearing Council from audience
- Water rates costs, additional charges, trash costs and receipt of grant monies

- **Ronnie Sloan – Manville Road – Requests a reduction towards the Water Tap Fee**

Ron Sloan – Discusses:

- Building a new home on Manville Road
- Existing water line is on the other side of road and was informed by Town Manager he would have to hire his own contractor and will use Charlie Stone.
- His request for the hook-up fees be waived with him paying the standard fees and him paying for the construction costs.

Town Manager, J. Keller explains the situation with the Sanitation Authority of those who have paid for all the expenses with the sewer taps and have Stoney oversee the work. Council Member, R. Cassell explains the work that was done by Community Fellowship and the town charged them \$100 to cover for Stoney’s salary and to oversee the work. Town Attorney, M. Brooks, advises placing in the motion to ensure an employee from the town is present and it the work meets the town’s inspection and guidelines

Motion made to approve the work performed by Charlie Stone and if Stoney inspects it and the fee would be \$100.00.

Council Member, R. Cassell – Interjects that if a road bore is done, the need for a permit from VDOT with Vice Mayor, A. Roberts question road bore permit fees with Council Member, R. Cassell explaining Charlies Stones request regarding installation/construction steps of road bore, set meter, doing all the work while the ditch is open.

Motion made to allow Charlie Stone to do a road bore with the condition he get a permit from VDOT and to install Mr. Sloan’s meter box, with whatever else is needed while he has the ditch open, with the stipulation that Stoney inspects it and we charge him a \$100.00 fee to cover for the costs.

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

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

• **Resolution of Support for Gate City Farmers Market Grant**

Town Manager, J. Keller – Discusses:

- Meeting with Mr. Barker, USDA Rural Development, Cotton Roberts and Chris Starnes, Lenowisco, regarding application for and a good possibility of getting a \$75,000 grant with our responsibility being only 5% for a Farmers Market structure and restroom facilities at the municipal parking lot.
- Money not being available until the spring, with Chris Starnes suggesting to apply for the money now and the reason to pass the resolution at tonight’s Council Meeting.

Vice Mayor, A. Roberts – Discusses:

- Their suggestion of looking at the one in Abington, the covered shelters and the necessity of bathrooms with him stating the USDA is very favorable of a Farmers Market
- Completing the work in phases, placement of two gates to keep people out, sign out front, putting a fence around it, amphitheater which would be a benefit for the town.
- The litter problem currently in the parking lot with Council Member, R. Cassell expressing concern of vandalism once work is complete if not locked
- Enlisting a large local farmer like Mann’s or Pumpkin Patch to be an anchor each week

Motion made to pass Resolution to support a Gate City Farmers Market grant.

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

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

• **Discuss lowering speed limit on Elm Street**

Town Manager, J. Keller – Discusses:

- Resident’s request to lower the speed limit up to where Ron Cole lives, part of Elm is VDOT road with the top portion is not, with speed limit not posted is 25 mph, signs currently posted for slow children at play and suggests possibly getting speed limit signs posted.
- His invitation for the resident to be placed on the agenda and to speak to Council, but resident failed to appear.

Mayor Perry – Informs Council of a speed spy recently conducted with an average speed of 16 mph, with only one car in a period of 27 hours that went over at 31 mph.

It was Council’s decision to take no further action due to non appearance of resident at Council Meeting and with speed spy results.

• **Decision regarding Public Hearing for Gate City First Baptist Church sign**

Mayor Perry – Asks if the Planning Commission is recommending the Public Hearing for this with Town Attorney, M. Brooks responding yes.

Council Member, R. Cassell – Explains the Planning Commission is not opposed to the sign, but being in a residential area, want to ensure there are no complaints. If no complaints from the residents, the Planning Commission is fine with the sign.

Motion made for a Public Hearing for the Gate City Baptist Church sign with the appropriate notification would be made to the adjacent property owners.

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

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

- **Handrails**

Motion made to ask the Vocational School to proceed with the construction and installation of the handrails and to look at other places in town where we may need handrails.

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

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

XIV. PUBLIC COMMENT – NEW BUSINESS

Debbie Kindle – Thanks Council on the decision on the Water Policy and suggests placement of a public restroom on Jackson Street, possibly a grant.

Mayor Perry – Discusses:

- The condition of passage ways between the library and at Terry Kilgore’s office with Town Manager stating he would send letters to the property owners.
- Rebecca Scott’s request regarding a tractor trailer parked beside the railroad where she crosses (private drive) by Egan Construction. She states she cannot see coming out of drive and request the trailer be moved with Town Manager to look into it.

Mayor Perry closed the public comment session for new business at 10:30 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

Mayor Perry opened the closed session at 10:35 P.M.

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, R. Richards

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

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 11:12 P.M.

Motion made for Council to return from closed session.

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

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

CERTIFICATION OF CLOSED MEETING (Read by Council Member, R. Cassell)

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: No motions coming out of closed session.

XVIII. ADJOURN

*Mayor Perry adjourned the meeting at 11:14 P.M., until the next regularly scheduled Council Meeting, on October 9, 2012, at 6:30 P.M.

Frances Perry – Mayor

Kathy Riley – Town Clerk

Town of Gate City

RESOLUTION OF SUPPORT FOR GATE CITY FARMERS MARKET GRANT

WHEREAS, an informal farmers market currently takes place during the spring, summer and fall on Friday mornings in the Town's municipal parking lot on Water Street; and

WHEREAS, the Town wishes to enhance this area of Town with infrastructure to support the local farmers as they make their locally grown produce available to the Town's citizens and neighboring communities; and

WHEREAS, The Town of Gate City wishes to pursue grant funding from the United States Department of Agriculture's Rural Development (USDA-RD) through the Rural Business Enterprise Grant (RBEG) program for the purpose of creating a Gate City Farmers Market; and

WHEREAS, The Town of Gate City intends to pursue up to \$99,000 in grant funds for this project with a final cost estimate to be prepared by the Town's engineering consultant prior to the application submission; and

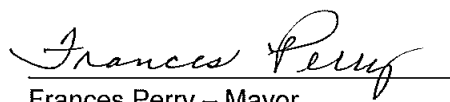
WHEREAS, The Town of Gate City intends to commit the required 5% local match for this project, up to \$4,950, with local funds; and

WHEREAS, the LENOWISCO Planning District Commission has offered their assistance in completing the grant application forms for this project; now

THEREFORE BE IT RESOLVED, that The Town of Gate City Town Council endorses the submission of this RBEG grant application for consideration by USDA-RD.

BE IT FURTHER RESOLVED, that the Town Manger is authorized to sign and submit any necessary paperwork regarding the grant application.

ADOPTED in Gate City, Virginia this 11th day of September, 2012.



Frances Perry – Mayor

ATTESTED:



Kathy Riley – Town Clerk