



**GATE CITY TOWN COUNCIL MEETING MINUTES**  
**JANUARY 10, 2012**  
**156 E. JACKSON ST.**  
**6:00 PM**

**I. COUNCIL MEETING CALL TO ORDER 6:02 P.M.** Mayor Jenkins

**II. ROLL CALL –** Town Clerk, Kathy Riley

**PRESENT:** Mayor, Mark Jenkins  
Council Member, Tommy Herron  
Council Member, Roger Cassell  
Council Member, Wallace W. Ross Jr.  
Council Member, Frances Perry  
Council Member, Randy Lane

**Others present:** M. Brooks, Town Attorney, Andy Miles, Robert Porter, Debbie Kindle, Ron Baker, Allan Roberts, Vikkie Roberts

**III. INVOCATION** Allan Roberts

**IV. PLEDGE OF ALLEGIANCE** Sergeant-at-Arms, Chuck Newton

**V. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS.**

- **Tommy Herron's resignation as Vice-Mayor effective January 9, 2012, but to remain as Council Member**

Mayor Jenkins – Will be on the agenda later to pick new Vice Mayor.

**VI. APPROVAL OF AGENDA**

**Motion made to approve the agenda.**

Motion by: Council Member, R. Cassell 2<sup>nd</sup> by: Council Member, T. Herron

VOTE: Yeas, 5

Nays, 0  
Absent, 0

## VII. COMMUNICATIONS

- **Jeff Little, Rodefer Moss & Co., PLLC, regarding 2010-2011 Audit** - Goes over the findings from the Town of Gate City 2010/2011 audit and answers questions from Town Council after his presentation.
- **Robert Porter, Davenport & Company regarding refinancing information** – Provides a presentation packet to Town Council and explains the benefits of refinancing current Rural Development loans, requests approval from Town Council to continue working with Chris regarding the refinancing and answers questions from Town Council.

## VIII. APPROVAL OF MINUTES

### **Motion made for approval of Town Council meeting minutes from December 13, 2011.**

Motion by: Council Member, R. Cassell 2<sup>nd</sup> by: Council Member, R. Lane

VOTE: Yeas, 4  
Nays, 0  
Absent, 0  
Abstain, 1 – T. Herron

## IX. APPROVAL OF PAYMENTS

### **Motion made for approval for payment of bills for December, 2011**

Motion by: Council Member, T. Herron 2<sup>nd</sup> by: Council Member, W.W. Ross, Jr.

VOTE: Yeas, 5  
Nays, 0  
Absent, 0

## X. REPORTS

### **A. Engineer's Status Report**

**Andy Miles** – I emailed the report out with hard copies provided to all. Starting out the New Year and trying to condense it down a little more. The water main up-grade project which is the 12” line replacement from the plant, by the high school going down to Jackson Street. In December, the Town received the go-to-bid approval. We have put that project out to bid. There is a pre-bid conference scheduled for the day after tomorrow. The actual bid opening is scheduled for 2:00 p.m. on January 26<sup>th</sup>. We have about a dozen contractors that have picked up plans, but it doesn't mean we'll have a dozen bids in, but at least we had the interest.

**Council Member, T. Herron** – That's strictly low bidders?

**Andy Miles** – Yes, since this is construction we have to go with the low bid unless something precludes them or some issue.

**Council Member, T. Herron** – I know the last contractor we had didn't do a very good job.

**Andy Miles** – In certain instances, it's kind of rare, if you do references and you find out they had a tract record of unsatisfactory work they might be on your barred list. It's a little hard to do when it involves state money you really have to do justification.

**Council Member, T. Herron** – We found several lines 12" deep, you know water lines break and freeze because they're in shallow.

**Andy Miles** – Once bids are in and tabulated, we'll do all the background checks. If there appears to be some concern we can talk about it with who inspects that work.

**Council Member, T. Herron** – Who inspects that work? It's your all's responsibility to inspect it?

**Andy Miles** – We'll have a full-time inspector there. The majority of it is state highway so there'll be VDOT inspector assigned to the job as well.

**Mayor Jenkins** – So, we'll have a Vaughn Melton inspector?

**Andy Miles** – Yes, actually the inspector I have, that will be on this job, will be at the pre-bid conference. He actually worked with VDOT for 20 some years and recently joined up a couple years ago. He's pretty well experienced.

**Mayor Jenkins** – Okay, that makes me feel better.

**Andy Miles** – Plus we have a good relationship with Stoney and the guys. They will be around as well. The water street improvement project, the only thing that is left is, if you notice the storm water management area behind the bank, get some grass sown and straw down and get grass established. That's about the only thing that is left.

**Mayor Jenkins** – They don't have to do any fill in that area, right?

**Andy Miles** – No, there's a few low spots, but get some dirt and cover it up. They're trying to wait until it's somewhat dry where they can get in there and spread it.

**Council Member, R. Cassell** – It's my understanding that Davis has some more work to do down there, is that correct?

**Andy Miles** – They have materials for the fencing, it's on their yard. It's actually an item to let them know when they need to come and set it up. I know we've had a phone call with the property owner talk about different uses for the property.

**Council Member, R. Cassell** – He mentioned that about having it for sale and the fence never been put back up.

**Andy Miles** – I will tell them to go ahead and put it back up. There was some hesitation to hold off because if they decided to sell it and open it up they would be just taking the fence back down. Not knowing when or if that will occur we'll just have the put it back up.

**Council Member, R. Cassell** – He wasn't upset but he points it out that it was never put back up on that part of the lot.

**Andy Miles** – I'll get with Tyler tomorrow. The Jackson Street Sidewalk Enhancement those have been turned back to VDOT they had some comments on our final review. I talked to VDOT today and they are in the process of crossing their T's and dotting their I's, plus the federal office has to do their rubber stamp review. They're telling me now, probably 30 days. The two water projects, hydraulic energy efficient project that's the water plant improvements and the meter replacements. That and the Moccasin Hills job both the preliminary design and health department are scheduled to be submitted by the 15<sup>th</sup> or this Friday or following Tuesday. On the Moccasin Hills job I'll tell you about it and you can act on it further down on the agenda. We're putting in a new ground source tank up on top of the ridge which we have had discussions and met with the county and parks and recreation golf course. We worked out a site to put it and the town will have to acquire/purchase the actual property the tank sits on. That and showing on a plat a right-a-way though there is an actual driveway leading up to the golf course now, we have to show it on paper as a right-of-way. That is being drawn up and Michele has the plats and asks her if she has the deeds.

**Town Attorney, M. Brooks** – I have all done all the documents that I have plats for. The only thing left is the agreement.

**Andy Miles** – There’s an agreement that goes along with this between the Town of Gate City and Scott County. Part of it is them giving us the property for the doing the tank and access, which are items that would be taken care of as part of the construction anyways i.e. repaving cart paths, putting a tap for the golf course plus other items like that. One item that is on the list that the State Health Department they can’t approve it as written, but there is a way to get around it, which involves resurfacing the parking area. That is something they won’t pay outright, but we do have to compensate them for the value of the property. Michele, I think, is going to work up that agreement.

**Town Attorney, M. Brooks** – I’m going to get with Sally (Kegley) and see what we can do with that.

**Andy Miles** – It’s actually a line item later on your agenda here. You may, if you are so inclined to vote on it, approve the terms and the conditions of the agreement pending legal approval and state approval. That sums it up and asks if there are any questions.

**Council Member, T. Herron** – Asks the size of the tank.

**Andy Miles** – Rated for 80,000 gallons that allows for two day storage of the immediate Moccasin Hills residents, Golf Course and allows for additional storage of water for that end of the area.

**Council Member, R. Cassell** – Is that going to include the hydrants in or will the Town be responsible for those?

**Andy Miles** – Fire hydrants are allowable.

**Council Member, R. Cassell** – Is that included in the grant?

**Andy Miles** – Yes, the grant pays for all that.

**Council Member, T. Herron** – Are you upgrading the existing pump house.

**Andy Miles** – The pump station itself, we are going to utilize the existing building, putting the controls and motors in and redo the pumps to make them look more serviceable. Also, the deed stand point is being taken care of with easements and right-a-ways with property owners.

**Town Attorney, M. Brooks** – I’ve already drafted those documents up and waiting to get them back.

**Mayor Jenkins** – Thank you, Andy.

## **B. Treasurer’s Report**

**Mayor Jenkins** – Chris has provided a report.

**Council Member, W. W. Ross, Jr.** – Question, when we have these reports each month, how come Chris is not here, not afforded the opportunity?

**Mayor Jenkins** – We have not asked him to be here. If you wish, we could

**Council Member, W. W. Ross, Jr.** – You said we, the board as already agreed to discuss it to not have him here?

**Mayor Jenkins** – We had not had much of a discussion, but the former Town Manager made the decision on whether or not certain members would be here to report, just like Stoney is not here to report. It does entail overtime. We all have the opportunity to talk to Chris if there are any questions prior, because the report is issued early.

**Council Member, W. W. Ross, Jr.** – So, you have early information before this is sent to the board, is what you’re saying?

**Mayor Jenkins** – No, but we have the right to come in and talk to Chris about the report as he is compiling it.

**Council Member, W. W. Ross, Jr.** – Oh, so they gives continuity to the point of that all the information that you get is already given so you don’t have to have

**Mayor Jenkins** – My information gets here the same time your information does.

**Council Member, F. Perry** – You get it on Friday so you have Monday and Tuesday to come in.

**Council Member, W. W. Ross, Jr.** – But, that’s sometimes a lot of information to digest if you are not

**Mayor Jenkins** – If the Council wishes for Chris to be here

**Council Member, W. W. Ross, Jr.** – No, I just wondering, I just wondering why how come did I just asked that question how come they never if you had him here you know here to ask those questions but if the Council feels that it’s not necessary I just (inaudible)

**Mayor Jenkins** – You’re part of the Council and if you feel that it is necessary.

**Council Member, W. W. Ross, Jr.** – I don’t have the, I don’t have the major force on everything as other members here so that’s reason I was asking. You all might have decided otherwise so I just wanted to know.

**Mayor Jenkins** – I know that Steve had decided not to have him here, but I have not changed the decision on whether I think he should be here or not.

**Council Member, W. W. Ross, Jr.** – But since you the Acting Town Manager that’s your decision, right.

**Mayor Jenkins** – My opinion is that if there are questions to ask, we can ask him post meeting but if you all wish different that’s fine.

**Council Member, T. Herron** – I still see were still doing these reimbursements for water and stuff. Everybody has supplied their contracts?

**Town Attorney, M. Brooks** – On water, yes, we were able to verify.

**Council Member, T. Herron** – Are we getting close to the end?

**Mayor Jenkins** – We have recently paid off one of the sewer systems and we are close on the water and I think we may have paid off one water system.

**Town Attorney, M. Brooks** – I think there was one of the waters, but I

**Council Member, R. Cassell** – Adkins was paid a long time ago.

**Mayor Jenkins** – Yes, it was paid prior.

**Town Attorney, M. Brooks** – We verified everything as far as in the minutes, usually in the minutes a contract.

**Mayor Jenkins** – There is one we are not repaying on it right now because the documentation hasn’t been provided. Are there any questions on the report?

**Council Member, W. W. Ross, Jr.** – I have one more question. On page 7 of 14, Clinch Mountain Music Fest and Crooked Road, that’s two different contributions to the budget? So that’s not the same as two different groups right?

**Mayor Jenkins** – Correct, the Clinch Mountain Music Fest is the money that the town puts toward the festival.

**Council Member, W. W. Ross, Jr.** – And the other \$2,000 is the money that they puts toward

**Mayor Jenkins** – That is what we agree to pay the Crooked Road for supporting their association in return for the support they give the town.

**Council Member, W. W. Ross, Jr.** – So, okay, so I’m trying to we pay them \$2,000 a year, what benefit we get out of it just the advertisement for them?

**Mayor Jenkins** – Yes, what they put in their publication and things like that.

**Council Member, W. W. Ross, Jr.** – And Clinch Mountain doesn’t do the same thing? I mean it just cost us

**Mayor Jenkins** – The Clinch Mountain is the

**Council Member, F. Perry** – Does different things.

**Mayor Jenkins** – That is and since you brought it up, we are going to have to apply this money directly to, it is being pulled back from the Southwest Virginia Community Foundation because they have dropped out of the Clinch Mountain Music Fest as far as doing anything in town with it.

So, the Town will use this money if the Council chooses to do so to put on a free standing event that still may be called Clinch Mountain Music Fest. I haven't got the details yet as to we still have to meet to see if we can use that name. But, the town will probably be hosting and I guess spearheading the event by itself this year, if we chose to go on with it. Which I hope we do because it is, I think, is good for the town. But the Southwest Virginia Community Foundation is putting their efforts toward the Carter Fold mainly. They have been overwhelmed and don't really have enough energy and enough monies to do multiple events. It's Clinch Mountain Music Fest money per say but it's if we are still using that name. This will be town money.

**Council Member, W. W. Ross, Jr.** – Okay,

**Council Member, F. Perry** – It will be designated for that event?

**Mayor Jenkins** – For that event or similar events.

**Council Member, W. W. Ross, Jr.** – Well, so usually when we invest this in do we kind of get a return or just a thank you no do we when we put services in the town do we have a

**Mayor Jenkins** – This money had been parlayed with another \$15,000 we get of private funds every year to put on the event. The event costs about \$20,000 a year. The town puts in \$5,000 and the County, I think, puts in \$2,500 for the event. There's an accounting for all the money comes from, most of it is private though.

**Council Member, R. Cassell** – On that Crooked Road

**Council Member, F. Perry** – When we're talking about the Clinch Mountain Fest before we go to the Crooked Road. One of the benefits is the town gets is that it does draw people into Gate City and lets them see what we have here, which is not a whole lot. But a lot of people have come back to town because of coming to the festival to start with. We have Mr. and Mrs. Roberts here tonight who I think will attest to the fact that their business booms when the Fest is in town. Is that not correct?

**Allan Cotton** – One of the busiest days.

**Council Member, F. Perry** – Standing out the door. So, the business in Gate City does benefit from that. It does draw people into our town and let them see who we are and what we are and what we represent.

**Council Member, W. W. Ross, Jr.** – Well, when you try to

**Council Member, F. Perry** – Now, I'm sorry to interrupted you but we were on

**Council Member, R. Cassell** - If I remember on the term on that Crooked Road, was there not some grant money that was recommended that we contribute to that, that it would look good towards. I know there was a reason we were told we needed to support it.

**Mayor Jenkins** – The actual statement was if you do not support the Crooked Road association or foundation or whatever it is, you will not get the VDCH grant monies that we used in the revitalization. So, it wasn't any hinting around or beating around the bush, it was just flat if you don't want to participate and help the rest of the Crooked Road, we're not going to help you. That's what the directors stood here and personally told us.

**Council Member, F. Perry** – It would look kind of bad to have the Crooked Road going through here and everybody being a contributor to it except Gate City. Everybody who looks at it and say what's wrong with Gate City that they can't contribute to this as well?

**Mayor Jenkins** – I think it has helped the area. It's hard to put a dollar value on what if you are getting the full value of what you are putting into it. Just the business that I'm associated with I know that it has helped the area because a lot of the people that are coming here are coming here specifically because it is on the Crooked Road. I know the downturn of the economy and everything hurt probably what we would have seen the benefits, but I believe it helps.

**Council Member, W. W. Ross, Jr.** – So, what, okay, when I was asking when we had to borrow had the emergency minute to borrow the money to take out of the CD was that connected to the fact that we had overspent in our budget?

**Council Member, F. Perry** – No.

**Council Member, R. Cassell** – There’s \$89,000 went out that will come back on grant that caused us to run short.

**Council Member, F. Perry** – Right. That’s money that will be reimbursed to the town when the grant money comes back. That was the reason, I think has been stated in these meetings before.

**Council Member, R. Cassell** – It was cheaper at the time to do what they had to do then to have to go back and dig up

**Council Member, W. W. Ross, Jr.** – So, you can, so what you, so what you’re saying is that the money when the money come back you can reestablish that money back into the CD?

**Mayor Jenkins** – We will have the opportunity to

**Council Member, F. Perry** – It’ll come back to the town and do with it what the Council votes to do.

**Council Member, W. W. Ross, Jr.** – Yes, that’s what I’m saying. I was asking you be able to whoever gets elected that can be able to put the money back

**Mayor Jenkins** – A lot of the revenue shortfalls were because we’ve been subsidizing the water and the sewer. With the new auditors we seem to be getting a very clear picture of where we need to spend and where we need to cut and where need to distribute the finances. Any other questions?

### **C. Codification Committee/Property Maintenance**

**Mayor Jenkins** – There have been some new clean up notices issued. I have a meeting with a gentleman tomorrow about one of them. Have we had any court actions taken yet?

**Town Attorney, M. Brooks** – I have several that are filed and have several more to file and are waiting on some responsive pleading on some of them and some I need to do motions to get them in court. Several of them have been served. There’s a few that we are having difficulty getting served.

### **D. Police Department Report**

	<b>November</b>	<b>December</b>	<b>Year To Date</b>
<b>Calls for Service</b>	<b>465</b>	<b>366</b>	<b>4513</b>
<b>Arrest</b>	<b>13</b>	<b>17</b>	<b>144</b>
<b>Summons</b>	<b>58</b>	<b>41</b>	<b>604</b>
<b>Crime Reports</b>	<b>21</b>	<b>16</b>	<b>220</b>
<b>Accident Reports</b>	<b>7</b>	<b>10</b>	<b>88</b>
<b>DUI Arrests</b>	<b>7</b>	<b>3</b>	<b>42</b>

#### **Significant Activity for December:**

- Received \$750 grant money from the Walmart Foundation of Local Community Contribution/Hunger Outreach Grant Program to be used for the K9 expenses.
- Seized van and made an arrest for the possession/selling of drugs. Approximately 2700 separate containers of synthetic cannabinoids and bath salts and a total of \$13,640 cash were found in the van.

**Council Member, R. Cassell** – Asked how much of the cash stays here?

**Chief Birchfield** – It would be a percentage after we go to court and it will be divided up between agencies.

**Town Attorney, M. Brooks** – Generally 75%.

**Chief Birchfield** – Explains options regarding the vehicle.

- Aux Officers Gillenwater and Fink are receiving FTO training.
- Extra Patrol has been requested in Alley by AEP, 218 Woodland Street and Baker Alley behind Commercial Electronics.
- Officers continue to provide extra patrol on Sue Street and Elm Street due to complaints.
- Our department continues to work in a safe manner
- Officers continued with Radar Enforcement on Jackson and Kane Street in an effort to slow down traffic and monitoring both traffic lights.
- GCPD provided traffic and crowd control for the parade
- Chief Birchfield passed his Certification Exam at Radford.
- Chief attended the CIOT (Across the Border Patrol) celebration dinner in Greeneville, Tn.

**For January:**

- Plan to have a Team Meeting each month starting in January.
- Extra patrol has been requested for Food Lion Parking Lot (catalytic convertors being stolen from vehicles)
- Aux Officer Gillenwater will be attending the Academy
- Aux Officer Fink will be attending some classes at the academy

**Mayor Jenkins** – Expresses congratulations to Adam and John on that good hit.

**Chief Birchfield** – Explains the benefit of John’s assistance in riding with Adam and inventory the items properly.

**Mayor Jenkins** –States we get a lot of abuse in patrolling the four lane, but the amount of drug traffic that is known on the four lane.

**Chief Birchfield** – Explains the requirements from Attorney General regarding auxillary police officers asking for assistance from Terry Kilgore to change that in legislation session. Basically, would allow each separate Police Department to make their own rules.

## **E. Council Reports**

**Mayor Jenkins** – Wallace, do you have anything?

**Council Member, W. W. Ross, Jr.** – I just wanted to, maybe you have sent a letter or anything to the Job Corp cause,

**Mayor Jenkins** – No, I haven’t yet. We have not planned the work yet. We have to see how much we need to do. We’re waiting for Scott County TV to get done and then we’re going to continue down the hill. I think they were finishing their pavement up today.

**Council Member, W. W. Ross, Jr.** – Well, I did ask for some information back in back in May of last year about one question about the job they did but I never did receive an answer completely. This is, I’d like to ask Chris and you all were going to evaluate the number work that you all said that you all could do the work cheaper than the Job Corp and I asked for a leading information and I never did truly get an answer to this day. Cause you all looked at it so, if its’ I’d like to before the year’s out I’d like to hope that I get an answer on this. That you all said that you all could

**Mayor Jenkins** – You got the same list of information that I got and if you can figure out where 300 feet of rebar went on this corner or that reinforcement wire, how they got 300 feet of wire in there and got the same concrete in there because they way I calculate it if you put that much wire in there, there’s not going to be room for concrete.

**Council Member, W. W. Ross, Jr.** – That’s very confusing to me because

**Mayor Jenkins** – It’s very confusing to me too, that’s why I’d like to know where a lot of the material went and where a lot of the cost came in.

**Council Member, W. W. Ross, Jr.** –Well, I didn’t know where the order of concrete went down on water street or went up here. Never did define where it went to.

**Mayor Jenkins** – But the rebar the wire went in here.

**Council Member, W. W. Ross, Jr.** – Well, but under that so you saying that the Job Corp signed went down here down to the lumber location, I though the

**Mayor Jenkins** – I’m saying all that material was used and I’m not an engineer that I just don’t think that you can use 300 foot of wire in that small of area.

**Council Member, W. W. Ross, Jr.** – But who signed for the material? You saying the Job Corp or the Town of Gate City?

**Mayor Jenkins** – It was provided to the people doing the work.

**Council Member, W. W. Ross, Jr.** – So, who went and picked it up is what I'm asking?

**Mayor Jenkins** – I'm assuming the Job Corp did. I'll find that out for sure tomorrow.

**Council Member, W. W. Ross, Jr.** – Well, that's one of the things that I could never understand.

**Mayor Jenkins** – I can't understand where all the material went either. That's why I'm saying that it needs to be looked into more thoroughly, but I wasn't there watching them so I don't know. I mean if somebody was there and saw how much work they done.

**Council Member, W. W. Ross, Jr.** – Well, there was one question is that they had a had a flagman there that was down there for five days and I never did figure out where that flagman was when I came down there pretty much every day and I never did see a flagman. So, that was

**Mayor Jenkins** – You didn't see one of our employees there?

**Council Member, W. W. Ross, Jr.** – They wasn't flagging.

**Mayor Jenkins** – Were they there?

**Council Member, W. W. Ross, Jr.** – Yes. They was down on down to the next location.

**Mayor Jenkins** – You got all the information that I have.

**Council Member, W. W. Ross, Jr.** – Well that's what I'm saying I was confused

**Mayor Jenkins** – I may not understand it any better than you do but

**Council Member, W. W. Ross, Jr.** – But, what I'm saying is that's the continuity that we need is that the information when you ask for information if they doing the work they ought to be able to provide how many hours never did see how many hours they was there, how many days they was there and all that. I never did see none of that into that whole process. So, it's very confusing if they was five days it didn't say that they was there from this date until this date it didn't have any date, it didn't have any date it didn't have

**Mayor Jenkins** – The way I see it we had a town employee with them for flagging purpose for five consecutive work days.

**Council Member, W. W. Ross, Jr.** – But it didn't have the days that they was working. If they had five days, what were the five days, it never did define that.

**Mayor Jenkins** – I would assume that would be the five days the Job Corp was there doing the work.

**Council Member, W. W. Ross, Jr.** – Well, then it should have been notified or noticed that they were there from June the 6<sup>th</sup> to June whatever from 3 o'clock to 9 o'clock that should be a simple fact that it should be able to do. How would you be able to gauge what what work and what work has been

**Mayor Jenkins** – We'll check and see if there was a work order for that distribution.

**Council Member, W. W. Ross, Jr.** – Well, thank you after what nine months.

**Council Member, F. Perry** – He could check the work orders in the office too, can't he?

**Mayor Jenkins** – Yes, but I'll do it.

**Council Member, F. Perry** – I'm just saying if he asked the right people for that information he could have had it a long time ago, if he asked the office.

**Mayor Jenkins** – Any other reports, Wallace?

**Council Member, W. W. Ross, Jr.** – What about the progress on the handrails?

**Mayor Jenkins** – You were supposed to check with the

**Council Member, W. W. Ross, Jr.** – I don't have any of your information, how what you have done so far.

**Mayor Jenkins** – The information was distributed in packets to you just like it was to everybody else. You said that you would check with Randy Bledsoe so that ball is in your court.

**Council Member, W. W. Ross, Jr.** – Well, I don't have that information.

**Mayor Jenkins** – I will get you the information tomorrow.

**Council Member, W. W. Ross, Jr.** – Well, you had the instrument the blue prints

**Mayor Jenkins** – The information was provided to you just as it was to everybody else. They are rough drawings, you had it, I don't know what you've done with it. It's not my responsibility to keep up with your stuff. I know where my drawings are, I will get you the drawings tomorrow. You can check and do with it what you wish.

**Council Member, W. W. Ross, Jr.** – Well, thank you for your kind words, sir.

**Mayor Jenkins** – That is kind words. It's a lot kinder than what I'm wanting to say.

**Council Member, W. W. Ross, Jr.** – Well, I'm pretty sure if I made a mistake and lost it I would apologize, but I don't think I received the thing that you said.

**Mayor Jenkins** – I recall you asking me if you could talk with the vocational school with Randy Bledsoe last month and you have not asked for anything from me since. So, you said

**Council Member, W. W. Ross, Jr.** – The reason why I don't ask for it is because of your attitude.

**Mayor Jenkins** – My attitude is always the same. – **Interrupted by and speaking over Mayor Jenkins**

**Council Member, W. W. Ross, Jr.** – That's the reason I don't ask.

**Mayor Jenkins** – **Continues speaking** – It may be sour but it's always the same.

**Council Member, W. W. Ross, Jr.** – That's the same reason. That's the reason I don't ask cause you

**Mayor Jenkins** – Well, I keep getting the same questions over and over and you said that you would follow up on that.

**Council Member, W. W. Ross, Jr.** – You asked me did I have a report. I asked a question, can you just give me a yes or no.

**Mayor Jenkins** – I asked for reports, not complaints.

**Council Member, W. W. Ross, Jr.** – Can we move on?

**Mayor Jenkins** – If you wish.

**Council Member, W. W. Ross, Jr.** – Thank you.

**Mayor Jenkins** - Unless you have more report to give. Randy, do you have any reports?

**Council Member, R. Lane** – No.

**Mayor Jenkins** – Tommy? Frances?

**Council Member, F. Perry** – I have had one question to me. At the entrance going into the Food Lion complex, there is a terrible hole in the road over there. They wanted to know is that developers responsibility or is that town responsibility or whose responsibility is that to see that it's fixed?

**Council Member, R. Cassell** – Is that right there on road or is it

**Council Member, F. Perry** – It's after you turn onto that property. It's off of the highway, the state highway. After you go through red light and start up the curve.

**Council Member, R. Cassell** – Is that on the map, is it a town street?

**Mayor Jenkins** – I think it is, that runs toward the bank and

**Council Member, R. Cassell** – You don't know the name of it, do you?

**Council Member, F. Perry** – No.

**Council Member, R. Cassell** – I got a town map is the reason I was asking.

**Council Member, F. Perry** – If you got a town map I could identify it from the map.

**Council Member, R. Cassell** – You want to.

**Town Attorney, M. Brooks** – It's right there as you turn in, to the right.

**Council Member, F. Perry** – Right. Right in the curve. Just as you turn in the curve. If don't turn the curve, it's right there, the left front wheel goes right in it.

**Council Member, R. Cassell** – That, originally, was supposed to be a road go all the way out to the Soil and Conservation.

**Mayor Jenkins** – I believe that is a town or state road probably.

**Council Member, F. Perry** – Gateway Plaza. There you go, it goes right there.

**Mayor Jenkins** – I can look at the GIS.

**Town Attorney, M. Brooks** – Asks Town Clerk, “Is that Gateway Plaza?” Is that the name of the road?

**Town Clerk, K. Riley** – I don’t know if that’s the road, but I can do a work order and Stoney can

**Town Attorney, M. Brooks** – I believe it Gateway Plaza.

**Council Member, R. Cassell** – It’s showing here as private in the wording what it shows on the grid.

**Mayor Jenkins** – We’ll GIS it tomorrow. Roger, do you have anything?

**Council Member, R. Cassell** – I’ve been knocking this around and Michele can tell us if it’s feasible, watching this with Sullivan County with the barking ordinance. We have a noise and nuisance ordinance that would be something the Council would be interested in looking at. I’ve got it on both sides with people on the bottom street thinking it’s my job and it really doesn’t address it in the noise ordinance. Our noise ordinance is by decibels.

**Council Member, F. Perry** – Do we have a decibels gun?

**Mayor Jenkins** – We have one.

**Council Member, F. Perry** – We do.

**Council Member, R. Cassell** – Sullivan County says it’s going to have be done through a civil because, according to the Sheriff, they can’t enforce County ordinances. But I didn’t know if we’d be any different and if Council would be interested in. I know a dog barks, but when you got one that barks 3-4 hours at a time.

**Council Member, F. Perry** – We got the same situation right up here on Ravine Street. This guy has it over there. There’s this terminally ill person up on Ravine Street

**Council Member, R. Cassell** – Is he the one that sent the email?

**Council Member, F. Perry** – It’s the lady who sent the email, the man is the one that’s ill. I know it’s so because my granddaughter bought the house on the next street up and being up there working for the last three months I could hear those dogs constantly. It was terrible. I’d hate to live there.

**Council Member, R. Cassell** – I know dogs bark but when you tie one out and it barks for hours on end, there’s bound to be something can be done. I didn’t know if Council was interested in pursuing that.

**Town Attorney, M. Brooks** – I can certainly research it if you all want me to look into if you want to consider it. I’d be happy to do it.

**Council Member, R. Cassell** – I just refer them to the owners of the rental houses because that is about the only recourse they have. One officer told me there had been complaints before the Judge and the Judge says well that’s dogs nature, they bark. You can’t do anything about it.

**Council Member, F. Perry** – Did someone tell me sometime back there was dog owner in town that the Judge ordered the dog to have surgery. That the dog could not bark? There was so much complaints. This has been quite some time.

**Council Member, R. Cassell** – Someone wrote a letter to the editor that a dog is trainable.

**Town Attorney, M. Brooks** – The last time I check, Virginia law there’s a civil action. You can take a lawsuit for nuisance. If you want to look at a larger scheme for the town to enforce the ordinance, that would be a different issue.

**Council Member, R. Cassell** – Where you have to get five registered voters to sign a petition for the nuisance. I know there’s a nuisance abatement.

**Town Attorney, M. Brooks** – That’s a little bit different. I’m talking about a Civil action that is separate from an abatement. I know what you are talking about. I’m talking more like a lawsuit. Is that something you all want me to look at?

**Council Member, F. Perry** – I would say yes.

**Mayor Jenkins** – Anything else, Roger.

**Council Member, R. Cassell** – No.

**F. Economic Development Committee** – No meeting.

**G. Facade Committee**

**Mayor Jenkins** – Did meet last night. We did get the extension on the grant. All the documents have been signed, so we have another six month extension so it looks like we're on track with the new projects if a couple of buildings do transfer ownership in the suspected amount of time it's going to take to do the deed work and everything. They will be applying for some grant funds. The Façade Committee did go ahead and it was okay to use the applicable monies that are available in the grant to tear down the Starnes Building and the Little Store if the Council wishes to do so. The asbestos test came back as no asbestos in the building so that clears a lot of the problem that we thought we were going to have. The lead paint won't be an issue because it's going to be demolished, not refurbished and not grinding. The pre-bid conference is going to be this Friday at 2:00 p.m. I told Rob I would be there.

**Council Member, R. Cassell** – Have you had any bids?

**Mayor Jenkins** – This is the pre-bid conference.

**Council Member, R. Cassell** – Oh, pre-bid okay.

**Mayor Jenkins** – It should be in by the 27<sup>th</sup> of this month, I believe, which will give us enough information to act on it of whether we have the monies. The engineering study, which I approved, to make sure with the existing wall, the common wall between Randy Bledsoe and current property if it is structurally sound where we can do the work around that and what needs to be done to stabilize that. That will be taking it down to ground, removing all the concrete, everything and putting back the gravel surface is what they will be taking it back to. The grant monies will be able to be applied to do that.

**Council Member, R. Cassell** – On the Façade, the deadline for new applicants, is that past?

**Mayor Jenkins** – No, it's open until all funds are depleted.

**Council Member, R. Cassell** – What area of town? Is that just right here on Jackson?

**Council Member, F. Perry** – The historical part.

**Mayor Jenkins** – Yes, what is designated, we have the map. It's inside the area of Tucker Street down across Kane, out Water Street and then back up Jackson.

**Council Member, R. Cassell** – How far down Kane?

**Mayor Jenkins** – To Tucker, I think that's Tucker or is that Solon? Right there across from QSQ going up the hill.

**Council Member, F. Perry** – That's Solon.

**Mayor Jenkins** – That's the end of it and it intersects back up Solon and Jackson.

**Council Member, R. Cassell** – I was asked the first step. I think she had some interest early on. I told her I didn't think it went that far.

**Mayor Jenkins** – No, it doesn't and it has to be in the Central Business District.

**H. Historical Committee** – Did not meet.

**I. Manager's Report**

**Mayor Jenkins** – I had few water complaints. We are still pursuing the grant for the Courthouse hill area, the Angie Sproles, whatever the name of that organization is, used to be RADA. They

and Lenowisco are working on the first steps of the grant. I have to meet with the next week. I have to set the meeting time up, but I do have to meet with them. We got the \$3,500 planning grant for the \$35,000 refurbishing or grant for some of the homes. So the report that I got from them last week is they met with some of the residents in the area, don't know who, don't know the specifics but they are with Lenowisco are working on that grant. We should have more information on that fairly quickly.

#### **J. Park Committee**

**Council Member, F. Perry** – We did meet last Wednesday. Again, talked about the program that works through Scott Jerrell and their request for a letter for permission but Mr. Kilgore could not tell me exactly what they needed. I tried to get in touch with Mr. Jerrell and he never did return my call. Whatever it is they need us to write a letter giving them permission to do what they want to do with the Park. We need to get on that so they can.

**Mayor Jenkins** – I need to write that.

**Council Member, F. Perry** – Do you know what it needs to contain.

**Mayor Jenkins** – Yes, I need to write that letter and get it to you (M. Brooks) to review giving them permission to build a concession area. Is that what they're?

**Council Member, F. Perry** – The Little League is wanting to build a concession.

**Mayor Jenkins** – Then I don't know what the other is. I talked to them, this last week, about issuing a letter for them for a concession stand. They're doing a new one.

**Council Member, F. Perry** – That's the Little League.

**Mayor Jenkins** – Okay.

**Council Member, F. Perry** – That's another part of the report. The Little League wanted that.

**Mayor Jenkins** – No, I'm sorry because I don't know what that is.

**Council Member, F. Perry** – It's that, I can't think of the name of the organization, but they have to do a project. It's something that works through their office and the group has to do a project and they chose to do something at the park. That's what they want to do, but they need a letter from the town giving them permission to go down there to do the work. That's what I was calling him to find out just exactly what it is they want to do, what they propose to do so we will know how to write the letter giving them permission to do it. We don't want to give them an open letter of permission to go down there and do whatever they want to. Anyways, he has not returned my call yet. Another thing that we talked about was the Little League. If you know about that, than you need to go ahead and write that. They want to do a shelter, some new bleachers and storage space attached to their shelter. It'll be something that looks like the Civitan shelter with the restrooms but it will be the storage instead of the restrooms on the shelter pad, which is only an improvement to the park. Then Mr. Kilgore had talked with somebody on Kingsport that we were looking at some new things that we might do with the park with spring coming up. Something that we might add down there that might be good and he had talked with somebody out of Kingsport and they have this sprinkler system. It's fixed to where your water just recycles but it's sprinkles and you can turn it on and off with a timer. They thought it would be a good thing to add down there for the summertime when it's really hot. A lot of kids live where they don't have air conditioning. They just talked about, he's going to get some specifics from Kingsport, but he said the guy he talked to said that it was a great success for them over there. It would be something for the kids to play in the cool water and it would be

**Mayor Jenkins** – Cooling misters.

**Council Member, F. Perry** – Right.

**Mayor Jenkins** – Okay.

**Council Member, F. Perry** – And it doesn't accumulate any depth of water, it just continuously rolling. Everyone on the Committee thought it was something that we might look into that would

be a good addition to the park. Because everybody can't afford to go to Natural Tunnel or Kingsport to a swimming pool, but the kids could play in the water. There would also be one of those stipulations that the parents would be there. It's just in the preliminary, we'll have more next time.

**Mayor Jenkins** – Okay, thank you, Frances.

#### **K. Planning Commission**

**Council Member, R. Cassell** – The only thing we have before us now is the lease to the King Ford property and Michele has been in the process of getting in touch with Juanita Wells to clarify some things. That is about as far as we have gotten. We haven't back from Juanita. We did elect officers which stayed the same. Delaney Herron is Chair and Faye Sanders is Vice Chair and Jo Ann Castle is Secretary.

**Mayor Jenkins** – Thank you, Roger.

#### **L. Public Works**

**Mayor Jenkins** – They still have been having trouble with the trash trucks, but they did pick up 171,900 of trash this last month. Had 24,000 of brush pick up, which is more than double last month. We recycled 12,000 pounds of boxes and added a total of 55 work orders. Both back hoes are in the shop right now. We are having a lot of equipment malfunctions. We did order a new bucket for one of the back hoes, the other is having hydraulic issues. They are working on it right now.

#### **M. Sanitation Authority**

**Council Member, R. Cassell** – The only thing that has changed is both Dewey and I talked to Jim Craft to see if he would reconsider his resignation. He has since agreed that he would stay on but resign as Chairman. We will be looking to elect a new Chairman tomorrow night. Jim will stay on as just regular Board member, so we still have a full board.

**Council Member, F. Perry** – Most of these Authorities and Commissions are supposed to reorganize and have officer election in January anyway, aren't they?

**Town Attorney, M. Brooks** – I don't believe there's anything in the Sanitation Authority that calls for that.

**Council Member, F. Perry** – I know the Planning Commission does and the BZA.

**Council Member, R. Cassell** – Have you done any work regarding the wording that says we shall have five members or is it just a matter of changing to something?

**Town Attorney, M. Brooks** – All we have to do is a simple change of language.

**Council Member, R. Cassell** – We're trying to get around that of requiring five people. If one person leaves, we can't meet until we get somebody else.

**Council Member, F. Perry** – Some say at least three but not more than five.

**Town Attorney, M. Brooks** – Something like that, I have a proposed change with all we need.

**Council Member, R. Cassell** – Chris informed me the other day that the last bill (PSA) was September. They are three months behind on billing us, probably to the tune of \$80 + thousand that has to come out in one chunk.

**Town Attorney, M. Brooks** – I have to write Danko on that with cc to Sally Kegley.

**Council Member, F. Perry** – I still say we need to do whatever is necessary to get a representative from the Town of Gate City on that Authority, whatever it takes.

**Council Member, R. Cassell** – I agree.

**Council Member, F. Perry** – Whether it be a Council Member or just a citizen.

#### **N. Street Commission**

**Council Member, W. W. Ross, Jr.** – I have a few questions. I'd like to know if it's possible for Chris' right here on Jackson Street to put a loading zone right here the corner? That way if someone who wants to go into The Family Bakery would probably hit that corner and that way and that would make it feasible. And on the other side, that first the reason I'm saying that that first parking lot right there on the end make that unzoned unloading zone and then on the next park make that a handicap. I don't understand too why we don't have a handicap in front of the Town Hall. We don't

**Council Member, R. Cassell** – There is, the first space was marked as handicap.

**Council Member, W. W. Ross, Jr.** – Was or is now?

**Council Member, R. Cassell** – It's right there next to the planter unless it's been changed.

**Mayor Jenkins** – It's not.

**Council Member, W. W. Ross, Jr.** – We don't have one, I've looked but I didn't see it was a handicap for nobody. And then too we don't have one in front of the banks, so.

**Council Member, F. Perry** – We probably ought to have handicap at every block.

**Council Member, W. W. Ross, Jr.** – Yeah, I thought, I mean just for the I just you know and then when they

**Council Member, R. Cassell** – I thought there was a sign out there.

**Mayor Jenkins** – There isn't one there now.

**Council Member, W. W. Ross, Jr.** – They got most of them out on the other end around the Courthouse, but they don't have anything on this end and especially when we come up here and at the bank

**Mayor Jenkins** – We have an obligation with the grant to put one out here. It's going to require some realignment of the entrance and everything. But we have to get a handicap parking place basically at this corner.

**Council Member, W. W. Ross, Jr.** – Right on the corner, best right there and then probably one in front then

**Mayor Jenkins** – I have a note when I get Juanita down here about the one at the block in front of Chris' about putting one there.

**Council Member, W. W. Ross, Jr.** – Yeah, right there yeah so that would unloading zone right there at that first parking lot and then another at that you know what I'm talking about?

**Mayor Jenkins** – I have a note to put a handicap spot fifteen feet from the corner, if we are going

**Council Member, W. W. Ross, Jr.** - You mean where the traffic light? Well,

**Mayor Jenkins** – We probably should get a plan then when I get her down here to get this, this and this and request it all at the same time.

**Council Member, W. W. Ross, Jr.** – Well, yeah I think it's for handicap, at least have one in front of the bank and one in front of Chris and an unloading zone and if anything that had been when the truck pulls up in that first parking lot if they have to drop off anything that would cover that business and that business over on both of the sides.

**Mayor Jenkins** – Will you work that up? As Street Committee will you work that up where we can put handicap and loading zones and when I get Juanita I'll just hit every bit of it at one time.

**Council Member, R. Cassell** – I actually sent her an email as a Street Committee and asked her when she will be in this area and left her a message as well as Michele on some items and I have not got a reply back.

**Mayor Jenkins** – From Thanksgiving to Christmas it's hard to get anything out of them. It's just almost impossible.

**Council Member, R. Cassell** – If she makes contact, I'll forward it to you.

**Mayor Jenkins** – Well, she has to come down on this leech bedding that we have to do.

**Council Member, R. Cassell** – So, we need to look at. I do know, I was looking back at our town ordinances, of course that's a VDOT street. But it says in our ordinances we have a right to establish loading zones.

**Mayor Jenkins** – That may be the way we can do it.

**Council Member, R. Cassell** – I don't know if we can. One thing about Juanita she's pretty good if you can justify why. I can see the footage from where that pole originally was, but that pole got moved and to extend that no parking all the way to Broadwaters, that's not feasible.

**Council Member, F. Perry** – It's not the pole, it's the light.

**Council Member, R. Cassell** – But, the lights on the pole, that's the thing.

**Council Member, F. Perry** – Yeah, but the pole that the light was on wire across through there before and it's more stable now.

**Council Member, R. Cassell** – I asked, I wasn't overstepping, but I thought maybe I asked two or three times and I know you're busy but I felt we owed that to Cotton and I put the email in and I got a phone call in. I hadn't heard.

**Mayor Jenkins** – I have not been able to get, but I really from Thanksgiving to Christmas with them, it's so touch and go.

**Council Member, R. Cassell** – I just did that this week.

**Town Attorney, M. Brooks** – I left her at least three messages since the first of November.

**Council Member, R. Cassell** – This time I did copy Jeff Sams, Highway Permits and Subdivision Specialist, and Steve Buston on this. Steve is the one who got the ball rolling on this King Ford property. She does work under Steve. Steve may be willing to come down here himself. I have some idle time now and try to get some of this Street Committee stuff caught up.

**Council Member, W. W. Ross, Jr.** – When they come down we just meet with them can't we? That's what I'm saying when they come

**Council Member, R. Cassell** – Yeah, I asked her when she's going to be in the area to let us know that we had some issues with some no parking and wanted her to review.

**Council Member, F. Perry** – I still think it would be a good idea to have somebody from VDOT to come to the Town Council meeting and address the question about the parking with the red light here and let it be published in the paper so our people who have complained about that can come and hear the explanation that they need to hear. Not just let us hear it in a private setting but let the Council, but let the citizens hear it from the horse's mouth. So, even if you all want to meet with her, have to come, see if she can come maybe meet with you at 4:30 or 5:00 p.m. and then carry over into the meeting at 6:00 p.m.

**Council Member, R. Cassell** – I had, just out of curiosity mentioned to her when she was down here before in person about some of these streets that they started paving and didn't finish and she said that anything like that we had concerns to forward them to her and she would look at them. I'm going to try to do a list while she's here. There's Cleveland is one of them, there's two or three that are VDOT streets that we need to look at. I was going to try to hit her with that as well.

**Council Member, F. Perry** – What's the name of the guy that used to be out of Jonesville who was going to meet with us?

**Mayor Jenkins** – Parsons, James.

**Council Member, F. Perry** – Yeah, James Parsons.

**Mayor Jenkins** – Yeah, but he's gone.

**Council Member, F. Perry** – I know but I never called him where he wasn't right here when you asked him to come.

**Mayor Jenkins** – I think they increased their labor load so high that it's. They cut so many people that it's getting

**Council Member, F. Perry** – We just need to put some pressure on them. A squeaky wheel gets the oil, you know.

**Council Member, R. Cassell** – She told us she has a rather large area.

**Town Attorney, M. Brooks** - She came to the Planning Commission and spent a good deal of time. I think she would be willing to come.

**Council Member, R. Cassell** – Off for some reason or something. She usually on emails she's Johnny on the spot to at least give you a reply.

**Mayor Jenkins** – She's usually very competent and very good to work with. I'll try to hit her again tomorrow and see. I'd say they are under water.

**Council Member, F. Perry** – We need to talk to them too about what we need to do, where we need to go and who we need to see about trying to get us another access road into this community over here where the Sports Complex is. Those people need another way in and out of there as well as the Sports Complex if it's going to make anything and materialize. It's going to have to have an entrance way into there that will be safe for the school buses to go in. So that's another thing we need to put on that list.

**Council Member, R. Cassell** – Join the County on that?

**Council Member, F. Perry** – Pardon?

**Council Member, R. Cassell** – Join the County on it, they've been working on it.

**Council Member, F. Perry** – Well, it's in our town so yes I think we need to join it.

**Council Member, R. Cassell** – I think they offered them a million dollar grant, but the County had to come up with \$500,000 or something like that, it was in the paper here a few weeks ago. Back before the first of the year, never did see anything else on it. The only other thing Mark, you had asked us last month to think about some streets to turn over to VDOT. Where can I get their standards, do we have a copy or is it on their website?

**Mayor Jenkins** – I think it's on their website. I know it has to be at least 30 feet wide is the major stipulation that gets us on places.

**Council Member, R. Cassell** – Just go on VDOT website?

**Mayor Jenkins** – Yes, and there's very few streets left that we can.

**Council Member, R. Cassell** – I might get with you if you got some suggestions. We were told the last one we suggested Moccasin Hills, something had changed. She told up that at the Planning Commission.

**Mayor Jenkins** – So, it cannot be

**Town Attorney, M. Brooks** – Whatever the last thing they reviewed

**Council Member, R. Cassell** – She said something had changed in the funding or the law or something, but to heads up the streets you all turned in probably won't get approved.

**Mayor Jenkins** – And that was the easy ones.

**Town Attorney, M. Brooks** – She said that one most certainly wouldn't.

**Council Member, R. Cassell** – We need to clarify if it was just that particular but the way she made it sound it sounded like it had something to do with the change in their ruling.

**Mayor Jenkins** – Yes, we need the new guidelines because that was the easiest one to turn over.

**Council Member, W. W. Ross, Jr.** – I'm opposed for to turning streets over to the state. Because if that it kind of takes away from the thing that I know funding is tight, but if you keep turning over state and then the states has streets and it has problem, who deem when you have to make a decision about something the state own it and then the town own it and then at some point it does not get fixed or taken care of. And that's one of the problems where I live for the last 30 years. I live in the Town of Gate City, pay the taxes, I have a state street. They just pave it whenever and it hadn't been paved for in like 20 years and they paved it two years ago and I don't know if it'll be another 20 years. So, how can you have an intra structure and have it looking up to date for people come in here and look at this if you're going do have a to have everything turn over to the

state. Just like Cleveland Street, they paved down to the part of it and then down to the town part of it looks awful. Does that include the sidewalks the curbing that's breaking down with water problem that we have. Who handles that problem, that situation? If you give it to the state, state is not doing anything but it's in your locality you see it every day so, where as it improved the process of giving it to the state.

**Council Member, F. Perry** – Do you think the chances of getting those roads paved would be greater with the Town of Gate City then they would be with VDOT?

**Council Member, W. W. Ross, Jr.** – Well, at least

**Council Member, F. Perry** – Now, just yes or no.

**Council Member, W. W. Ross, Jr.** – I can't answer yes or no because of the fact is

**Council Member, F. Perry** – It a good question. A very simple question

**Council Member, W. W. Ross, Jr.** – A very simple question that

**Council Member, F. Perry** – You think the Town of Gate City got enough money to pay the roads before the state?

**Council Member, W. W. Ross, Jr.** – I was looking back in the minutes, back years ago it was like \$50,000 into the paving streets. So whatever happened to happened to \$20,000? I mean it was that much back in the years ago so evidently they had allocated enough money to pave certain streets for that much.

**Council Member, F. Perry** – How much street do you think you can get paved for \$20,000?

**Council Member, W. W. Ross, Jr.** - \$50,000.

**Council Member, F. Perry** – Okay even \$50,000.

**Council Member, W. W. Ross, Jr.** – Well, if you paves so many each year. We can't do it now.

**Council Member, F. Perry** – I had a driveway paved two years ago that is probably as long as this room right here. It's not hardly that long and it's not nearly that wide and it cost me almost \$5,000 just to do my driveway. And that was just to put a coat on top of a driveway that was already there. How far, how long a road to you think you gonna get paved for that kind of money? And do you think the Town of Gate City is going to have enough money to do that before VDOT is going to?

**Council Member, W. W. Ross, Jr.** – Well, I mean you have to allocate it into your budget at some point.

**Council Member, F. Perry** – You can't answer that, yes or no? You don't think

**Council Member, W. W. Ross, Jr.** – No, I can't answer that yes or no

**Council Member, F. Perry** – You think Gate City is going to come up with a lot of money?

**Council Member, W. W. Ross, Jr.** – I lived on a street that the state did not take care of it. I paid my taxes over and over and they never did take care of it.

**Council Member, F. Perry** – Well you said it probably been 20 years since you had yours paved?

**Council Member, W. W. Ross, Jr.** – I said it took them 20 years before they paved it.

**Council Member, F. Perry** – Well, I think I told you that I had to pave my before the state ever come in an ever did anything to it.

**Council Member, W. W. Ross, Jr.** – Well, I paid my taxes. I asked to

**Council Member, F. Perry** – I pay mine too.

**Council Member, W. W. Ross, Jr.** – They didn't pave it and I paid more. I guess I paid out \$10,000 worth of taxes. I'm pretty sure I have.

**Council Member, F. Perry**- They've paved it once since we paved it and it been 32 years ago.

**Council Member, W. W. Ross, Jr.** – Well, that's why we need to have a plan to see, well how is it

**Council Member, F. Perry** – I sure don't think the Town of Gate City is gonna get out there and pave it.

**Council Member, W. W. Ross, Jr.** – How is it that if you give it to the state that they will maintain it that we will have a better intra structure that what we have right now?

**Council Member, F. Perry** – I'm just saying that I think our chances are greater with the state than they would be with the town.

**Council Member, W. W. Ross, Jr.** – The streets that you have given to the state, where are the changes? They don't look no different no better.

**Council Member, F. Perry** – Well, they came in here three summers ago and did quite a bit of paving and yes, they look a lot better. This one, right over here, behind the bakery is a good example, a really good example of a street that was really improved. What is it that short street that goes there right between you all? King Street, that's another that was improved. I can't name them all, but there was quite a few.

**Council Member, R. Cassell** – Just about every side street.

**Council Member, W. W. Ross, Jr.** – About every street was in such a bad shape and they really been.

**Council Member, F. Perry** – Grant you, we have a lot of that's in bad shape. I'm not disputing that at all, I'm just asking you those streets that are in bad shape who do you think is going to have the money to repair them first? The Town of Gate City or the State of Virginia?

**Council Member, W. W. Ross, Jr.** – Well, like any major city, you have to work out a

**Council Member, F. Perry** – Bless his heart, he can't even make a decision.

**Council Member, W. W. Ross, Jr.** – Excuse me? Each individual has their own theory about how to work. So when the Town people elected me, I was elected here to serve the people not our personal self.

**Council Member, F. Perry** – Well, I admire that.

**Council Member, W. W. Ross, Jr.** – So, that's all, that's basically all I can say that. So, if my agreement or disagreement that's not fits you're my statement then you have the right to agree or disagree.

**Council Member, F. Perry** – That's right and when it comes to vote, you can vote yes or no. Just the same as I can.

**Council Member, W. W. Ross, Jr.** – That's the principle that we can work towards. Thank you.

## **O. Safety Committee**

**Council Member, W. W. Ross, Jr.** – Don't have anything at this time. Next month I will.

## **P. Water Plant**

**Mayor Jenkins** – We're at 29.42% loss, distributed 8.7 million gallons into the system. We have started cross training with one of the Public Works crew to work in the Water Plant instead of hiring another full-time employee. I'm trying to keep costs down there because, I talked to Stoney and Loretta and they agreed that one of the Public Works crew that we have would be suitable and they would be able to fill in for vacation and get the training. If we do experience major losses where we have to go to the 24 hour day again but we are still running about 14 hours a day. So that doesn't warrant another full-time operator.

**Council Member, R. Cassell** – He going to get his basic certification?

**Mayor Jenkins** – Yes.

**Council Member, R. Cassell** – Good.

**Mayor Jenkins** – I also talked to Stoney and asked if we needed another part-time or full-time in Public Works right now and he said they were handling the load fine.

**Council Member, F. Perry** – I saw Stoney out cleaning the streets today and I wondered about that. Can we not still take advantage of the program through the Community Service?

**Mayor Jenkins** – Yes, we can.

**Council Member, F. Perry** – Well, I really don't think Stoney needs to be cleaning the streets.

**Mayor Jenkins** – Probably not.

**Council Member, F. Perry** – Well he had his little dust pan and his broom and he was doing a good job, but I don't think that's what we're paying Stoney for.

**Council Member, R. Cassell** – I think Michele said that she could ask

**Town Attorney, M. Brooks** – We've already done that. They are. Probation is assigning them to town. They say they are.

**Council Member, F. Perry** – Well, who are they reporting to? Are they supposed to report to somebody in the town? Should they report to Stoney or

**Mayor Jenkins** – They should report to Stoney.

**Town Attorney, M. Brooks** – I'll find out.

**Council Member, F. Perry** – Okay.

**Town Attorney, M. Brooks** - But I know that we had that discussion. Judge Lewis asked me specifically about that.

**Council Member, F. Perry** – Okay, if you find that out and find out what the chain is.

**Mayor Jenkins** – They usually put them on the trash truck.

**Town Attorney, M. Brooks** – Yes, that's what they said.

**Mayor Jenkins** – That's usually where they use them on the trash truck.

**Council Member, F. Perry** – Well, there should be enough to put some on the street too.

**Mayor Jenkins** – There has to be someone with them. They may not use them there.

**Council Member, T. Herron** – Some of the guys that I hadn't seen before on the trash truck.

**Mayor Jenkins** – It was probably some of the Community Service workers.

**Council Member, F. Perry** - Think they could almost go with the town Policeman while their marking tires, they could go down the street and clean. There's ways of getting stuff done.

**Council Member, T. Herron** – Have they fixed that water leak?

**Mayor Jenkins** – I think they found a few small leaks. They still have not found any major ones. Part of this loss may be from washing the filter, stuff like that. There's going to be some loss.

## **XI. CLOSED SESSION**

Mayor Jenkins opened the closed session at 7:56 P.M.

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

Motion by: Council Member, F. Perry 2<sup>nd</sup> by: Council Member, T. Herron

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

## **XII. RETURN FROM CLOSED SESSION**

Council returned from closed session at 9:33 P.M.

**Motion made for Council to return from closed session.**

Motion by: Council Member, F. Perry 2<sup>nd</sup> by: Council Member, T. Herron

VOTE: Yeas, 5  
Nays, 0  
Absent 0

### CERTIFICATION OF CLOSED MEETING

**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

### XIII. MOTIONS FROM CLOSED SESSION:

**Motion made that the Town of Gate City hire Jeremy Keller as Town Manager at a salary of \$45,500 including a four month severance if let go without cause.**

Motion by: Council Member, R. Lane 2<sup>nd</sup> by: Council Member, T. Herron

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

### XIV. PUBLIC COMMENT

**Allan and Vikki Roberts** – Allan thanks Council for the time and with further thought regarding the area in front of their bakery is just dead space. He presents a proposal to Council to extend the sidewalk using either Façade or Sidewalk Grant monies to place a sidewalk café in that area. States it would beautify area coming up Kane Street into Gate City. Discusses action taken on Park Street, but suggests doing something like that downtown using that area to sit in that is nice and presents photos he pulled from the internet. He presents suggestion of how to do the sidewalk café using tables, chairs and umbrellas with its advantages during festival period.

**Mayor Jenkins and Council Member, F. Perry** – Agree it is an excellent idea.

**Mayor Jenkins** – States it would beautify that area and has wanted some streetscape.

**Vikki Roberts** – States the photo presented is a no parking area was taken over with the use of a planter as the barricade as a sidewalk s and provides suggestions regarding sidewalk café.

**Mayor Jenkins** – States it will make it safer and beautify the area.

**Allan Roberts**- Provides additional photos explaining different scenarios, currently a dead area and would be beneficial to whole town, not just them.

**Mayor Jenkins** – States would be a good green space and will try.

**Council Member, R. Cassell** – Suggests getting Juanita Wells involved.

**Mayor Jenkins** – Thinks she would go for this, she wants the streets beautified. Would make the intersection safer guaranteeing no one going into those spaces. Asks what site off internet to get information?

**Allan Roberts** – Informed him just put in “sidewalk cafes”.

**Mayor Jenkins** – We’ll pursue it.

**Council Member, R. Cassell** – Asks if they use rear door as entrance?

**Allan Roberts** – States really can’t enter into kitchen on one side and the other side is emergency exit only.

**Council Member, F. Perry** – Suggests salvaging brick from Starnes building to use.

**Council Member, R. Lane** – Applauds the idea and will have to work with Juanita and State regarding the barrier.

**Mayor Jenkins** – Hopes it can be done, because it is a great idea.

**Allan Roberts** – Discusses the dilapidated condition of property located behind 288 Estil, not on the Property Maintenance list.

**Mayor Jenkins** – It’s Erica and Steve Muncy and we have tried to contact them.

**Allan Roberts** – Provides a KY address for the Muncy’s, states it is a hazard and needs to be on the list, providing property tax #146A 7A 138.

**Mayor Jenkins** – Will address it.

**Vikki Roberts** – Explains R-O-W between properties.

**Allan Roberts** – Thanks Council.

Mayor Jenkins closed the public comment session at 9:50 P.M. and opened the consent agenda session.

## **XV. UNFINISHED BUSINESS**

- **Ron Baker – Water Bill** – Mr. Baker had to leave the meeting and requested to be placed on next month’s agenda.

## **XVI. NEW BUSINESS**

- **Demolition of Starnes Building**

**Mayor Jenkins** – That won’t be ready for any action until next month, probably as far as if the Council wants to take any action on it. It may just take the Façade Committee to actually make that decision since it will be out of those funds.

**Council Member, F. Perry** – Is that anything that the town needs to make a vote on? It is anything we need to vote on?

**Mayor Jenkins** – We may need to after all the details are in.

**Town Attorney, M. Brooks** – I think we should re-examine it, but no not at this point.

**Mayor Jenkins** – We don't have the demolition cost, anything yet. The estimates will be in next month.

**Council Member, F. Perry** – Well, I know I saw an ad in the paper where we were taking bids on it and how did that come about. Is that something?

**Mayor Jenkins** – That's through the Façade Committee. Rob and Joy worked all that out that the monies from the grant could be used for the demolition.

**Town Attorney, M. Brooks** – Since it's Town owned property yes

**Council Member, F. Perry** – But that's what I'm wondering when I saw the ad it was there that the Council hadn't made any such decision to even do anything and here we were taking action/bids for it. So, it sounds like to me the cart was put before the horse.

**Mayor Jenkins** – It is in a way, but he said we did need, well we needed to know what the cost was going to be before a decision could be made.

**Council Member, R. Cassell** – Or to know if we even have enough grant money.

**Mayor Jenkins** – No, if we don't have enough grant monies and everything, we can't do it.

**Council Member, F. Perry** – So, did the grant money pay for the ad?

**Mayor Jenkins** – Yes, the grant money would pay for the ad, so we'll probably have that as an agenda item next meeting.

- **Appointment of Vice Mayor**

**Council Member, F. Perry nominates Council Member, Randy Lane as Vice Mayor.**

**Mayor Jenkins** – Are there any other nominations?

**Council Member, T. Herron nominates Council Member, Roger Cassell as Vice Mayor.**

**Mayor Jenkins** – Are there any other nominations? Is there a second on one of the nominations?

Am I doing this right, I don't know?

**Town Attorney, M. Brooks** – Nomination, you either get it second or let it die before you do another nomination. You have one on the table for Randy Lane it either gets a second or it dies.

**Mayor Jenkins** – Is there a second for Randy?

**No second received.**

**Mayor Jenkins** – There's a nomination for Roger, is there a second for Roger?

**Second by Council Member, R. Lane**

**Mayor Jenkins** – Any discussion?

VOTE:   Yeas,       3  
          Nays,       0  
          Abstain,  2 – W.W. Ross, Jr. and R. Cassell

- **Moccasin Hills Water Project, Tank Site Property Acquisition**

**Town Attorney, M. Brooks** – I don't know what all he wanted from you, I know I have prepared a number of easements and there will be some money expended in order to do that.

**Council Member, F. Perry** – Is this County property?

**Town Attorney, M. Brooks** – Yes.

**Mayor Jenkins** – County property. I guess the best way to put it is we will be, we need a motion to approve the acquisition expenditures that are set aside on the grant for that amount or the grant loan on Phase 3.

**Town Attorney, M. Brooks** – We have to obtain some property interest in order to carry out the project as it is currently set up, including some right-of-ways, easements, construction easements and some permanent easements. In order to do that, we are going to have to expend some funds. I think Andy explained to you all that while part of, there's some contracts that still need to be negotiated with the County there's some stipulations that they have with that. The documents have been prepared and in order and have given a tentative approval from the Board of Supervisors in order for us to obtain that interest. There will be some expenditure which has not yet been set to do so. I think that you all will be authorizing us or them to contract within the confines of the grant to expend money to obtain the property rights that we need in order to carry out the water project.

**Mayor Jenkins** – That's exactly what I would have liked to have said.

**Council Member, R. Cassell** – Did he not say that we had to own where the tanks sit? Was that not part of it?

**Mayor Jenkins** – Yes and we're going to compensate the County the amount equal to what the paving the parking lot would be.

**Town Attorney, M. Brooks** – You have the tank and you have the pump site, which are two different

**Mayor Jenkins** – Yes.

**Council Member, F. Perry** – May be we ought to just swap out, fix their parking lot and they give us the property.

**Town Attorney, M. Brooks** – That's essentially what's going to happen but you can't do it that way.

**Council Member, F. Perry** – Oh, okay.

**Town Attorney, M. Brooks** – You understand? But we can compensate them for giving up their interest that we are obtaining in the property, by paving the parking lot. They can do whatever they want with the money we're giving them.

**Motion made to what Michele said, “to authorize us or them to contract within the confines of the grant to expend money to obtain the property rights that we need in order to carry out the water project.”**

Motion by: Council Member, F. Perry 2<sup>nd</sup> by: Council Member, T. Herron

**Council Member, R. Cassell** – It says tank site, but is that giving you right for the easement. Is there any money exchanged for easement? Or is this just strictly

**Town Attorney, M. Brooks** – Well, let's just leave it for the tank site. It is regarding the tank site. I just wanted to let you know overall what we are doing.

**Council Member, R. Cassell** – Okay.

**Council Member, F. Perry** – She said regarding the easement and the

**Town Attorney, M. Brooks** – Acquisition, there's real estate within the confines of that.

**Council Member, F. Perry** – That's the reason I said what she said.

VOTE:   Yeas,       5  
          Nays,        0  
          Abstain,   1

**Town Attorney, M. Brooks** – Just so you all know, you did not take action on the water rate increase. We're asking for more specifics, so we'll have to advertise again and have another Public Hearing. I just wanted to make sure that that was clear to everyone.

**Mayor Jenkins** – Guess we need to vote on having another Public Hearing?

**Council Member, F. Perry** – Have to advertise first.

**Town Attorney, M. Brooks** – You have 30 days from the Public Hearing in order to take action or not.

**Mayor Jenkins** – This would fall within the 30 days so we'll have to re-advertise. Maybe we can get more input this next time.

**Council Member, W. W. Ross, Jr.** – I talked to some folks and I they didn't see much of it in the Kingsport paper. So, I guess you all had it in there but they said they didn't see it.

**Mayor Jenkins** – It was there. We paid for it. I signed the check.

**Council Member, R. Cassell** – There's been news articles left and right come out since then about it, actual newspaper articles.

**Mayor Jenkins** – We might just wait until the next meeting and see what we. We'll just wait. We're studying.

**Council Member, R. Cassell** – I believe we'd be safer to wait then set another and go through this. Andy felt like he could maybe have some input by then. We set another then we're going to be in the same boat. We're setting ourselves a time limit .

**Town Attorney, M. Brooks** – I think specifics before we have another hearing.

**Council Member, F. Perry** – I'm sorry, didn't I hear you say that the Water Committee needs to meet?

**Mayor Jenkins** – Yes, we did.

**Council Member, F. Perry** – Who is that.

**Mayor Jenkins** – That's you and Tommy.

**Council Member, R. Cassell** – Leave it to the Committees instead of us sitting here hash it out. That's a good idea.

## **XVII. PUBLIC COMMENT – NEW BUSINESS**

Mayor Jenkins closed the public comment session for new business at 9:58 P.M. and opened the consent agenda session.

## **XVIII. ADJOURN**

**Motion to adjourn the meeting until the next regularly scheduled Council Meeting, February 14, 2012, at 6:00 P.M.**

Motion by: Vice Mayor, R. Cassell 2<sup>nd</sup> by: Council Member, T. Herron

VOTE:	Yeas,	5
	Nays,	0
	Absent	0

\*Mayor Jenkins adjourned the meeting at 10:00 P.M.

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Mark Jenkins – Mayor

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Kathy Riley – Town Clerk