



***GATE CITY TOWN COUNCIL MINUTES
NOVEMBER 12, 2014
156 E. JACKSON ST.
6:30 PM***

**JOINT PUBLIC HEARING BETWEEN COUNCIL AND PLANNING COMMISSION
REGARDING COMPREHENSIVE PLAN**

I. Mayor, Frances Perry, called Public Hearing to order at 6:31 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.
Town Attorney, Michele Brooks
Town Manager, Greg Jones
Absent: Council Member, Walter Salyers

Others present: None

III. **NEW BUSINESS**

- **COMPREHENSIVE PLAN** – Town Manager, G. Jones, explained the plan that is up-dated every two year and the two parts with the first part being the demographics and where we are at now. The second part is the goals of where we want to be at in another five years. This document can be changed and up-dated at any time. He explained the meeting of three committees that put it together and of their recommendations for adoption. He discussed the various topics within the plan, explaining from page 23 to 28 provides the objectives of where the town wants to go. He asked Council to review the plan for input so it can be resubmitted to the Planning Commission for final review and recommendation for Council approval. Council Member, W. W. Ross, Jr., questioned it getting close to 2015 and would the numbers be affected. Town Manager, G. Jones, explained next change would be 2020. Council Member, R. Cassell, stated the plan would need to be adopted by the end of the year.

IV PUBLIC COMMENT

Close Public Comment at 6:39 P.M.

V. Close the Public Hearing

Motion made to close the Public Hearing on the Comprehensive Plan.

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

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

Public Hearing closed at 6:39 P.M.

Mayor Frances Perry

Kathy Riley – Town Clerk



**PUBLIC HEARING – CLOSING OF CAMPBELL STREET
BETWEEN BENTON AND HIGHLAND STREETS**

**CANCELLED DUE TO ERROR OF DATE ON LETTERS TO ADJOINING PROPERTY
OWNERS. TO BE RESCHEDULED**



COUNCIL MEETING

I. COUNCIL MEETING CALLED TO ORDER AT 6:41 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.
 Town Manager, Greg Jones
 Town Attorney, Michele Brooks

ABSENT: Council Member, Walter Salyers

Others present: Don Baker, Linda Hall

III. INVOCATION – Vice Mayor, A. Roberts

IV. PLEDGE OF ALLEGIANCE – Chief Scott Fink

V. APPROVAL OF AGENDA

Motion made to approve the agenda with the addition, to add under new business, to advertise for a Public hearing to amend Ordinance Chapter 24, Section 10.7.1

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

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

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

VII. APPROVAL OF MINUTES

• **Council Meeting of October 14, 2014 as presented?**

Motion made to approve the October 14, 2014 minutes as presented.

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

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

VIII. APPROVAL OF PAYMENTS

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

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

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

IX. PUBLIC COMMENT – None

Mayor Perry closed the public comment session at 6:47 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - None

XI. REPORTS

A. Engineer's Status Report - None

B. Treasurer's Report - None

C. Codification Committee/Property Maintenance - None

D. Police Department Report - None

E. Council Reports – Vice Mayor, A. Roberts, had nothing, but informed Council of the positive comments regarding the Trunk or Treat event. Council Member, W.W. Ross, Jr., discussed the website up-dates not being performed, Office Manager taking over the website, putting a notice in the paper regarding the Water Department Gold performance, making Council aware of what will be printed in the newspaper before it is printed so they know what is going on if asked, dissatisfaction of his name not being printed correctly on correspondence he receives. Council Member, R. Richards, discussed the Veteran's Day celebration at Grogan Park was not done, two people showed her the lack of our recognition by flying the American flag and she stated we did not have a flag anywhere in town and the town needs to do a better job. Mayor Perry agreed and apologized for not having anything in place for the Veteran's. Mayor Perry asked if we are paying anyone to put the flags up and down. Town Manager, G. Jones, explained they were set up on E. Jackson Street coming into town from the First Baptist Church out, which according to Stoney is how they have been doing it for the last five years. Council Member, R. Richards, stated we need to recognize the veterans with a flag at least at the Courthouse, somewhere in town. Town Clerk, K. Riley, stated we have a flag up at Town Hall every day. Vice Mayor, A. Roberts, stated it is not because they did not make an attempt, but asked the National Guard, American Legion, several different groups, but could not get them no participation. Mayor Perry informed Vice Mayor they need to start early to reserve them, they book early. Vice Mayor, A. Roberts, asked Council Member, R. Richards, for suggestions they are willing to listen, but when you ask the military organization to do something and if they don't come on board with you, what do you do. He stated do you go down with a trumpet and do it yourself. Mayor Perry stated yes, we did. She explained her first year having Rebecca Pepin from WCYB who spoke, had Elvis come down and sing patriotic songs stating you don't have to have the military. Council Member, R. Richards, informed Council of her brother, who has just retired from the military, is moving into the area, and she will ask if he will work with the town and help to put something together. Mayor Perry stated they could ask right now and ask the American Legion to put us on their calendar for next year's Veteran's Day. It always falls on the same day every year, you need to ask the American Legion now and book them for next year. Council Member, R. Cassell, discussed the months it takes to plan an event. He discussed the Town Manager trying to plan events and taking care of town business and the need to have more delegation, so he is not doing it all projects. Mayor Perry stated she is working on an Events Committee that will do some work, working on some people right now. Council Member, R. Cassell, stated you have one person trying to do all of it and we are flopping more than we are doing. Have the Committee to direct him to approve stuff, the job of town business is more important and let the committee put the events together and take some off of him. Mayor Perry reiterated that approval needs to come from Council. Council Member, R. Cassell, stated the Veteran Celebration is scheduled during the day and suggested it be scheduled later in the evening to accommodate those who work during the day to attend. Council Member, R. Cassell, had no comments.

F. Economic Development Committee - None

G. Historical Committee – Council Member, R. Richards stated there was nothing new and they needed to get in touch with Mr. Barker. Vice Mayor, A. Roberts, discussed a piece of property he owns and has a legal document he received in the mail stating the cemetery encompassed three acres and can legally take the property. Stated he will need to do a new title search on his property to make sure there are no other property rights on my property.

H. Manager – Town Manager, G. Jones, went over his report has presented in the Council Packet. Council Member, W. W. Ross, Jr., questioned the cost of the awards for the Trunk or Treat event. Vice Mayor, A. Roberts, suggested sending a thank you to Marcum Pharmacy for the contribution and help for the Trunk or Treat and their continued interest in the Daugherty Brothers property. Council Member, R. Richards, discussed the comments received while at the Wytheville Regional Conference regarding their attendance representing Gate City.

I. Park Committee – None, meeting was cancelled. Council Member, R. Richards, commented on older kids hanging around in the Park, them making lots of noise inside the bathroom and her calling 911. Council discussed the possibility of locking the bathrooms and closing the park after dark. Town Manager, G. Jones, discussed his meeting with the engineers who did the Daugherty Brother's, their ideas of putting in two culverts for drainage at the park. They will check to see if permits are necessary to do the work.

J. Planning Commission – Council Member, R. Cassell, stated there was nothing other than the Comprehensive Plan.

K. Public Works – Town Manager, G. Jones, informed Council of a water leak. Stated with the new meters the usage should go down. Rural Development is here to help the town crew find the leak. Council Member, R. Cassell, asked how you know it is a leak. Town Manager, G. Jones, explained by the water replacement and it is critical to find the leak.

L. Sanitation Authority – Council Member, R. Cassell, informed Council of their filing a FOIA request from the PSA Director regarding money we are paying. He stated Town Attorney will do a letter to go with the FOIA request.

M. Street Commission – Council Member, W. W. Ross, Jr., discussed status of railings at the old Bank of America location. Town Manager, G. Jones, reiterated issues of legal ramification if we do the work versus if VDOT does the work. Vice Mayor, A. Roberts, feels the Town Manager is going in the right direction. Town Manager, M. Brooks, explained it is better to not have anything, along with legal consequences if the town does the work. Council Member, R. Cassell, questioned the status on the paving of the streets. Town Manager, G. Jones, stated he would check on the availability of getting the product to do the paving.

N. Safety Committee – Town Manager, G. Jones, provided information regarding an emergency notification system that is an APP for smart phones, what information it provides and current deals regarding costs for the APP.

O. Water Plant – Town Manager, G. Jones, provided status on Council Member, W. W. Ross, Jr., prior information request.

P. Events Committee – Vice Mayor, A. Roberts, discussed up-coming events, i.e., open house, Christmas parade, Carol Dixon's presentation to bring the Clinch Mountain Music Fest (CMMF)

back to Gate City with a joint partnership with the Carter Fold. He discussed their establishing an even for the Crooked Road Homecoming to be the weekend of June 12th of 2015. Town Manager, G. Jones, provided the 12th through the 19th. The Carter Fold is the 12th with Vice Mayor, A. Roberts, stating with the permission of the Council for the 19th of Friday and Saturday like in the past. To have that weekend and to tie into the Crooked Road event, again up to the Council and advised Council they do have permission through Rita and the Carter Fold organization to bring back the CMMF if we want or to tie it into the King Alley Concert Series. He stated we need to turn in an application to the Crooked Road by the extended January 2015 date. He stated a decision will need to be made, if the town is going to do it. Mayor Perry asked if they would interfere with the Grillin' at the Gate with Vice Mayor, A. Roberts stating no. Mayor Perry stated it would help with the Crooked Road program with more events you have. Mayor Perry questioned if the foundation (CMMF) is still in on it with the Carter Fold. Vice Mayor, A. Roberts, hasn't had an opportunity to speak to Rita of what her thoughts are and what they would like to do. Their thoughts are to try to go back to the format it used to be. Mayor Perry stated the town was a big part of the CMMF to begin with and it was taken out from under us, we were just wiped out of it. She stated if we go back with them, we need to have an understanding, a written understanding, because they could come and take it away from us again. Vice Mayor, A. Roberts, stated he asked Carol Dixon to communicate with Rita concerning that, about bringing it back, and she was in agreement to do that. Mayor Perry stated, evidently, it is still under the foundation and if Carol is still involved in it, probably. Vice Mayor, A. Roberts, stated that were his thoughts and Carol is 100% on board with us as far as helping us and that is why he approached her. He stated we need to decide on it and work on it for the next six to eight months to be ready for it. Council Member, W. W. Ross, Jr., questioned the days of the events and where they would take place, Gate City Friday and Saturday, then at the Carter Fold. Vice Mayor, A. Roberts, stated he wants to get with Rita and to have it here on Saturday the 19th and extend it on to Sunday for two days. Mayor Perry stated when some of this is out and to have someone who represents that to come before the Council so the whole Council will know what is going on. Vice Mayor, A. Roberts, hoped to have more information tonight to present, but Rita has not gotten back to him. Council Member, R. Cassell, stated we need to find out our monetary contribution will be with the past contribution of \$2,500 and increased to \$5,000. Mayor Perry informed Council she was on the foundation board when it was taken away and that is why she wants it understood in some way. Council Member, W. W. Ross, Jr., reiterated the establishment of Gate City borders with signs. Council had further discussion VDOT regulations regarding signs. Mayor Perry informed Council of her invitation from Natural Tunnel to speak at young man's Eagle Scout ceremony. He did a project at the High School, wetland project. She stated she received an email from VML regarding an essay contest for 7th grade English students for "If I were Mayor, what I would do if I were Mayor".

XII. UNFINISHED BUSINESS

- **VDOT response to Council's offer of \$1,000 towards their request for railroad crossing upgrade on Horton Street.** – Town Manager, G. Jones, informed Council of the response received from VDOT of the reduction of cost to \$980, but no documentation or justification was received. He stated of his problem that it was at \$2,000 as an expense sharing, it was policy, and now it is \$980 with no documentation. Council had further discussion regarding this item. Town Attorney, M. Brooks, stated we need to know what we are agreeing to. Mayor Perry suggested VDOT send a written agreement for Council to go over and it was decided to table to next month.

- **Decision regarding the amendment to the Personnel Policy regarding accrual of PTO, maximum PTO hours to be carried over at the end of each fiscal year and observed holidays.** – Town Manager, G. Jones, explained the current policy and the proposal of 56 hours to be carried over to be the maximum. Council Member, R. Cassell, stated the proposal needs to change the date to reflect 2015.

Motion made to adopt the proposed policy for the PTO hours and carry-over.

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

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

- **Decision regarding Comprehensive Plan** – This item was tabled to next month.
- **Scott County Historic Society Lease** – Linda Hall, with the Scott County Historic Society, discussed the Veteran’s Day event and their possible involvement, their obtaining the 501c.3 designation and they are ready to go. Town Attorney, M. Brooks, discussed the lease #10 regarding the utilities of the town will provide water which, legally, the town cannot do. Ms. Hall discussed contents of a letter she received from the Town regarding the water, trash pick and insurance if the county would pay the electricity. The county has already provided her the money to pay for the electricity, so they are expecting you to come through with the other part. Town Attorney, M. Brooks, explained the issue of grants the town has that restrict water and not permitted to give water. Council further discussed possibly doing it as a benevolent, the same way as the Fire Department, but Town Attorney stated the wording in the lease would have to change. She also advised Ms. Hall, the building insurance would provided, but the contents would be the Society’s responsibility. Town Manager, G. Jones, stated a Public Hearing would have to be scheduled. Town Attorney, M. Brooks, stated she would make the correction and provide them with a copy to review. Ms. Hall asked when they would be able to sign the lease. Town Manager, G. Jones, stated the Public Hearing would be before the next Council Meeting of December 9th and it would be voted on that night. He informed Ms. Hall, if Council agrees to it, the lease can be signed that night. Town Clerk, K. Riley, asked about the items that needs to be removed and the old records that need to be gone through. Town Manager, G. Jones, stated that would be worked out too. Town Attorney, M. Brooks, stated not to start throwing things away. Further discussion was held regarding the contents in the first floor, along with records on the second floor. Ms. Hall stated their hopes to use the upstairs for a meeting room. Mayor Perry informed her, the lease would be for the building and would take care of it. Council Member, R. Cassell, suggested contacting Mr. Quissenberry with the high school and using their trade students for assistance with the interior.
- **Approval to advertise for a Public Hearing regarding leasing the old Police Department to the Soctt County Historic Society to be scheduled on December 9, 2014 at 6:30 p.m. preceding the Council Meeting**

Motion made to advertise for a Public Hearing regarding leasing of the old Police Department to the Scott County Historic Society.

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

VOTE: Yeas, 4
 Nays, 0

Absent, 1-W. Salyers
Abstain, 0

- **Approval to advertise for Public Hearing regarding closing of undeveloped portion of Campbell Street to be scheduled on December 9, 2014 at 6:30 p.m. preceding the Council Meeting.**

Motion made to advertise for a Public Hearing regarding closing of undeveloped portion of Campbell Street.

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

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

XIII. NEW BUSINESS

- **Approval to apply the Kickin' Back at King Alley Concert Venue for the Crooked Road's Mountains of Music Homecoming event.** – This item was tabled until next month.
- **Approval to advertise for a Public Hearing regarding approval for the Special Use and Exception Permit request from Rex McCarty to be scheduled on December 9, 2014 at 6:30 p.m. preceding the Council Meeting.** (The Planning Commission has voted to recommend approval of this request). Council Member, R. Cassell, explained the location and Mr. McCarty's wish to move a real estate business there. He explained the property is not being rezoned, it is a special use and exception permit and the property would revert back to residential if Mr. McCarty sold the property. Council discussed this matter and feels something should be in the warranty deed or the approval of the permit have more specific language. Town Attorney, M. Brooks, read the language from the VA State Code and Council Member, R. Cassell, read the definition from Gate City Ordinance regarding Special Use and Exception.

Motion made to advertise for a Public Hearing for a special use and exception permit requested from Rex McCarty at 248 W. Jackson Street.

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

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

- **Engineering Request for Qualification – Selection Committee is needed.** – Town Manager, G. Jones, explained the Request for Qualification, the deadline date of November 28, 2014, the need to have two members from Council to be on the committee to review and make a selection. Mayor Perry appointed Council Member, R. Cassell, and Vice Mayor, A. Roberts to the Selection Committee.

- **Recycling** – Town Manager, G. Jones, informed Council of the meeting he, Mayor Perry and Town Attorney, M. Brooks, had with the county. He stated Scott County no longer has a landfill and they pay waste management to haul it off. He provides numbers regarding trash and their request for money assistance. Town Manager, Town Attorney and Mayor felt it would be double taxation. Scott County suggests Gate City begin recycling. Town Manager asks for recycling suggestions with Mayor Perry suggesting a drop off location and Town Attorney suggests use of orange bags to identify recycle items. Vice Mayor, A. Roberts, discussed the prior recycling company who came in front of Council.
- **Town newspaper** – Town Manager, G. Jones, explained the idea of the town doing a newspaper with delivery for the 24251 zip code with a cost of approximately \$900.00 for each mailing. He suggested it be done quarterly. Council discussed costs, placing it on the website, Municode, setting up a committee to write the newsletter, a name for the newsletter with possibly having a contest for the name. Mayor Perry suggests the Council provides names of individuals to serve on the committee.
- **Photo-cells for street lights on Jackson Street** – Town Manager, G. Jones, explained the lights on Jackson Street coming on at different times, quotes he received from different electric companies, received a quote from Smith Electric for \$3,100.00 as being the best. He explained they will have the photo-cells turn the lights on and the timers to turn the lights off. Council Member, W. W. Ross, Jr., asked about the relocation of lights. Town Manager, G. Jones, explained the sidewalk project included the lights from Water Street. Council Member, W. W. Ross, Jr., asked if there would be an extra cost incurred to put photo-cells on the lights moved. The consensus from Council was to go with the \$3,100.00 bid.
- **Retrofitting Civic sign to accommodate an American Legion Sign** – Town Manager, G. Jones, explained the retrofitting of the three civic signs to attach three additional signs for the American Legion at a cost of \$900. Council Member, W. W. Ross, Jr., suggested the vocational school to perform the work. Council’s stated the need for the work to have a professional look. The consensus from Council was to go with the \$900, if the vocational school did not work out.
- **Approval to advertise for a Public Hearing to amend Ordinance Section 24.10.7 1** – Council Member, R. Cassell, reads the amendment, explains the reason for the amendment and provides the timeframe of six months to coincide with the Scott County’s permitting timeline.

Motion made to advertise for a Public Hearing to amend Ordinance Section 24.10 7 1 of the zoning.

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

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

Town Attorney, M. Brooks, informed Council of an offer she received for a position with the Town of Duffield as Town Attorney. She hasn’t accepted yet, but felt there would be no conflicts and is not aware of any conflicts between Gate City and Duffield.

IV. PUBLIC COMMENT – NEW BUSINESS - None

Mayor Perry closed the public comment session for new business at 8:44 P.M. and opened the consent agenda session.

XV. CLOSED SESSION - Council did not go into closed session.

XVIII. ADJOURN

Motion made to adjourn.

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

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

*Mayor Perry adjourned the meeting at 8:45 P.M., until the next regularly scheduled Council Meeting on December 9, 2014, at 6:30 p.m.

Frances Perry – Mayor

Kathy Riley – Town Clerk