

# ***GATE CITY TOWN COUNCIL MEETING***

***November 11<sup>th</sup>, 2008***

***156 E. JACKSON ST.***

***6:00 PM***

## **I. COUNCIL MEETING CALL TO ORDER**

Mayor Jenkins called the meeting to order at 6:01 p.m.

## **II. ROLL CALL**

PRESENT: Mayor Jenkins  
Vice-Mayor Tipton  
Council Frances Perry  
Council Cindy Coates  
Council Ashley Jenkins  
Council Tommy Herron

ABSENT: None.

## **V. INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation: John Sheppard  
Pledge of Allegiance: Sergeant of Arms, Chuck Newton

## **VI. STUDENT PRESENTATION**

The "Lego Legends" from Shoemaker Elementary gave a presentation before the Town Council in preparation for competition Sunday in Blacksburg, Virginia. The Lego Legends are sponsored by Lego, 4-H, and locally by Patty Collier. These students have created a robot computer module that they control in order for the robot to complete missions and build playing fields. Their presentation topic is a drought comparison between climates in Scott County, Virginia and Denver, Colorado. When they compete in Blacksburg they will program a computer from scratch and the present their research to a board of judges. Parent sponsors are Jeff Bishop, Roger Cassell, and Cheryl Honeycutt.

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

Mayor Jenkins thanked Chuck Newton for representing the Town at the Veterans Ceremony held at Grogan Park last Saturday. American Legion Post 265 gave the Town of Gate City a plaque for their participation in the event. Mayor Jenkins apologized that the wreath was not provided as it should have been.

\*Mayor Jenkins closed the Reports session and opened the Communications session.

## **VIII. COMMUNICATIONS**

- A. **Robert Mullins:** Mr. Mullins stated that the International Property Maintenance Code had a drastic change from 2003 to 2006. He has sent a list of amendments that were removed from the Code to Steve Templeton and Mike Carrico for Council to review. The Virginia General Assembly says to add Sanitation, Weeds, and Motor Vehicles to the local ordinance. It is important that the Town put these items back into its ordinances. There are 8 properties in town that have received a Notice of Violation. Six of these properties can be taken care of with approval under Notice of Violation. Mr. Mullins said that he will get together with Mike Carrico so they can compare the ordinances the Town has in place with those that need to be added. Mike Carrico said there would need to be a Public Hearing preceding the December council meeting in order to discuss changes made to the Property Maintenance Codes. The vote on these items also needs to be added to the agenda for next month's meeting.

\*Mayor Jenkins closed the Communications session and opened the Reports session.

## **VIII. REPORTS**

A. **Manager:**

- Ron Bostic finished the 2006-2007 audit.
- The water leak near Campus is back and is worse. They are currently looking for a contract to abandon the line completely in order to then put in a new line. The old leak has to be fixed before a new line can be installed.
- Grant Administration- There have been five responses for grant administration. This meeting needs to be adjourned until next Tuesday night in order to review and interview these candidates before voting to hire.
- The Town has received an extension on the Litter Grant.
- The Park Committee tabled its meeting until November 19, 2008 in order to make a decision on the Grogan Park project
- The Town needs to advertise to fill the position of Town Clerk/Utility Billing Clerk as the current clerk has turned in a resignation in order to finish graduate school.
- There has been no feedback from any of the Slabtown residents that received letters concerning the boundary adjustment.
- Paving at the Town Hall was completed for \$3,900.
- The Town entrance signage installment has been delayed as result of property ownership issues.

Council Herron asked Mr. Templeton what he is planning on doing about businesses that have chosen not to pay their business licenses. Mike Carrico suggested that the issue be discussed in closed session because it is a legal issue.

- B. Police Department**—The Police Department completed 291 calls to service, 54 summonses, 9 arrests, and 20 state reports excluding motor vehicle crash reports. Chief Jason Cox met with Mayor Jenkins and Fire Department Chief to finalize details for the 2008 Christmas Parade. The Police Department has received the other Rural Development grant car and they are waiting on the striping to be finished. They participated with First Baptist Gate City for a Halloween event and had a great turnout.
- C. Public Works**— Stoney Falin asked if anyone knew where the Town could find a Christmas tree for the Town lot. Council Herron asked Mr. Falin how deep the leak is at Campus. The leak is 16 feet deep and surrounded by rock the size of a car. Mayor Jenkins thanked Civitan for the American flags that Stoney put up around Town. Mr. Falin said the Town was going to have to put some money into the old garbage truck or it would have to be parked. Mr. Templeton said he would hopefully have something the Council could vote on at the next meeting concerning the purchase of a small truck for Public Works. Council Perry said she has noticed that the globe lights on the streets have not been coming on. Stoney said he thought Mark Falin set them to come on at 6:00 PM but he will check to make sure. There is a situation concerning Public Works and roots coming through the sewer line on Embar Street. Stoney said the roots came through the property owner's line.
- D. Water Plant**— Loretta Cruby said the Town is experiencing really high water loss. She can see where losses have stayed even with the big leak at Campus. The Health Department is recommending less than a 30% loss. She has asked Rural Water to help with leak detection. These leaks have to be fixed because the Health Department will only meet the Town half-way for so long. Council Herron asked Loretta how many leaks were found when Rural Water came to search for the leaks. Leaks on Estil, Cedar, the Anderson meter and another meter were found. They also found a 30 foot line under the high school. Once the line under Campus goes there won't be any water. The Town needs to develop an emergency plan so they won't be pumping against a closed valve. Mayor Jenkins asked if a line could be run on top of the ground. This would be possible but not ideal because the Fire Department would be in the way of the line.
- E. Sewer Plant**
- F. Planning Commission**—The Planning Commission did not have a quorum. Applications are being accepted to fill three open positions on the Planning Commission.
- G. Street Commission**
- H. Sanitation Authority**-- Sanitation Authority meets tomorrow night at 6:00 PM.
- I. Economic Development Committee**—Council Coates said Marvin Egan is working on signage placement for Town entrance signs. The Historical Registry application is due next June. The Economic Development Committee would like the Council to appoint a committee to address this issue. They would like Council Perry to appointed chair of the committee. The Economic Development committee discussed Downtown Revitalization and ways to make it easier to do business in Town.
- J. Water Committee**— A public hearing needs to be held preceding next month's meeting so the revised Water Policy can be passed.
- K. Park Committee**—The Park Committee opened bids for the Grogan Park Expansion project. These bids came in higher than anticipated. The Park Committee tabled their decision until November 19, 2008. Council Perry asked if anyone has followed up on the Lowe's grant. Mr. Templeton has not heard anything from this grant.
- L. Council Reports**

- M. **Treasurer**—Real estate taxes have been mailed. \$311,000 was billed for 2008 Real Estate taxes. Boggs Municipal Services was paid for invoices but kept out 10% for wiring. The Council stated that Boggs Municipal Services did not provide what they were supposed to provide in the form of a wiring diagram. The Town is getting a \$7000 refund from the IRS for excise gas. The Sanitation Authority bond interest rate changed in October. Total expenditures after 1/3 of the year is at 30.66%.

\*Mayor Jenkins closed the Reports session and opened the Public Comment session.

**IX. PUBLIC COMMENT**

- A. **Wayne McConnell**—154 Embar; Mr. McConnell stated that he had a backed up sewer line. The Town crew dug up the line and found that the 12” line was full of tree roots. Mr. McConnell would like the Town to pay his bill. Because the issue concerns sewer the Sanitation Authority has jurisdiction over the issue. Council Coates will present the situation to the Sanitation Authority at their next meeting.
- B. **Larry Lane**—258 Benton Drive; Mr. Lane said he had previously requested that the Town sell or close Campbell Street. This request was denied by the Planning Commission because the Town wanted to maintain public access. Mr. Lane built a camper cover on this property. He waited two to four weeks and thought someone would say something to him if there was problem with him building the cover on the Town’s property. He said they are not trying to block the road, just cover their camper. Mike Carrico said the Lanes did not get a building permit from the county before they began constructing the cover. If they had done this they would know that they were not allowed to build on this property. Mr. Lane said he never received any communication from the Town saying he could not continue building the structure. Mr. Lane would like to buy the property and put access to water lines, etc. in a deed. Because Mr. Lane made a request to the Planning Commission he knew the road was Town property, and Council Perry said that the Council can not let one person build on Town property and not let everyone else who like to do so. The only way Mr. Lane can legally keep the building constructed is to make a formal request to the Planning Commission to close the street, and this has already been done. The Town can not sell streets. The Lanes could re-request the street be closed. Mike Carrico suggested that the Lane take their case before the Planning Commission again and maybe this time the outcome will be different. Council Perry stated that this issue is nothing personal against the Lanes but it is just a matter of principle. Mr. Carrico told Mr. Lane that he has a duty to contact the Town. The Town can not contact everybody. The Lanes should have gotten a permit in the first place because they had the knowledge that the building was not legally permitted. Mr. Lane said that if he could not keep the building standing legally he would not have a problem removing it from the property. As soon as the Planning Commission is able to make a quorum the Lanes can re-present their case. Steve Templeton will personally keep the Lanes updated on the status of this situation.
- C. **Elizabeth Large**—316 W. Jackson Street; When Ms. Large moved into her home the Town installed a new meter line. She has had two major leaks. Her first bill was very high and she has continued to received high bills each month. She recently repaired a leak on the property would like the Council to consider adjusting her bill. The Council decided to discuss this issue as a legal matter during closed session.
- D. **Helen Smith**—Mrs. Smith has multiple tenant water service at 135 W. Jackson Street. She has had high bills and thinks she is getting over-charged when most businesses pay around \$40 per month. The Council told her she may have a leak and Public Works will check to see if this is the case.

\*Vice Mayor Rita Tipton left the meeting. Mayor Jenkins closed Public Comment at 7:08 PM.

**X. CONSENT AGENDA**

- A. Approval of Town Council meeting minutes of October 14, 2008.  
B. Approval of bill payments for October 2008 in the amount of **\$133,418.49**

MOTION: Motion by Coates, Seconded by Perry  
To approve the Consent Agenda

VOTE: Yeas, Council Coates  
Council Perry  
Mayor Jenkins  
Nays, Council Herron  
Council Jenkins

**XI. UNFINISHED BUSINESS**

- A. **Purchase of new utility billing software:** Council Coates said the committee appointed to this issue met to demo Greentree, Accufund, and QS1 software. Rhonda Stacey and Cindy King will go to localities that use each software in order to observe the different software as they are used on a daily basis. Council Coates said it is important for them to view the software this way. Hopefully the committee will have something for the Council to vote on next month.

- B. **Water Policy:** Council Perry said the revised water policy should be made available for review. There needs to be an advertisement for a public hearing about the water policy to be held preceding the December Council meeting.

## XII. NEW BUSINESS

- A. **Grant Administration:** Five firms submitted proposals for the DHCD Downtown Revitalization Project. These proposals have been reviewed by Steve Templeton, Rita Tipton, and Frances Perry. The Council needs to hold an adjourned meeting next week to vote to approve a grant administrator in order to meet the deadline set by Joy Rumley.
- B. **Resolution to Exercise Property Maintenance Code:** This resolution enables the Town to exercise the authority set out by the property maintenance code. The Town also needs to pass the Resolution for Compliance: Gate City Business District Revitalization Project.

MOTION: Motion by Perry, Seconded by Herron  
To adopt Resolution to Exercise Property Maintenance Code and Resolution for Compliance: Gate City Business District Revitalization Project

VOTE: Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

- C. **Public Hearing on Amendment to International Property Maintenance Codes:**

MOTION: Motion by Perry, Seconded by Herron  
To hold a public hearing on Amendment to International Property Maintenance Codes at 6:00 PM preceding the December Town Council meeting.

VOTE: Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

- D. **Changing Town website:** The Economic Development Committee has asked the Town to place a link to their website on the Town's site. The Town is waiting on information from Richard Hubbard before they can proceed. Arrangements have been made with SCTC for this change. The cost for this change was included when the Town switched phone service over to the SCTC.
- E. **Employee Holiday Bonus:** The employee holiday bonus will be given at the Thanksgiving Dinner on November 26, 2008. Employees are encouraged to attend but do not have to be present to get the bonus. The bonuses will not be available until the 26<sup>th</sup>. The bonuses have already been budgeted.
- F. **Employee Thanksgiving Lunch:** The lunch will be held on Wednesday, November 26<sup>th</sup>. Council Perry reserved the First Baptist Gate City Fellowship Hall. Council Perry would like to get a count of how many people will be attending. Family members are invited. All Town employees and committee/commission members need to be contacted. Council Coates and Council Perry were appointed to head up and coordinate the luncheon.
- G. **Public Hearing on Water Policy:** A public hearing on the water policy will be held before the next council meeting scheduled for December 9, 2008.

MOTION: Motion by Coates, Seconded by Herron  
To hold a Public Hearing on the revised water policy before the December 9<sup>th</sup> council meeting.

VOTE: Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

## XIII. CLOSED SESSION

MOTION: Motion by Herron, Seconded by Jenkins  
To enter into closed session to discuss legal and personnel issues

VOTE: Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

MOTION: Motion by Coates, Seconded by Jenkins  
To return from closed session

ROLL CALL VOTE: Yeas, Council Herron  
Council Perry  
Council Coates

Nays, Council Jenkins  
Absent, None  
Vice-Mayor Tipton

### 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.

**MOTION:** Motion by Coates, Seconded by Herron  
To advertise for a permanent part-time Town Clerk/Office Assistant position

**VOTE:** Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

XIII. ADJOURN
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**MOTION:** Motion by Perry, Seconded by Coates  
To adjourn until November 18, 2008.

**VOTE:** Yeas, 4  
Nays, None  
Absent, Vice Mayor Tipton

\*Mayor Jenkins adjourned the meeting at 9:25PM.

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Mayor Mark Jenkins

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Town Clerk Audra Fritz