

GATE CITY TOWN COUNCIL MEETING &

PUBLIC HEARING

December 9th, 2008

156 E. JACKSON ST.

6:00 PM

PRESENT: Mayor Jenkins
Vice-Mayor Tipton
Council Coates
Council Herron
Council Jenkins
Council Perry

ABSENT: None.

I. PUBLIC HEARING CALL TO ORDER

Mayor Jenkins opened the Public Hearing regarding International Property Maintenance Codes at 6:00 p.m.

II. PUBLIC COMMENT

Mayor Jenkins asked if anyone had any questions or comments. Mike Carrico said the revisions to the code would be adopted if Council voted to do so.

There was no public comment.

Mayor Jenkins adjourned the Public Hearing at 6:04 P.M.

III. PUBLIC HEARING CALL TO ORDER

Mayor Jenkins opened the Public Hearing regarding the Town of Gate City Water Policy at 6:04 p.m.

IV. PUBLIC COMMENT

- A. Debbie Kindle: Mrs. Kindle asked how multi-users would be governed. Mayor Jenkins said property owners should be honest and notify the Water Department about how many tenants are in the buildings. He also said property owners have the option to report multiple tenants to the equivalent of how many tenants instead of having to put in separate meters. Council Herron said the water policy will be enforced once it is in place. Mrs. Kindle asked if a water user could turn off their water if it is leaking or if they have to wait on Public Works to come turn it off. She was told that there would be no criminal intent in that situation so it is not considered tampering. Council Herron said that Steve Templeton will need to govern and enforce the water policy once it is in placed. Mike Carrico said that the things they are suggesting changing aren't in the policy. After much discussion Mr. Templeton suggested the policy be adopted as it is written and then amendments can be made as needed.

V. COUNCIL MEETING CALL TO ORDER

Mayor Jenkins called the regularly scheduled Town Council meeting to order at 6:45 p.m.

VI. ROLL CALL

PRESENT: Mayor Jenkins
Vice-Mayor Tipton
Council Coates
Council Herron
Council Jenkins
Council Perry

ABSENT: None.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation: Rev. Paul Argoe

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

Mayor Jenkins thanked Gary Dougherty for finding the Town a Christmas tree for the Town lot. He also thanked Public Works and the Police Department for their hard work during the snow last weekend.

The Gate City Christmas Parade has been rescheduled for Saturday, December 13, 2008 at 2:00 p.m. The Christmas tree lighting will take place Wednesday, December 10, 2008 at 6:00 p.m.

IX. COMMUNICATIONS

Robert Mullins was unable to attend the meeting.

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

X. REPORTS

A. Manager

The Town had to acquire an emergency procurement to repair the leak near campus. The low bid came in at \$4200. Sustainable Development from Lebanon, VA was hired to handle grant management for the CDBG Downtown Revitalization Project. Civitan donated \$34,000 to the Town of Gate City to finish the Grogan Park project. The Town has advertised and is interviewing to fill the Town Clerk position. There has been no action taken on the proposed boundary adjustment. Steve Whiten is surveying the land where the Town entrance signage will be placed. He should provide maps by tomorrow. King Contractors presented the low big for the Grogan Park rain garden. That project will hold its groundbreaking ceremony tomorrow. The project should be finished by the end of December.

B. Police Department

The council received a copy of the monthly police and K-9 report from Jason Cox. The police department received 242 calls to services and 74 summonses in the month of November. They also completed 18 other reports during the month. Chief Cox met with Steve Templeton to develop a capital improvement plan. Chief Cox requested that the Council consider purchasing new radios for the Police Department. The radios they are currently using do not always work properly and this is dangerous for the officers. The Council suggested Chief Cox meet with Cindy King to determine how much money is available in the budget. The Council wants to make sure the Police Department has the proper equipment but they have to make sure the money is available first.

C. Public Works

The Public Works crew has replaced the light bulbs on the block in front of Town Hall in order to conserve energy. Mr. Falin requested that Steve Templeton send a letter to Pizza Hut telling them to stop pouring grease down the sewer. Mayor Jenkins thanked Stoney for all the hard work he and his crew every day.

D. Water Plant

Loretta Cruby said the plant has improved approximately 5% on the amount of water loss. Andy Miles has applied for a grant to replace the line from the water plant to the high school. Mayor Jenkins would like Loretta the people from Rural Development that previously came to detect leaks to return. She said there might not be one major leak but multiple small leaks.

E. Sewer Plant

None

F. Planning Commission

The Planning Commission has received four applications from Beate Flanary, David Flanary, Jr., Nancy Willis, and Walter Salyers. The Planning Commission by-laws state that the commission shall have 5 or 7

members. Mike Carrico suggested the Council appoint three of the applicants and keep the other on file until one more is received in order to give the commission seven members.

MOTION: Motion by Herron, Seconded by Perry
To appoint Walter Salyers, Nancy Willis, and Beate Flanary to the Planning Commission.

VOTE:
Yeas, 5
Nays, None
Absent, None

G. Street Committee

Council Perry said the Street Committee would like for the Public Works and Police Department to take note of streets that need to be addressed and send that information to Council Herron or herself.

H. Sanitation Authority

The Sanitation Authority meets tomorrow night at 6:00 p.m. They were told at last month's meeting that the new plant would be on line by December 10, 2008 but to Council Coates' knowledge the plant is not ready to fully begin operating.

I. Economic Development Committee

The Economic Development Committee met on December 1, 2008. The Town entrance signs are ready to be installed as soon as everything is settled concerning the disputed ownership of the property where they will be placed. The Council needs to appoint a committee to work on the historical registry. The Town's website needs to be updated also. Cindy King and Richard Hubbard plan on making this change Friday. Once this change is made the Economic Development Committee plans on placing a link to their website on the Town's website.

J. Water Committee

None

K. Park Committee

The ground-breaking ceremony for the Grogan Park Expansion Project will take place at 10:00 a.m. tomorrow morning. The trail has been named the "Civitan Trail at Grogan Park" in honor of the generous donations Civitan has made to the park. The Rain Garden will be finished by the end of December 2008.

L. Council Reports

Cindy Coates reported on the Face Revitalization Board. The Board met Monday night for the first time. Bob Blackstock is the chairman of the committee and Sandy Jenkins will be the secretary. They are working to establish by-laws. The contract should be signed in February.

M. Treasurer's Report

The numbers are at 42% for Budget Comparison.

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

XI. PUBLIC COMMENT

A. Debbie Kindle: Mrs. Kindle asked if the 2 month grace period for delinquent water bills will still be in effect if the new water policy is passed. After much discussion it was decided that the new policy eliminates the two month grace period for delinquent bills.

XII. CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

MOTION: Motion by Tipton, Seconded by Coates
To approve the Consent Agenda with specified changes made to the November 11, 2008 minutes.

VOTE:
Yeas, 5
Nays, None
Absent, None

- A. Approval of Town Council meeting minutes of November 11, 2008.
- B. Approval of Adjourned meeting minutes from November 18, 2008.
- C. Approval of bill payments for November 2008 in the amount of **\$146,563.31**.

*Mayor Jenkins closed the Consent Agenda and opened the Unfinished Business session.

XIII. UNFINISHED BUSINESS

None.

*Mayor Jenkins closed the Unfinished Business session and opened the New Business session.

XII. NEW BUSINESS

A. Adoption of International Property Maintenance Codes:

MOTION: Motion by Coates, Seconded by Tipton
 To approve the adoption of the International Property Maintenance Codes.

VOTE: Yeas, 5
 Nays, None
 Absent, None

B. Adoption of Water Policy

MOTION: Motion by Herron, Seconded by Tipton
 To approve the Water Policy as presented.

VOTE: Yeas, 5
 Nays, None
 Absent, None

C. Water Bill: Alpha Stanley

Ms. Stanley was unable to attend the meeting but she provided Council with a letter stating that she had a water bill that was high one month. She was unable to pay the bill and the interest continues to get higher and higher. She makes a payment of \$40 every month but this does not begin to make a dent in the bill because the interest increases so much each month. Mayor Jenkins suggested that Steve Templeton apply the new policy to the situation. Council Coates said there is nothing in the policy to address the issue because the customer does not actually want their water turned back on. More than \$40 is being added to the account in the penalty and interest each month. If there's no user agreement the Town can not turn the account over to debt set-off. Mayor Jenkins suggested that the details of the situation be reviewed and the new water policy applied. Action was tabled until next month.

D. Appointment of committee to work on Historical Registry application

Mayor Jenkins appointed Council Perry as chairman of the committee to work on the historical registry application. He asked her to choose five to seven members and present the information at the next council meeting.

E. Building Permits

Council Perry requested the issue of building permits be added to the agenda as a result of issues addressed at the last meeting. She would like the Police Department to start making note of any buildings they notice being constructed in the Town and then report these to the Town Manager so they can be aware of any building being constructed without a building permit. The Town Manager should also report to the Police Department when someone signs up for a building permit. Mayor Jenkins requested that Chief Cox direct his officers to call Steve and let him follow-up on any construction they find.

F. Appointment of members to Planning Commission

The issue was discussed and voted on earlier in the meeting.

G. Purchase of small truck for Public Works

Steve Templeton has been working on securing bids to buy a small truck for Public Works. The low bid came in at \$16,355 from Courtesy Chevrolet in Kingsport, TN. The next lowest bid was \$16,761 with a difference of about \$400. Mike Carrico said to make sure all advertisements and procurements for the bids was done legally. Mr. Templeton said he received inquiries from six or seven interested bidders.

MOTION: Motion by Perry, Seconded by Herron
 To purchase a small truck for Public Works from Courtesy Chevrolet.

VOTE: Yeas, 5
 Nays, None

Absent, None

H. Resolution giving Mark Jenkins authority to enter into legal agreement for VDOT Enhancement Grant

MOTION: Motion by Perry, Seconded by Tipton
To approve resolution giving Mayor Jenkins authority to enter into legal agreements for VDOT Enhancement Grant E. Jackson Street Sidewalk Project

VOTE: Yeas, 5
Nays, None
Absent, None

XIII. CLOSED SESSION

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

VOTE: Yeas, 5
Nays, None
Absent, None

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

ROLL CALL VOTE: Yeas, Vice-Mayor Tipton
Council Herron
Council Perry
Council Coates
Council Jenkins
Nays, None
Absent, None

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 hire Adam Templeton for the Police Department at \$10.20 per hour.

VOTE: Yeas, 5
Nays, None
Absent, None

XIII. ADJOURN

MOTION: Motion by Jenkins, Seconded by Coates
To adjourn the meeting until Wednesday, December 17, 2008 to discuss software and assessments of by-laws and housing guidelines for the Façade Revitalization Board.

VOTE: Yeas, 5
Nays, None
Absent, None

*Mayor Jenkins adjourned the meeting at 11:50 PM.

Mayor Mark Jenkins

Town Clerk Audra Fritz