



**GATE CITY TOWN COUNCIL MEETING MINUTES**  
**July 13, 2010**  
**156 E. JACKSON ST.**  
**6:00 PM**

**I. COUNCIL MEETING CALL TO ORDER**

Mayor Jenkins called the meeting to order at 6:03 PM.

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

PRESENT: Mayor, Mark Jenkins                      ABSENT: Council Member, Tommy Herron  
Vice-Mayor, Rita Tipton  
Council Member, Roger Cassell  
Council Member, Frances Perry  
Council Member, Wallace W. Ross Jr.

Others Present: Town Attorney, K. Michelle Jenkins; Town Manager, Steve Templeton; Treasurer, Chris Edwards; Property Maintenance, Amy Page; Benny Reed; Daris Hartsock; Nell Hartsock; Debbie Kindle; Chuck Newton, Arletha Newton; Tommy Quillen; Lee R. Powers; Loretta Cruby; Sam Cruby; Phillip B. Robinette; Jon McConnell; Rachel Hughes; Joe D. McConnell; Delaney Herron; Greg Carter; Roger A. Brooks;

**III. INVOCATION**

The invocation was given by Benny Reed.

**IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Sergeant of Arms Chuck Newton.

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

Motion to hold Council meeting on the 2<sup>nd</sup> Tuesday of each month at 6:00 PM.

Motion by: Council Member, Frances Perry    2<sup>nd</sup> by: Council Member, Rita Tipton  
VOTE:            Yeas,            4  
                     Nays,            None  
                     Absent            1

Motion to make Rita Tipton, Vice Mayor

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Roger Cassell

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Steve Templeton Town Manager

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Frances Perry  
Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint K. Michelle Jenkins Town Attorney

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Roger Cassell

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Chris Edwards Town Treasurer

Motion by: Council Member, Roger Cassell 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Kathy Riley Town Clerk

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Judy Guinn Deputy Clerk

Motion by: Council Member, Roger Cassell 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Amy Page Property Manager

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to appoint Chuck Newton Sergeant of Arms

Motion by: Council Member, Roger Cassell 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

**Mayor Mark Jenkins** appoints Council Member, Tommy Herron to Economic Redevelopment Committee.

**Mayor Mark Jenkins** appoints Council Member, Rita Tipton to Façade Improvement & Revitalization Committee.

**Mayor Mark Jenkins** appoints Council Members, Frances Perry and Wallace W. Ross, Jr. to Codification Committee.

**Mayor Mark Jenkins** appoints Council Members, Rita Tipton and Roger Cassell to Finance Committee.

**Mayor Mark Jenkins** appoints Council Members, Rita Tipton and Frances Perry to Park Committee.

**Mayor Mark Jenkins** appoints Council Members, Tommy Herron and Rita Tipton to Personnel Committee.

**Mayor Mark Jenkins** appoints Council Members, Frances Perry and Rita Tipton to Historical Committee.

**Mayor Mark Jenkins** appoints Council Member, Rita Tipton to Planning Committee.

**Mayor Mark Jenkins** appoints Council Member, Tommy Herron to Safety Committee.

**Mayor Mark Jenkins** appoints Council Member, Roger Cassell to Sanitation Authority.

**Mayor Mark Jenkins** appoints Council Members, Wallace W. Ross, Jr. and Roger Cassell to Street Committee.

**Mayor Mark Jenkins** appoints Council Members, Frances Perry and Tommy Herron to Water Committee.

Council Member, Frances Perry was appointed to the Historical Committee, but made a request to Mayor Mark Jenkins to have Rita Tipton placed on the committee with her. Mayor Mark Jenkins accepted her request, placing Rita Tipton to be appointed to the Historical Committee with Frances Perry.

Council Member, Wallace W. Ross, Jr. originally was appointed to Sanitation Authority, but made a request to Mayor Mark Jenkins to be appointed to a less Committee, due to him being a new Council Member and with not much experience, suggesting the Sanitation Authority may need someone with more experience. Mayor Mark Jenkins accepted his request removing him from Sanitation Authority, replacing him with Council Member, Roger Cassell.

## **VI. PUBLIC COMMENT SECTION**

Mayor Mark Jenkins goes over the Guidelines for Public Comment Section of Gate City Council Meeting, for anyone who wishes to speak during the Public Comment Section, along with Guidelines for Comment during New Business Section of Gate City Town Council Meeting. Attached is a copy of these Guidelines.

## **VII. COMMUNICATIONS**

None

## **VIII. REPORTS**

### **A. Council Reports –**

None

### **B. Codification Committee/Property Maintenance –**

**Town Manager, Templeton** – Mr. Mayor, I have asked Amy Page, who is the newly appointed Codification/Property Maintenance Enforcement Officer to be with us this evening. She has been here about four weeks and pretty much has had a baptism by fire jumping head first into some of these things. I have asked her to provide a worksheet on what she has been doing and asked to say a few things about what she has been doing, along with the meeting she just had.

**Property Maintenance, Amy Page** - I did meet with Robert Mullins about the property maintenance issues and he has been very helpful. We are in the process of getting caught up on the pending properties and past due violations. He is working on those letters. There were eighteen properties on the spreadsheet that I gave you and those have been sent to Robert Mullins. He will let me know when the letters are ready to go out and deadlines on those. I'm also working with the Façade committee regarding the Water Street clean up. There are ten properties involved with that project. Robert Mullins gave me a draft of that letter yesterday. The letters to the property owners will be ready to go out tomorrow. They will be given 60 days to comply from receipt of the letter. Yesterday there was a meeting with Robert Mullins, Steve Templeton, David Gilmer, George Howard, Linda Burkett, her husband, Charles, and myself. We discussed the process for asbestos removal at the Scott Motel. We are waiting on a few things from David Gilmer and once we get those answered we will give George Howard a time line for completion of the work down there. There was one new notice of violation letter that went out from the Property Maintenance office regarding the property owned on Water Street with a camper in front of it. That letter was received on July 8<sup>th</sup> and the owner has fourteen days to comply. As far as the Codification, Michelle Jenkins and I will work together to review the codes and see where we are. I'm just going through the files right now to see what was pending. As far as I can tell, we have four ordinances that Richard Hubbard was working on and I will continue to do the research on those.

**Mayor Mark Jenkins** – Thank you Amy.

**C. Economic Development Committee –**

**Town Manager Templeton** – Did not meet due to meeting falling on 4<sup>th</sup> of July holiday.

**D. Engineer’s Status Report –**

**Town Manager Templeton** - The big thing is construction has now started on the Water Street project. The Town crews has actually began moving dirt this morning and a lot of the material, tiles have been off loaded to the city parking lot downtown. There will be construction work in earnest beginning in the morning.

**Mayor Mark Jenkins** – One thing that should be mentioned, along with the Water Street improvement, the parking lot will be closed to the flea market. The flea market will move to the Daugherty Brother’s property till the improvements are done to the street. It will be a little bit of a hassle probably for the first round or two. It was agreed to let the Fire Department use the Daugherty property for the flea market since that does bring some income into the Fire Department.

**E. Façade Committee –**

**Mayor Mark Jenkins** – The Façade Committee has been addressing the course of the revitalization of the downtown working with the project coordinator. There has been a couple building owners that has started with their improvement. We have Randy Bledsoe and Marvin Eagan has both started the improvements on the outside of their buildings. Another property owner did sign today, so I’ll have to sign a couple documents and we’ll have the third building underway. We do have some interest from outside sources of businesses in town. There are several other building owners are in different phases of the project whether they are trying to decide whether they like the façade that has been drawn by the engineer and they’ll tweak the plans to what they can comfortably afford and what they really want their building to look like. It is moving along and the Water Street is under that same grant so we are, so we are starting to get some of that grant money off the table. There is some movement there and we hope to see a whole lot of improvement of the downtown over the next few months.

**F. Historical Committee –**

**Mayor Mark Jenkins** – We have an Agenda item to cover this.

**G. Manager -**

**Town Manager Templeton** – During the past month with our water department, we have had five minor leaks and the crews have repaired them. They were all ¾ inch lines, so we didn’t lose level on our tanks at anytime. This is the third month that our accountability has remained under the 30% which is the threshold level for VDH. It’s at 27% this month, which is 2% under last month. A lot of the work that has been going on to try and find these leaks is beginning to take hold. We are having problems at the Moccasin Hills pump station. We replaced a pump just a few months ago. The other pump is now overheating due to possibly the bearings going out. Our engineers are looking at possible solutions to this problem and it may even involve the rebuilding of that building itself due to the way it is constructed, it is

holding heat. At Grogan Park, we had the formal dedication of the Grogan Park expansion on Flag Day, June 14, 2010. We have purchased heavy duty trash receptacles which we have placed around that park and we have also placed park benches and new picnic tables, which are all getting a lot of use now. If you go down at lunch time, you will see walkers, bikers and people that just come down there to have lunch. We have received a lot of positive comments about the beauty of that place. On our new business licenses, we have collected approximately \$95,000.00, which are 76 out of the 120 licenses. Six businesses have informed us they are closing and four new businesses that have obtained licenses and today a fifth one came in to get the information for a small eatery. Of our meals taxes, we were slightly under our projected revenue and I think that is due to the economy. Probably fewer people are eating out. Our property tax statements, we were slightly over \$300,000.00, there was \$314,000.00 assessed. The Treasurer is preparing a list now that will be included into an ad in the local newspaper as to those who are delinquent now that the fiscal year is over. We, of course, finalized our budget. We have just about completely entered all the data from the old accounting system into the new Accufund system. Cindy Fields has been here several days to assist Chris Edwards in putting that information in. On our Police Department, one of our officers attended a week long school, it was Officer Street Survival and it was a Train the Trainer type course. Where he can come back and train the other officers. That is the type of schools we like to send them to, so they can go and come back and teach other officers. There are several other classes coming up at the Bristol Police Academy. All of these are one and two day schools which we can spare and officer to go attend that training as well.

**Mayor Mark Jenkins** – Thank you Steve.

#### **H. Park Committee –**

**Vice Mayor Tipton** – We met last week discussing ideas of what we are going to put into Phase 2 of the Park Extension, because the next time the Grant becomes available, we're going to have to get all that information together. We have talked about the parking there, it is almost too much to deal with. Other than finding some way to get it paved so we can mark it, I don't know how we can do it, unless, we get an attendant down there. But that's going to be expensive, unless, someone will donate time. But, we have to do something about the parking down there.

**Mayor Jenkins** – I guess that is good that it is getting that much use. Thank you Rita.

#### **I. Planning Commission –**

**Vice Mayor Tipton** – We have new members this month. We have David Flanary and he is the new Planning Commission. Our Vice Chairman is Joanne Cassell and I am the new Secretary. We have an up-date on what the Planning Commission has been doing. We discuss Grogan Park, parking, revitalization grant and the purpose of the Planning Commission and what we are responsible for. We have also discussed the informational materials that we will be getting together for the new members.

**Mayor Mark Jenkins** – Thank you, again, Rita.

## **J. Police Department Report –**

**Town Manager Templeton** – During the month of June the Police Department had 392 calls for service down just a few from the month of May. The arrests are also down from 10 to 8. Summons, were exactly the same with 54 both months. There were 8 crime reports taken as opposed to 10 the previous month. Accident reports were 8 instead of 4. There were 2 DUI arrests instead of the 6. Our Administrative Assistant reports they are still waiting on the representative from Memex to set up and download the files we need to complete this project that is inter governmental cooperative thing, so that when an officer makes an arrest as soon as it is entered, everywhere in Southwest Virginia an officer can pull that up, look at it, it may be a useful tool for investigating other offenses. We are just waiting for Southern Police Pak to come in and put that in. There is no charge for this. The Police Department investigated a possible suicide attempt, that victim has survived and I understand will be okay. There were two fights, one at the courthouse steps, which gained a little bit of attention. The other one was on West Jackson Street. We did have the officer that attended the training school and we have other two day schools. One is Response to an Active Shooter; we are doing that in conjunction with other Police Departments and agencies, because we don't have a large enough agency if we have an active shooter at the Gate City High School. It, generally, requires at least three officers to go in. Two can go in, but it's very dangerous, because you need someone covering your back. The response plan now when you have an active shooter in a school is you go in the direction of the shots. You try to eliminate the threat as soon as possible. There will be training in that this month.

**Mayor Jenkins** – Thank you Steve.

**Town Manager Templeton** – I might add that we have, the members of the Personnel Committee, have interviewed a number of candidates for Chief of Police and we have three candidates we felt that we could live with and work with well and we have brought two of those tonight to council's consideration during closed session. One was not able to be here due to an interview in Florida tomorrow. So, we have two that we will present to you this evening.

## **K. Public Works –**

**Town Manager Templeton** – The Public Works report details the number of pounds of brush and trash pick-up. We recycled approximately 10,000 pounds of cardboard which we do receive credit for on a litter control grant. There were a couple of bad storms which resulted in extra brush and tree limbs that had to be removed by our crews. They have begun now working on the new grant down on Water Street and they will be busy until we get that thing finished. They have done an excellent job, taking on new projects willingly. They have new uniforms now, they have complained about the old uniforms and frankly they were getting grubby, they looked pathetic. We got them at a better price and better deal on the quality and certainly better service. The town's new logo is on the shirts and most, I think, feel a little sense of pride with that and they look good with that.

**Mayor Mark** – Thank you Steve.

**L. Sanitation Authority –**

**Town Manager Templeton** - Sanitation won't meet until tomorrow.

**Mayor Mark Jenkins** – They met before and approved their budget, didn't they?

**Town Manager Templeton** - They approved their budget, their bill payment, they accepted the resignation of the Town Attorney and I believe appointed Michelle (Jenkins) as the Attorney for the Sanitation Division as well.

**M. Street Commission –**

**Council Member France Perry** – I have had two requests from residents on Anita Street in Barker Subdivision, the pavement is broken up needing the town to repair that first chance they get.

**Mayor Mark Jenkins** – Thank you Frances

**N. Treasurer Report –**

**Town Treasurer Edwards** – Apologizes for getting the financial report tonight, but I was out of town last week. If you take a look at it, the year to date revenue is \$1,842,519, which is in line with the budget. Our total expenses for the year were \$2,235,523 which our budget was for \$2,450,252. We had several unforeseen items that was out of our control on the expenses and that is one of the reasons why expenses are kind of high. On the revenue side, it is basically due to the economy. If you have any questions, I will be glad to try to answer them tonight. If not, if you have questions you can contact me or email me. The new budget is being up-loaded as we speak and will be in the system, hopefully by next week.

**O. Water Committee –**

**Town Manager Templeton** – You have the Monthly Distribution Performance Report which shows we had only a 27.2% water loss which is our best month in a long time. It's our best months in a long time and one of three consecutive extremely good months. I want to read something from the Virginia Department of Health has informed us that the Gate City Water Treatment Plant was ranked fourteenth out of 139 plants in the entire state of Virginia in overall performance. This rating is considered excellent and the fact that we are a surface water plant while the other high ranking plants are water sheds and ground water which controls their turbidity natural sources. It is rare for a plant to have surface water to store this high. We are doing an extremely good job with our water quality and I appreciate all that Loretta (Cruby) and her team does down there.

**Mayor Mark Jenkins** – Loretta (Cruby), thank you. Because, you brought us a long way from us getting notification of violations to getting awards. Your leadership down there has meant a lot.

**Water Department Supervisor Loretta Cruby** - Speaks from the back to thank management for their help, the open door policy and her striving to have the best water quality possible.

**Mayor Mark Jenkins** – Thank you, you're the one that makes it happen.

## **P. Water Plant –**

Information combined under Water Committee

**Mayor Mark Jenkins** – Asked if anyone wanted to be added to the list for Public Comment. He closed the Reports session and opened the Public Comment session at 6:35 P.M.

## **IX. PUBLIC COMMENT**

- **Benny Reed, 167 Poplar Street** – I would like to start the Public Comment out tonight on a positive note. He wanted to extend a compliment for Officer, Pat Deskins, regarding his performance in his assistance with a young lady, who had a baby, and a flat tire. She could not contact anyone and didn't have the tools to change the tire. Officer, Deskins, promptly took care of changing her tire getting her back on the road. He did see Officer, Deskins, and thanked him for his assistance and taking care of the situation. He stated two of the main things with police work are visibility and helping people.  
**Mayor Mark Jenkins** – Thank you Benny.
- **Daris Hartsock, 141 Cross Street** – Here to tonight and all of his neighbors at Moccasin Hills and Davidson wanted to make Council aware they are still concerned about the Co-op situation they are still opposed to it and hope Council will support them on it.  
**Mayor Mark Jenkins** – Thank you Daris.
- **Tommy Quillen, Property owner in Town** – He stated concern about a building on Lombard Street that is situated in the middle of the road. He stated vehicles are being parked in the road and can't get around. He asked for Council's assistance in talking with the owner of the property to move building. He would appreciate any help Council can provide.  
**Mayor Mark Jenkins** – Thank you Tommy.  
**Mayor Mark Jenkins** - I will have Amy (Page) look into it.
- **John McConnell, 224 Bartlett Drive** – Asked if Council has checked any further into the mountain access, it has been six months since he asked.  
**Mayor Mark Jenkins** – Informed him the request was tabled until legislative body, informing him Council has done all they can do.  
**Council Member Perry** – Stated it had been tabled until next year.  
**John McConnell** – Informed Council he will be moving cattle out of the mountains in three months and asked if Council could get the dirt moved.  
**Mayor Mark Jenkins** – Asked Mr. McConnell to provide him a date and he would contact VDOT to address the issue.  
**John McConnell** - Stated he would provide Mayor Mark Jenkins a date next month.  
**Mayor Mark Jenkins** – Thank you John.
- **Joe McConnell, 308 Park Street** – He stated he had requested two traffic counts on the highway and noticed the counters across the road awhile back. He asked if the Council received the results of the count. Wanted to know the difference of what comes into Gate City and what by-passes Gate City.  
**Mayor Mark Jenkins** – Asked if they did the new count recently.

**Joe McConnell** – They had them in Weber City, at the old Ford place and they have the permanent counter right here and one over at Nicklesville Highway either last month or month before.

**Mayor Mark Jenkins** - What he had provided the last time was the most current information he could get.

**Joe McConnell** – Brought up concern regarding people parking in the middle of the road in Gate City. States you can go through town on different occasions and the same cars will be sitting at least 4-6 feet away from the curb, sticking out in the road. States, instead of the police running the four lane highway, they should be having these cars towed so people can get around them without side swiping the car from the other direction.

**Town Manager Templeton** - Asked, any particular area of the Town this is occurring?

**Joe McConnell** – Informs him from the Courthouse all the way through. States he measured a parked car that was five feet from curb. Stated it sat there from 9 a.m. to 4 p.m. without getting a ticket or being towed. Didn't think you could park on a State Highway and questioned if that was indeed a State Highway.

**Town Manager Templeton** – Confirmed it was a State Highway and would start checking on it tomorrow.

**Mayor Mark Jenkins**- Thank you Joe.

Mayor Jenkins closed the public comment session at 6:45 PM and opened the consent agenda session.

## **XI. CLOSED SESSION**

Mayor Jenkins opened the closed session at 6:45 PM.

Motion for Council to enter into closed session to discuss legal and personnel issues

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Rita Tipton

**Town Attorney Michelle Jenkins** – May I also get them to include in their motion the Code Section which is 2.2-3711 Section A.

**Council Member Frances Perry** – Acknowledged to include the Code Section that Town Attorney Michelle Jenkins provided into the motion.

**Mayor Mark Jenkins** – We now have a motion to go into closed session. Is that legal?

**Town Attorney Michelle Jenkins** – Yes, under Section A-1 for Discussion, Consideration or Interviews of Perspective Candidates for Employment.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

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

Council returned from closed session at 8:56 PM.

Motion to return from closed session.

Motion by: Council Member, France Perry 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

## 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.

Mayor Mark Jenkins conducted a roll call vote. Conclusion was:

VOTE:	Yeas,	5
	Nays,	None
	Absent	1 (Tommy Herron)

### Motions from closed Session:

Motion to authorize Town Manager to advertise for two full-time positions for Public Works

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Roger Cassell

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

Motion to offer employment for the position for Chief of Police to Rachel Hughes at the salary of \$34,500, conditional to passing background investigation

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

### XIII. APPROVAL OF PAYMENTS

Motion to approve payment of bills for June 2010

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

### XIV. APPROVAL OF MINUTES

Motion to approve Town Council meeting minutes from June 8, 2010

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE:	Yeas,	2
	Nays,	None
	Absent	1

Abstained 2 (Not present at June 8, 2010 meeting)

Motion to approve Town Council meeting minutes from June 23, 2010 Public Hearing 2010-2011 Budget

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Frances Perry

VOTE: Yeas, 2  
Nays, None  
Absent 1  
Abstained 2 (Not Present at June 23, 2010 meeting)

Motion to approve Town Council Special Called meeting minutes from June 23, 2010 to consider Personnel issues and the hiring of a Town Attorney

Motion by: Council Member, France Perry 2<sup>nd</sup> by: Council Member, Rita Tipton

VOTE: Yeas, 2  
Nays, None  
Absent 1  
Abstained 2 (Not present at June 23, 2010 meeting)

Motion to approve Town Council Special Called meeting minutes from June 23, 2010 to consider the appropriation to the Gate Cty Volunteer Fire Department

Motion by: Council Member, Rita Tipton 2<sup>nd</sup> by: Council Member, Frances Perry

VOTE: Yeas, 4  
Nays, None  
Absent 1  
Abstained 2 (Not present at June 23, 2010 meeting)

Motion to approve Town Council meeting minutes from July 7, 2010 Public Hearing on new Tax Assessment for 2010

Motion by: Council Member, Roger Cassell 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE: Yeas, 4  
Nays, None  
Absent 1  
Abstained 0

Motion to approve Town Council Special Called meeting minutes from July 7, 2010 to adopt the new tax assessment for 2010

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Roger Cassell

VOTE: Yeas, 4  
Nays, None  
Absent 1  
Abstained 0

Motion to approve Town Council Special Called meeting minutes from July 7, 2010 to approve the 2010-2011 Budget

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE: Yeas, 4

Nays,	None
Absent	1
Abstained	0

**XV. UNFINISHED BUSINESS**

- Hope House – has Town Attorney received decision from Attorney General

**Town Attorney K. Michelle Jenkins** – I spoke to Mike Carrico, actually, today. He informs me the Attorney General office had requested a copy of the Water Policy. He told me had not been provided that water policy, as of yet, so nothing has been sent. I have a copy of the water policy, which I will verify with Steve (Templeton) it is the current policy and will make sure that it gets to the Attorney General’s office this week. He, also, has told me he will give me the documents that he has been in correspondence with the Attorney General’s office. I will work to resolve that.

**Mayor Mark Jenkins** - That applies to both items, the Fire Department and Hope House.

- Fire Department – Does Town continue to pay Fire Department water bill or turn this over to Fire Department?

**Town Attorney K. Michelle Jenkins** – I actually discussed with him the Fire Department item that was on the agenda and he had no knowledge of what that was concerning. So, if that is something that I need to address then to let me know. I take it that is something that I need to address?

**Mayor Mark Jenkins** – Yes, it is.

**Town Attorney K. Michelle Jenkins** – I guess the Town Manager will get me up to speed on that as well.

**Mayor Mark Jenkins** – I think it will all hinge on what our contract says with rural development and providing water, to anyone, free of charge.

**Town Attorney K. Michelle Jenkins** – Were both of those questions included in the request to the Attorney General?

**Town Manager Templeton** – They should have been. I think so.

**Town Attorney K. Michelle Jenkins** – I will get copies of those documents.

**Mayor Mark Jenkins** – Thank you.

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

**XVI. NEW BUSINESS**

- Motion to accept Commonwealth of Virginia’s Department of Historic Resources inclusion of Gate City on the Virginia Landmarks Register as Gate City Historic District.

**Vice Mayor Tipton** – I tried to get in touch with them today and no one called me back. I have included in your package a copy of the letter we received in late June, from David Lewis who was Project Manager. Also in there, is the National Register of Historic places are narratives of each building that is involved in that. Takes a long time to read through this, but it is, really interesting. They break it down with information on every building listed. The district map is included which show all that is involved in this historic district. It is approximately five blocks long, in commercial areas, with 58 resources, with various types of buildings. Try to hold on to these maps, they are not easy to get. I don’t think there is anything else for us to do. This was sent from VHS to the National Park Service. We are just waiting to be informed that is has been

passed. They feel there should be no problem and if they approve it, then the National Park Service should approve it.

**Mayor Mark Jenkins** – This will open all things in this area for the historic tax credit?

**Vice Mayor Tipton** – A lot of work has gone into this, with each building broken down. Is there anything else?

**Mayor Mark Jenkins** – As I have said earlier, we would open Public Comment back up for New Business. Does anyone want to address anything here?

**Debbie Kindle** – Speaks from the back, asks if she can discuss about the three minute time limit.

**Mayor Mark Jenkins** – Informs her she may not. She has to address this specific item.

**Benny Reed** – States he doesn't know much about this to ask a question.

**Mayor Mark Jenkins** – States this has been something we have been trying to do.

**Council Member Perry** – What's being done is this district being designated.

**Benny Reed** – His concern is some of it can be very restrictive, just how restricted is this-color paint?

**Mayor Mark Jenkins** – We already restrict that in with the revitalization.

**Debbie Kindle** – What her question was, reading the Council minutes for the volunteer Fire Department asks for money, would that have to be passes, answered and voted on in three minutes?

**Mayor Mark Jenkins** – I'll talk to you after the meeting on that.

**Council Member Perry** - There is a site that you can get on to on the internet to answer these questions. We had a Public Hearing on this.

**Benny Reed** – I didn't see it.

**Mayor Mark Jenkins** – Yes, we've had several hearings on this. It's been in the works for a long time.

**Council Member Perry** - It's not as strict as you are lead to believe as far as paint color.

**Council Member Wallace W. Ross, Jr.** – Do we have to accept this tonight, since this is a little bit confusing to everybody, can we table this until or do we have to do it tonight? The deadline to have this approved, does it make, will that affect the operation of this thing, or affects the money or application of this, submitted application within a timeframe?

**Vice Mayor Tipton** – The application has already gone in.

**Council Member Wallace W. Ross, Jr.** – That's what I was thinking.

**Vice Mayor Tipton** - It has been sent it from the state to the National Park Service, so it's a little late.

**Council Member Perry** - We have been in the works for about three years.

**Council Member Wallace W. Ross, Jr.** - Three years, so we have to approve this.

**Mayor Mark Jenkins** – We do have a motion, is there a second?

Motion by: Council Member, Rita Tipton    2<sup>nd</sup> by: Council Member, Frances Perry

VOTE:	Yeas,	3
	Nays,	None
	Absent	1
	Opposed	1 (Wallace W. Ross, Jr.)

- Wallace W. Ross Jr. to address a concern about the streets that has been brought to his attention.

**Council Member Wallace W. Ross, Jr.** – It has been brought to my attention, maybe have been brought to your attention in an earlier board, of W. Jackson Street, the lower part of it, a number of times folks has mentioned that people who, where the higher side of the sidewalk, people had accidents and fell. I just wonder if that would be feasible to talk to the state or maybe to the town,

to put in some kind of railing so people would be able to step over those high steps instead of going all the way around. I don't know if that would be costly, but it probably would help people who get out they won't have to go all the way around, especially if they get out and park, and there is some railing there, they could step over the sidewalk there.

**Vice Mayor Tipton** – Where is this in front of?

**Council Member Wallace W. Ross, Jr.** – Jackson Street on the lower side the high concrete step, all the way down. He reiterates the sidewalk, accidents and possibility of a railing. He asks, do you understand what I mentioned here?

**Council Member Perry** – Every parking place?

**Council Member Wallace W. Ross, Jr.** - No, not every parking place, but some places, need to evaluate it.

**Council Member Perry** – Are you talking about Gateway Terrace?

**Council Member Roger Cassell** – No, on down, in front of Terry Kilgore's.

**Council Member Wallace W. Ross, Jr.** - He reiterates the feasibility of railing to assist people with the sidewalk. He brings up his second concern regarding plum trees over at the bank and the barber shop. Maybe they can be trimmed or cut down, because of the fact is, I know that the process of having trees is a good idea, but these plums are getting on the street. One of the other problems is that one of the plum trees at the bank, as people are pulling out, it blocks the view. I tested it, I went in and tried it and it does, it does block, so if somebody else was trying to get out of the bank, trying to look for a car, it kind of blocks, so I don't know whether it would be, that's two things that have been brought to my attention that you may look at.

**Mayor Mark Jenkins** – What you may want to do, is you and Roger (Cassell) is the street committee. Just come back next time with a recommendation on what we do need to do. We'll work with the state or if it's causing imminent danger, blocking the view of something, we need to address that.

**Council Member Wallace W. Ross, Jr.** - Trim or cut them down. One thing, the plums leaves a lot of plums on the street. So, it could be some other things, birds and other things. I know the idea was good idea, but it causes problems.

**Mayor Mark Jenkins** – Thank you Wallace.

## **XVII. ADJOURN**

Motion to adjourn the meeting until the next regularly scheduled Council Meeting August 10, 2010.

Motion by: Council Member, Frances Perry 2<sup>nd</sup> by: Council Member, Wallace W. Ross, Jr.

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

\*Mayor Jenkins adjourned the meeting at 9:20 PM

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Mayor Mark Jenkins

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Town Clerk Kathy Riley

### **Guidelines for Public Comment Section of Gate City Town Council Meeting**

Anyone wishing to speak during the Public Comment section of the meeting must sign up to do so prior to that section of the meeting.

Public comment will be limited to a maximum time of three (3) minutes per speaker.

Speaker must state name and address. Speaking time start will begin after this identification information is given.

Chair will advise speak when two (2) minutes and thirty (30) seconds of speaking time is depleted and will advise again at end of the three (3) minute slot.

### **Guidelines for Comment during New Business Section of Gate City Town Council Meeting**

Comment from the public will also be permitted during the time of the New Business agenda items.

Comment will be permitted after the introduction of the agenda item and will end once a motion is made on the item.

Comment at this time will be limited to three minutes per speaker for each new business item and the comments made must pertain to the item being addressed.

Chair will advise speaker when two (2) minutes and thirty (30) seconds of speaking time is depleted and will advise again at tend of the three (3) minute slot.