



**GATE CITY TOWN COUNCIL MEETING MINUTES**  
**August 8, 2017**  
**156 E. JACKSON ST.**  
**6:30 P.M.**

**I. COUNCIL MEETING CALLED TO ORDER AT 6:32 P.M. BY: Mayor - Frances Perry**

**II. ROLL CALL – Town Clerk – Wayne Bledsoe**

	PRESENT:	ABSENT:
Mayor, Frances Perry	X	
Vice Mayor, Roger Cassell	X	
Council Member, Allan “Cotton” Roberts	X	
Council Member, Robin Richards		X – ARRIVED AT 6:59 PM
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Ron Kindle	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: JASON SNAPP, FATHER TIM DRAKE, JIM ADDINGTON

**III. INVOCATION – FATHER TIM DRAKE**

**IV. PLEDGE OF ALLEGIANCE – CHIEF SCOTT FINK**

**V. APPROVAL OF AGENDA**

**Motion made to approve the agenda.**

Motion by: Council Member Allan “Cotton” Roberts

2<sup>nd</sup> by: Vice-Mayor Roger Cassell

VOTE: Aye, 3  
Nay,  
Absent,  
Abstain

**Motion Carries.**

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

- Presentation by Chief Scott Fink
  - Certificate of Recognition presented to Officer Shelley.
  - Officer Shelley, during normal patrol, stopped a suspicious person who had violated a protective order.
  - Multiple items on this suspicious person, which possibly prevented a heinous crime being committed.



## **VII. APPROVAL OF MINUTES**

- o Council Meeting on July 11, 2017, as presented

**Motion made for approval of July 11, 2017 Council Meeting Minutes.**

Motion by: Council Member Allan “Cotton” Roberts

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

VOTE: Aye: 3

Nay:

Absent: 2 – Ron Kindle, Robin Richards

Abstain:

**Motion Carries.**

## **VIII. APPROVAL OF PAYMENTS**

**Motion made for approval for payment of bills for July 2017.**

Motion by: Vice-Mayor Roger Cassell

2<sup>nd</sup> by: Council Member Allan “Cotton” Roberts

VOTE: Aye: 3

Nay:

Absent: 2 – Ron Kindle, Robin Richards

Abstain:

**Motion Carries.**

## **IX. PUBLIC COMMENT (Will be limited to 3 minutes per speaker.)**

NONE

## **X. COMMUNICATIONS**

NONE

**XI. REPORTS** (All reports given will be included with your packet. Any questions about the reports will need to be discussed with the department head PRIOR to the meeting.)

**A. Engineer's Status Report**

Jackson Street Sidewalk: Project bid opening was Tuesday, July 25<sup>th</sup> at 10:00 AM at Town Hall. Apparent low bidder was King General Contractors of Bristol, VA. The bid package has been sent to VDOT for LAP Approval.

Sanitation Authority: Town to address wastewater treatment charges pending discussions with Scott County PSA. The town and M&C to discuss options for locating missing manholes involved in the DKQ Sewer I&I job.

DJPO Sewer I&I Rehab Job: M&C has completed the project survey and will review with Sanitation Authority. M&C has begun preliminary design and will have ongoing discussions with the Town about options for locating missing manholes needed for preliminary design of project.

Water Treatment Plant Upgrades: M&C has submitted final design plans, specifications, and contract documents for the proposed commercial water meter replacements, new doors and roofs at the WTP, and various upgrades to the treatment operations. The request to add a GIS component to the project to equip the town's computers with GIS software has been declined by VDII. M&C will be on the lookout for other funding sources in the future to address GIS needs. M&C has received and addressed VDH comments. Awaiting approval to bid from VDH.

Asset Management Plan: M&C to submit a preventative maintenance and operational plan for the Town to extend the life and performance on their assets to VDH. The plan will also include an inventory of all the Town's assets associated with its waterworks system. M&C and to meet with Town Manager on Thursday August 3<sup>rd</sup> to discuss town water utility assets

Sewer GIS Ph. II - GIS Model: M&C has surveyed, mapped, and inspected all of the Town's manholes that are accessible. Awaiting the Town to install GIS software, funding was denied by VDH to include in the Water Treatment Plant Upgrades Project.

VDOT HSIP Funding: VDOT has awarded the Town funding from the HSIP program to construct handicap ramps and access improvements at several locations along Jackson St. M&C to coordinate kick-off meeting with Reggie Plummer (VDOT) to discuss.

**B. Manager's Report**

**Capital Projects Water Treatment Plant**

Water Treatment Plant Upgrade Project

Roof Replacement project, steel doors replacement, backwash control system, chlorine room scales, generator, telemetry system and Clearwell baffling system will be developed into one project. The Town has received a funding offer from the Virginia Department (VDH) of Health. The project cost is anticipated to be \$498,000. VDH will provide \$137,000 in principal forgiveness. Virginia Resource Authority will complete the funding/bond within the next six months. Sole source procurement request for the commercial water meters has been approved. Mattern & Craig, Inc. has submitted final designs to the Virginia Department of Health for approval.

East Jackson Street Sidewalk Project

The bid opening was held on July 10th, 2017. King General Contractors of Bristol, VA was the lower bidder. Once the bid has been approved by VDOT, we will begin the construction phase of this project.

Highway Safety Improvement Project (HSIP)

The Town has been awarded an HSIP grant from the Virginia Department of Health. This project will provide for handrails, handicap ramps, and safety improvements along Jackson Street. A kickoff meeting for this project will be scheduled soon.

Gate City Theater & Public Facilities

Planning Grants for the Gate City Theater, Town Hall, and proposed Community Center, have been submitted to Rural Development - (Community Facilities Technical Assistance and Training/TAT Grant) and the Tobacco Commission. The TAT

Grant will focus on engineering and environment plans to make the best use of our public facilities. The Tobacco Commission funding will handle the Marketing Analysis for the Gate City Theatre. Award date is expected in mid-September. The total funding request is \$50,500.00 from Rural Development and \$25,000.00 from the Tobacco Commission.

Where Mountains & Music Make Memories

#### Dog Park

We are still collecting quotes to remove the trees from the dog park. To date, received three bids.

#### **Events**

##### The Rumble at the Gate: Bikes & Blues Fest

held on Saturday, July 29, 2017. There were approximately 30 motorcycles in attendance. The event was well received.

##### Picking at the Park

The third Picking at the Park event is scheduled for Monday, August 7th, 2017 at 6:00 PM.

##### The Rock and Roll Cruise-In Car Show

scheduled for Saturday, August 12th, 2017.

Our band line up will be:

- o 6:00 PM: Retroville
- o 7:30 PM: JB& The Wild Honey Band
- o 9:00 PM: Alliez

There will be a car show during this event. The first 100 cars will receive a free dash plaque. There will also be a 50's/60's costume contest with trophies awarded to the best male and female.

#### **Other Items**

##### Town Audit Fiscal Year 2016

The Town Audit for FY 2016 is completed. Blackburn, Childers & Steagall, CPAs will attend the September 2017 Town Council meeting to present their findings.

##### Rural Development Grant - Police Vehicles

The Town of Gate City applied for a grant to obtain Police Vehicles back in 2016. We have been informed that Rural Development will award this grant to purchase three Police Vehicles with the following funding:

\$28,000 Grant

\$53,000 RD Loan - 5 years @ 3.25%

\$81,000 Total

Town Council has approved to purchase two Police Vehicles at the cost of \$27,918 each for a total of \$55,836.00 through Capital Outlay Savings account. I am recommending that the Town accept Rural Development grant offer and use the allocated funds to pay off the RD loan upon inception. Council action: Approve the public hearing for the Rural Development resolution in support of this grant.

##### Back Flow Prevention Device Inspection Notices

The yearly Back Flow Prevention Device Inspection Notices have been mailed to forty- four businesses and public entities who are required to have them. We still have eighteen connections who do not have a Back-Flow Prevention Device. We will be working with these locations to improve compliance.

#### **C. Council Reports (Any new business from Committees that needs to come before the Council.)**

##### **Council Member Allan "Cotton" Roberts:**

- o Gate City Frontier had 5K Run/Walk which raised \$1,000 toward Theatre Restoration.
- o Super Saturday Sidewalk sale planned for Saturday, September 16. Area merchants invited to participate. Fliers to be printed and distributed.

##### **Council Member Wallace W. Ross, Jr.:**

- o Request for information on street lights.
  - Town Manager Greg Jones said a meeting has been rescheduled for September to discuss this issue.
  - Regulatory/grant considerations are also taking place.

- Asked about summer crews/grass cutting.
  - Town Manager Greg Jones reiterated that all Town Crew works on trimming/maintenance.

**Vice-Mayor Roger Cassell:**

- Asked Town Attorney Michele Brooks to research “No-Tether” laws concerning confined animals (dogs).
  - Brought before council to possibly look at and pass later.
- Highway 23 crossover closures: VDOT. What is the status of this?
  - Suggestion to petition VDOT to close crossovers due to high accident rate.
  - Town Manager Greg Jones to contact VDOT
  - Council Member Allan “Cotton” Roberts said VDOT has been surveying lately.

**Council Member Robin Richards arrives at 6:59 P.M.**

**Council Member Robin Richards:**

- Complaints concerning Bike and Blues Festival.
  - No “porta-John” availability.
  - Town Manager Greg Jones said facilities to be available for next event.
  - Allan “Cotton” Roberts said his business made facilities available.
  - Council Member Robin Richards said guests were “uncomfortable” coming into the business to use facilities, feeling the need to purchase something from the business; Mr. Roberts said there was no expectation.

**D. Sanitation Authority**

- 8-7-17: Public Hearing held for proposed Sewer Rate Increase.
  - Sanitation Authority voted for passage of new sewer rates.
  - Residential and Commercial rates are now approved and passed.
  - Town Manager Greg Jones explained the increased commercial rate was passed to come more in line with the commercial demand upon the system.
  - 1 Person for Public Comment – was not opposed, but wanted information on the reasons for a sewer rate increase. Resident was satisfied with explanation.

**XII. UNFINISHED BUSINESS**

- **Special Exception: 723 West Jackson Street**
  - In response to Council request for 100% notice of adjacent property owners, this issue was placed on Unfinished Business for this Council Meeting. 100% notification has now been satisfied.

**Motion made to accept the Special Exception for 723 W Jackson St.**

Motion by: Council Member Allan “Cotton” Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

**Motion Carries.**

- **Personnel Manual Updates**

- In response to Council request concerning updates to Employee Manual regarding internet policy (potential viruses, flash drives, etc.), the Employee Manual has undergone another revision.
  - Council Member Wallace W. Ross, Jr. asked about the reporting flowchart concerning committee appointments. After discussion, Mr. Ross's questions and concerns were answered.

**Motion made to accept Personnel Manual with revisions.**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE:      Aye: 4  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain:

### **XIII. NEW BUSINESS**

- **Change Date of Next Council Meeting: Scheduled for 9/12/17 – possible change to 9/19/17**

**Motion made to**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

- Discussion: Council Member Wallace W. Ross, Jr. asked if a trip scheduled for Town Manager Greg Jones had been approved by Town Council.
  - Council reminded Mr. Ross that this trip was considered part of the Town Manager's job, and that this trip ties in to grant approval for the Town of Gate City.

VOTE:      Aye: 3  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain: 1 – Wallace W. Ross, Jr.

- **Naloxone Grant/ DCJS/Bryne Grant**

- Police Chief Scott Fink requested Council's approval to apply for a Naloxone Grant through the DCJS, which will provide Naloxone kits to police officers in the case of accidental overdose. The grant is structured as a 90/10 grant. Council Member Robin Richards and Vice-Mayor Roger Cassell asked if the treatment would work on canine officers. Chief Fink said he would check and to see if the grant would additionally cover the canine officers.

**Motion made to allow Chief Fink to apply for Naloxone grant funding.**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Vice-Mayor Roger Cassell

VOTE:      Aye: 4  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain:

**Motion Carries.**

- **Transfer Water Fund to Water Reserve WSL 14-11 Savings: \$10,000 Debt Reserve per Bond Obligation**
  - Required by law to keep \$10,000 in savings until bond is paid in full.

**Motion made to transfer Water Fund to Water Reserve WSL 14-11 Savings: \$10,000 Debt Reserve per Bond Obligation**

Motion by: Council Member Allan “Cotton” Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE:       Aye: 4  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain:

**Motion Carries.**

- **Advertise for Public Hearing: Rural Development Grant: Police Vehicles**
  - An additional police vehicle can now be purchased due to a Rural Development Grant procurement. Town Manager Greg Jones stated a Public Hearing must be held and a resolution must be passed.

**Motion made to advertise for Public Hearing: 9-19-17**

Motion by: Council Member Allan “Cotton” Roberts

2<sup>nd</sup> by: Vice-Mayor Roger Cassell

VOTE:       Aye: 4  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain:

**Motion Carries.**

- **Advertise for Public Hearing: C-1, C-2 Zoning Definition Amendments**
  - Town Manager Greg Jones stated the Planning Commission has requested these changes to update C-1 and C-2 definitions to current practices.

**Motion made to approve and adopt changes to C-1, C-2 zoning with revised definitions.**

Motion by: Council Member Allan “Cotton” Roberts

2<sup>nd</sup> by: Vice-Mayor Roger Cassell

VOTE:       Aye: 4  
               Nay:  
               Absent: 1 – Ron Kindle  
               Abstain:

**Motion Carries.**

- **Advertise for Public Hearing: Noise Ordinance Amendment**
  - A proposed amendment to the Town of Gate City’s Noise Ordinance has been distributed, and reads:

Owning, keeping, possessing, or harboring any animal which frequently or habitually howls, barks, meows, squawks, or makes such other noise that is plainly audible across a residential property boundary or through partitions common to two dwelling units within a building to the extent as to constitute a nuisance.

(a) The criminal provisions of this article shall be enforced by the town police department, who may administer measurement procedures, issue orders and regulations regarding such enforcement. Any person violating any provisions of this chapter, after having once been put on written notice by a police officer or property maintenance official, shall be deemed guilty of a class 4 misdemeanor and upon conviction thereof, in addition to court costs, shall be punished by imposing a fine of \$50.00 for the first offense, \$100.00 for the second offense within a 12-month period, and \$150.00 for any subsequent offense within the same 12-month period. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(b) Instead of the criminal enforcement of this chapter, the town may bring a suit for injunction, abatement, penalty or other appropriate civil or criminal remedies that may be available to it. Each separate finding of violation of this ordinance shall impose a civil penalty of liability of \$250 for the first offense and \$ 500.00 for subsequent offenses, in addition to court costs.

**Motion made to advertise for Public Hearing: Amendment to Town of Gate City Noise Ordinance: 9-19-17**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Vice-Mayor Roger Cassell

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

**Motion Carries.**

• **Request for RFP for Auditors**

- Current contract expired – request for proposal for auditors only. Does not include the currently include CPA.

**Motion made to advertise RFP for auditors.**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

**Motion Carries.**

**XIV. PUBLIC COMMENT – NEW BUSINESS**

NONE

**XV. CLOSED SESSION**

**Motion made for Council to enter in to closed session to discuss**

**1.) Legal Matters**

**2.) Personnel Matters**

**3.)**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

Mayor Perry opened the closed session at 7:45 P.M.



## **XVI. RETURN FROM CLOSED SESSION**

Council returned from closed session at 7:53 P.M.

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

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

### **CERTIFICATION OF CLOSED MEETING – Read by: Michele Brooks, Town Attorney**

**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.

### **ROLL CALL VOTE:**

Vice Mayor, Roger Cassell	AYE
Council Member, Allan "Cotton" Roberts	AYE
Council Member, Robin Richards	AYE
Council Member, Wallace W. Ross, Jr.	AYE

## **XVII. MOTIONS FROM CLOSED SESSION:**

Council returned from closed session at 7:53 P.M.

## **XVIII. ADJOURN**

### **Motion made to adjourn.**

Motion by: Council Member Allan "Cotton" Roberts

2<sup>nd</sup> by: Council Member Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1 – Ron Kindle

Abstain:

\*Mayor Perry adjourned the meeting at 8:03 P.M., until the next regularly scheduled Council Meeting, Tuesday, September 19, 2017 @ 6:30 P.M.

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Frances Perry – Mayor

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Wayne Bledsoe – Town Clerk