

# TOWN COUNCIL MINUTES



## Gate City Town Council Minutes

May 8, 2018

156 E Jackson St

HELD AT CONCLUSION OF 6:30 PM PUBLIC HEARING

### I. COUNCIL MEETING ~~CALLED TO ORDER AT 6:45 PM 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	
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Ron Kindle		X
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: Father Tim Drake, Jason Snapp, Scott Vermillion. Mac McClung, Zac Ervin, Bradley Dean, Bob Richards

### III. INVOCATION – Father Tim Drake

### IV. PLEDGE OF ALLEGIANCE – Sgt. Justin Miller

### 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, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

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

- Gate City High School Boys Basketball Team
  - The Town of Gate City presented a framed resolution to the Gate City High School Boys Basketball team honoring their season, which resulted in the high school's first boys' basketball State Championship.



- Mac McClung, Gate City High School
  - The Town of Gate City presented Mac McClung with a framed recognition and trophy recognizing his historical accomplishments during the 2018 boys' basketball season. McClung broke the single-season scoring record in the state of Virginia and broke the single-game scoring record in the State Championship game.



## VII. APPROVAL OF MINUTES

- **Approval of April 10, 2018 Public Hearing Minutes: VRA Bond Funding, WTP Upgrade Project**

**Motion made for approval of April 10, 2018 Public Hearing Minutes: VRA Bond Funding, WTP Upgrade Project**

Motion by: Council Member, Allan "Cotton" Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

- **Approval of April 10, 2018 Public Hearing Minutes: Amended Budget: FY2018**  
**Motion made for approval of April 10, 2018 Public Hearing Minutes: Amended Budget: FY2018**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

- **Approval of April 10, 2018 Council Meeting Minutes**  
**Motion made for approval of April 10, 2018 Council Meeting Minutes**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

## **VIII. APPROVAL OF PAYMENTS**

**Motion made for approval for payment of bills for April 2018.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

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

(None)

## **X. COMMUNICATIONS**

Mountain Empire Community College has sent a letter to Mayor Frances Perry thanking Council for continued support of the scholarship program. A copy of the letter is available.

## **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**

Presented by Jason Snapp, Mattern and Craig:

**Jackson Street Sidewalk:** Project is complete as of March 12<sup>th</sup>. M&C to get final closeout document submitted to Town and VDOT shortly.

**Sanitation Authority:** No update, awaiting next meeting.

**DEO Sewer I&I Rehab Job:** Final plans comments have been addressed and turned into VDOT and DEQ for final approval. All easements have been delivered to the Town for acquisition (all acquisition will have to be complete before advertisement). The Virginia Marine Resources Permit and Categorical Exclusion

Permit is under review, we expect permit approval shortly. The “Certificate to Construct” will be submitted to DEQ this week for approval. VRA has indicated they will not issue a commitment letter till they review the most recent audit, which was scheduled to be submitted March 31<sup>st</sup>.

**Water Treatment Plant Upgrades:** Bids were accepted Tuesday, October 17<sup>th</sup> at 3:00 at Town Hall. The apparent low bidder was T&B Contractors of Bristol at \$387,000.

The bid package has been sent to VDH for approval as well as a request for additional funds in the amount of \$34,460 at the same terms of the original funding package. These additional funds will allow the Town to install the additive bid item (Baffle Curtains) and provide a contingency amount of 5% for the project. This additional funding has now been approved. We can award the project once Gate City obtains the needed letter of credit to satisfy VDH requirements. Project meeting is scheduled for Thursday, May 3<sup>rd</sup> at 2:00PM at Town Hall. NTP will be issued shortly after this meeting.

**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 will finalize the plan as the WTP Project gets underway in the next couple of months.

**H/C Ramp HSIP Project:** Survey field work was completed on Friday April 27<sup>th</sup>. Preliminary design will begin this week and should be ready for VDOT comment shortly.

**VDOT HSIP Funding:** The HSIP Grant for Manville Road was turned in on November 1<sup>st</sup> and consisted of approximately \$250,000 of sidewalk upgrades and improvements to bring the sidewalks up to ADA standards. VDOT has received award status and should notify applicants shortly.

## **B. Manager’s Report**

Presented by Greg Jones, Town Manager:

### **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.

Virginia Resource Authority (VRA) has approved funding for the Water Treatment Plant Upgrade Project.

Our budget for this project includes:

<b><u>Cost Category</u></b>	<b><u>Budget</u></b>
Construction	\$402,000
Contingency	\$20,100
Asset Management Plan	\$7,000
Bond Counsel	\$6,000
VDH Origination Fee	\$6,000
Basic Engineering	\$50,800
Resident Project Inspection	\$47,100
Total	\$539,000
Principal Forgiveness	(\$145,290)
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Net Cost	\$393,710

Our bond will consist of \$393,710 at 2.65% for a term of 30 years.

VRA will close on Water Treatment Plant Upgrade Project once the FY 2017 Audit is received. The audit should be completed next week.

VRA will review the funding for the Sanitation Authority's DEQ/Waste Water Line Replacement Project when the FY 2017 audit is received. Expecting the draft FY 2017 audit to be complete in two weeks. Both projects are expected to close in April.

#### **East Jackson Street Sidewalk Project**

Project completed.

#### **Highway Safety Improvement Project (HSIP)**

Field survey has been completed by Mattern & Craig on April 27, 2018. Awaiting comment from VDOT. HSIP grant application for the sidewalk replacement project on Manville Road was submitted on November 1st, 2017.

#### **Gate City Theater & Public Facilities**

Planning Grant for the Gate City Theater, Town Hall, and proposed Community Center have been submitted to Rural Development (USDA) - (Community Facilities Technical Assistance and Training/TAT Grant). The TAT Grant is a planning grant that will focus on engineering and environment plans to make the best use of our public facilities. The total funding request is \$50,500 from Rural Development.

Our proposed budget will include:

\$20,000 Preliminary Architectural Report (PAR)

\$5,500 Site assessment and environmental review \$25,000 Marketing Analysis - Gate City Theatre (match)

\$50,500 Total

The TAT grant has tentatively been approved.

Council has approved that the TAT Planning Grant will be executed within the next three years. This will give the Town and Gate City Frontier, Inc. time to raise the remaining \$25,000 for the Marketing Study. Met with Frank Kimbler, LENOWISCO Planning Authority, on April 13th, 2017. We completed an ARC application to be consider for an "off-cycle" funding for the remaining \$25,000 needed for the marketing study.

#### **Department of Housing and Community Development (DHCD): Planning Grant - Park Street**

A planning grant has been submitted to DHCD to address the housing rehabilitation needs on Park Street. Currently Park Street consists of homes that are dilapidated and substandard that do not meet the Virginia Uniform Building Code. This planning project will help identify, analyze and prioritize the means to aid enabling homeowners to reach DHCD Housing Quality Standards.

Contacted DHCD to start the process of developing a town-wide housing analysis. This project will be funded through a planning grant and will help the town develop a strategy in resolving housing issues in Town.

#### **Dog Park & Gateway Park**

Trees have been removed from the project area. Town Crew will work to improve the drainage. Planning Commission will research and design a fence for the dog park soon,

The new floodlights for the Love Sign and light for the Gazebo have been installed. VDOT has denied the placement of a split rail fence at Gateway Park. VDOT is in the process of placing new Historic Markers to the property.

#### **Events**

##### **Civil War Living History - Civil War Reenactment Event**

Civil War Reenactment Event took place at Grogan Park on April 13th — 15th, 2018. We had a good turn out from the public and Scott County School system.

Planning is underway for the Arts and Crafts Festival to be held on Saturday, June 16th, 2018. The Events Committee met on March 27th, 2018. The schedule that we have so far include:

8:00 AM - 11:00 AM: Run the Gate 5K Run & Walk

10:00 AM - 5:00 PM: Arts, Crafts, "Honey Hole" (Flea Market), Photograph Contest, Acoustic Music throughout the day.

5:30 PM: High Test Grass, Bluegrass Band performance at the Gate City Theatre.

Dusk: "The River" movie showing.

There will also be a photo contest during the event. Contestants can upload pictures of Gate City to: <http://www.kingalley.com/king-alley-events/>. People Choice award will be determined by online voting. The Overall Winner will be determined by a panel of Judges. Contestants will display their photo during the event.

### **Town Budget - Amended FY 2018 Budget & FY 2019 Proposed Budget**

The Finance Committee has met on March 1st, 2018. Our budget calendar is as follows:

March 1st, 2018 - First Finance Committee Meeting held, (completed)

March 2nd, 2018 - Department Head's deadline for submitting needs. (Currently under review.) (completed)

March 13th, 2018 –

1. Submit FY 2018 Amended Budget to Town Council for review (completed)

2. Town Council to vote on April 10th, 2018 Public Hearing - Amended FY 2018 Budget (completed)

April 3rd, 2018 - Finance Committee Meeting (completed)

April 9th, 2018 - Finance Committee Meeting (completed)

April 10th, 2018

1. Conduct Public hearing for FY 2018 Amended Budget (completed)

2. Council to vote: FY 2018 Amended Budget (completed)

3. Council to vote on holding a May 8th, 2018 Public Hearing - FY 2019 proposed Budget (completed)

4. Submit FY 2019 proposed budget to Council for review (completed - Submitted May 8th, 2018)

5. Council to have a Budget Workshop (completed)

April 25th, 2018 - First Public Hearing Notice/Advertising (completed)

May 2nd, 2018 - Second Public Hearing Notice/Advertising (completed) on May 3rd & 4th, 2018 - Finance Committee Meeting (completed)

May 8th, 2018 - Public Hearing - FY 2019 proposed budget

June 12th, 2018 - Council to Adopt FY 2019 budget

**Council Action: Conduct a Public Hearing for the FY 2019 Proposed Budget. Continue to provide input.**

### **Other Items**

#### **FY 2017 Town Audit**

Larry Sturgill, CPA is currently conducting the FY 2017 Audit. The draft audit should be completed this week. (Fixed Asset Listing issue is being addressed)

#### **New Town Trucks**

The Utility Truck and Ford F-250 Crew Cab have been received and is currently in service.

Council Action: Auction vehicles that have been taken out of service.

- **At this time, Attorney Michele Brooks advised Council that vote and discussion on the proposed FY19 Budget must be done within 30 days to avoid another advertisement for Public Hearing, which would push voting on the proposed budget into July, which would be after the start of FY19.**
- **Motion to amend agenda to add to New Business “Change Council Meeting Date from June 12, 2018 to June 5, 2018”.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

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

- **Allan “Cotton” Roberts:**
  - Gate City Frontier: Metal, pipes, and wood removed in theatre restoration project. The next step in restoration includes installation of conduit and additional electrical. Lights have been installed, with a positive response to the restoration efforts.
- **Wallace W. Ross, Jr.:**
  - Commented on Chestnut Street Property. A massive cleanup effort is nearly complete; however, a chimney remains as a life safety issue. Property owners will be notified by Property Maintenance to remove.
  - Asked about the lift rental by the Town to include light fixture repairs, including lights near the Commercial Electronics building. Town Manager Greg Jones will check on this.
- **Robin Richards:**
  - Asked about speeding on Park Street and if speed limit signs were in place or could be installed. Inquiry is response to a resident complaint.
  - Asked about better advertisement and notification when Town Hall is closed. This is in response to residents wanting to pay water bills at Town Hall on Election Day, when Town Hall was closed.
  - Response to last month’s inquiry on Magnolia Street with possible garage. There is no violation here, however, multiple cars are parked at the residence, which could be a possible violation of Town Ordinance.
  - Some residents are asking if the Town would consider stopping sales of alcohol at Town events. Discussion among Council and Police Department indicates no evidence of public drunkenness at these events.
- **Roger Cassell:**
  - Expressed several concerns about Property Maintenance. Says this was a major election issue, and wants more action concerning abandoned properties in town. Mr. Cassell says the Property Maintenance report addresses current issues but does not address long-term issues and properties. Town Attorney M. Brooks explained the legal process is lengthy, and this process must be followed to assure proper procedure and compliance. Mr. Cassell and Robin Richards both asked if there were other ways to ensure Property Maintenance compliance, and M. Brooks advised that other municipalities had tried “shortcuts” and are now in legal trouble because of this.

D. **Sanitation Authority**

- Roger Cassell explained that at the last meeting of the Sanitation Authority (4-10-18), the Authority had presented PSA the latest contract. PSA rejected the contract and refuses to



reimburse the overages of payments made by the Town of Gate City. Sanitation Authority made motion and approved the rejection of the contract, and additionally motioned and approved the request to PSA to provide documentation supporting their decision to deny reimbursements.

## **XII. UNFINISHED BUSINESS**

(none)

## **XIII. NEW BUSINESS**

- **Transfer funds (\$9,177.00) from Water Fund to Town of Gate City Water Reserve WSL 14-11 to satisfy bond requirement.**

**Motion made to Transfer funds (\$9,177.00) from Water Fund to Town of Gate City Water Reserve WSL 14-11 to satisfy bond requirement.**

Motion by: Council Member, Allan “Cotton” Roberts

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

Discussion: Town Manager Greg Jones explained that this will be the final payment to satisfy the full funding of the project and will go into a savings account to satisfy terms of the bond requirement. Roger Cassell said the bond payoff now makes these funds available for use.

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

- **Auction vehicles taken out of service with proceeds going to Capital Outlay Savings Account.**

### **POLICE DEPARTMENT:**

- **2009 Ford Crown Victoria (Last 4 VIN: 3505)**

**Motion made to auction 2009 Ford Crown Victoria (Last 4 VIN: 3505) via [www.govdeals.com](http://www.govdeals.com) with proceeds going to Capital Outlay Savings Account.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**



- **2009 Ford Crown Victoria (Last 4 VIN: 1120)**

**Motion made to auction 2009 Ford Crown Victoria (Last 4 VIN: 1120) via [www.govdeals.com](http://www.govdeals.com) with proceeds going to Capital Outlay Savings Account.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

- **2010 Ford Crown Victoria 4 Door (Last 4 VIN: 1958)**

**Motion made to auction 2010 Ford Crown Victoria 4 Door (Last 4 VIN: 1958) via [www.govdeals.com](http://www.govdeals.com) with proceeds going to Capital Outlay Savings Account.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

- **2009 Ford Crown Victoria (Last 4 VIN: 3105)**

**Motion made to auction 2009 Ford Crown Victoria (Last 4 VIN: 3105) via [www.govdeals.com](http://www.govdeals.com) with proceeds going to Capital Outlay Savings Account.**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye, 4

Nay,

Absent, 1 - Council Member, Ron Kindle

Abstain

**Motion carries.**

## **PUBLIC WORKS:**

- **2002 Chevy Pickup Truck (Last 4 VIN: 0295)**

**Motion made to auction 2002 Chevy Pickup Truck (Last 4 VIN: 0295) via [www.govdeals.com](http://www.govdeals.com) with proceeds going to Capital Outlay Savings Account.**

Motion by: Council Member, Allan “Cotton” Roberts

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

Discussion: Allan “Cotton” Roberts asked if this truck should be maintained for snow removal purposes. Town Manager Greg Jones said Public Works has decided to maintain a 2008 Chevy Colorado (currently in service) for this purpose, however, any additional vehicle decision would ultimately be up to Town Council. Wallace W. Ross asked about mileage of these vehicles. Allan “Cotton” Roberts commented that mileage on this vehicle is likely more than 200,000.

VOTE: Aye, 4  
Nay,  
Absent, 1 - Council Member, Ron Kindle  
Abstain **Motion carries.**

- **Pay off RD Loan/Police Vehicles**
  - No greater than \$49,000.
  - Current balance as of 5/7/18: \$47,969.05

**Motion made to pay off the Rural Development Loan on Police Vehicles**

Council Member, Allan "Cotton" Roberts  
2<sup>nd</sup> by: Council Member, Robin Richards

Discussion: Town Manager Greg Jones explained that these were 2 police vehicles that are currently under the Rural development bond.

VOTE: Aye: 4  
Nay:  
Absent: 1 – Council Member, Ron Kindle  
Abstain: **Motion carries.**

- **Change Council Meeting Date from June 12, 2018 to June 5, 2018. (Amended agenda item approved to add to New Business).**

**Motion made to change Council Meeting date from June 12, 2018 to June 5, 2018.**

Council Member, Allan "Cotton" Roberts  
2<sup>nd</sup> by: Council Member, Robin Richards

VOTE: Aye: 4  
Nay:  
Absent: 1 – Council Member, Ron Kindle  
Abstain: **Motion carries.**

**XIV. PUBLIC COMMENT – NEW BUSINESS**

(none)

**Council, along with Town Attorney M. Brooks, advised there was no need to enter closed session. Council Member Allan "Cotton" Roberts made motion to adjourn, with a second by Council Member Robin Richards.**

**Council then said a Closed Session was needed.**

**Allan "Cotton" Roberts rescinded the motion to adjourn, with a second by Robin Richards.**

## **XV. CLOSED SESSION**

### **Motion made for Council to enter closed session to discuss 1.) Legal 2.) Personnel**

Motion by: Council Member, Allan “Cotton” Roberts

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

VOTE: Aye: 4

Nay:

Absent: 1 – Council Member, Ron Kindle

Abstain:

Mayor Perry opened the closed session at 7:50 P.M.

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

Council returned from closed session at 8:32 P.M.

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

Motion by: Council Member, Robin Richards

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

VOTE: Aye: 4

Nay:

Absent: 1 – Council Member, Ron Kindle

Abstain:

**Motion carries.**

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

**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
Council Member, Ron Kindle	(ABSENT)

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

(None)

Council returned from closed session at 8:32 P.M.

## **XVIII. ADJOURN**

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

Motion by: Council Member, Robin Richards

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

VOTE: Aye: 4

Nay:

Absent: 1 – Council Member, Ron Kindle

Abstain:

**Motion carries.**

\*Mayor Perry adjourned the meeting at 8:34 P.M., until the next Council Meeting, voted to convene on June 5, 2018.

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Frances Perry – Mayor

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Wayne Bledsoe – Town Clerk