

TOWN COUNCIL MINUTES



Gate City Town Council Minutes September 08, 2020 190 Beech St., Gate City, VA 6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:32 P.M. BY: Mayor – Bob Richards

II. ROLL CALL – Town Clerk – Lydia Morales

	PRESENT:	ABSENT:
Mayor, Bob Richards	X	
Vice Mayor, Robin Richards	X	
Council Member, Allan “Cotton” Roberts	X	
Council Member, Roger Cassell	X	
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Tyler Kilgore	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: Debbie Kindle; Ron Kindle; Frances Perry; Vickie Roberts; Jason Snapp, Mattern & Craig; Chief of Police Justin Miller; Justin and Gabe Calton, President of Gate City Little League

III. INVOCATION – NONE Mayor Bob Richards stated that there was an invitation sent out to the pastors of the community, however, no one responded. Mayor Bob Richards stated that we will continue to try and get pastors here to give the invocation.

IV. PLEDGE OF ALLEGIANCE – Chief of Police Justin Miller

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye, 5
Nay,
Absent,
Abstain

Motion Carried.

VI. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS. - NONE

VII. APPROVAL OF MINUTES

1. Approval of August 11, 2020 Town Council Minutes.

Council Member Wallace W. Ross, Jr. asked if he could change his vote regarding the budget before the minutes are approved? Town Attorney Michele Brooks stated no, the minutes are what actually happened at the last meeting but if Council Member Ross wanted to bring another agenda item and have it reconsidered that would be a separate issue. Council Member Wallace W. Ross, Jr. stated that it was his interpretation that before the minutes are approved, votes could be changed. Council Member Wallace W. Ross, Jr. stated that once the minutes are approved, then you don't have the opportunity to change your vote. Town Attorney Michele Brooks researched the issue. Vice-Mayor Robin Richards referred to page 421 in “Robert’s Rules of

Order Newly Revised” where it refers to counting the vote at the time of the vote. Vice-Mayor Robin Richards stated that the rules state that the vote can be changed at this time before the results are announced but doesn’t address it after the fact in this instance. Town Attorney Michele Brooks stated that the answer that she has found states that a member has the right to change his vote up to the time that the vote is finally announced and he can only change his vote by permission of the assembly. Council Member Roger Cassell asked what if you voted to hire someone and then the next month and someone wants to change their vote, what do you do then? Council Member Roger Cassell stated that could cause problems. Town Attorney Michele Brooks stated that on page 76 in “Robert’s Rules of Order Newly Revised” states that if in the same session that a motion has been voted on but no later than the same day or the next day on which a business meeting is held, new information or changed situation. Town Attorney Michele Brooks stated that she believes this is the only way that Council Member Wallace W. Ross, Jr. could rescind his vote, it would have had to have been by the next day. Council Member Wallace W. Ross, Jr. asked how it would be done the next day? Town Attorney Michele Brooks stated that a special called meeting would have to be held. Town Attorney Michele Brooks stated that she will continue to look at the issue but does not believe Council Member Ross can do this at this time. Town Attorney Michele Brooks stated that on pages 475 and 476 in “Robert’s Rules of Order Newly Revised” states that if there was an error in recording the vote in the minutes, it can be amended up until the minutes are resolved. Town Attorney Michele Brooks stated that at this point, unless Council Member Ross believes the minutes to be inaccurate, then we need to approve or not approve the minutes as presented.

Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for August 2020 as presented.

Motion by: Roger Cassell

2nd by: Allan “Cotton” Roberts

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

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

Vickie Roberts – Mrs. Roberts stated that she is concerned about recent reports of our city police having to ask families to leave the Grogan Park Little League Fields. Mrs. Roberts stated that as a former parent of an out of state player that played for Little League, as a former player agent for Gate City Little League and as the person who was the groundskeeper for that field at Grogan Park for three years, she is concerned that we are asking families with children and former players that come to the fields to leave while they are playing ball with their families on the fields, not vandalizing. Mrs. Roberts stated that there have been and continue to be players from Tennessee who play for the Gate City Little League. Mrs. Roberts stated that she has sweated and toiled over that field for regular season, tournament play and AAU tournaments and understands the work that goes into those fields. Mrs. Roberts stated however, we are in a pandemic and nothing is going on at those fields. Mrs. Roberts stated that she does not see any reason to keep any family or kids off of the field regardless of whether or not they are from Gate City. Mrs. Roberts stated that this does not mean that she wants vandalism, the law should be called for that. Mrs. Roberts stated they should not be allowed to play in the batting cages and during regular season when there are practices and scheduled play people shouldn’t be allowed on the fields, but that is not where we are at right now. Mrs.

Roberts stated that Little League does not own those fields and she does not want to be known as the town where Little League calls the law to get people off the fields who are coming there to play. Mrs. Roberts stated that she would like this to be addressed because you can't keep one family off the fields just because there is a disagreement with that family.

Mayor Richards closed the public comment session at 6:46 P.M. and opened the consent agenda session.

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 – Jason Snapp delivered the Engineer's Status Report.

DEQ Sewer I&I Rehab Job: The contractor has completed the project with the exception of the section of line along Little Moccasin Creek from MH 1008 to MH 1013 which is approximately 1200' of sewer line. This line is in the area behind Patriot Fuels up to Kane Street Bridge. The contractor plans to re-mobilize and start this work soon after the time of year restrictions end on September 15th. At the conclusion of this work the project will be complete as the contract stands now. There are options to identify additional work to incorporate into the project to use up the additional money left in the construction budget. However, we recommend the Town only pursue identifying manholes that could be replaced to use up the manhole bases that would have to be absorbed by the Town otherwise. There are currently 7 manhole bases onsite that could be utilized to replace deficient manholes in other areas around town.

Currently the overall budget is projected as stated below:

Construction	\$ 1,250,000.00
Contingency	\$ 60,066.00
Legal/Bond Counsel	\$ 6,000.00
Basic Engineering	\$ 128,000.00
Permits	\$ 9,325.00
Mussel Survey	\$ 8,100.00
Easements/ROW Maps & Deeds	\$ 23,452.00
Asset Management Plan	\$ 20,000.00
Easement Acquisition	\$ 4,405.00
Resident Project Inspection	\$ 100,000.00
Additional Engineering for Redesign	\$ 14,740.00

These projections are estimated and not final and total approximately \$1,624,088.00. The original project budget was set at \$2,111,595.00. Current estimated project savings are \$487,507.00. These savings will be realized from the construction and resident project inspection line items. Mr. Snapp stated that his recommendation to the Sanitation Authority is to call the project complete after the Moccasin Creek Line because the SSES project will look at other areas in town to rehab in the future. Mr. Snapp stated that Bill Spencer recommends that the full \$700,000 of principal forgiveness be given to Gate City no matter whether all of the construction money is used or not.

Mattern & Craig's recommendation is to investigate locations to use the manhole bases that are onsite and then let that complete the project. Additional investigations can be completed with the recently approved grant money from the DEQ SSES money.

Council Member Roger Cassell asked about the Burnt Cabin Branch issue?

Mr. Snapp stated that he, Town Manager Greg Jones, and the contractor took a look at the issue and due to the culvert, stream, and building located there it would be difficult to replace. Mr. Snapp stated that he doesn't believe this would be a good use of the money.

Council Member Roger Cassell asked if there are any lines on the West End of town that need to be looked at?

Mr. Snapp stated that would be one section that he would look at and would focus on the downtown and West End section as well as near the Moccasin Hills pump station. Council Member Roger Cassell asked if Mr. Snapp believes the SSES will provide enough funding to do that? Mr. Snapp stated that smoke testing, video inspection, and manhole inspections should be able to be completed with the grant. Council Member Roger Cassell asked where the money would come from to make those repairs if we let the money we have now go back? Mr. Snapp stated that the SSES money is going to be a report to DEQ and in the report certain projects will be identified. Mr. Snapp stated that DEQ has stated that they will fund 50% of the cost of the projects as grant money and 50% as loan money. Mr. Snapp stated that if the money we have now is used it will be all loan money to the town, but the SSES route will be 50/50. Vice-Mayor Robin Richards stated that we will just be moving to a more cost effective option.

Sewer Asset Management Plan: M&C is working on the Sewer Asset Management Plan and will be coordinating with DEQ over the next few months to complete. Mr. Snapp stated that a sinking fund number will need to be determined to show what it costs to replace the system over its life span.

H/C Ramp HSIP Project: The project was bid at Town Hall on Thursday, June 25th, there was only 1 bidder that submitted. The lone bidder was Estes Brothers Const. at \$211,669.65. This was approximately 3 times the project's cost estimate. The bid has been officially rejected and we have submitted a letter to VDOT for re-authorization to advertise the project again. M&C will submit updated bid documents this week for VDOT approval. Mr. Snapp stated that he hopes to have approval to re-advertise by October 1 and it will have to be re-advertised for 21 days. Mr. Snapp stated that if the bids come in good, it is possible that it could be awarded within 30 days. Mr. Snapp stated that the best case scenario is a late November award date and early of next year construction start date.

Council Member Wallace W. Ross, Jr. stated that this project has been going on for 10 years and the senior citizens and the Scott County Life Saving Crew have been hoping they would have something there in case of emergency to get in and out of the building. Council Member Wallace W. Ross, Jr. asked what do we tell the people who we have promised this service to? Mr. Snapp stated that unfortunately when there is federal money involved in a DOT project it is a pretty long process and are generally funded 6 years out. Council Member Wallace W. Ross, Jr. stated that it has been 10 years. Mr. Snapp stated that he cannot speak for exactly when the funding application was put in because he did not submit it but it is a possibility that it has been that long. Mr. Snapp stated that he cannot speak as to why a contractor would come in at such a high bid, but he believes that everyone including VDOT believes this is an astronomical bid for the project. Council Member Wallace W. Ross, Jr. stated that he believes that with the pandemic contractors should be taking this opportunity just to keep people working. Mr. Snapp stated that he believes some contractors may have feared that they would be underbid since Estes Brothers was bidding, however, if they had bid this would not have been the case. Vice-Mayor Robin Richards stated that she shares Council Member Ross's frustration with not being able to start this project quickly but there are a lot of things out of our control right now. Council Member Wallace W. Ross, Jr. stated that he has never seen a project held up this long. Town Attorney Michele Brooks stated that legally we have to

put it out to bid and hopefully we will get a better response the next time. Council Member Wallace W. Ross, Jr. asked when did we submit the application for this project? Mr. Snapp stated that he would have to go back and look but it has been several years. Vice-Mayor Robin Richards stated that this project is a need not a want. Vice-Mayor Robin Richards stated that we lost our HSIP money. Council Member Wallace W. Ross, Jr. asked if he should tell the citizens that it is VDOT's issue? Mr. Snapp stated no, just let them know that the funding lags. Vice-Mayor Robin Richards stated that we let the citizens know that we are working on it and we have just had roadblocks. Mr. Snapp stated that if he could be of any assistance to explain the issues to the citizens, just let him know.

DEQ Sanitary Sewer Evaluation Study: DEQ has stated the SSES funding packages (Gate City's totals \$100,000, consists of \$75,000 grant money and a \$25,000 Town match) will go before the board on Sept. 23 and money will be available after that date. Mr. Snapp stated that there is a possibility that LENOWISCO could fund all or a portion of the \$25,000. Mr. Snapp stated that the money should be available on September 24th.

B. Manager's Report Town Manager Greg Jones delivered the Manager's Report.

Town Manager Report – August & September 2020

Capital Projects

Town

- Highway Safety Improvement Project (HSIP)**

Ramp/Safety Rail West Jackson Street

HSIP grant application for the sidewalk replacement project on Manville Road was submitted on November 1st, 2017. Environmental Review has been completed and has been approved. VDOT has approved the final budget:

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$14,556	HSIP	0%	\$0	\$14,556	
				\$0	\$0	
Total PE	\$14,556			\$0	\$14,556	\$6,056
Right of Way & Utilities						
Total RW						\$0
Construction	\$109,584	HSIP	0%	\$0	\$109,584	
				\$0	\$0	
Total CN	\$109,584			\$0	\$109,584	\$104,584
Total Estimated Cost	\$124,140			\$0	\$124,140	\$110,640

VDOT has also authorized the project to advertise for contractors. The advertisement will be for a minimum of 21 days.

The Pre-Bid Conference was held on May 28th, 2020 and the bid deadline has been set for June 17th, 2020.

Out of the four plan holders there was only one contractor who submitted a bid. The bid was in the amount of \$211,669.65 which exceeded the engineers estimate by \$135,119.65. Currently Mattern & Craig, Inc. is developing options for the Town to consider.

We are currently awaiting VDOT's approval to re-bid the project.

Manville Sidewalk Project

VDOT has awarded \$402,000.00 for this project. This project will begin July 2021.

Gate City High School Sidewalk Project (Shoemaker, Beech, Bishop, and Jones Streets)

HSIP Grant Application has been submitted. The project total including Engineering Fees is \$578,475.00. If awarded, the project will be included in VDOT's six-year plan with the expectation that funding will occur in 2024. To date, VDOT has this project listed as "pending".

- **Department of Housing and Community Development (DHCD): Park Street Housing Rehabilitation Project.**

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project. The funds will be used to rehabilitate seven residential homes, reconstruct two residential homes, and demolition of two vacant residential structures on Park Street. Our budget is as follows:

\$522,200 – DHCD
\$12,000 – Town (In-Kind)
\$534,200 – Total

The Park Street Housing project will be set up on a reimbursement. This project will coincide with the DEQ Wastewater Line replacement project valued at \$1.7 million. The Town may need to obtain a Bond Anticipation Note (BAN) to provide interim financing for both projects.

The project sign has been approved by DHCD and installed onsite.

The demolition order for the vacant house on Park Street has been approved and posted by the Gate City Code Official.

The Management Team has approved the following bids on July 13th, 2020:

639 Park Street: Substantial Rebuild and Demo: Day 3 Construction: \$94,920.00
649 Park Street: Demolition: Egan Construction: \$13,000.00
599 Park Street: Demolition: Egan Construction: \$13,500.00

The bid opening for 559 Park Street, 554 Park Street, 669 Park Street, and 608 Park Street was held on August 17th, 2020. We will be seeking the Management Team's approval during the next scheduled meeting on September 14th, 2020.

- **Dog Park & Gateway Park**

Proposed funding of \$5,000 for the Gateway Park has been approved in the FY 2021 Town Budget. Our next project will be the installation of the Stack Fence along the front of the property.

The Planning Commission is moving forward with constructing a Stack Fence along the front right of way of Gateway Park. Below is a representation of what the stack fence will look like:



Council Action: **Approval to get quotes to install stack fence at Gateway Park on Rt. 23.**

Proposed funding of \$5,000 for the Dog Park located at Grogan Park has been approved in the FY 2021 Town Budget. Our next project will be to address the drainage issue and install the interior fencing.

- **Banner Placement – Kane & Jackson Streets**

\$25,000 has been allocated through the FY 2019 budget to place new streetlight banners along Kane and Jackson Streets. The FY 2019 funding for this project has been transferred to the Capital Improvement Savings to continue the project in FY 2020.

I met Mr. Joel Mosca, Mosca Designs – Glenn Allen, VA during the Main Street meeting in Lynchburg, VA. Mosca Designs stated that they can help with the engineering requirements needed for permitting.

I have asked the Gate City Frontier, Inc. to take the lead on this project. Gate City Frontier has informed me that the banner design has been developed. This design will be used on the tall AEP Street Lights.



This is the same design that was recommended by Arnett Muldrow & Associates, Ltd. who drafted the Revitalization Plan for Gate City back in 2007.

Both the Economic Redevelopment Committee and the Planning Commission recommends the design below to replace the aging Fall Banners:



The seasonal banners are located on Banner Poles throughout Jackson Street. **Council Action: Discussion: Should we continue using the seasonal banners? Approval to replace 55 Fall Banners at a price not to exceed \$5,000.00**

I met with Mr. Greg Ervin, Principal of the Gate City Vocational Center, on May 21st, 2020. They now have vinyl printers and can produce banners for the Town.

I have met with AEP on June 17th and July 9th, 2020. AEP will be getting more information on what we need to obtain the permit that we need to use their light poles.

- **Sidewalks – West Jackson Street**

Currently there are no sidewalks located on West Jackson Street past the Scott County Life Saving Crew: Council has approved to submit a HSIP application for the installation of sidewalks on West Jackson Street.

We have learned that VDOT will not be accepting HSIP applications this year. Further Council discussion will be required.

- **Grogan Park/Baseball Fields Flooding Issue**

I met with Scott County Schools, Gate City Little League, and Michele Brooks, Attorney on March 12th, 2019 to discuss the flooding issue at Grogan Park Baseball Fields. Under our agreement with Gate City Little League, the Little League is responsible for the maintenance of the baseball fields. Gate City Little League states that they are not using the High School Baseball Field and should not have to provide maintenance to the field. Gate City Schools stated that they will not be playing home games at Grogan Park due to the damage caused by the recent flooding. Gate City Schools did state that they will repair the fence wall at the High School Baseball Field.

I contacted Mr. Hubert Thomas with the U.S. Army Corp of Engineers for assistance in handling the flood issue at Grogan Park. He indicated that a creek survey will need to be conducted prior to determining a plan of action. A site visit was conducted on May 13th, 2019.

As a result of the site visit, the Army Corp of Engineers stated that they are expecting to receive additional budget funding due to the increase of flooding issue in our area. Mr. Thomas stated that the Army Corp of Engineers can do a stream study for Big and Little Moccasin Creeks.

Council has approved the letter of engagement for the Army Corp of Engineers to proceed with this survey.

Grogan Park along with the Town of Gate City received significant flooding on Wednesday, February 5th, 2020. The Big and Little Moccasin Water Shed was documented with pictures and turned over to the Army Corp of Engineers to help with the assessment project.

The flooding issue continues at Grogan Park. We have received 4.83” in April and 4.42” in May. The park has flooded seven times in March and April 2020.

The Army Corp of Engineers contacted me on June 30th, 2020 and stated that the survey has been officially fully funded and they are ready to start. A kickoff meeting was held on August 3rd and the survey has started. We were informed that the survey will take a year to complete.

- **Kane Street & Jackson Street Paving & Parking Plan**

The Virginia Department of Transportation (VDOT) informed the Town that Kane Street and Jackson Street – Sue Street to Aurora Street will be repaved in the coming weeks. VDOT will be

responsible for replacing the crosswalks and centerline striping, but the Town is responsible for parking spaces striping.

A Parking Plan has been developed by Mattern & Craig, Inc. and approved by VDOT. Out of the six contractors that have been contacted to submit a bid, only two responded.

Council has approved the Parking Plan and has awarded the bid to Precision Pavement Markings. A kick-off meeting was held on November 5th, 2019 with Precision Pavement Markings. This project had been scheduled and cancelled on three separate occasions due to the weather. We are hoping to start this project this week; however, the weather forecast is predicting rain. This project will begin as soon as the weather permits.

The parking restriping project continues to be on hold due to the weather. The contractors need three days of at least 50-degree weather without rain. There have only been three times that these conditions have been met since last October 2019.

Precision Pavement has been contacted multiple times since May 27th, 2020. They have not responded to our phone calls or emails. I am recommending Bracken Asphalt Maintenance to complete the project. They were the second bidder that responded to our Request for Proposals last October.

Bracken Asphalt Maintenance has been hired to complete the striping project.

This project is now complete.

- **Wastewater Line Replacement Project**

The Gate City Sanitation Authority has been awarded funding to replace the aging wastewater trunk lines.

The original funding has been awarded. The loan will be for twenty years at zero percent interest.

Base Funding			
Total	Grant	Loan	Yearly Payment
\$1,726,278	\$700,000	\$1,026,278	\$51,314

The bid opening ceremony was conducted on October 30th. The lowest bid was received at \$2,117,595.00. DEQ has agreed to loan the difference under the same terms as the original offer.

Ammended Funding			
Total	Grant	Loan	Yearly Payment
\$2,117,595	\$700,000	\$1,411,595	\$70,580

The Sanitation Authority did request additional grant funding, but DEQ stated that all the grant funds have already been allocated. Town Council has approved the Support Resolution. This

project successfully closed on January 30th, 2020. The Notice to Proceed was signed on March 3rd, 2020 and the project has begun.

The contractors have made significant progress with this project. The project was scheduled to take one year to complete. The project is now at the 40% completion mark. All the replacement sewer lines have been completed. The remaining lines will be rehabilitated or pipe burst. The project has been modified to address additional infiltration concerns. Burnt Cabin Branch will be evaluated in addition to the scope of this project.

- **Utility Billing Software Replacement Project**

The Utility Billing Software replacement project is on hold while the Town completes the FY 2019 audit.

- **Telephone System Replacement – Town Hall**

The Request for Proposals (RFP) for a new Telephone System at the Gate City Town Hall has been completed and advertised. The due date for bids is September 24th, 2020.

2020 Town Events

Events scheduled for 2020:

Kiss the GRIT Bike Ride: Saturday, September 26th, 2020
50 miles – Spearhead Trails

King Alleyween: Saturday, October 24th, 2020

Veteran's Day Event: Wednesday, November 11th, 2020 – Grogan Park

Christmas Open House: Saturday, November 21, 2020

Shop Small Saturday: Saturday, November 28, 2020

Christmas Parade: Saturday, December 5th, 2020

The above events are still scheduled but may need to be revised due to the COVID-19 health issue.

On July 6th, 2020 I met with the Spearhead Trails and Scott County Tourism Committee. The Kiss the GRIT Bike Ride is still scheduled for September 26th, 2020. So far, about 100 people have expressed interest in the event. This will be an outdoor event and bike riders will not need a face mask while riding but will be required at rest stops along the route.

I will be meeting with the Spearhead Trails and Scott County Tourism on September 14th, 2020 to finalize the event.

Gate City Frontier, Inc. will meet on September 14th, 2020 to consider if they will participate.

The Events Committee met with Scott County Tourism on September 2nd to discuss the Virginia Tourism Corporation (VTC) Recovery Marketing Leverage Program that has up to \$20,000 for advertising. This is a grant opportunity with an application deadline on September 17th, 2020. **Council Action: Approval to apply.**

Other

Engineering Procurement

Town Council has voted to accept Request for Qualifications (RFQ) for qualified engineering firms. The RFQ has been drafted and approved by the Virginia Department of Health (VDH) and Virginia Department of Transportation (VDOT). Direct solicitation to Women Business Enterprise (WBE) and Minority Business Enterprise (MBE). Our direct solicitation has been submitted to VDH and VDOT and we are awaiting approval. The RFQ deadline was on February 20th, 2020. Council appointed Council Members Mr. Roger Cassell and Mr. Ron Kindle to the interview committee. The interview committee held the RFQ opening ceremony on February 20th, 2020. The RFQ's are currently under review.

This project has been on hold due to the COVID-19 health crisis. Engineers who have submitted RFQ's have been contacted. This project will be underway shortly.

One of the members of the interview committee election term ended on June 30th, 2020.

Mayor Richards has appointed Mr. Tyler Kilgore to the Interview Committee along with Mr. Roger Cassell

The original RFQ was held on February 20th, 2020, a couple weeks before the COVID-19 pandemic hit. This project has been on hold since. Given the length of time, we need to re-advertise the RFQ for qualified engineering firms and start the procurement effort over again.

Council Action: Approval to Re-advertise.

CARES Act

Under the "Coronavirus Aid, Relief, and Economic Security Act" or the "CARES Act" grant funding has been made available through the Virginia Department of Housing and Community Development (DHCD) for the following eligible activities:

On June 1st, 2020, we learned that the CARES Act funding was sent to Scott County. Gate City portion of the funding will be \$163,299. With this funding we will be able to complete the following COVID-19 mitigation activities:

- Reimburse for cleaning and PPE for employees
- Reimburse for PPE for Gate City Businesses
- New Telephone System (not confirmed)
- New Foyer to help protect our office employees and maintain social distancing.
- Provide payment assistance for our water customers (not confirmed)



Council Action: Approve our Engineers Estimate to construct the front Foyer under the GES Contract.

Coronavirus Emergency Supplemental Funding Grant (CESF)

The Town has applied for the CESF grant through the Virginia Department of Criminal Justice Services on June 26th, 2020. This grant funding will pay for a COVID-19 Preparedness and Response Coordinator through June 30th, 2021 if awarded.

Through a press release on August 31st, 2020, Governor Northam announced \$6 Million has been awarded Support State and Local Criminal Justice Programs through the CESF grant funding. Gate City was awarded \$49,734.00. **Council Action: Approval to accept the grant.**

FY 2019 Town Audit

Larry D. Sturgill PC, CPA is currently conducting the audit for fiscal year ending 2019. We do not have a target date for completion yet, but it should be soon.

Council Member Wallace W. Ross, Jr. asked what is the protocol on the Town Audit? Council Member Ross asked if the audit should be looked at before the budget is approved? Town Manager Greg Jones stated that they are completely independent of each other, ideally it would be helpful but we have a good feel for it.

Meetings attended:

July 16th, 2020: VRSA Safety Inspector met with Mayor Richards, Dale McConnell, Gate City Safety Coordinator, and me at Grogan Park. The park was inspected, and a report was drafted. There were only minor issues found.

Other Items:

Our VDOT contract for snowplow removal for the 2020 winter season has been completed. Equipment inspection is scheduled for September 15th, 2020.

Frazier Mowing Company has been hired to mow Gateway Park, Kane Street, Jackson Street, Gateway Signs, Grogan Park, and the walking trail at Grogan Park for the months of September and October.

Aid to Localities Fire Grant application for FY 2021 has been completed and submitted on August 14th, 2020.

SCTV has installed free WIFI in our downtown business district. This was accomplished through funding from Virginia Community Capital (VCC). The project was managed by LENOWISCO Planning Authority. Town Manager Greg Jones stated that LENOWISCO has indicated that they will also be installing free Wi-Fi at Grogan Park.

Vice-Mayor Robin Richards asked for an update on the Weber City trash collection. Town Manager Greg Jones stated that the Town of Gate City has rejected that and council has already voted on it. Council Member Allan "Cotton" Roberts stated that the number of pickups was twice what we believed it would be and we could not keep up with it and all of our regular work orders.

C. **Attorney's Report** Town Attorney Michele Brooks delivered the Attorney's Report. Town Attorney Michele Brooks stated that she has six hearings scheduled for October 26th and has gotten proof of

service this afternoon on two more of the properties. Town Attorney Brooks stated that she has one owner in Florida that she is trying to find a good process server for but if she is unable to do so, she will go through the secretary of the Commonwealth.

- 946 West Jackson Street – Town Attorney Michele Brooks stated that a lien has been put against 946 West Jackson Street for the cost of the cleanup.
- 391 Highland Street
- 194 Chestnut Street
- 848 Jackson Street:
- 391 Highland Street:
- 412 Highland Street
- 493 Highland Street
- 110 Cross Street
- 337 Sergeant Street
- 248 Ravine Street
- 195 Ravine Street
- Wall on 770 West Jackson Street
- Vacant Lot Highland/Starnes Street

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

Council Member Allan “Cotton” Roberts - NONE

Council Member Tyler Kilgore – NONE

Vice-Mayor Robin Richards – Vice-Mayor Robin Richards stated that there is still a downed tree on Jackson Street but she has contacted V-DOT and they are coming to remove it. Vice-Mayor Richards stated that if she did not hear back from V-DOT by the end of this week, she will call them again. Vice-Mayor Richards stated that she has not heard anything back from the Darter Street paving project and V-DOT has all of their paving budgeted through 2022 which makes it very doubtful that they will come to pave Darter unless something else falls through.

Council Member Roger Cassell – Council Member Roger Cassell stated that he believes we need to pursue lighted signs at the crosswalks. Council Member Cassell stated that the signs are inexpensive and are less than \$2,000 per solar powered sign. Council Member Allan “Cotton” Roberts stated that we have been asking for signs for downtown for five years and it has been neglected. Council Member Roberts stated that he is concerned about the crosswalk at the library because when you come up the hill, you cannot see that it is a crosswalk. Council Member Cassell stated that signs have been requested for the library, courthouse, and Antique Street cross walks. Vice-Mayor Robin Richards stated that she and Council Member Wallace W. Ross, Jr. are on the street committee and will get together to pursue obtaining the signs.

Council Member Wallace W. Ross, Jr. – Council Member Wallace W. Ross, Jr. stated that he has noticed that a lot of individuals who are traveling do not realize where Gate City is. Council Member Ross stated that we need a welcome to Gate City sign so that people know where we are.

Council Member Wallace W. Ross, Jr. stated that at one time the steps at the traffic light downtown were refurbished and hopes that we would finish the rest of that portion. Council Member Ross stated that the portion in question is rocky and breaking up and does not give a good impression of Gate City.

Council Member Ross stated that the grass around the old water tank on Manville Road is very high and has not been cut in about four weeks.

Council Member Ross stated that there are four grass places in front of Nickels building that could be filled with concrete to place tables there. Council Member Ross stated that the windows of the building could be decorated and information about The River being filmed in that location could be advertised on the windows too.

Council Member Wallace W. Ross, Jr. stated that it would be wonderful for the Town to put a trophy for the water department celebrating their 10 consecutive years of water quality in the Town Hall so that people can see this achievement. Mayor Bob Richards stated that Council Member Ross could make a motion for the trophy and let the council vote on it at the next council meeting. Council Member Ross stated that would be fine.

E. Sanitation Authority – Council Member Roger Cassell delivered the Sanitation Authority Report. Council Member Cassell stated that a bottom level and a ceiling has been reached in the maintenance repair fund. Town Attorney Michele Brooks stated that ongoing discussions are occurring to settle the law suit and the repair and maintenance fund would take the place of us paying a surcharge every month so that we could budget more appropriately. Council Member Cassell stated that this is the PSA's way of paying us back. Town Attorney Michele Brooks stated that we have requested a meeting with their negotiation committee. Council Member Roger Cassell stated that everything is being sent to all members of the PSA now rather than just being sent to Mr. Dishman. Council Member Allan "Cotton" Roberts asked for information about the progress of the sewer project. Town Manager Greg Jones stated that he would send that out. Town Manager Greg Jones stated that for example there was 6 inches of rain for one month and we sent 16 million gallons of water to the Weber City plant to be treated. Town Manager Greg Jones stated that last month there was 6 inches of rain and we sent 8 million gallons of water which is a dramatic difference.

F. Police Department Chief of Police Justin Miller delivered the Police Department Report. Chief Miller stated that one of his goals is to be able to get his officers trained to be able to handle any situation as far as an investigation. Chief Miller stated that Officer Shelley attended a class in Wise County through the Victim Witness that pertained to responding to victims of sexual assault and following up on investigations about that topic. Chief Miller stated that Sergeant Penley and Officer Stewart attended a class in Roanoke pertaining to sudden infant death investigations and suicide investigations. Chief Miller stated that everyone in the department will get together and the officers that attended training will be putting together a PowerPoint to show us what they learned. Chief Miller stated that for the past two months the officers have been able to have 4-8 hours of defensive tactics training. Chief Miller stated that they typically only get about 48 hours of training every 2 years that is mandatory and it doesn't include defensive tactics. Chief Miller stated that with all of the use of force issues occurring now, they are going to try to complete at least four hours every month. Chief Miller stated that they were able to address a few issues with individuals in the parking lot next to the high school football field.

Chief Miller stated that the officers did use some of their overtime this past month due to a mental health case that they worked. Chief Miller stated that the state police are investigating a crash that Sergeant Penley was involved in with the new police cruiser, but he is not at fault. Chief Miller stated that he has suspicion that the other driver was under the influence of alcohol while driving and Sergeant Penley was just in the wrong place at the wrong time. Chief Miller stated that we are turning everything that was damaged into insurance and the other driver had insurance as well.

XII. UNFINISHED BUSINESS

1. CEI Lease Agreement: Green Space in Town

Town Attorney Michele Brooks stated that she has sent the suggested revisions to the lease agreement to Town Manager Greg Jones. Town Attorney Michele Brooks asked Town Manager Greg Jones if CEI has responded? Town Manager Greg Jones stated that he has sent the revisions to the Mayor and he responded this morning that he is ok with everything. Town Manager Greg Jones stated that one of the major things

that needs to be changed is the cost of the lease because they wanted us to pay them the value of the real estate taxes but we can't do that with tax payer dollars. Town Manager Greg Jones recommended finding out what the size on that particular lot is and prorate the exact tax value of that and suggest that that be our lease amount. Town Manager Greg Jones stated that he would get this information and relay it to Town Attorney Michele Brooks and Mayor Bob Richards. Town Attorney Michele Brooks asked that the CEI lease agreement be put back under Unfinished Business for the month of October. Council Member Allan "Cotton" Roberts asked if a committee needs to be put together to determine what we want to do with the space or if we want to turn that responsibility over to Gate City Frontier? Mayor Bob Richards stated that he would like to see Gate City Frontier move forward with this project. Council Member Allan "Cotton" Roberts stated that he would bring it up at the next Gate City Frontier meeting that we are moving forward with the project.

TAKE NO ACTION.

XIII. NEW BUSINESS

1. Gate City Little League Baseball Field and Batting Cage Public Access Issue

Motion made to discuss the Gate City Little League Baseball Field and Batting Cage Public Access Issue
Motion by: Allan "Cotton" Roberts 2nd by: Roger Cassell

Gabe Calton, president of Gate City Little League, stated that there was a family that we had issues with a few years ago who were affiliated with a BOOM team but are no longer a part of that team. Mr. Calton stated that this family was frequenting the batting cages late at night and in 2018 they were asked to only be at the Little League fields with their team when they were practicing. Mr. Calton stated that this is the only family that we have had to ask to leave and they complied. Mr. Calton stated that they have since been advised to change the batting cage combinations by a BOOM coach. Mr. Calton stated that he was advised by Town Manager Greg Jones and Chief Miller to contact the police when the family is on the Little League fields. Mr. Calton stated that parents are welcome to come practice with their kids and these are the only parents that have been asked to leave due mainly to issues with the travel ball team. Council Member Roger Cassell asked if this family is still banned? Mr. Calton stated that they are not technically banned. Council Member Cassell stated that he agreed that the public should not have access to the batting cages but it is not right to limit who can come. Mr. Calton stated that if he went to Domtar or Kingsport he would be asked to leave because that is the board's stance. Mr. Calton stated that there is no malice from us, but at the time they were asked not to be there and there were external issues between them and the travel ball team.

Council Member Roberts asked what is the Gate City Little League's association with BOOM? Mr. Calton stated that BOOM is a travel ball team that the town has approved to practice at the Little League fields. Council Member Roberts stated that when he coached a Little League football team, they always said the Little League pledge at the end of practice which states "I trust in God, I love my country and I will respect its laws. I will play fair and I will strive to win, but win or lose I will always do my best." Council Member Roberts stated that this pledge should be acknowledged with everything associated with Little League. Council Member Roberts stated that he is concerned that a police officer of this town would ask a family to leave the ball field, regardless of who they are. Mr. Calton stated that the family has had issues with Little League in the past and when he became part of the board, he tried to resolve this turmoil by getting a waiver for their approval to play that season, but the family wanted more. Mr. Calton stated that the police were not called and codes were not changed until the travel ball team stated that they were having issues with the family.

Town Attorney Michele Brooks asked Mr. Calton if Little League has a policy if a family wants to use the fields? Mr. Calton stated that there is no policy. Town Attorney Michele Brooks stated that she believes from Council's perspective, the fields are town property and they would like for citizens to be able to utilize it as long as it is not private equipment, like the batting cages. Council Member Wallace W. Ross,

Jr. asked if this situation has occurred before when a full schedule of teams are playing or is this happening just because the field is not being used? Mr. Calton stated that the family comes throughout the season and are there late at night. Council Member Tyler Kilgore asked if the issue is the family using the batting cages or their presence on the field? Mr. Calton stated that originally the batting cages were the issue but now the issue is that we asked them not to be there because they were causing issues late at night and using the lights. Council Member Roberts asked how the family turned the lights on? Mr. Calton stated that the lights on the softball field don't have a lock on them. Council Member Roberts stated that there needs to be more communication between Little League and BOOM if they are giving out codes. Mr. Calton stated that he is attempting to better communicate their contract since they have so many teams. Town Attorney Michele Brooks stated that when we entered the contract with BOOM, she believes they only had one softball team. Town Attorney Michele Brooks stated that if you are at Grogan Park after dark that is considered trespassing and we may be able to take care of simple things like that. Chief Miller stated that the family was asked by Sergeant Penley to leave one night when they were there with the lights on. Council Member Roberts stated that no one but the coaches should have the keys or combinations to the batting cages or the lights. Mr. Calton stated that the keys are only given to the coaches and they are to be responsible enough to not distribute this information, but he is unsure of how to monitor this issue.

Council Member Roger Cassell stated that the Scott County School Board paid for the largest portion of the batting cages and asked if anyone is using the high school field? Mr. Calton stated no, the wall is still collapsed on that field. Town Attorney Michele Brooks stated that we were supposed to have met before high school baseball season to discuss some of these issues. Council Member Cassell stated that there has to be a happy medium where we can let the public use the field within certain terms. Mr. Calton stated that as long as everything is cleaned up, he doesn't see a problem with letting people use the fields, we just have to have a way to control it if something does happen. Mayor Bob Richards stated that he would like to consider revising the contract with the town, Little League and BOOM. Mayor Bob Richards stated that as our officers have time, they can enforce the dawn until dusk rule at the park and ask people to leave who are there after that time frame. Mayor Richards stated that although it is the citizens field, we can't have people at the fields using the lights due to the power bill. Mayor Richards stated that he feels it is best if usage of the batting cages is limited as well. Council Member Roberts stated that the contract needs to include provisions to not separate families who want to come and play ball during regular hours with the understanding that they can't be there during the season and mess up the fields that are being prepared for games. Town Attorney Michele Brooks stated that the current contract does have prescribed time periods which is what we were told the Little League and BOOM teams used. Mr. Calton stated that those time periods have changed a little. Town Attorney Brooks stated that this is another good reason to revise the contract.

Motion made to revise the contract through a sit-down meeting with Little League officials and BOOM officials to set up guidelines on the usage of the fields at Grogan Park.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

2. Approve \$18,330 Transfer to Capital Outlay Savings Sold Ford Tractor

Council Member Wallace W. Ross, Jr. asked if we spent more than \$18,330 in general repairs? Town Manager Greg Jones stated that we purchased the tractor for \$17,000 and spent about \$3,000 - \$4,000 in repairs. Vice-Mayor Robin Richards stated that we used it and it served its purpose. Mayor Richards stated that in reality, we probably came out ahead. Council Member Roberts stated that by putting the funds in the Capital Outlay Savings Fund, we have it if we need it to purchase other equipment if it breaks down.

Motion made to approve \$18,330 transfer to Capital Outlay Savings for the sold Ford Tractor.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

3. RFP – Engineering Firm: Approval to Re-advertise

Motion made to approve to re-advertise RFP for Engineering Firm.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

4. Approve Foyer Project Town Hall

Town Manager Greg Jones stated that this project will be 100% funded through CARES funding and distributed the proposal from Mattern & Craig for \$99,900 for the project. Town Manager Greg Jones stated that \$163,000 has been allocated in CARES funding and we can use this to create the foyer itself. Motion made to approve foyer project town hall. Town Manager Greg Jones stated that the police department will be separated, there will be two service windows for the front office staff, and no procurement will be needed because we can go through our general engineering contract that we have with Mattern & Craig. Mr. Snapp stated that there will be two glass interior walls that will stretch from the floor to the drop ceiling, two new glass entry doors from Town Hall into the police department and two new teller windows. Mr. Jason Snapp stated that the existing foyer will be removed and it will expand from an 8x8 foyer area to a 10x16 foyer area. Council Member Roger Cassell stated that COVID aside, this should have been done a long time ago because there is no protection for these ladies if there were, for example, an irate customer. Council Member Roberts stated that he is concerned about the cost for three walls. Mr. Snapp stated that the construction costs surprised him as well. Mayor Bob Richards asked if the area is heated and cooled? Mr. Snapp stated that this proposal does not include heating and cooling and it would be about \$4,000 more to add heating and cooling. Town Manager Greg Jones stated that the heating and cooling aspect needs to be left out because a HVAC system would push the virus out through the air and back into the office and it would counter what we are trying to do. Town Manager Greg Jones stated that in order to stay in good faith of what the funding is intended for he does not recommend adding the HVAC system. Council Member Ross asked if a new heating and cooling system is put in, can't a filtration system be put in as well? Town Manager Greg Jones stated that the virus is too small for a filtration system to work.

Council Member Cassell asked if another material other than glass for the walls would be cheaper? Mr. Snapp stated that aluminum panels may be a little cheaper but would not be as aesthetically pleasing. Vice-Mayor Robin Richards asked if this will be 100% funded and will there be any additional costs to the tax payers? Town Manager Greg Jones stated that it is 100% funded with no additional costs. Council Member Cassell asked if we know for sure that we have the money from the county? Town Manager Greg Jones stated yes, we have an agreement that they are fine with this project and almost fine with using this funding for the new phone system. Town Manager Greg Jones stated that we submit our receipts and they reimburse us. Council Member Ross asked if it costs \$4,000 more for HVAC can we incorporate that now while the cost is covered? Mayor Bob Richards stated that he did not believe that heating and cooling will be a great factor because the area is enclosed and the heating and cooling in Town Hall will compensate for this area and should not be uncomfortable for anyone inside the foyer. Mr. Snapp stated that although the contractors are concerned that the new foyer will be more airtight and could cause some condensation, the HVAC professionals that he has talked to do not think it will be an issue. Town Attorney Michele Brooks

stated that leaving this off will free up funds for other things that we need such as the phone system. Mr. Snapp stated that the proposal does include painting, moving doors, miscellaneous electrical work, drywall, flooring and other work other than the structure itself.

Motion made to approve the foyer project for Town Hall.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

5. Emergency Temp Standard Policy Approval

Town Manager Greg Jones stated that this is a policy developed by the Virginia Department of Labor that every employer in Virginia has to provide. Town Manager Greg Jones stated that this policy allows us to assess the exposure risk of COVID in each department. Town Manager Greg Jones stated that employees must list their time off and federal language has been added to include the Family First Coronavirus Response Act. Town Manager Greg Jones explained the return to work portion of the policy. Town Manager Greg Jones stated that the employees will need to go through some formal training, we will need to begin documenting our cleaning efforts, and employees will be monitored to ensure that they are not showing up to work sick. Town Manager Greg Jones stated that this temporary policy must be passed by September 25th.

Council Member Wallace W. Ross, Jr. asked if an employee has symptoms and they go home, are they required to have a COVID test? Council Member Ross stated that it could be 3 or 4 days before results come back for the test. Town Manager Greg Jones stated that it may take even longer for test results to come back. Council Member Cassell asked if employees will get federal time instead of PTO up to 80 hours? Town Manager Greg Jones stated yes.

Motion made to approve Emergency Temporary Standard Policy.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

6. Grant Acceptance: DMV Selective Enforcement: Speed Grant: \$3,000.00

Chief Justin Miller stated that the DMV gives the police department grant money to do speed enforcement in peak areas of speed related crashes. Chief Miller stated that the police department has been receiving the grant for 5 to 6 years.

Motion made to accept DMV Selective Enforcement: Speed Grant: \$3,000.00

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

7. Grant Acceptance: DMV Selective Enforcement: Alcohol Grant: \$9,700.00

Chief Miller stated that during alcohol time, the DMV wants to see stops for suspicion of DUI. Chief Miller stated that one check point per quarter is also required.

Motion made to accept DMV Selective Enforcement: Alcohol Grant: \$9,700.00

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

8. Grant Acceptance: DCJS Coronavirus Emergency Supplemental Funding Grant (CESF): \$49,734.00

Mayor Bob Richards asked if this is the grant that pays for the new officer? Town Manager Greg Jones stated yes, she will be a police officer as well as handle all things related to information about the Coronavirus such as handling our web page, sending e-mails, etc.

Motion made to accept DCJS Coronavirus Emergency Supplemental Funding Grant (CESF): \$49,734.00

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

9. Virginia Tourism Corporation, Recovery Marketing Leverage Program Grant: Approval to apply

Town Manager Greg Jones stated that this is a marketing grant that is for the recovery of tourism destination areas. Town Manager Greg Jones stated that this will be a hub and spoke approach in which we will choose a few specific destination areas and highlight what other businesses visitors can visit and things visitors can do. Town Manager Greg Jones stated that this grant is due September 27th. Council Member Roberts stated that this grant is to help stimulate the local economy and will go into 2022. Council Member Roberts stated that Council Member Ross' idea for a billboard on the north end of town may be able to be funded with this grant. Council Member Cassell asked if this will be 100% grant? Town Manager Greg Jones stated yes there is no match required and we can merge our advertising dollars for events with this grant to create a bigger project. Council Member Ross asked if the grant can be used for "Welcome to Gate City" signs? Town Manager Greg Jones stated that it has to be something that is geared specifically to a destination that is tourism related.

Motion made to apply for the Virginia Tourism Corporation Recovery Marketing Leverage Program Grant

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1

Motion Carried.

10. Public Hearing: Zoning Ordinance, Signage Regulation: Sec. 30-314: Murals.

Town Manager Greg Jones stated that murals are not specifically defined in the ordinance, so we separated the term murals from signs. Town Manager Greg Jones stated that as of right now, if anyone wants to do a mural it is based on 25% of the wall and that is all. Town Manager Greg Jones stated that this ordinance will suggest that you can use the entire wall if there are certain conditions that are met within the mural itself. Town Manager Greg Jones stated that one requirement may be a line of sight permit and the mural

must be located in a C-1 or C-2 district. Town Manager Greg Jones explained the criteria that murals cannot include. Town Manager Greg Jones stated that once these thresholds are met, a special exception and use permit will have to be applied for through the Planning Commission and if they approve, it will come to Council. Council Member Roger Cassell asked what would the requirement that no text be legible from a public roadway have done to the "50 Years of Love" mural? Town Manager Greg Jones stated that they would have to apply for a special exception and use permit to be approved. Town Attorney Michele Brooks stated that V-DOT discourages that because it is distracting to drivers. Council Member Roberts mentioned that St. Paul is incorporating murals into their town.

Motion made to advertise for a Public Hearing: Zoning Ordinance, Signage Regulation: Sec. 30-314: Murals

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

11. Public Hearing: Zoning Ordinance, Prohibit Pain Management and Substance Abuse Clinics in C-1 and C-2 districts.

Town Manager Greg Jones stated that as the zoning ordinance is written right now, there is nothing to stop anyone who wants to come in with a substance abuse clinic or pain management clinic and it seems that many members of the Council and Planning Commission are against these clinics. Town Manager Greg Jones stated that the proposed ordinance contains language that prohibits the use of these clinics and excludes them from C-1 and C-2 zoning. Vice-Mayor Robin Richards asked if this proposal will not allow a pain management physician to be in Gate City? Town Manager Greg Jones stated that that is correct. Town Attorney Michele Brooks stated that there is always an option for a special exception and use permit if they want to come through the process. Town Manager Greg Jones stated that this proposed ordinance will just give more control to Council to allow or not allow the clinics.

Motion made to advertise for Public Hearing: Zoning Ordinance, Prohibit Pain Management and Substance Abuse Clinics in C-1 and C-2 districts

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

12. Approval to get quotes to install stack fence at Gateway Park on Rt. 23.

Motion made to approve to get quotes to install stack fence at Gateway Park on Rt. 23.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

13. Replace Seasonal Banners approval.

Town Manager Greg Jones stated that the Economic and Redevelopment Committee and Planning Commission have developed a design for the seasonal banners. Town Manager Greg Jones stated that 55

banners would be \$4,000. Council Member Roberts stated that he believes the seasonal banners need to be put in between each pole if other banners are going to be placed on the AEP poles. Council Member Roberts stated that he believes the seasonal banners beautify the town. Council Member Ross asked if "Virginia" needs to be added to the design? Town Manager Greg Jones stated that it will be on the larger flag and we did not want to put it on both as to keep it from looking too busy. Council Member Cassell asked if 55 flags will be needed if we thin them out? Town Manager Greg Jones stated that no, it will be less than 55. Council Member Cassell asked if other seasons will be added after we get started? Council Member Roberts stated yes, that the vocational school will be able to make the banners when the kids return to school.

Motion made to authorize the Town Manager to replace seasonal banners up to \$5,000 with the banner design recommended for the fall, repair broken poles and place one to two seasonal banners between each AEP pole.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

14. Property Maintenance Violation: 946 West Jackson Street: 2nd Offense: Approval to file lawsuit

Town Attorney Michele Brooks stated that this property already has a lien on it and all she will need to do is update the lien and get authorization to go to court to recoup the money plus attorney's fees.

Motion made to approve to file a lawsuit for property maintenance violation: 946 West Jackson Street: 2nd Offense.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

15. Property Maintenance Violation: 848 West Jackson Street: 2nd Offense: Approval to file lawsuit.

Motion made to approve to file a lawsuit for property maintenance violation: 848 West Jackson Street: 2nd Offense

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

16. Property Maintenance Violation: 194 Chestnut Street: Approval to file lawsuit.

Motion made to approve to file a lawsuit for property maintenance violation: 194 Chestnut Street

Motion by: Allan "Cotton" Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

17. Property Maintenance Violation: 412 Highland Street: 2nd Offense: Approval to file lawsuit.

Motion made to approve to file a lawsuit for property maintenance violation: 412 Highland Street: 2nd Offense

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

18. Property Maintenance Violation: 391 Highland Street: 2nd Offense: Approval to file lawsuit.

Motion made to approve to file a lawsuit for property maintenance violation: 391 Highland Street: 2nd Offense

Motion by: Allan "Cotton" Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

19. Property Maintenance Violation: 493 Highland Street: 2nd Offense: Approval to file lawsuit.

Motion made to approve to file a lawsuit for property maintenance violation: 493 Highland Street: 2nd Offense

Motion by: Allan "Cotton" Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS

Council Member Ross stated that a plaque for the water department's ten year achievement should be placed in Town Hall. Town Manager Greg Jones stated that if Council is okay with this, he can get the plaque made and put in Town Hall. Mayor Bob Richards stated that it would be okay.

XV. CLOSED SESSION - NONE

XVI. ADJOURN

Motion made to adjourn.

Motion by: Allan "Cotton" Roberts

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

*Mayor Richards adjourned the meeting at 9:17 P.M., until the next scheduled Council Meeting on October 13, 2020.

Bob Richards – Mayor

Lydia Morales - Town Clerk