

TOWN COUNCIL MINUTES



Gate City Town Council Minutes July 13, 2021 156 E. Jackson St., Gate City, VA 6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:55 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: Pat and Rachel Elliott, Campus Drive-In; June Mott; Victor Jessop; Gabriel Edmunds, Scott County Virginia Star; Jason Snapp, Mattern & Craig; Ann Roark; Jim Addington; Eric Lane, Pal’s; Ron and Debbie Kindle; Chief of Police Justin Miller

III. INVOCATION – Mayor Bob Richards

IV. PLEDGE OF ALLEGIANCE - Chief 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 June 08, 2021 Town Council Minutes.

Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

VIII. APPROVAL OF PAYMENTS

- Motion made for approval for payment of bills for June 2021 as presented.**

Motion by: Roger Cassell
2nd by: Wallace W. Ross, Jr.
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

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

Ann Roark: My name is Ann Meadows Roark and I am a retired Marine and my husband was a retired Marine. Last time you had a Council Meeting, there was some things discussed in this meeting that was not true. Some things was true but the majority was not true about my house. My husband just passed away on May 17th of this year. The last six months, well the last four years have been Hell at my house. My son died with a brain aneurism, my daughter-in-law died of a massive heart attack carrying twins, my other son got killed in a car accident, my mother-in-law passed away and my sister-in-law and then my husband. Each time I had people come into my house and the dogs got out, yes. But the dogs did not ever attack no one and give them a black eye for one thing and I bought a fence around my property for the dogs to be in. The dogs has not gotten out but one time one of the dogs got out. The other one is a Great Dane and it only got out twice. But the pit got out one time after the fence is put up. They said the Tahoe that was noise late at night, the Tahoe did not run for eight months. The key was lost and I finally went to, after my husband died, and got a copy of the key and sold the Tahoe. In process, we are taking this white building that is on my property and we are re-siding it. Well the contractor had two strokes and he got it down to the studs and put the insulation on it. We could not get him back because he had two strokes and he is coming this Saturday to finish it up and put the windows in. The cops coming to my house was due to my two so-called neighbors calling the cops on dogs and sometimes the dogs were in the house when they were called on. I've had all of this to deal with and trying to take care of a husband that was on dialysis and had cancer at the time. Yes, there is a car parked in the back of my yard. It is my son-in-law's work car but it is going to be moved by the end of the week. If my neighbors would have come to my house and asked me what's going on Ann, I would've told them, but they didn't even have the decency to come to my house and say anything. They had to come and bring it to the Town meeting. My neighbors next door Dot and Debbie and Janet up above me, when my family has died, my sons, my husband, they brought food to the house, they called, they asked me if there was anything that could be done. But these other neighbors, just two of them, just torment me and I'm not going to take it much longer. I do what I can do.

Vice-Mayor Robin Richards: Can I ask what your house number is?

Ann Roark: 209 Highland Street. And every time the ambulance is called, the police come to my house. You know, they always come when the ambulance is called. That's a lot, you know, right there. I've had so much put on me the last four years that I don't know whether I'm coming or going and my neighbors didn't have the decency to come and ask me what was going on. My son-in-law has two lesions on his brain from a car accident. My daughter-in-law, my daughter can't even work because of the car accident. My other son, the cops had to come twice for him because he was off of his medication. That was something out of control that I couldn't deal with, you know what I mean? My husband was sick, we didn't want to beat up on him, we had to have him put into the hospital and get on his medication. There's things that happen in life. But two people, they could've just come to my home and asked me, what's going on Ann? Can I help you with something? No. They had to come and call the cops and torment me and I think that's a disgrace. It's supposed to be love thy neighbor not how to get them out. And I'm not moving from my house. They can just keep it on and keep it on. I'm not moving from my house. My house is paid for. My husband paid for it. And I'm going to put two new roofs on my house and the two sheds are going to be roofed. There's no vagrant living in my white shed. That shed is being built into an apartment for my disabled son. It's got running water, it's got electricity. And it's really going to be for him just to sleep and get away from everybody.

Town Manager Greg Jones: Ma'am did you get building permits for all of this?

Ann Roark: The building was already built, sir. And the electricity was already in there and the water was already in the place.

Town Manager Greg Jones: Did you contact the building official with the county and ask them?

Ann Roark: No, because it was already in there and the only thing we are going to do is just put a fire alarm, you know, in there and we're going to panel the inside, that's all. He's going to take his shower and cook in my house. But he needs space away from everybody else.

Town Manager Greg Jones: Did you get an occupancy permit for that building?

Ann Roark: No, I didn't know I had to have one. Because I figured it was on my property.

Town Manager Greg Jones: You do have to have one.

Ann Roark: Ok, I will get one.

Town Manager Greg Jones: You should check on the building permit too.

Ann Roark: Ok. But I think that is, you know, pretty daggone dirty. My yard is cleaned up, yes I have things in my yard. I've got two grills in my yard. I've got some chairs in there. I do have the car in the back, but it's going to be taken out and taken to the dealership to have re-done. But I think that if anybody had any kind of decency about them they would have come and talked to me. And that really upset me on the minutes when I seen it was bold faced lies because I don't lie and I do what I can for my neighbors. Dot, next door, my son-in-law cuts her grass. Jed across the road fixes her water and helps her out anytime she needs anything. Debbie, next door needs anything, my boys are out there helping them. You know, I've got three really great neighbors and it's a daggone shame that they just want to torment me and there's a house behind me that is falling down and it's a trap. Right down behind Kindle's yard it is an absolute trap somebody could get hurt in. Across the road, two o'clock in the morning I hear yelling. I walked out my door, my husband was sick at the time and I was already awake and the girl across the street from Kindle was out there naked and running around in the yard at two o'clock in the morning with a water hose hollering she's a fairy. And then they worry about my place. I think they need to consider from their place down, worry about them and not worry about my place. But my place is going to be straightened up by the end of the week. But at least they should've had the decency to come and talk to me and ask me what was going on.

June Mott: 173 Richmond Street – Ms. Mott stated that the first time Drake, the Pitbull, came to her yard she caught him and took him home in her car and asked the owners to keep him up because she has two Yorkies, one of which is her diabetic alert dog. Ms. Mott stated that since that time, Drake has been to her home twelve more times. Ms. Mott stated that Drake attacked her on her porch and knocked her down. Ms. Mott stated that the dog has been signed over to the county, but the dog has not yet been picked up. Ms. Mott asked if the dog attacks and hurts someone, who is going to be responsible for that? Ms. Mott stated that the county is. Ms. Mott stated that the Pitbull attacked her eight pound Yorkie that is her service dog. Ms. Mott stated that when the Pit picked up her dog and shook him, it bruised her dog's bladder. Ms. Mott showed the Council a photo of her dog in the Pit's mouth. Ms. Mott stated that she has called the police and they have been incredibly efficient. Ms. Mott stated that she would like to have the dog turned over to the county as the owners did sign the paperwork.

Ann Roark: Drake is a service dog, and he does not bother anybody. You can say something to him and he runs.

Chief of Police Justin Miller: Ms. Roark, Colt has signed that dog over.

Ann Roark: Yes he has.

Chief of Police Justin Miller: So if you all still have that dog it needs to be turned over.

Ann Roark: We don't have that dog.

Debbie Kindle: 263 Highland Street – Ms. Kindle stated that she called 911 on April 19th and has a picture of the dog on her property and has been told that the dog has been seen looking out the window since the last town meeting. Ms. Kindle stated that for the past year they have owned a dark black blazer that runs up and down the street with a loud muffler on it, without tags. Ms. Kindle stated that she has followed the vehicle off of the hill within the last week and Colt told her that he sold the vehicle to another neighbor that now has it parked on Darter Street. Ms. Kindle stated that the vehicle still has no tags. Ms. Kindle stated that her neighborhood used to be a quiet little neighborhood, but not anymore. The city, county and state police have all been witnessed at 209. Ms. Kindle stated that there are problems at other houses on Highland Street and another house on Richmond Street that is creating a commotion. Ms. Kindle stated that the neighborhood doesn't feel safe anymore. Ms. Kindle stated that she would like to see a public nuisance ordinance passed in Gate City.

James Addington – Mr. Addington stated that he is here to speak in place of his wife, Kay Addington. Mr. Addington stated that he is a lifelong resident of Gate City and it pains him to see the neighborhood deteriorating with abandoned homes and overgrowth. Mr. Addington handed out photos of the properties that he is concerned about. Mr. Addington stated that there is a burnt out structure at 337 Willow Street that is barely being held up. Mr. Addington handed out the State Code 15.2-906 the "Authority to require removal, repair, etc., of buildings and other structures". Mr. Addington stated that a certified letter must be sent to the property owner, simultaneously running an ad in the newspaper for two weeks advising them of the condition of the property and what you intend to do and they have 30 days to respond and if they don't respond then it can be torn down. Mr. Addington stated that one of these homes has a porch that is collapsing and can be seen from Town Hall. Mr. Addington stated that he is asking that the Town start sending the notices to the property owners. Mr. Addington stated that the home that burned twice, has not had any property taxes paid in seven years and it is not getting any more valuable. Town Attorney Michele Brooks stated that the issue is that the county has an ordinance that states that if there are any outstanding taxes against the property, they will not issue a demolition permit. Town Attorney Brooks stated that the ordinance needs to be amended to allow the Town an exception. Mr. Addington stated that the county is not going to get a more valuable asset if it is not torn down and we need to get that law changed or Gate City is going to collapse. Town Attorney Brooks asked Mr. Addington if he would accompany her to the Board of Supervisors meeting? Mr. Addington stated yes. Council Member Ross asked if the law that Mr. Addington is referring to would allow the Town to cut the grass and vines on a property? Town Manager Greg Jones stated that yes, it would after the proper notices have been sent out. Town Attorney Brooks stated that we would then put a lien against the property for anything that is done, but we don't have to have a permit to do that and we do have to have one to do a demolition. Mr. Addington asked for the number of the ordinance that is prohibiting demolition. Town Attorney Brooks stated that she would get him that information.

Mayor Richards closed the public comment session at 7:25 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 Mr. Jason Snapp delivered the Engineer's Status Report.

DEQ Sewer I&I Rehab Job: Project is complete and final payment recommendation has been submitted for processing. Final overall budget is as stated below:

Construction	\$ 1,208,498.96
Contingency	\$ 0.00
Legal/Bond Counsel	\$ 6,000.00
Basic Engineering	\$ 128,000.00
Permits	\$ 9,324.50
Mussel Survey	\$ 8,100.00
Easements/ROW Maps & Deeds	\$ 23,452.00

Asset Management Plan	\$ 20,000.00
Easement Acquisition	\$ 4,404.10
Resident Project Inspection	\$ 76,245.04
Additional Engineering for Redesign	\$ 14,662.00
Total	\$ 1,498,686.60

H/C Ramp HSIP Project: Construction has commenced. The contractor has completed the concrete work at “Ramp A” (at Gateway Terrace Apartments), work is expected to begin on Ramps “B” and “C” the week of 7/12/21 after the trench drain materials are delivered. Handrails at all ramps will be the last item to be installed due to the long lead time to manufacture.

DEQ Sanitary Sewer Evaluation Study: Smoke testing of the sanitary sewer system is progressing; system smoke testing was completed today except for some manhole inspections. Several inflow locations (consisting of illegal connections) have been identified so far. Manhole inspections, flow monitoring, and CCTV of critical lines will follow. A final report with recommendations is expected in late 2021. Mr. Snapp stated that JR stated that there are a little over 100 defects that were found and it was a lot of downspout and clean out issues. Mr. Snapp stated that a map would be given to the Town that will show where all of these issues are and most of them will be able to be taken care of through the Town ordinances. Town Manager Greg Jones asked Mr. Snapp if he could add a layer on the GIS mapping? Mr. Snapp stated yes.

VDH Backup Generator Project: VDH has granted additional funding to complete calibration of the Town’s water system hydraulic model. Calibration of the model is currently in process, once this is complete it will allow the determination of where to put a new booster pump station or if it is needed. Once that determination is made the Preliminary Engineering Report will be compiled with options and recommendations for review. Once the PER is approved by VDH Project design will commence. Mr. Snapp stated that the PER and Business Operations Plan are approximately 50% completed.

Town Hall Renovations Project: The Town Hall Renovations Project is nearing completion as the project is approximately 95% complete currently. The anti-microbial door handles are the only items left to install and we are currently waiting on them to be manufactured. The contractor has installed interim door handles to get the doors functional till the anti-microbial handles come in.

Kane Street Sidewalk Improvements:

Mr. Snapp stated that the Kane Street Sidewalk Funding Application has been submitted and comments from VDOT are expected to be given within the next three weeks. Mr. Snapp stated that the final application will be submitted by October 1st. Mr. Snapp stated that VDOT has already given comments concerning specific ADA compliant areas such as the corner of Kane Street and Jackson Street where the steps are. Mr. Snapp stated that the final ask was for \$1.5 million and there is a 20% match. Mr. Snapp stated that between now and October 1st, we need to have a public hearing to discuss the sidewalk and a final resolution of support from the Town Council. Council Member Cassell asked if the pedestrian crossing signs were put into the application? Mr. Snapp stated yes there are four crossings in addition to the main intersection at Kane Street.

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

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

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project.

DHCD completed a compliance review and audit of our housing project on June 23rd and 24th, 2021. Everything went well. We should be receiving a letter from DHCD documenting the results of the compliance review shortly. Town Manager Greg Jones stated that there are three properties that are ready for rehab and three contractors have been identified with ties to Gate City.

- **Estil Cemetery Restoration Project**

Factory to You Fence is expected to start the Fence Replacement Project on August 8th, 2021.

- **Architecture Service RFQ**

The Request for Qualification (RFQ) for Architecture Services has been posted and advertised. The due date for the statements of qualifications is July 9th, 2020, at 2.00 PM. The Interview Team met tonight at 6 p.m. to review the statement of qualifications and create a shortlist for the interview process. Town Manager Jones stated that there was one response from Spectrum Designs.

- **Banner Project**

Council has approved the banner design for the AEP Street Light Poles on June 8th, 2021. Council Action: **Approve Southern Graphics bid of \$5,456.44 to print banners.**

- **Virginia Tourism Grant**

The Town has received a \$20,000 marketing grant from the Virginia Tourism Corporation. Corporate Image in Bristol Virginia has been procured (through Scott County) to create video, brochure, and placement ads. The video shoot has been completed. Brochure's design is complete. The brochures are being printed. Two billboard designs for Duffield and Weber City have been completed. We are in the process of developing several 30 second video ads for online TV, Google, and YouTube.

- **Virginia Tourism Corporation: Market Leverage Grant**

The Virginia Tourism Corporation (VTC) Marketing Leverage Program is designed to stimulate new tourism marketing programs through the creation of partnerships, to leverage limited marketing dollars, and to extend the "Virginia is for Lovers" brand. This year we would like to partner with Gate City Frontier, Inc, Creation Kingdom Zoo, and VTC to develop advertising that will focus on attracting tourists to our tourist destinations and downtown businesses. **Council Action: Approval to apply for the grant.**

- **American Rescue Plan Act (ARPA)**

The Town has received \$969,559.00 through the ARPA funding on June 30th, 2021. The remaining balance of \$969,559.00 will be deposited on June 30th, 2022.

- **2021 Events**

- July 10th: Park Event – Civitans: Movie in the Park – Town Manager Jones stated that the movie part was cancelled due to weather but the Civitan had a nice cookout and inflatables.
Concert Event: Hootie and the Brofish, Matchbox 2.0, Joe Young Magic
- August 7th: Kiss the Grit Bike Ride
Concert Event: Asylum Suite, Night Train, Jenkins School of Dance

- **GATE CITY WATER LEAKS June 2021**

<u>Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
325 Broadwater Avenue	6/22/2021	¾" line, 1" ctx, ¾" band
303 Ravine Street	6/23/2021	¾" union, 1" PVC
156 Cypress Street	6/25/2021	1" band, ¾" ctx

C. Attorney's Report

- **169 Reed Hollow Road - Lawsuit**

Town Attorney Michele Brooks stated that 169 Reed Hollow Road has been served and after the 21 days to respond have passed, she can set a hearing.

- **248 Ravine Street - Lawsuit**

Town Attorney Michele Brooks stated that both 248 and 195 Ravine Street have been filed but not yet served.

- **195 Ravine Street - Lawsuit**

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

Vice Mayor, Robin Richards - Vice-Mayor Richards stated that the event went very well this past weekend, but we need more volunteers from the public as well as from Council. Vice-Mayor Richards stated that students need 90 hours of volunteer credits, and there were a lot of good volunteers, but we need a lot more. Vice-Mayor Richards stated that she received positive comments from a couple from Kingsport who stated that they would rather come to Gate City to enjoy an event and grab something to eat.

Council Member, Allan “Cotton” Roberts – Council Member Roberts stated that some cars from Elizabethton came to the car show and spoke with Vice-Mayor Richards. Vice-Mayor Richards stated that there is a group of car owners that were parking in Elizabethton, but there are two businesses there that were stating that all of the cars were taking up the parking for their customers. Vice-Mayor Richards stated that Elizabethton has asked this group to no longer come back to Elk Avenue. Vice-Mayor Richards stated that the car group would like to come to Gate City every Friday night and they have stated that it is not uncommon for the one night that they are at a car event, for them to spend around \$40 per person and they normally bring 600 cars. Vice-Mayor Richards stated that she thinks it will be a great thing for them to come to Gate City and asked for the opinion of the other Council Members. Council Member Ross stated that some of the cars could be put at McDonald’s and Food Lion parking lot to spread it out and give everyone the opportunity to benefit. Council Member Kilgore stated that he believes it would be a positive thing to bring that volume of people to town. Vice-Mayor Richards stated that she believes it will be beneficial to our restaurants. Town Manager Greg Jones stated that we will need to get our VDOT permits together first, but let’s do it. Vice-Mayor Richards stated that Council Member Roberts can start the discussion and they will be back on August 7th for the next event. Council Member Roberts stated that at the event Saturday, we had individuals from Rural Retreat, Marion, Coeburn, Piney Flats, and Johnson City. Vice-Mayor Robin Richards stated that she had 7 volunteers to survey the crowd and she will be putting this data into a spreadsheet to see how well our marketing did.

Council Member, Roger Cassell – Council Member Cassell asked if it is time for the finance committee to meet to discuss the ARPA funds? Town Manager Greg Jones stated that we have a few years to spend it, so it may not be a bad idea to wait and see what other localities are using their funds for.

Council Member, Wallace W. Ross, Jr. – Council Member Ross stated that he understood that we hired someone to cut the grass through town, but it is still tall. Mayor Richards stated that the person that we contracted with has backed out, but in the meantime, Town Manager Greg Jones has been trying to hire someone part time.

Council Member Ross asked how many cars participated in the car show on Saturday? Council Member Roberts stated that there were two different car shows in the area this weekend, which is why we did not have as many as we have had in the past. Council Member Roberts stated that almost all of the parking spaces were filled down the street. Council Member Ross asked if a car show could be possible at the Food Lion parking area? Town Manager Greg Jones stated that if there is the same demand at that parking lot as we do on Jackson Street, there wouldn’t be enough room for anyone else to park. Town Manager Greg Jones stated that you have to leave room for customers, visitors and everyone else to come and park. Vice-

Mayor Richards stated that if we had a typical day, and all 140 cars show up, it would take all of Food Lion's parking spots and there would be nowhere for their shoppers to park. Council Member Ross stated that it may need to be limited. Town Manager Jones asked who is going to be the person to stand there and tell people we are full and they have to go home? Vice-Mayor Richards stated that if you do that once, you won't get them back. Council Member Ross stated that we could set a limit at the beginning and people can decide if they are interested in coming.

Council Member, Tyler Kilgore – Council Member Kilgore asked if there is anything that we can do or any communication that can be provided to the owners of these vacant store fronts to make it more presentable? Council Member Kilgore stated that the banners will provide a huge uplift to the aesthetics of the Town, however, a lot of the store fronts are poorly maintained. Town Manager Greg Jones stated that until it becomes a code violation, all we can do is encourage them. Mayor Richards stated that one idea that he and Vickie Roberts have had is to put something in those windows, such as large banners made by the technical school. Council Member Ross suggested putting something referencing the movie "The River" on Nickel's Store.

E. Sanitation Authority – Town Attorney Michele Brooks stated that we are finalizing documents that we hope to have completed this week. Council Member Cassell stated that the Sanitation Authority will be meeting this Thursday to finalize the contract.

F. Police Department – Chief of Police Justin Miller stated that he was fortunate enough to attend a two-day seminar on intentional leadership that was paid for by Chief Austin, with the Bristol, VA Police Department. Chief Miller stated that he and Matt Bishop, Weber City Police Department, have been discussing training together since if there are emergencies that happen, typically the Gate City Police Department and The Weber City Police Department respond with each other. Chief Miller stated that the Gate City and Weber City Police Department have a mutual aid agreement. Chief Miller presented the Council with photos of a weapon. Chief Miller stated that Chief Bishop requested assistance from the Gate City Police Department on short notice and Sargeant Penley went to assist them. Chief Miller stated that this was a dynamic situation in which something needed to be done quickly because the individual was fortifying his position in his house. Chief Miller explained the events of the incident and reviewed several other serious incidents that have occurred within the past month. Chief Miller stated that with all of this occurring, the Weber City and Gate City Police Departments are going to start training together in order to create an emergency response team that will have to meet certain physical standards.

- **Mayor Richards declared that the meeting enter into recess for five minutes beginning at 8:26 p.m.**
- **Mayor Richards called the meeting back to order at 8:34 p.m.**

Mayor Richards called for a motion to amend the agenda to set a public hearing for the Kane Street Sidewalk Improvements Project.

Motion made to amend the agenda to include the agenda item to Set a Public Hearing for the Kane Street Sidewalk Improvements Project under NEW BUSINESS.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

XII. UNFINISHED BUSINESS

1. Section 18-3, 18-4: Trash Container Issue

Town Attorney Michele Brooks stated that we had discussed this at the last meeting and she had handed out proposed ordinances, but Town Manager Greg Jones stated that we may be able to use some of the money that we received to purchase trash cans. Council Member Cassell stated that he and Town Manager Greg Jones specifically asked if a garbage truck with a hook would be permissible to use ARPA funds. Town Manager Greg Jones recommended getting the equipment first and then coming back and looking at the ordinance. Town Manager Greg Jones stated that the finance committee will need to meet. Town Attorney Michele Brooks stated that we will take no action for now and remove the item from the agenda and we will put it back on at such time as we need to.

TAKE NO ACTION

2. Scott County Historical Museum

Council Member Roberts stated that he met with Scott County Historical Museum's board, and it is going to be more of an artisan center rather than a historical museum. Council Member Roberts stated that they plan on having craftsmen and artists to come in and demonstrate local culture. Council Member Roberts stated that this would be great for kids who could walk down from Shoemaker, and it could possibly also tie into the theater. Council Member Roberts stated that the board is talking about getting Mountain Empire Community College involved with them as well. Council Member Roberts stated that Gate City Frontier is interested in helping with the project. Town Manager Greg Jones stated that Spectrum Designs would be beneficial in assisting with this. Council Member Roberts stated that the beams in the theatre need to be protected to preserve the theatre until we are ready for construction. Council Member Cassell stated that we need to figure out a temporary solution to enclose it.

TAKE NO ACTION

XIII. NEW BUSINESS

1. Kay Addington – Property Maintenance Concern

ISSUE DISCUSSED DURING PUBLIC COMMENT – TAKE NO ACTION

2. VML Conference: October 3rd-5th, 2021 in Leesburg, VA: Who will attend?

Mayor Richards stated that the attendee cost is \$400 per person which does not include travel, hotel, or meals. Vice-Mayor Richards stated that there will be another conference the end of January. Town Manager Greg Jones stated that the past few years, some Council have gone to one conference and the other half go to the other conference to save money. Council Member Cassell stated that everyone went to the meeting in January last time and numbers mean something because we get more funding when everyone goes.

Motion made to approve one Council Member to attend the VML Conference: October 3rd-5th, 2021 in Leesburg, VA.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

3. Approve Banner Quote

Town Manager Greg Jones stated that this is the quote for 34 3x5 banners and 20 3x10 banners for the AEP Street Lights. Town Manager Jones stated that Council has already approved the design. Town Manager Jones stated that there are two quotes presented: one from Southern Graphics and the other is from Interstate Graphics. Town Manager Jones stated that the low bid is from Southern Graphics in the amount of \$5,456.44. Council Member Roberts asked if Southern Graphics can get the mounting hardware? Town Manager Jones stated that it would have to be ordered separately. Town Manager Jones stated that he

recommends awarding the banner project to Southern Graphics because they are here locally. Town Manager Jones stated that once the banners are printed, he is planning to have Bristol Signs hang them for us to use less of our labor and for safety reasons.

Motion made to approve the banner quote from Southern Graphics for the downtown banners in the amount of \$5,456.44.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

4. Asset Seizure to General Fund Transfer of Funds: \$6,649.36

Motion made to transfer \$6,649.36 from Asset Seizure to the General Fund.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

5. Approval: Meals Tax Increase

Motion made to open for discussion.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

Town Manager Greg Jones stated that the auditors made the recommendation last month to increase the Meals Tax. Town Manager Greg Jones stated that this year, we are fine to balance our budget and continue on with our services, but next year we are looking at another wage increase next January, materials and supplies increase, legal fees for Scott County Attorney, and the Kane Street Sidewalk Project. Town Manager Jones stated that we are looking at a rate increase and it depends where Council wants it to come from. Town Manager Jones stated that the restaurants will benefit from the sidewalk project, but since we have all of these other increases, it will not solely be an increase in Meals Tax. Town Manager Greg Jones stated that he is recommending that the Council increase the Meals Tax to 7%, the same as the other towns. Council Member Cassell stated that there is a 5.3% sales tax and then our 3.5% so we are at 8.8% and Kingsport is at 9.75%, so if we do 1% we would be at 9.8% similar to them. Council Member Cassell stated that if we do 2%, we would be at 10.8% which would be 1% above them. Council Member Roberts stated that he does not believe we can go above them but is ok with being the same as them but thought that their rate was 9.5%.

Council Member Cassell stated that people can choose to eat, but if we raise real estate taxes and they can't afford to pay, they will end up on the roster to sell. Mr. Elliott stated that 60% of his clientele are on fixed income and there has to be a way to get tax money from other businesses that are in town. Council Member Ross expressed his concern for the improvement of infrastructure within the town and the lack of funds to do so. Mr. Addington asked what is the budget for infrastructure? Council Member Cassell explained that if we are awarded the Kane Street Sidewalk Project, our portion will be upwards of \$300,000. Mr. Eric Lane stated that since the county is doing tax reassessment, there should be additional monies coming in through that. Town Manager Jones stated that he has been looking into this and expressed his concern for the abandoned properties that are lowering property values. Mr. Elliott asked how much money does the 3.5% meals tax rate bring in per year? Town Manager Jones stated that it brings in approximately \$340,000. Mr. Addington stated that increasing real estate taxes would spread it over a broader group rather than imposing it on six units with the meals tax. Council Member Ross asked if 1% would be an increase that we could survive? Council Member Roberts recommended a 0.7% increase to

bringing the total to 9.5% with 5.3% being the state tax rate and 4.2% being the meals tax rate. Town Manager Jones stated that whatever revenue is not collected from the meals tax will have to be put onto real estate or something else. Council Member Roberts stated that he does not believe that we should increase the tax higher than Kingsport because customers may choose to stay in Kingsport rather than come to Gate City. Council Member Cassell asked how much is the rebate if you pay the meals tax on time? Town clerk Lydia Morales pulled the meals tax form. The meals tax form states that there is a merchant commission of 3% of the meals tax collected.

- Motion made to increase the Meals Tax rate from 3.5% to 4.2% which is a 0.7% increase.

Motion by: Allan “Cotton” Roberts

There was no second. Motion Failed.

- Motion made to increase the Meals Tax rate 2% bringing the total to 5.5%.

Motion by: Roger Cassell

There was no second. Motion Failed.

- Motion made to increase the Meals Tax rate 1% bringing the total to 4.5%.

Motion by: Roger Cassell

2nd by: Wallace W. Ross, Jr.

ROLL CALL VOTE: Aye: Council Member Roger Cassell, Council Member Wallace W. Ross, Jr.

Nay: Council Member Allan “Cotton” Roberts, Vice-Mayor Robin Richards,
Council Member Tyler Kilgore

Absent:

Abstain:

Motion Failed.

- Motion made to increase the Meals Tax rate 0.7% bringing the total to 4.2%.

Motion by: Roger Cassell

2nd by: Allan “Cotton” Roberts

ROLL CALL VOTE: Aye: Council Member Roger Cassell, Council Member Allan “Cotton” Roberts,
Council Member Tyler Kilgore

Nay: Vice-Mayor Robin Richards, Council Member Wallace W. Ross, Jr.

Absent:

Abstain:

Motion Carried.

6. Approval: Amend Section 18-12 & 18-13 Town Code

Motion made to amend Section 18-12 & 18-13 of the Town Code as proposed with the change to the responsible party.

Motion by: Robin Richards

2nd by: Tyler Kilgore

ROLL CALL VOTE: Aye: Vice-Mayor Robin Richards, Council Member Allan “Cotton” Roberts,
Council Member Roger Cassell, Council Member Wallace W. Ross, Jr.,
Council Member Tyler Kilgore

Nay:

Absent:

Abstain:

Motion Carried.

7. Public Hearing: Cigarette Tax

Motion made to advertise for Public Hearing for the Cigarette Tax on August 10, 2021 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

8. Request for Proposals: Banking Services

Motion made to advertise Request for Proposals for Banking Services.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

9. Property Maintenance File Lawsuit Approval: 394 Highland Street

Motion made to file lawsuit for property maintenance violation 394 Highland Street.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

10. Property Maintenance File Lawsuit Approval: 209 Highland Street

Motion made to file lawsuit for property maintenance violation 209 Highland Street.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

11. Approval to apply: Virginia Tourism Corporation: Market Leverage Grant

Town Manager Greg Jones stated that this time, we will be partnering with Gate City Frontier and Creation Kingdom Zoo will be the tourist destination. Council Member Ross asked how much is the grant for? Town Manager Jones stated that it is between \$25,000 and \$30,000 for marketing.

Motion made to approve the application for the Virginia Tourism Corporation: Market Leverage Grant.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

12. Approval to readvertise: Mowing RFP

Town Manager Greg Jones stated that he has not heard from the mowing contractor that we initially wanted to hire in four weeks and the grass is growing quickly. Town Manager Jones stated that there is another local mowing company, Hensley Mowing, that will mow for us for now.

Motion made to approve re-advertisement of the Mowing RFP.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

13. Approval to apply: VDH Planning Grant

Town Manager Jones stated that this grant will help us to conduct a rate study on our water rates and an efficiency study. Town Manager Jones stated that there is a 50/50 chance that we will get this grant due to the prioritization of public safety.

Motion made to approve the application for the VDH Planning Grant.

Motion by: Allan “Cotton” Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

14. Public Hearing: Kane Street Sidewalk Improvements Project

Motion made to advertise for public hearing for the Kane Street Sidewalk Improvements Project on August 10, 2021 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

XIV. PUBLIC COMMENT – NEW BUSINESS - NONE

XV. CLOSED SESSION - NONE

XVI. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

*Mayor Richards adjourned the meeting at 9:58 P.M., until the next scheduled Council Meeting on August 10, 2021 at 6:30 p.m.

Bob Richards – Mayor

Lydia Morales - Town Clerk