

# TOWN COUNCIL MINUTES



## Gate City Town Council Minutes August 10, 2021 156 E. Jackson St., Gate City, VA 6:30 PM

**I. COUNCIL MEETING CALLED TO ORDER AT 6:50 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: Jason Snapp, Mattern & Craig; Michael Vaughn, Pastor at Gate City United Methodist Church; Jim Addington, Addington Oil Company; Gabriel Edmunds, Scott County Virginia Star; Chris Kimbler and wife, Addington Oil Company

**III. INVOCATION - Michael Vaughn, Pastor at Gate City United Methodist Church**

**IV. PLEDGE OF ALLEGIANCE – Mayor Bob Richards**

**V. APPROVAL OF AGENDA**

**Motion made to approve the agenda as presented.**

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Tyler Kilgore

VOTE: Aye, 4  
Nay,  
Absent, 1  
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 July 13, 2021 Public Hearing: Amend Section 18-12 & 18-13 Town Code Minutes.**

**Motion made to approve minutes as presented.**

Motion by: Allan “Cotton” Roberts

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

VOTE: Aye: 4  
Nay:  
Absent: 1  
Abstain:

**Motion Carried.**

**2. Approval of July 13, 2021 Public Hearing: Meals Tax Rate Increase Minutes.**

**Motion made to approve minutes as presented.**

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

**3. Approval of July 13, 2021 Town Council Minutes.**

**Motion made to approve minutes as presented.**

Motion by: Allan “Cotton” Roberts

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

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

**VIII. APPROVAL OF PAYMENTS**

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

Motion by: Wallace W. Ross, Jr.

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

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

**IX. PUBLIC COMMENT (Will be limited to 3 minutes per speaker.) - NONE**

Mayor Richards closed the public comment session at 6:55 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 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	\$ 8,000.00
Basic Engineering	\$ 128,000.00
Permits	\$ 9,324.50
Mussel Survey	\$ 8,100.00
Easements/ROW Maps & Deeds	\$ 23,451.50
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	\$ 1,500,686.10

The local DEQ Field Office in Abingdon will recommend that Gate City receive the full amount of principal forgiveness at \$700,000. This is expected to be approved by DEQ main office in Richmond. If approval is officially granted the Town's final loan amount for the project will be \$800,686.10.

**H/C Ramp HSIP Project:** Construction has commenced. The contractor has completed all concrete work at all three ramps. The contractor is currently working on getting field measurements to begin fabrication of the handrails. Handrails at all ramps will be the last item to be installed due to the long lead time to fabricate. The Town, Engineer, and Contractor will meet onsite in the next few weeks to confirm handrails locations at the curb crossovers. Vice-Mayor Richards asked if the lifesaving crew will still be able to turn a patient if we put rails up? Vice-Mayor Richards stated that she watched them try to turn a patient on the ramp and they stopped in the corner for a quite awhile. Mr. Snapp stated that a gurney should turn because the rail will not extend out into the sidewalk. Council Member Roberts asked who is responsible for keeping the caution tape up around the ramps? Mr. Snapp stated that the contractors are responsible for that and stated that he would recommend that they put up temporary wooden rails.

**DEQ Sanitary Sewer Evaluation Study:** The smoke testing of the sanitary sewer system has been completed except for a few areas that are inaccessible due to manholes being covered over. Mapping will be delivered to the Town detailing these areas for uncovering if desired. Several inflow locations (consisting of illegal connections) have been identified so far. Manhole inspections have been completed as well and the project is considered 45% complete overall currently. Flow monitoring, and CCTV of critical lines will follow. A final report with recommendations is expected to be delivered to the Town in late 2021. Mr. Snapp stated that approximately 4,000 feet has been identified for tv inspection due to the detected infiltration.

**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 complete. A Preliminary Engineering Report will be compiled with findings, options, and recommendations for review by the Town prior to submittal to VDH for approval. Once the PER is approved by VDH Project design will commence. Project is considered 10% complete currently. Mr. Snapp stated that we may propose to get rid of one pump station because there may be an opportunity to get rid of the Trinity Ridge pump station and pipe it into the Moccasin Hills pump station.

**Town Hall Renovations Project:** The Town Hall Renovations Project is completed except for the anti-microbial door handles. Egan Construction has been notified to expect the door handles shortly. Once these handles arrive, they will be installed which will complete the project.

**VDH Planning & Design Grant Application:** The Town has voted to submit a Planning Grant Application to complete a water efficiency study. M&C will begin work on the funding application within the next 2 weeks. Upon completion it will be submitted to the Town for review. Upon approval by the Town it will be submitted to VDH for consideration for funding. Council Member Wallace W. Ross, Jr. asked if a study for security cameras at the water plant could be incorporated into the grant application? Mr. Snapp stated that it is possible, but the grant can't pay for materials and must be used specifically for planning and design. Mr. Snapp stated it must also satisfy health and public safety of drinking water quality and is unsure of how a security system may be able to tie in.

**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.

171 Margie Street – Relocation Complete  
639 Park Street – Demolition Contract signed  
559 Park Street – Looking for suitable house for relocation  
609 Park Street – Rehabilitation, ready to bid  
571 Park Street – Rehabilitation, ready to bid

Council Action: Approve Public Hearings for the second phase of the Park Street Housing Rehabilitation Project. There may be funds through Community Development Block Grant (CDBG) in late October.

- **Estil Cemetery Restoration Project**

Factory to You Fence is expected to start the Fence Replacement Project on August 8<sup>th</sup>, 2021. Town Manager Jones stated that this has been moved to 8/14/21.

- **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 9<sup>th</sup>, 2021, at 2.00 PM. The Interview Team is expected to meet on August 12<sup>th</sup>, 2021, to interview qualified architecture firms.

- **Banner Project**

Council has approved the banner design for the AEP Street Light Poles on June 8<sup>th</sup>, 2021. Council Action: Banners have been ordered and are expected to be received shortly. Town Manager Greg Jones asked Council Member Kilgore about the high school's interest in placing banners on Harry Fry Drive. Town Manager Jones stated that we have permits for all of the poles through that area and could easily get some banners for Harry Fry Drive. Council Member Kilgore stated that he has not received a response from the high school. Town Manager Jones stated that he will need to amend the permits with AEP and get an order in for the four extra 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 destination and downtown businesses. The Town has been awarded \$10,000.00 in grant funding on July 28<sup>th</sup>, 2021.

- **Virginia Department of Transportation (VDOT) Snow Contract**

I attended a pre-bid snow removal meeting on August 4<sup>th</sup>, 2021. There have been several changes to this year's snow removal contract. This year, VDOT will be awarding a guaranteed minimum

payment amount on each equipment we use for snow removal. This is a welcome change as it will help normalize our budget. Contract and bid documents are due by August 19<sup>th</sup>, 2021. Early submission will earn a \$500.00 bonus.

- **Clyde Williams Bridge Refinance Issue**

The Town of Gate City replaced the Clyde Williams Bridge back in 2016. The funds to replace the bridge were borrowed from New Peoples Bank in the amount of \$129,220.00. The bond obligation terms are for five years (maturity date September 7, 2021) at an interest rate of 2.6%.

Council Action: Approve Request for Proposal from qualified lenders to refinance the balance of the bond. The amount is expected to be \$93,611.00.

- **2021 Events**

- August 7<sup>th</sup>: Kiss the Grit Bike Ride

Concert Event: Asylum Suite, Night Train, Jenkins School of Dance

- **GATE CITY WATER LEAKS**

July 2021

<u>Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
156 East Jackson Street	7/26/2021	Replaced water heater at CrossFit

C. **Attorney's Report** Town Attorney Michele Brooks gave the Attorney's Report.

- **169 Reed Hollow Road** – Town Attorney Michele Brooks stated that the court date is set for August 23<sup>rd</sup> at 10:00 a.m. for 169 Reed Hollow Rd.  
Lawsuit

- **248 Ravine Street** – Town Attorney Brooks stated that she does not have proof of service of process yet, but expects it back within the next week.  
Lawsuit

Town Attorney Michele Brooks stated that the following three properties have been halfway drafted and should be done by the end of this week.

- **195 Ravine Street**  
Lawsuit
- **394 Highland Street**  
Lawsuit
- **209 Highland Street**  
Lawsuit

Town Attorney Michele Brooks stated that she has requested to be on the agenda for the Board of Supervisors meeting for the month of September to speak on the request for an ordinance amendment to allow the town to get a demolition permit even when taxes are still owed on a property.

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 on August 7<sup>th</sup> was very successful and received positive comments from the car clubs that were here. Vice-Mayor Richards stated that there was an excellent turn out for the costume contest and we had quite a few volunteers.

**Council Member, Allan “Cotton” Roberts** – Council Member Roberts stated that Gate City Frontier met and there were some concerns about the porta-potties at the event. Council Member Roberts stated that one porta-potty was in the alley and there were two wash stations next to the food trucks. Council Member Roberts stated that there were a lot of complaints because the porta-potty that is in the alley gets dark and visibility is limited. Council Member Roberts stated that we can reposition them next time so that people can see them and put one on Antique Street. Vice-Mayor Richards stated that we only had one porta-potty this time where we normally have two. Council Member Roberts stated that Gate City Frontier recommends two or more. Vice-Mayor Richards stated that we could use three.

Council Member Roberts stated that we have permission from V-DOT for the Friday night Cruze Ins and Yum Yum Food Truck will be coming. Council Member Roberts stated that Gate City Frontier will put the traffic barriers up and take them back down.

**Council Member, Wallace W. Ross, Jr. -** Council Member Wallace W. Ross, Jr. stated that we need to contact V-DOT concerning the sign on Highway 23 that says “Welcome to Gate City” and add the word downtown. Council Member Ross, Jr. stated that the city parking lot on Water Street needs to be refurbished. Vice-Mayor Robin Richards agreed because it is full during the concerts. Council Member Ross, Jr. stated that he did attend the Newly Elected Officials Conference. Council Member Ross, Jr. stated that he believes each council member should be able to attend without it being voted on because it helps expand our knowledge and gave the example of St. Paul’s success from attending these conferences. Council Member Ross, Jr. stated that he learned that all local elected officers are required to take training at least once every two years and the clerk of the local government is required to maintain attendance records of each elected officer. Council Member Ross, Jr. explained what he learned at the conference concerning cyber-attacks. Council Member Ross, Jr. stated that each budget year, we should have an amount set aside for these trainings and allocate more money for these trainings as well. Council Member Ross, Jr. stated that he would like his salary to go towards his training expenses from now on if he exceeds the budget of what has already been allocated. Mayor Bob Richards stated that the council votes on where money is allocated in the budget every year. Council Member Ross, Jr. recommended having a work session to discuss the budget. Vice-Mayor Richards stated that the training certifications will be mailed to the Town Hall. Town Attorney Michele Brooks stated that VML has a lot of these trainings on free webinars. Council Member Ross, Jr. stated that there are some that you have to pay for that we would have to allocate into the budget.

**Council Member, Tyler Kilgore** – Council Member Kilgore stated that the high school had reached out wanting to hang banners on Kane Street and Harry Fry Drive. Council Member Kilgore stated that he would give the information to the high school and tell them that he needs an answer quickly due to the signs already being on order.

E. **Sanitation Authority** – Mayor Richards stated that we finally have a contract with the PSA. Town Attorney Michele Brooks stated that everything has been signed off on and we should receive checks within seven days.

F. **Police Department** Officer Jessica McGraw delivered a summary of the Police Department Report.

## **XII. UNFINISHED BUSINESS - NONE**

## **XIII. NEW BUSINESS**

### **1. Approve Resolution: Kane Street Sidewalk Project**

Motion made to approve the Resolution: Kane Street Sidewalk Project.

Motion by: Allan “Cotton” Roberts  
2nd by: Tyler Kilgore  
VOTE: Aye: 4  
Nay:  
Absent: 1  
Abstain:

**Motion Carried.**

## **2. September 2021 Public Hearing: Housing Rehabilitation Project**

Town Manager Greg Jones stated that this will be a generic public hearing announcing our intention to apply for a grant and the public hearing in October will delve into more details about the project. Town Manager Jones stated that we should have a very strong application this year including partnering with Gate City Frontier who has a \$35,000 grant from AEP to assist with heat pumps in the housing project.

Motion made to advertise for a public hearing on the Housing Rehabilitation Project at the next Town Council Meeting on September 14, 2021 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts  
2nd by: Robin Richards  
VOTE: Aye: 4  
Nay:  
Absent: 1  
Abstain:

**Motion Carried.**

## **3. October 2021 Public Hearing: Housing Rehabilitation Project**

Motion made to advertise for a public hearing on the Housing Rehabilitation Project at the Town Council Meeting on October 12, 2021 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts  
2nd by: Robin Richards  
VOTE: Aye: 4  
Nay:  
Absent: 1  
Abstain:

**Motion Carried.**

## **4. Proposed Cigarette Tax**

Town Attorney Michele Brooks stated that the maximum rate that can be imposed under 58.1 38-30 is two cents per cigarette sold or 40 cents per pack.

Motion made to propose a cigarette tax of forty-cents per pack or two cents per cigarette effective January 1, 2022.

Motion by: Allan “Cotton” Roberts  
2nd by: Robin Richards

Council Member Wallace W. Ross, Jr. asked how many businesses will the cigarette tax affect? Mr. Addington stated that there are five businesses that sell cigarettes in town. Council Member Ross, Jr. asked how much revenue will this tax produce? Vice-Mayor Richards stated that we don’t know that because it is not being taxed, so there is no record of how many cigarettes are being sold currently. Town Manager Jones stated that there is no way to accurately answer that question, but he believes that Council is trying to raise the tax revenue that they can before they go to a real estate tax increase. Town Attorney Michele Brooks stated that for this particular tax, there is some labor that will have to be done with the stamps. Council Member Ross, Jr. stated that we need to look at our budget and see where our weaknesses and our strong points are and see what we can cut. Council Member Ross, Jr. stated that we have a \$5 million budget. Mayor Richards stated that most of that money comes from grants. Council Member Roberts stated that we have cut back on employees as much as we can. Council Member Ross, Jr. stated that he doesn’t understand why the Council doesn’t do a work session because they used to look at the budget line

by line. Mayor Richards stated that when the Council had a meeting concerning the budget, Council Member Ross, Jr. had the opportunity to ask any questions that he may have had about the budget and make any recommendations about the budget that he wanted. Council Member Ross, Jr. stated that his concern is that the Council is going to impose a cigarette tax, but we don't know how much revenue it will produce or what we will use that revenue for. Town Attorney Brooks stated that tax revenue goes into the general fund and are allocated out by the budget. Mayor Richards stated that there are infrastructure issues that have to be dealt with and the money is not there to do it. Council Member Ross, Jr. stated that we say that, but we have money to do other things, such as the events. Mayor Richards stated that the events help to bring people into town who make purchases in town. Mayor Richards stated that we hope that this will attract new businesses to Gate City because there is prospect for business and our businesses get income from those events. Council Member Ross, Jr. asked how much revenue is being brought in by this tourism and how much is being spent on the police personnel and maintenance to assist with these events? Town Manager Jones stated that in the last three to four years, the meals tax has increased by 40% and that is why there is a McDonald's and a Taco Bell here now. Council Member Ross, Jr. discussed the Council's travel to meetings. Town Attorney Michele Brooks stated that the travel policy was enacted so that Town Manager Jones was not approving the Council's travel and the Council could approve each other's travel.

Vice-Mayor Richards stated that Weber City implemented the cigarette tax, and the county is going to come behind us and do it. Vice-Mayor Richards stated that both the city and county cannot charge a cigarette tax. Town Attorney Brooks stated that one negative may be the cost of the stamps, and another may be that customers would go outside of town to buy cigarettes. Mayor Richards stated that he went to Kingsport and compared the prices of cigarettes there to the prices of Mr. Addington's. Mayor Richards stated that Mr. Addington's prices were higher on Pall Mall and Eagle Brand cigarettes than Kingsport. Mayor Richards stated that he is unsure of how Mr. Addington's prices compare to local competitors such as Mountain View Market. Vice-Mayor Richards stated that if the county passes the cigarette tax those competitors will be taxed too. Vice-Mayor Richards stated that if the county passes the tax before we do, we will miss the opportunity to collect that revenue.

ROLL CALL VOTE: Aye: Vice-Mayor Robin Richards, Council Member Allan "Cotton" Roberts,  
Council Member Tyler Kilgore  
Nay:  
Absent: Council Member Roger Cassell  
Abstain: Council Member Wallace W. Ross, Jr. **Motion Carried.**

**Mayor Richards called the meeting to recess at 8:10 p.m. The meeting was called back to order by Mayor Richards at 8:20 p.m.**

**5. RFP: Clyde Williams Bridge Refinance**

Motion made to advertise for RFP: Refinance of the Clyde Williams Bridge.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye:4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

**6. Approve Gateway Park and Sampson Mini Park Signs**

Motion made to approve the Gateway Park and Sampson Mini Park Signs.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**



7. **Approve Transfer from the State Corporation Commission CARES Act Municipal Utility Relief Grant Account to the Water Fund Account in the amount of \$2,064.94 plus the delinquent amount applied for on August 18th, 2021.**

Motion made to approve Transfer from the State Corporation Commission CARES Act Municipal Utility Relief Grant Account to the Water Fund Account in the amount of \$2,064.94 plus the delinquent amount applied for on August 18th, 2021.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

8. **Approve Extension: Emergency Leave Policy.**

Mayor Richards stated that this extension is due to the resurgence in COVID in our area.

Motion made to approve the extension of the Emergency Leave Policy until December 31, 2021.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

9. **Advertise for Public Hearing: Amend Traffic Ordinances to Town Code on September 14, 2021 at 6:30 p.m.**

Town Attorney Michele Brooks stated that this goes along with what the Commonwealth Attorney's Office is doing through prosecution in order to get the fine money to come back to the Town versus it going to the state.

Motion made to advertise for Public Hearing: Amend Traffic Ordinances to Town Code on September 14, 2021 at 6:30 p.m.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

**XIV. PUBLIC COMMENT – NEW BUSINESS - NONE**

**XV. CLOSED SESSION - NONE**

**XVI. ADJOURN**

**Motion made to adjourn.**

Motion by: Allan "Cotton" Roberts

2<sup>nd</sup> by: Tyler Kilgore

VOTE: Aye: 4

Nay:

Absent: 1

Abstain:

**Motion Carried.**

\*Mayor Richards adjourned the meeting at 8:25 P.M., until the next scheduled Council Meeting on September 14, 2021 at 6:30 p.m.

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Bob Richards – Mayor

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Lydia Morales - Town Clerk