

# TOWN COUNCIL MINUTES



Gate City Town Council Minutes  
October 12, 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: Gabriel Edmunds; Tucker Barker; Chief of Police Justin Miller; Frank Kibler, Senior Planner LENOWISCO Planning District Commission; Jason Snapp, Mattern & Craig; Burke Greear, Highland Monument Conservation, LLC

**III. INVOCATION – Mayor Bob Richards**

**IV. PLEDGE OF ALLEGIANCE -Chief of Police Justin Miller**

**V. APPROVAL OF AGENDA**

- **Mayor Richards suggested that item number 2 “Mid-Year Wage Classification Adjustment- Police Department” under new business be moved to closed session.**

**Motion made to approve the agenda with the suggestion of Mayor Richards.**

Motion by: Allan “Cotton” Roberts

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

VOTE: Aye, 5  
Nay,  
Absent,  
Abstain

**Motion Carried.**

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

- Council Member Roger Cassell commended the Gate City Police Department and specifically Officer Mcgraw for her kindness and the way that she handled a specific call. Council Member Cassell stated that he believes that when you hear good things about an officer, it needs to be recognized especially with all of the negativity surrounding police today.

**VII. APPROVAL OF MINUTES**

1. **Approval of September 14, 2021 Public Hearing: Amending Traffic and Criminal Ordinances to Town Code: Article III of Chapter 16 of the Code of the Town of Gate City, VA Minutes.**

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

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**2. Approval of September 14, 2021 Public Hearing: Housing Needs – Community Development Block Grant (CDBG) Funding.**

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

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**3. Approval of September 14, 2021 Town Council Minutes.**

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

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**VIII. APPROVAL OF PAYMENTS**

**• Motion made for approval for payment of bills for September 2021 as presented.**

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

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

- **Tucker Barker – Estil Cemetery** – Mr. Barker stated that his brother, Robert, turned funds over to the town to take care of Estil Cemetery. Mr. Barker asked what kind of work is taking place and what is the time table on it? Town Manager Jones stated that as of yesterday, we removed the remaining stumps, there were 51 trees that we removed from the fence line and the fence line has been removed as well. Town Manager Jones stated that a new fence is to be installed later this month and we are still working on the tombstones. Mr. Barker asked what type of fence will be put back up? Council Member Roberts stated that it will be black 4ft tall chain link fence. Vice-Mayor Richards asked Mr. Barker if he has any suggestions or if there is anything that he would like to see being done? Mr. Barker stated no. Mr. Burke Greear stated that one reason that he gave such a long time frame on the restoration work is because he is not doing it 40 hours per week. Mayor Richards explained that the cemetery project is very important to the council and hope to make it a destination for visitors to come and see. Town Attorney Brooks stated that all of the funds that were turned over to the Town are segregated. Council Member Roberts stated that a large portion of those funds were put into an investment account which is making money to continue maintaining the Estil Cemetery.

**Burke Greear – Highland Monument Conservation, LLC** – Mr. Greear stated that most of the progress has been posted to the Cemetery Facebook Page. Mr. Greear stated that the entire cemetery has been photographed and drone mapped, every stone has been documented, and we are starting to populate findagrave.com. Mr. Greear stated that he has received a VCEDA Grant that allowed him to purchase some needed equipment, such as a tombstone jack. Mr. Greear stated that the Scott County Democratic Committee approached him about a service project in the cemetery and informed them that a service project is possible there including litter clean up and cleaning some stones. Mr. Greear explained that the D2 treatments are working well. Mr. Greear stated that they were able to retrieve the headstone that was in the lawn of one of the homes around the corner and put it in the cemetery where it was originally.

Mayor Richards closed the public comment session at 7:13 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.

**H/C Ramp HSIP Project:** Construction has commenced. The contractor has completed all concrete work at all three ramps and installed temporary safety rails. The contractor is currently working on shop drawing approvals for fabrication of the handrails. Handrails at all ramps will be the last item to be installed due to the long lead time to fabricate. M&C and the Contractor have met onsite to confirm handrail locations at the curb crossovers.

**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, these manholes will need to be uncovered by the Town to be able to complete overall system smoke testing. Mapping has been 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 50% complete overall currently. Flow monitors have been set and collecting flow data for approximately 3 weeks currently. CCTV of critical lines is expected within the next month. A final report with recommendations is expected to be delivered to the Town in late 2021. Mr. Snapp stated that he is hoping to see an inch rain to get data on inflow and infiltration in the system within the next couple of weeks.

**VDH Backup Generator Project:** VDH has granted additional funding to complete calibration of the Town's water system hydraulic model. Calibration of the model has been completed. 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.

**VDH Planning & Design Grant Application:** The Town has voted to submit a Planning Grant Application to complete a water efficiency study. M&C is in the process of completing the application and scheduling the required Preliminary Engineering Conference with VDH per the application procedures. Upon completion it will be submitted to the Town for review. Upon approval by the Town it will be submitted to VDH for official approval.

**Kane St. Sidewalk Transportation Alternatives Funding Application:** The Town voted to submit the final application for consideration by the Commonwealth Transportation Board. M&C submitted the final application to the VDOT Smart Portal on Wednesday, September 29<sup>th</sup> prior to the October 1<sup>st</sup> deadline. A decision on funding approval is not expected until the summer of 2022. Council Member

Roberts asked if the Manville Sidewalk Project is still in progress? Mr. Snapp stated that the funding for that project is typically 5 to 6 years out and it was approved two years ago, which means the earliest it would start would be next summer.

Mr. Snapp stated that the keys for the Town Hall are still on back order.

Mr. Snapp stated that regarding the Quarry Pond source water study that was discussed last month, there was a study completed and Jack with VDH stated that he would try to track down an actual copy of it. However, the study was completed in 2009 and the employee that could find it no longer works there. Mr. Snapp stated that they will send a copy of the study if they are able to find it.

**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. Asbestos removal: 9/21/21

559 Park Street – Looking for suitable house for relocation

609 Park Street – Rehabilitation: \$39,000 Rehab to start the second week in October.

571 Park Street – Rehabilitation: \$18,300 Rehab to start the second week in October.

Town Council will be conducting two public hearings on September 14<sup>th</sup> and October 12<sup>th</sup>, 2021, to seek public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for projects in the town. It is our intent to apply for a new round of grant funding from the Department of Housing and Community Development (DHCD) to continue our housing rehabilitation program in Gate City in the fall.

- **Estil Cemetery Restoration Project**

Factory to You Fence has started the fence replacement project. The old fence is down. The Cemetery has been mowed and we are working to remove the last remaining stumps in the fence line. Factory to You Fence will be onsite to complete the fence in late October 2021.

- **Spectrum Designs – Kickoff Meeting Scheduled**

The Capital Improvement Committee/Planning Commission has scheduled a kickoff meeting with Spectrum Designs on Friday, October 15<sup>th</sup>, 2021, at 3:00 PM. We will be discussing the Gate City Theater rehabilitation project along with potential downtown projects that we can leverage. The meeting will also include a walking tour of downtown Gate City.

- **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; however, we do not have an expected arrival date.

- **Gateway and Sampson Mini Park**

Signs have been ordered from Bristol Signs. The signs were installed today.

- **2021 Events**

- Gate City Homecoming Parade: Saturday, October 16th
- King Alleyween: Saturday, October 30<sup>th</sup>: We need participants!!

- **GATE CITY WATER LEAKS**  
September 2021

<u>Location</u>	<u>Repair Date</u>	<u>Materials used for Repair</u>
138 Arora Street	9/22/21	1" steel line; ¾"-1" union; 2 ft, ¾" CTS pipe; 1 ton rock
150 Grogan Park	9/27/21	1 nut (repaired spigot behind dugout at baseball field)
Back Street	9/27/21	¾" CTS pipe; 1 ton rock
Paul Wade Drive	9/29/21	¾" line' 10 ft, ¾" CTX; 10 ft, 2" line; 5 ton rock

**C. Attorney's Report**

Town Attorney Michele Brooks stated that 946 W Jackson Street is set for demolition.

- **169 Reed Hollow Road** -Town Attorney Brooks stated that she has submitted an order but it has gotten lost at the clerk's office, so she has resubmitted that and expects the judge to sign it tomorrow.  
Lawsuit

Town Attorney Brooks stated that two of the remaining properties have been served and are in the 21 day period and the other two have not yet been served, but should be taken care of this week.

- **248 Ravine Street**  
Lawsuit
- **195 Ravine Street**  
Lawsuit
- **394 Highland Street**  
Lawsuit
- **209 Highland 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 there is grass growing in the sidewalk on Kane Street and it looks very unkept. Town Manager Greg Jones explained that the contractor has recently contracted COVID and is just getting back to work. Town Manager Jones stated that he will have the contractor take care of the grass issue.

Vice-Mayor Richards stated that she would like to propose to the Council that the Town Manager continue to put together the Manager's Report, send it out as we do the other reports, but that we don't go over everything in it every month. Vice-Mayor Richards stated that it tends to be the same information for six months. Vice-Mayor Richards stated that we can have it ready and have it to Council and then when we get to the Manager's Report, we can ask questions if needed. Vice-Mayor Richards stated that she is also proposing that more economic impact information, such as new businesses in town, properties that have sold, or businesses that have been vacated be added to the Manager's Report. Town Manager Jones stated that we typically send an email out to Council anytime a new business license has been procured, if you would like to we can relay that same information in

the report. Town Manager Jones stated that it is his impression that it is not wanted for him to present his report every month, just file it and then questions can be asked? Vice-Mayor Richards stated yes, the information will be there for us and if we have questions we can ask. Council Member Cassell stated that if there is any public present, they don't see that report, but we may be able to remove some things that have not had any progress. Town Manager Jones stated that the items that have not had any updates in awhile are on there because the project is not complete.

**Council Member, Allan "Cotton" Roberts-** Council Member Roberts stated that 12 people, including several of the merchants in town, attended the Gate City Frontier Meeting last night. Council Member Roberts stated that individuals volunteered to be on the Board of Directors. Council Member Roberts stated that the Harvest Moon Celebration was very successful and many vendors sold out. Council Member Roberts stated that a check for \$750 was presented to Gate City Frontier for the donation account for the theater. Council Member Roberts stated that the only expense was the Tri-Cities Jazz Orchestra. Council Member Roberts stated that some ideas for improvement of the event next year are to get banners for advertisement, rent porta-johns, and possibly having this event in the spring and the fall. Council Member Roberts stated that Gate City Frontier will be advertising for a part-time executive director position that will assist with becoming a Main Street Organization.

**Council Member, Roger Cassell –** Nothing to Report.

**Council Member, Wallace W. Ross, Jr. –** Council Member Wallace W. Ross, Jr. stated that the street lights still have some bulbs out. Council Member Ross stated that an older gentleman came into the Town Hall today complaining that the drain on Cleveland Street needs to be cleaned out. Town Manager Greg Jones stated that this drain belongs to V-DOT and he will report the issue to them.

Council Member Ross stated that we have previously discussed switching to another credit card company. Council Member Ross asked if town business is conducted on the credit card, does it have to have your name on the card? Council Member Ross stated that it has been a problem carrying a woman's credit card and the Town Manager's credit card. Council Member Ross asked if the Council members are issued a credit card, does our name have to be on it or can we be assigned a different number? Council Member Cassell suggested getting a card that is under the name of the "Town of Gate City" and then when anyone travels, they could use that. Town Manager Greg Jones stated that he will check but is unsure if the credit card company will do that. Town Attorney Michele Brooks asked Council Member Ross if he is asking for a card in his name? Council Member Ross stated no. Council Member Ross asked if the credit card purchase approval form is for council or just employees? Town Manager Jones stated that when you expend money a receipt gets attached to the approval purchase form and turned in and it gets signed. Town Manager Jones stated that this allows for transparency because we are spending taxpayer dollars. Council Member Ross stated that he wants to allocate his salary to go towards any over-expenditure for his travel. Council Member Ross asked how much do we allocate for each council member to travel? Town Manager Jones stated that it is all under one line item and is up to Council to vote on how it is spent. Council Member Ross stated that almost everyone at the conference had their own credit card. Town Manager Jones stated that when the hotels are booked, we fill out a credit authorization form and all you have to do is check in, which leads him to believe that there may be another issue that needs to be addressed. Town Manager Jones stated that he will contact the hotel and find out what the issue is. Council Member Ross asked what happened to the travel money that was in the 2020 budget that was not used? Vice-Mayor Richards stated that it is not a rolling budget and any funds not used don't roll over to the next year.

Council Member Ross delivered a report of his attendance and activities at the VML Conference.

**Council Member, Tyler Kilgore –** Nothing to Report.

**Mayor Bob Richards** - Mayor Richards stated that a few weeks ago, he had sent out a letter that the Fire Department was considering not being a part of the Christmas parade this year due to COVID, however, they have decided that they will participate.

E. **Sanitation Authority** – Town Attorney Michele Brooks stated that there have been a few issues with the billing, but these will be resolved soon.

F. **Police Department** – Chief Justin Miller stated that as most of the Council is aware, a police vehicle was hit but there were no injuries, and we had some news coverage of the incident. Chief Miller stated that the individual who hit the vehicle was issued a citation by state police for failure to maintain proper control of a vehicle and reckless driving. Chief Miller stated that immediately afterwards, he contacted the local critical incident stress management leader and had a meeting set up the next day for her to speak with the officers. Chief Miller stated that there were a couple of interviews done on the incident and one was with Fox & Friends.

Chief Miller stated that the Byrne Justice Grant for equipment is a minimum \$10,000 with a 25/75 split. Chief Miller stated that he and Town Manager Jones have been discussing some uses for it, and we have decided that the emergency response team that we are trying to develop with Weber City Police Department, would be a good candidate to utilize the equipment. Chief Miller stated that the equipment would be ours, and we would sign a MOU with Weber City.

## **XII. UNFINISHED BUSINESS**

### **1. Debt Payoff: Rural Development: Police Vehicles: \$43,582.55**

Motion made to approve the debt payoff with the Rural Development funding for the police vehicles in the amount of \$43,582.55.

Motion by: Allan “Cotton” Roberts

2nd by: Vice-Mayor Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

## **XIII. NEW BUSINESS**

### **1. DHCD Housing Rehabilitation Project**

Motion made to approve Public Hearing: DHCD Housing Rehabilitation Project CDBG Funding Park Street Phase II on November 9, 2021 at 6:30 p.m.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

### **2. Mid-Year Wage Classification Adjustment – Police Department**

**Agenda Amended for item 2 to be Moved to After Closed Session.**

### **3. Approval to Apply: DCJS Byrne/JAG Grant**

Town Manager Jones stated that this is the grant that we will use for the equipment for the emergency response team that we are going to form with Weber City Police Department.

Motion made to approve to apply for the DCJS Byrne/JAG Grant.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**4. Approval to Apply: DCJS Coronavirus Emergency Supplemental Funding Grant**

Town Manager Greg Jones stated that we won this grant last year and it was used to fund our COVID response coordinator and we would like to do the same thing with this funding next year.

Motion made to approve to apply DCJS Coronavirus Emergency Supplemental Funding Grant.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**5. Approve Transfer from the State Corporation Commission CARES Act Municipal Utility Relief Grant Account to the Water Fund Account in the amount of \$11,492.32 plus the delinquent amount applied for by October 18th, 2021.**

Town Manager Greg Jones stated that this funding runs out on December 31, 2021 and will have to be sent back if it is not utilized. Town Manager Jones stated that we want to help as many of our water customers as possible and the bills do not have to be delinquent just COVID related.

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 \$11,492.32 plus the delinquent amount applied for by October 18th, 2021.

Motion by: Allan "Cotton" Roberts

2nd by: Tyler Kilgore

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**6. Approval to bid: Demolition/Asbestos Removal: 946 West Jackson Street**

Town Manager Greg Jones stated that the process will include getting notices out and let the property owner know that the demolition is going to take place, an asbestos inspection will have to be completed, and we will come back to Town Council to award the project once we are ready to do the demolition and bids have been received.

Motion made to approve to bid: Demolition/Asbestos Removal: 946 West Jackson Street.

Motion by: Allan "Cotton" Roberts

2nd by: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**7. Approval to bid: Demolition/Asbestos Removal: 337 Library Street**



Town Manager Jones stated that the asbestos inspection has been completed and there is some removal that needs to be completed. Town Attorney Michele Brooks stated that she thanks the Board of Supervisors for passing this resolution to allow us to obtain these demolition permits.

Motion made to approve to bid: Demolition/Asbestos Removal: 337 Library Street.

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**

**Motion made for Council to enter into closed session to discuss 1.) legal and personnel matters regarding the Police Department Mid-Year Wage Classification Adjustment.**

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

Mayor Richards opened the closed session at 8:23 P.M.

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

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

Motion by: Allan "Cotton" Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

Council returned from closed session at 9:18 P.M.

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

**WHEREAS**, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED**, that the Gate City Town Council hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

ROLL CALL VOTE: 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.**

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

### **1. Mid-Year Wage Classification Adjustment – Police Department**

Motion made to approve the proposed Mid-Year Wage Classification adjustment as presented in the document given with an effective date of Monday, October 18, 2021.

Motion by: Robin Richards

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

## **XVIII. ADJOURN**

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

Motion by: Allan “Cotton” Roberts

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

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

\*Mayor Richards adjourned the meeting at 9:20 P.M., until the next scheduled Council Meeting on November 9, 2021 at 6:30 p.m.

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Bob Richards – Mayor

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Lydia Morales - Town Clerk