

# TOWN COUNCIL MINUTES



## Gate City Town Council Minutes

November 09, 2021

156 E. Jackson St., Gate City, VA

6:30 PM

**I. COUNCIL MEETING CALLED TO ORDER AT 6:43 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, Scott County Virginia Star; Chief of Police Justin Miller; Frank Kibler, Senior Planner LENOWISCO Planning District Commission; Jason Snapp, Mattern & Craig; Jim Addington, Gate City Quik Stop Markets; Jeff DeBoard, First Baptist Church of Gate City

**III. INVOCATION –** Jeff DeBoard, First Baptist Church of Gate City

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

**V. APPROVAL OF AGENDA**

**Motion made to approve the agenda.**

Motion by: Allan “Cotton” Roberts

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

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 October 12, 2021 Public Hearing Minutes: Park Street Housing Rehabilitation Phase II Project – 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.**

**2. Approval of October 12, 2021 Town Council Minutes.**

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

Motion by: Allan “Cotton” Roberts

2<sup>nd</sup> by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**VIII. APPROVAL OF PAYMENTS**

- **Motion made for approval for payment of bills for October 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.) - NONE

Mayor Richards closed the public comment session at 6:44 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.

**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 handrails locations at the curb crossovers. Handrail shop drawings have been submitted to VDOT for review due to them not meeting pedestrian access standards.

**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 60% complete overall currently. Flow monitors have collected the needed data and were removed last Thursday. 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 or early 2022.

**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 is in process 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 this will address backup power, master meters for water accountability, demo of the reclaim tank at the water plant, and pressure issues. Mr. Snapp stated that there will be additional add-ons that the town can address through additional funding either through the VDH or ARPA. Mr. Snapp stated that these issues could also be broken down into another project.

**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 till the summer of 2022.

## **B. 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.

**October 2021** - 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.

**November 2021-** Verbal update will be provided during the Council meeting. Our Management Team and Rehabilitation Board will meet on Monday, November 8<sup>th</sup>, 2021

- **Estil Cemetery Restoration Project**

**November 2021-** Tombstone restoration by Highland Monument Conservation is ongoing.

- **Spectrum Designs – Kickoff Meeting Scheduled**

**November 2021:** Spectrum Designs met with the Capital Improvement Committee of the Planning Commission, Mayor Richards, and the Town Manager on October 15<sup>th</sup>, 2021. We discussed potential development projects including the Gate City Theater, Street Lights, and Sidewalks projects. We also discussed potential funding opportunities and took a walking tour of the downtown business district. **Council Action:** Approve Spectrum Design Contract

- **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.

**July 2021** – No new updates. We are still waiting for the banner and bracket order to arrive.

- **Gateway and Sampson Mini Park Sign Installation**

**November 2021** – This project was completed on October 12<sup>th</sup>, 2021

Council Member Wallace W. Ross, Jr. expressed his concern that you cannot see the Gateway Sign from both sides. Town Manager Jones stated that we thought about that issue, but there is not a lot of sight view due to the historical markers.

- **ARPA SLFRF Municipal Utility Assistance Grant**

**November 2021** - The Department of Housing and Community Development (DHCD) informed the Town of funding for utility assistance for residents that have been impacted by COVID-19 on October 13<sup>th</sup>, 2021. I had applied for the grant on October 21<sup>st</sup>, 2021. The Town was awarded \$112,470.84 on October 29<sup>th</sup>,

2021. **Council Action:** Approve application to DHCD for the utility assistance grant. (Post-submission approval)

- **Department of Criminal Justice Services (DCJS) Byrne Justice Grant**

**November 2021** – Per Council Approval on October 12<sup>th</sup>, 2021, Chief Miller and I applied for the DCJS Byrne Justice Grant on October 22<sup>nd</sup>, 2021. We requested \$25,616.69 of equipment for the multijurisdictional Emergency Response Team that will consist of police officers from Gate City and Weber City. The requested grant amount will be for \$19,212.52 and our cash match will be \$6,404.17. Funding is expected to be awarded in December 2021.

- **Department of Criminal Justice Services (DCJS) Coronavirus Emergency Supplemental Grant Funding (CESF)**

**November 2021** – Per Council Approval on October 12<sup>th</sup>, 2021, Chief Miller and I applied for the DCJS Coronavirus Emergency Supplemental Grant Funding on October 22<sup>nd</sup>, 2021. We requested \$53,624.00 to continue funding for the COVID-19 Preparedness and Response Coordinator. This position was initially awarded grant funding last year and have requested additional funding for this position through December 2022. The requested grant amount will be for \$49,734.00 and our cash match will be \$3,890.00. Funding is expected to be awarded in December 2021.

- **Virginia Department of Transportation (VDOT) Local Program Workshop**

**November 2021** – I attended the Local Program Workshop hosted by VDOT on October 26 through October 28, 2021. This workshop provides an overview of local programs and provides training for program management and project development. This program covers project management for the Local Agency Program (LAP) grant funding we have received for our sidewalk projects. The breakout sessions that I attended were: Preparing for LAP, PE Phase, Right of Way Phase, Construction Management, Civil Rights, and Financial Management.

- **Marketing Campaigns**

**November 2021** – The Town is currently running two marketing campaigns through December 2021:

- Shop Gate City video ad campaign will feature the video ad recently created by Corporate Image on Connect TV. Connect TV is a video platform that consist of YouTube, Apple TV, Chrome Cast, Xbox, Roku, Fire TV, and more. This will include 27,000 impressions each month. Our target area will be: Bristol, VA, Abingdon, VA, Gate City, VA, Weber City, VA, Johnson City, TN, Blountville, TN, Bristol, TN, Church Hill, TN, Mt Carmel, TN, Jonesborough, TN, Kingsport, TN, Colonial Heights, TN, Piney Flats, TN, Rogersville, TN, and Surgoinsville, TN
- Economic Development website: [gcvaproperties.com](http://gcvaproperties.com) which lists available commercial properties in Gate City is actively marketed on Facebook and Google.com.
  - Facebook is geographically targeting a roughly 100-mile radius around Gate City, further targeting of profiles who have either expressed interest in commercial properties or are small business owners
  - Google.com is targeted to roughly 100-mile radius around Gate City  
Delivered to individuals searching relevant terms, i.e., commercial property near me, commercial real estate, etc.

- **2021 Events**

- Gate City Homecoming Parade: Saturday, October 16th
- King Alleyween: Saturday, October 30<sup>th</sup>: Cancelled due to Rain
- Veterans Day Event: Scheduled for Thursday, November 11<sup>th</sup>, 2021
- Christmas Open House: Scheduled for Saturday, November 20<sup>th</sup>, 2021
- Annual Employee Appreciation Dinner: Scheduled for November 24<sup>th</sup>, 2021
- Small Business Saturday: Scheduled for Saturday, November 27<sup>th</sup>, 2021

- **GATE CITY WATER LEAKS**

October 2021

Location	Repair Date	Materials used for Repair
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176 Tucker Street	10/5/2021	2 ft, ¾” CTX; 1, ¾” union; 1 ton rock
246 Oak Street	10/6/2021	8 ft pipe; 2 ton rock; backhoe; dump truck; Ram 1500 pickup; 3 workers; 2 hrs
152 Woodland Street	10/21/2021	4 ft, ¾” CTS; backhoe; Ram 1500 pickup; 3 hrs

- Council Member Roger Cassell asked if the RFP for the trash truck has been submitted? Town Manager Jones stated no, we are waiting on a meeting with the Town of Coeburn to look at their trash truck and policy. Town Manager Jones stated that there is an aluminum shortage and there is no date on when a trash truck could be manufactured.
- Town Manager Jones stated that when he attended the V-DOT conference, he learned that V-DOT does have some surplus money and are concerned with bridge work. Town Manager Jones stated that we will be discussing the opportunities that this has for Gate City in the future.
- Council Member Wallace W. Ross, Jr. asked what was the issue with the lights not coming on at Gateway Park? Council Member Cassell stated that the lights that were there were getting water in them and tripping the breaker and Egan Construction installed new ones and public works reset the breaker.
- Vice-Mayor Robin Richards stated that she had a discussion with one of the mayors the last time that she was in Richmond, concerning sales tax. Vice-Mayor Richards stated that he informed her that they have had a substantial increase in internet sales tax. Vice-Mayor Richards asked if we have our accounting broken down to be able to see what we collect in internet sales tax? Town Manager Jones stated that he will have to check on that because the sales tax comes to us as one lump sum.
- Council Member Wallace W. Ross, Jr. asked if we can create an app for citizens to get in contact with us? Town Manager Jones stated that we looked into that several years ago but we did not move forward on it.

#### **C. Attorney’s Report**

##### **• 169 Reed Hollow Road**

Lawsuit – Town Attorney Michele Brooks stated that they had 30-days to abate, but have not filed response of pleadings. Town Attorney Brooks stated that she is going to set a hearing for this property in mid-December. Town Attorney Brooks stated that we may want to go ahead and do a clean up and put a lien against the property.

Town Attorney Michele Brooks stated that the following properties have all been served except for 394 Highland Street. Town Attorney Brooks stated that these properties are beyond their 21-days and none have filed response of pleadings, so we can go ahead and set a hearing. Town Attorney Brooks stated that we may have to do service with the Secretary of the Commonwealth on 394 Highland Street. Town Attorney Brooks stated that she is hoping to set all the hearings for the same day in mid-December.

##### **• 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 – Nothing to Report.**

**Council Member, Allan “Cotton” Roberts-** Council Member Roberts stated that the Christmas Open House is coming up on November 20<sup>th</sup> and there are three food trucks coming in for the event as well

as a horse and carriage ride and the coupon cards. Council Member Roberts stated that Small Business Saturday is the following Saturday and the Christmas Parade is December 4<sup>th</sup>. Council Member Roberts stated that Gate City Frontier will be holding a tree lighting in the green area where Daugherty Brothers used to be located. Council Member Roberts stated that the tree will be donated by a local Christmas Tree company from Scott County, VA. Council Member Roberts stated that they hope to get some caroling and make this an annual thing for the community. Council Member Roberts stated that there were two applicants for the executive director position and the Gate City Frontier Board of Directors voted last night for Leslie Crawford for the position. Council Member Roberts stated that the events committee wants to get Zach Williams for next year's concert events and if we cannot get him, Danny Gokey is the next choice.

**Council Member, Roger Cassell** -Council Member Cassell stated that Planning Commission received a Special Use & Exception Permit request from another substance abuse treatment facility wishing to locate in the building where Soil and Water Conservation is located. Council Member Cassell stated that the Planning Commission denied it and the treatment facility has appealed it to the Gate City Board of Zoning Appeals. Council Member Cassell stated that if the BZA turns it down, the next step will be the Circuit Court. Town Manager Jones asked if the Circuit Court approves this, will it then come back to Council? Town Attorney Brooks stated no, Circuit Court would control, but there are certain parameters under a Special Exception and Use Permit and our ordinance prohibits this type of substance abuse treatment facility.

**Council Member, Wallace W. Ross, Jr.** – Council Member Wallace W. Ross, Jr. stated that the city parking lot on Water Street needs to be refurbished, lights added, and repair of the basketball goals for the younger citizens. Council Member Ross stated that we need to mix up the welcome to Gate City banners with the blue devil banners. Town Manager Jones stated that those banners do not belong to us, they are Gate City High School's and we just put them up for the Homecoming Parade. Town Manager Jones stated that we have not yet received our banners. Council Member Ross stated that Mrs. Quillin made improvements to her building and should be recognized. Council Member Cassell stated that we still need to recognize Long John Silvers as well. Council Member Ross stated that there are two tables in front of the library and asked if one can be moved? Council Member Cassell stated that one of the tables belongs to the library and was already there.

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

- E. **Sanitation Authority** – Council Member Roger Cassell asked if we have a master meter at Daniel Boone yet? Town Manager Greg Jones stated no. Town Attorney Brooks stated that according to their attorney, they are having issues obtaining it due to supply issues.
- F. **Police Department** – Chief Miller stated that we are having issues with getting new vehicles due to the supply chain issues and it will most likely be a minimum of six months. Chief Miller stated that we have an appointment next week to get the spare vehicle re-stripped. Chief Miller stated that there are 7 applicants and we are doing interviews Wednesday and Saturday for the police officer position. Chief Miller stated that we are running into a lot of fentanyl and pills that are made to look like other pills that are fentanyl. Chief Miller stated that someone turned one into the office that was 100% fentanyl that looked like an oxycodone. Chief Miller discussed the exposure situation that occurred at the Sherriff's office and the plan going forward to deal with pills and drugs that may contain fentanyl.

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

## **XIII. NEW BUSINESS**

### **1. Mr. Jim Addington**

Mr. Addington stated that he is at this meeting to ask Council to reconsider the imposition of a \$4 per carton cigarette tax. Mr. Addington stated that if this tax stands, Gate City will be singularly the largest

taxed town on cigarettes in Southwest Virginia. Mr. Addington stated that there are six retailers that sell cigarettes in Gate City including Food Lion Supermarket, Dollar General Store, Wilderness Road Market, West End Market, Mid-Town Quik Stop and the Gate City Quik Stop. Mr. Addington stated that he estimates that Food Lion probably has 2% to 2.25% of total sales in cigarettes, while Dollar General probably has 3% to 3.5%. Mr. Addington stated that of his two stores, one has 18% of the volume in cigarette sales while the other has 22%. Mr. Addington stated that the difference in percentages for the two stores is attributed to one of the stores having a drive-thru. Mr. Addington stated that a hit to 20% to 22% of business is a dagger in the heart. Mr. Addington stated that he estimates that we will lose 80% of the cigarette business we are presently doing. Mr. Addington stated that it won't come the first month and this will be the best month of collection, because after that, customers will find out that they can go to Nickelsville where there is no tax or Weber City because the tax rate in Gate City is 20 times higher. Mr. Addington stated that Weber City taxes at a rate of 20 cents per carton. Mr. Addington stated that there is no way that a retailer can absorb \$4 because there is not that much profit on a carton of cigarettes. Mr. Addington stated that if we sell a carton of cigarettes for \$27.99, there is a \$15 tax right now \$9 federal and \$6 state. Mr. Addington stated that right now that is only \$12.99 for the manufacturer, the transportation, the wholesaler and the retailer and there is no way that these numbers are going to work. Mr. Addington stated that today it was announced that the consumer price index for the month of September increased by 6% monthly. Mr. Addington stated that if you annualize that, that is 7.2% per year. Mr. Addington stated that consumers are being buffeted by inflation on everything they do.

**2. Kingsport Metropolitan Transportation Planning Organization (MTPO): Bicycle and Pedestrian Plan**

**TAKE NO ACTION – MOVE TO NEXT MONTH'S AGENDA.**

**3. DHCD Housing Rehabilitation Project**

Motion made to approve the Resolution in Support of the DHCD Housing Rehabilitation Park Street Phase II CDGB Application.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**4. Virginia Community Flood Preparedness Fund: Letter of Support**

Town Manager Jones stated that this has been submitted. Town Manager Jones stated that this is an opportunity through DCR to assess our flood issues that we have. Town Manager Jones stated that LENOWISCO will be replying on behalf of the town. Mr. Kibler stated that there is some money available for construction, planning, and study. Mr. Kibler stated that UVA and LENOWISCO will be working together to assist localities in a multi-jurisdictional standpoint.

Motion made to submit the Letter of Support to the Virginia Community Flood Preparedness Fund.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain:

**Motion Carried.**

**5. Appointment: Grand Marshall: Christmas Parade December 4<sup>th</sup>, 2021**

Vice-Mayor Richards nominated Kim Jenkins owner of Jenkins' School of Dance. Council Member Cassell stated that she just celebrated her 40 years in business and has touched many dancers' lives.

Motion made to appoint Mrs. Kim Jenkins as the Grand Marshall of the 2021 Christmas Parade.

Motion by: Robin Richards

2nd by: Allan "Cotton" Roberts

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

**6. Spectrum Designs: Contract Approval**

**TAKE NO ACTION – MOVE TO NEXT MONTH'S AGENDA.**

**7. Approval to Apply: ARPA SLFRF Municipal Utility Assistance Grant**

Town Manager Jones stated that this is a post-approval and this grant is more funding to assist customers that have been affected by COVID with their utility billing. Town Manager Jones stated that it has been applied for and won. Town Manager Jones stated that we have \$112,000 to carry us through the end of March. Town Manager Jones explained the process for application of the funds to the accounts since it will vary from the previous grant that we received.

Motion made to approve application for the ARPA SLFRF Municipal Utility Assistance Grant.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

**8. Proposed Amendment Vehicle Use Policy**

Town Manager Jones stated that this is a proposed amendment that will change the take home permitted mileage from 15 miles to 30 miles each way and was proposed by the police department to assist with staffing.

Motion made to accept the proposed amendment from 15 miles to 30 miles to the vehicle use policy.

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye: 4

Nay:

Absent:

Abstain: 1 **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: Robin Richards

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

\*Mayor Richards adjourned the meeting at 7:35 P.M., until the next scheduled Council Meeting on December 14, 2021 at 6:30 p.m.

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Bob Richards – Mayor

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Lydia Morales - Town Clerk