

**REGULAR MONTHLY** Meeting of the Gate City Town Council was held on Tuesday, December 13, 2005 at 6:00 pm at the Gate City Town Hall.

**PRESENT:** Mayor Mark Jenkins, Vice-Mayor Rita Tipton, Jack Anderson, Frances Perry, Tommy Herron, Steve Williams, Town Manager Jason Stewart, Town Attorney Mike Carrico, Recorder Heather Kiser

**ABSENT:** NONE

**OTHERS PRESENT:** Debbie Kindle, Michelle Jenkins, Chris Harmon, Police Chief Jason Cox, Althea and Chuck Newton, Ron Kindle, Richard Hubbard, L W Benton, Nelma Benton, Roger A. Brooks, Jerry M. Elliot

Mayor Mark Jenkins called the public hearing regarding the rezoning of the new boundary adjustment to order at 5:59 pm.

L W Benton asks the council where the new city limits would be moved to on Red Hill Road.

Mayor Mark Jenkins informed Mr. Benton that where the town limit signs were currently placed is where they will remain.

The public hearing is regarding the rezoning of the Clinch Mountain area.

Mayor Mark Jenkins closed the public hearing regarding the rezoning of the new boundary adjustment at this time.

Mayor Mark Jenkins opened the public hearing regarding the new sign ordinance at this time.

Mayor Mark Jenkins closed the public hearing regarding the new sign ordinance at this time.

Mayor Mark Jenkins called the December regular monthly meeting to order at 6:05 pm.

Invocation was provided by Michelle Jenkins.

The Pledge of Allegiance was led by Chuck Newton.

Upon a motion by Frances Perry and duly seconded by Tommy Herron, members voted to approve the November regular monthly meeting minutes with the spelling correction on page four, fifth paragraph, the change that Jason handed "out" his report, and the community development public hearing needs to be added to the end of the

community development meeting. Voting in favor of this motion was Frances Perry, Tommy Herron, Rita Tipton, and Jack Anderson. Steve Williams abstained from the vote.

Mayor Mark Jenkins opened the public comment section of the meeting at this time.

Roger A. Brooks spoke about his property that was annexed into the town. He feels that he is not getting any benefits from being annexed into the town. He wants to know what he can expect from the town.

Mayor Mark Jenkins told Mr. Brooks that something would be worked out so he could benefit from all the things that the town has to offer.

The town is obligated to provide for its residents with town services within a certain period of time.

Roger Brooks also asks about the new Manville/Red Hill water project.

Frances Perry asks Mr. Brooks how much property he owns in Red Hill.

Town Attorney Mike Carrico discussed what was taken into the new boundaries.

Frances Perry asks Mr. Brooks if he paid for private garbage collection.

Town Attorney Mike Carrico and Frances Perry discussed the benefits of being a town citizen.

Roger Brooks asks about discharging a firearm on his property now that he was a town citizen.

Jerry Elliot asks about changing farm land into a subdivision. He spoke about the land that he owns in Red Hill. He has no plans in selling his land for development. He also asks about the water, sewer, and building a road to the location where he plans on building a house. He spoke about some of his property being annexed into the town and some of the property still remaining in the county.

Town Attorney Mike Carrico informed Mr. Elliot that he could petition the town for the rest of his property to be annexed into the town.

Mayor Mark Jenkins closed the public comment session at this time.

Upon a motion by Tommy Herron and duly seconded by Jack Anderson, members voted to go into closed session. Voting in favor of this motion was Frances Perry, Tommy Herron, Rita Tipton, and Jack Anderson. There were no opposing votes.

## **CERTIFICATION OF CLOSED MEETING**

**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.

**VOTES:      AYES:**            Frances Perry, Jack Anderson, Rita Tipton, Steve Williams,  
Tommy Herron, and Mark Jenkins

**NAYS:**            NONE

**ABSENT:**        NONE

Upon a motion by Frances Perry and duly seconded by Tommy Herron, member voted to return to regular session. Voting in favor of this motion was Frances Perry, Tommy Herron, Rita Tipton, and Jack Anderson. There were no opposing votes.

Upon a motion by Tommy Herron and duly seconded by Frances Perry, members voted to approve employee raises to employee 01 \$3,000, 02 \$4,000, 03 \$3,000. Voting in favor of this motion was Frances Perry, Tommy Herron, Rita Tipton, and Jack Anderson. There were no opposing votes.

Jack Anderson excused himself from the meeting at this time.

Steve Williams asked about the new sign ordinance and what the new ordinance consisted of.

Michelle Jenkins discussed the new sign ordinance drafted by the Planning Commission.

Steve Williams expressed his concern regarding the property that the town signs where placed on. The land is not owned by the town.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to rezone the new boundary adjustment at the Clinch Mountain location, the first 200 ft. R-1 to C-1 and the rest to remain R-1. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to accept the new sign ordinance. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Town Attorney Mike Carrico excused himself at this time.

The council discussed the transfer of money from the debt service accounts to the general fund at this time. The money is access money and can be moved to the general fund and be spent as the town sees fit.

The new police car and turbidity meters can be brought from the transferred money.

Upon a motion by Rita Tipton and duly seconded by Frances Perry, members voted to transfer \$24,000.00 from the debt services to the general fund to purchase a new police car and turbidity meters. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

At this time, the council discussed the selling of town water to the Wallen's Ridge Prison.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to provide water to Wallen's Ridge Prison at an out of town rate as long as it does not effect our customer's water. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Police Chief Jason Cox spoke about the 1995 Ford police car that is breaking down. The car needs a new transmission.

Mayor Mark Jenkins asked if Jason could get estimates to repair the car before a decision is made to purchase a new one.

Upon a motion by Steve Williams and duly seconded by Rita Tipton, members voted to purchase two new police cars instead of just one new one. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Upon a motion by Frances Perry and duly seconded by Rita Tipton, members voted to move \$24,000.00 from the debt services to the general fund. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Police Chief Jason Cox handed out his monthly report.

Tommy Herron asks if the dog was involved in searching for drugs at the middle school.

Jason discussed with the council the drug searches and burglaries that took place in November.

Mayor Mark Jenkins thanked Jason for the way he handled comments in the press releases about the drug problem at the middle school.

Rita Tipton asks about the police officers working with the students.

Rita also commended Jason on a great job.

Foreman Randall Hurt left his public works monthly report.

Tommy Herron spoke about the lights that were turned over to AEP.

Mayor Mark Jenkins complimented on the way the work crews cleaned up the mess about the Christmas parade.

Town Manager Jason Stewart discussed his monthly report with the council at this time.

Rita Tipton said she is still checking on the streets that are in need of paving.

The Planning Commission and Sanitation Authority did not meet this month.

Frances Perry spoke about the appointments of the committee members.

Committee member terms need to be determined for each of the committees and wrote down on a calendar when their term is almost up.

EDRC has not met. Rita Tipton asks Town Manager Jason Stewart to contact the members serving on the EDRC board and try to get them to return to the meetings.

Upon a motion by Frances Perry and duly seconded by Rita Tipton, members voted to pay the bills. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to adjourn the meeting at 8:07 pm. Voting in favor of this motion was Frances Perry, Tommy Herron, and Rita Tipton. Jack Anderson was not present for the vote. There were no opposing votes.

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**MAYOR**

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**RECORDER**

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