

REGULAR MONTHLY Meeting of the Gate City Town Council was held on Tuesday, March 8, 2005 at the town hall.

PRESENT: Mayor Mark Jenkins, Rita Tipton, Frances Perry, Steve Williams, Tommy Herron, Town Manager Matthew Horton, Town Attorney Mike Carrico, Recorder Heather Lane

ABSENT: Jack Anderson

OTHERS PRESENT: Police Chief Jason Cox, Eddie Joe Estep, Charles Stone, Ron and Debbie Kindle, Chris Johnson, Charlane McClain, Delta Purkey, Richard Hubbard, Chuck Newton, Arletha Newton, Jan Jenkins, Michelle Jenkins, Ross Jenkins, Bob Barker, Eric McMurray, J.B. and Bea Swiger, Rollie Hautz

Mayor Mark Jenkins called the meeting to order at 6:03 pm.

At this time, invocation was provided by Rollie Hautz.

At this time, the pledge of allegiance was provided by Chuck Newton.

Upon a motion by Frances Perry and duly seconded by Rita Tipton, members voted to approve the minutes with the change to Howell Wheeden instead of Whiten, addition of duly seconded to a motion on the third page, and the addition of Town Attorney informing Mr. Hammonds that the street could be taken over and maintained by the town but it could never be turned over to the state. Voting in favor of this motion was Frances Perry, Rita Tipton, Steve Williams, and Tommy Herron. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Mayor Mark Jenkins opened the public hearing to amend Section 5.4 and 5.8 of the Town's Wrecker Policy.

The Section 5.4 A. currently states the following "Any wrecker service utilized by the Police Department shall be properly licensed, and insured and be in business in the jurisdiction of the city as provided by Town Charter which is ½ mile outside the city limits." The proposed change to Section 5.4 A would state "Any wrecker service utilized by the police department shall be properly licensed and insured and be in business in the jurisdiction of the town of Gate City. The services outside the town may be used as a secondary contact list **only** if no service on the primary list available." Section 5.8 A. 1 currently states the following "The storage facilities must be located within the city limits or within the ½ mile police jurisdiction outside of the corporate limits, as provided by Town Charter." The proposed changed to Section 5.8 A. 1 would state "The storage facilities must be located within the town limits of the Town of Gate City. If a service is used off of the secondary list, the storage facility may be located outside the town limits of the Town of Gate City."

Mayor Mark Jenkins asks Jason if Daugherty Bros. towing would be included on the list.

Police Chief Jason Cox told Mayor Mark Jenkins that Daugherty Bros. agreed to tow at night instead of just during regular business hours.

There are three wrecker services currently in the town and two available outside of the town limits.

Mayor Mark Jenkins closed the public hearing.

Mayor Mark Jenkins called the meeting back to regular session.

Mayor Mark Jenkins opened the floor for public comment.

Michelle Jenkins mentions the sound system being installed to better hear the council. She also mentions about the street lights out on Kane Street and asks if the citizens of the town are paying for the street lights because they do not work.

The town owns a sounds system and they are going to install it in the meeting room.

AEP has been contacted about the street lights on Kane Street. The town will call AEP again to get something done about the street lights on Kane Street.

Debbie Kindle asks the council about the taping of the town's meetings. She feels it is holding people from voicing their concerns in front of a camera.

Richard Hubbard told Mrs. Kindle that one of the committee's approached the town about taping and televising the meetings. If the town will allow the taping, a permanent camera is going to be placed in the meeting room and the meetings will be taped and gave to Channel 30.

Debbie Kindle spoke about how the council should handle the public comment portion of the meetings. The other news channels ask if a person would like to comment on meetings and so forth, if the person does not want to speak on camera they have that option to not be taped.

Eric McMurray commented as to why stations like Channel 5 cuts there comment section short during its air time.

Channel 30 will no be editing the tapes before they are showed.

Chuck Newton speaks about how the City of Kingsport handles their public comment during their meetings.

Robert Barker asks the council about the progress on his lot located oat Quillen Circle. The access from Quillen Circle would make a better access then from Ruth St.

Town Manager Matthew Horton suggests that the council advertise to find someone to pave and grade a way to get to his property.

The property is currently landlocked because of no access to the lot. The lot is part Estill Heights.

Debbie Kindle spoke to the council about the expired tags and out of state tags located in the Town of Gate City.

Police Chief Jason Cox and the police department are taking action on the out of state vehicles living in the town and the inoperative vehicles in town.

Eric McMurray thanked the council for trimming of trees on Rollins Street and Elm Street. Mr. McMurray handed a paper on his concerns for the developing of a subdivision on Elm Street. The average length of the road is 15 feet wide. The road would have to be widened to make it accessible to a subdivision. The proposal for the subdivision would be for about 26 new houses on Elm St. The proposal would also make a thru access from Chestnut Street and Elm Street.

Town Attorney Mike Carrico spoke about the county's police on subdivisions in the town and county. If the town enforces the same subdivision guidelines as the county, the residents on West Elm Street will not have a problem but if the town does not enforce the policies a problem will be created with the new subdivision.

The town adopted the same ordinances as the county in the early 70's.

Elm Street has already been turned over to the Virginia Department of Transportation.

VDOT will have to do a traffic study of Elm Street in order to widen the road.

Town Attorney Mike Carrico spoke compliance with the subdivision ordinance. Hunter's Crossing does not comply with the subdivision ordinance.

Delta Purkey spoke about the erosion from Hunter's Crossing on Ravine Street.

Robert Barker asks the council about Hunter's Crossing being a part of Quillen Heights.

Eric McMurray thanked Matthew for sending the crew to check the pressure on his water lines.

Delta Purkey asks about the parking on the main street of town.

Town Attorney Mike Carrico has handled many cases of cars being hit while on Jackson Street due to the parking situation.

VDOT has been approached about the matter and told the town they are going to reduce the degree of the parking spaces.

Charlane McClain thanks the water department for taking of her problems at her house. The town filled up a hole where an old septic tank used to be. Ms. McClain is asking for a refund of her water deposit to help her pay her bill.

Town Manager Matthew Horton explained to Ms. McClain about the policy of refunds on deposits.

Mayor Mark Jenkins told Ms. McClain that the town was going to personally take care of the money to help her pay her water bill.

Town Attorney Mike Carrico spoke about the town not being able to hold a special election in May due to the preliminaries and the election being held in November.

The amendments need to be added to the minute books.

Mayor Mark Jenkins closed public comment.

Town Attorney Mike Carrico exits at this time.

Steve Williams was appointed to the park committee. The park committee will start meeting at 4:30 pm on Wednesday.

Steve Jennings is requesting a reimbursement for the sewer lines that were installed on Hunter's Crossing. The developer of the Hunter's Crossing came in front of the council and approved a 6" line run to Hunter's Crossing to the property line, not through subdivision.

Hunter's Crossing is not a town street, it's a private drive.

The subdivision is not in accordance with the town.

The only permit the developers obtained was a soil and erosion permit that is known of.

There are no bills for the work done on the sewer besides the returned checks used to pay for some of the work.

Hunter's Crossing has never been taken into the town as a subdivision.

Everything seems to be in compliance but the developers never brought their permits to the town to ask if there would be a problem with developing a subdivision inside the town.

The residents in Hunter's Crossing pay water bills to the town. The water line is a private line but they have separate town water meters.

Steve Williams and Frances Perry feel that by the town accepting water bills from the residents on Hunter's Crossing is the same as accepting their water system.

A suggestion would be to put a master meter instead of separate meters at their residents.

The town needs to speak to Town Attorney Mike Carrico about the matter of the water system at Hunter's Crossing.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to deny Steve Jennings request to the town for reimbursement of sewer lines on the grounds that no prior agreement was made with the town before installing the lines. Voting in favor of the motion was Steve Jennings, Tommy Herron, Rita Tipton, and Frances Perry. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

The Bright System was the only bid submitted for the municipal computer system.

The Bright System will help with the taxes, water bills, and all other means the town would use the system for.

Tommy Herron spoke to Matthew about using CD's the town has for collateral and borrow against it and pay it back at 1% above the CD interest. The CD would have to be renewed after one year.

The loan amount and the CD have to be the same amount or more.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to purchase the Bright System. Voting in favor of this motion was Tommy Herron, Rita Tipton, Steve Williams, and Frances Perry. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Upon a motion by Steve Williams and duly seconded by Tommy Herron, members voted to have Matthew Horton get quotes on financing of the Bright System and take the lowest rate available. Voting in favor of the motion was Steve Williams, Tommy Herron, Frances Perry, and Rita Tipton. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Rita Tipton asks about the business leader for the Main Street Program. Rita was the council member appointed to the Main Street Program.

Matthew Horton suggests an adjourned meeting to be called two weeks to appoint members to the board and adopt members to the board and adopting the by-laws.

Council members agreed to table this matter until the adjourned meeting.

The park committee has an agreement with the Civitan and the park committee. The money will be put in a separate account and be disbursed just as town money with the town manager and the town treasurer signatures on the checks. Any grant money received will also go into the account. The town and the Civitan already have \$20,000; \$16,000 from the Civitan and \$4,000 from private donations made to the town.

Upon a motion by Rita Tipton and duly seconded by Frances Perry, members voted to approve the agreement between the Town of Gate City and Civitan. Voting favor of the motion was Rita Tipton, Frances Perry, Tommy Herron, and Steve Williams. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Upon a motion by Steve Williams and duly seconded Tommy Herron, members voted to match the pledge of \$7,400 to match trail grants with the Civitan. Voting in favor of the motion was Steve Williams, Tommy Herron, Frances Perry, and Rita Tipton. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

The town has the option to pick what size street signs they want to install in the town. If the town will agree to maintain the signs the E-911 board will pay 100% of the costs of the signs and posts.

Delta Purkey talked to the council about enforcing two hour parking in the town.

Some of the details have to be taken care of have to be taken care of before the two hour parking can be enforced.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members agreed to maintain the large signs and post if a 100% of the cost is agreed upon by the E-911 board. Voting in favor of this motion was Tommy Herron, Rita Tipton, Frances Perry, and Steve Williams. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Yearly a quarter of a mile of right-of-way is given to VDOT for state maintenance. Town Manager Matthew Horton suggests that Elm Street be given to VDOT. Steve Williams asks about the street running in front of Mickey Shull's house. The street has not been turned over to the state. The council asks Town Manager Matthew Horton to see if Woodland Street has ever been turned over to the state. A

resolution will have to be taken and sent to VDOT to turn over a quarter of a mile and deed of easement will have to be written and sent to VDOT.

Upon a motion by Steve Williams and duly seconded by Tommy Herron, members voted to turn over the section between Bishop Drive and Elm Street and let the street committee use the rest of Woodland Street. Voting in favor of the motion was Steve William, Tommy Herron, Frances Perry, and Rita Tipton. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Eric McMurray and John Dockery, members of the Planning Commission, are reviewing the town's subdivision ordinance.

Town Manager Matthew Horton has reviewed what was recorded in the minutes for the town council and the planning commission. A subdivision ordinance was adopted in 1977 but the ordinance was never noted in the minute books until 1978. The minutes never documented that the ordinance was ever adopted. The ordinance was never recorded at the courthouse. If the ordinance is recorded at the courthouse, the minutes would have to be corrected and put into effect.

Frances Perry asks the council about the record of Hunter's Crossing. The town would have to have proof of the soil and erosion permit.

Upon a motion by Tommy Herron and duly seconded by Frances Perry, members voted to have the planning commission to review current subdivision ordinance. Voting in favor of the motion was Tommy Herron, Frances Perry, Steve Williams, and Rita Tipton. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Upon a motion by Steve Williams and duly seconded by Tommy Herron, members voted to approve the amended wrecker policy. Voting favor of this motion was Steve Williams, Tommy Herron, Rita Tipton, and Frances Perry. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Community Fellowship Baptist Church is planning the annual block party. The church is planning to have more kid's activities than last year. They are also planning to buy the food instead of having it donated. The church is asking the town if they would donate more money for the activities and not just for the advertisement. The town in the past has given the church \$500 for advertising.

Steve Williams suggests that it be a joint effort from the Town of Gate City and Community Fellowship Baptist Church instead of just sponsored by the Town of Gate City.

Police Chief Jason Cox speaks to the council about sitting up a tent at the block party for the child passenger safety and answering questions parents might have.

Upon a motion by Tommy Herron and Frances Perry, member voted to give Community Fellowship Baptist Church \$500 for advertising and up to \$875 no less than \$300 for the block party. Voting in favor of this motion was Tommy Herron, Frances Perry, Rita Tipton, and Steve Williams. Absent from the vote and meeting was Jack Anderson.

Police Chief Jason Cox gave his monthly police report to the council at this time.

Public works monthly report was presented to the council at this time.

Mayor Mark Jenkins asks Town Manager Matthew Horton about the pushing of snow on some street.

Tommy Herron asks Town Manager Matthew Horton to check about the air in the lines at his neighbor's house.

The water plant had 3 violations during its last inspection.

The violations were non-compliance with operator and plant, back-flow prevention ordinance, and loss of water from September and December.

Upon a motion by Rita Tipton and duly seconded by Frances Perry, member voted to advertise a public hearing to adopt the back-flow prevention ordinance. Voting in favor of this motion was Rita Tipton, Frances Perry, Tommy Herron, and Steve Williams. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

One of the water operators is having back surgery and PSA is allowing some of their operators to work at our plant until she returns.

Sewer plant is operating fine.

Town Manager Matthew Horton was asks by Mayor Mark Jenkins to put together his activities during the month of February for the council's review.

The street committee looked at the alley next to Hobert Glenn Pierson's house. They also looked at the street entering Robert Barker's property.

The planning commission has been working on the zoning for the new boundaries in Gate City. Someone needs to be contacted about an access to the mountain parallel to Moccasin Gap. They have also been reviewing the subdivision ordinance.

EDRC suggests a workshop with the planning commission on the zoning for the new boundary adjustment. They also have a consultant in place for the readiness survey of Gate City.

The meeting of the Sanitation Authority is not until next week.

Upon a motion by Steve Williams and duly seconded by Tommy Herron, member voted to approve the bills in the amount of \$9,366.21 General Fund and \$4,466.51 Water Fund. Voting in favor of the motion was Steve Williams, Tommy Herron, Frances Perry, and Rita Tipton. Absent from the vote and meeting was Jack Anderson.

Town Manager Matthew Horton and Police Chief Jason Cox had a meeting with the police department about inoperative vehicles. Some changes need to be made to the inoperative vehicle ordinance.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to advertise a public hearing on the changes to the inoperative vehicle ordinance. Voting in favor of the motion was Rita Tipton, Tommy Herron, Frances Perry, and Steve Williams. There were no opposing votes. Absent from the vote and meeting was Jack Anderson.

Upon a motion by Steve Williams and duly seconded by Tommy Herron, members voted to adjourn the meeting at 9:40 pm until March 22, 2005 at 6:00 pm. Voting in favor of the motion was Steve Williams, Tommy Herron, Frances Perry, and Rita Tipton. There were no opposing votes. Absent from the vote and the meeting was Jack Anderson.

MAYOR

RECORDER
