

**REGULAR MONTHLY** Meeting of the Gate City Town Council was held on Tuesday, February 13, 2007 at 6:30 pm at the Gate City Town Hall.

**PRESENT:** Mayor Mark Jenkins, Vice-Mayor Rita Tipton, Frances Perry, Carl Hurt, Roger Cassell, Tommy Herron, Town Attorney Mike Carrico, Recorder Heather Kiser

**ABSENT:** NONE

**OTHERS PRESENT:** Debbie Kindle, Ron Kindle, Martha Carter, Chuck Newton, Arletha Newton, Judith Dishner, Margaret Templeton, Tina Brooks, Richard Hubbard, Sam and Loretta Cruby, Robert Barker, Allen Ison, Ross and Michelle Jenkins, Scott Cleek, Wallace W. Ross, Bill Draper, Lou Ann Johnson, Jason Stewart, Jason Cox, Chris Kilgore, Aaron Arnette, Gail Dougherty, News Channel 5, News Channel 11, Rollie Hautz, Carl Muncey, James Addington

Mayor Mark Jenkins opened the public hearing at 6:30 pm regarding Rural Development funding for public safety equipment.

The public hearing is to notify the public of the town's intent to apply for the funding.

There was no public comment.

Mayor Mark Jenkins closed the public hearing at this time.

The public hearing regarding the Community Development Block Grant was rescheduled due to improper advertising.

Mayor Mark Jenkins called the meeting to regular session at this time.

Invocation was provided by Rev. Rollie Hautz.

The Pledge of Allegiance was led by Chuck Newton.

Aaron Arnette with Arnette & Muldrow gave his presentation on Downtown Revitalization at this time. He discussed the progress of downtown revitalization to date. He also discussed the four strategies regarding downtown revitalization:

1) Revitalization, 2) Building the Market, 3) Market Positioning, and 4) Cooperation.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to approve the minutes from the January 2007 Regular Monthly Meeting with the change "Ronnie Lane with V-DOT" to "Ron Kindle". Voting in favor of this motion was

Rita Tipton, Tommy Herron, Carl Hurt, Roger Cassell, and Frances Perry. There were no opposing votes.

Upon a motion by Tommy Herron and duly seconded by Roger Cassell, members voted to approve the minutes from the February 5, 2007 Emergency Special Called Meeting with the addition of “go” in the fourth paragraph. Voting in favor of this motion was Tommy Herron, Roger Cassell, Frances Perry, and Carl Hurt. Rita Tipton abstained from the vote.

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

Wallace Ross asks about the volunteers that are coming into town to do repairs to residents’ homes this July.

Mayor Mark Jenkins discussed the volunteers that would be doing the work to the residents’ homes in Gate City.

Wallace Ross asks the criteria of the work that was going to be done by the volunteers.

Mayor Mark Jenkins and Frances Perry discussed with Mr. Ross what the volunteers would be doing.

Allen Ison asks about the water pressure from the new water line installed on Manville Road.

Mayor Mark Jenkins told Mr. Ison that the town would come and check the pressure on his water line.

The pressure reducer might need to be removed and moved closer to Mr. Ison’s house.

Chuck Newton spoke the dogs running at large on East Jackson Street.

Police Chief Jason Cox will contact the county to take care of the problem.

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

Roger Cassell spoke about a member that is serving on the Sanitation Board that lives outside of the town limits.

According the Sanitation Authority by-laws, members that reside outside of the town limits are not allowed to serve on the board.

Upon a motion by Roger Cassell and duly seconded by Tommy Herron, members voted to drop the member living outside of the town limits from the Sanitation board

according to the by-laws. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Tommy Herron asks if the council had a choice to drop the member if it is in the by-laws that the member cannot serve on the board.

The water policy manual was tabled until next month's meeting.

Robert Barker asked if he was allowed to serve on the Planning Commission since he does not currently live in the town.

Robert Barker discussed the minutes from the May 2000 council meeting regarding the maintenance of Estill Cemetery.

The Estill Cemetery Association would provide \$3,000 to the town for the maintenance of the cemetery if the town agreed to take it over.

Mayor Mark Jenkins asks if a contract was ever written to take over the cemetery.

Town Attorney Mike Carrico will check to see if Tucker Coleman ever drew up a contract.

Mayor Mark Jenkins discussed the letter of support for the Southwest Virginia Arts Center.

Roger Cassell discussed the problem with tractor and trailer's parking overnight in the municipal parking lot.

The council discussed ways to stop the overnight parking.

Upon a motion by Roger Cassell and duly seconded by Carl Hurt, members voted to install "No Overnight Parking Signs" at the municipal parking lot. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

The council discussed the public hearing regarding their intent to apply for DHCD/CDBG funds for downtown revitalization.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to advertise for the public hearing to be held on February 21, 2007, regarding the intent of application for DHCD/CDBG funds for downtown revitalization. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Roger Cassell asks about the public hearing regarding the sign ordinance.

Mayor Mark Jenkins informed the council that the public hearing regarding the sign ordinance would be addressed at a later time.

Upon a motion by Carl Hurt and duly seconded by Tommy Herron, members voted for the Town of Gate City to draft a resolution for a application for a planning and designing grant for the upgrade of water lines, storage tanks, and treatment of water due on March 30<sup>th</sup>. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Upon a motion by Carl Hurt and duly seconded by Tommy Herron, members voted for the Town of Gate City to draft a resolution for small project and construction grant for the upgrade of waterlines, storage tanks, and treatment of water due on August 30<sup>th</sup>. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

The Planning Commission did not meet this month.

Police Chief Jason Cox handed out his monthly report at this time.

Mayor Mark Jenkins asks about the illegal dumping listed on his report.

Tommy Herron asks about the narcotic searches listed on the K-9 monthly report.

Police Chief Jason Cox informed the council that \$3,000 of drug money was seized during the search.

Gate City Police Department will receive some of the money that was seized.

There was no Public Works Department report for this month.

The Water Plant accountability report was given to the council at this time. Loretta Cruby discussed the backflow amounts with the council.

Roger Cassell asks about the needs for the water plant on her report.

Loretta discussed what the water plant was written up for. She asks if a third bid was required for a new raw water pump.

The street committee needs to make a decision regarding Franklin Street.

The Sanitation Authority has not met this month.

The EDRC had no recommendations for the council.

The Town Treasurer's report was discussed by the council at this time.

The council discussed the business licenses that still have not been paid.

Larry Auto Repair and Sid Rhoton have still not paid their business license.

Town Attorney Mike Carrico recommended that the business licenses as whole needed to be reviewed.

There were no reports from Carl Hurt, Roger Cassel, Tommy Herron, or Rita Tipton.

Frances Perry spoke about the litter on Highway 23 coming into Gate City.

Town Attorney Mike Carrico suggested using community service workers to remove the litter on the highway.

Upon a motion by Tommy Herron and duly seconded by Rita Tipton, members voted to go into closed session to discuss personnel issues and possible litigation. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Upon a motion by Rita Tipton and duly seconded by Carl Hurt, members voted to go back into regular session. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. 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, Rita Tipton, Carl Hurt, Roger Cassell  
Mark Jenkins, Tommy Herron

**NAYS:**              NONE

**ABSENT:**          NONE

Upon a motion by Tommy Herron and duly seconded by Roger Cassell, members voted to terminate employee 7. Voting in favor of this motion was Tommy Herron, Roger Cassell, Rita Tipton, and Frances Perry. Carl Hurt abstained from the vote.

Upon a motion by Frances Perry and duly seconded by Rita Tipton, members voted to accept employee 20's resignation. Voting in favor of this motion was Tommy Herron, Roger Cassell, Rita Tipton, and Frances Perry. Carl Hurt abstained from the vote.

Upon a motion by Roger Cassell and duly seconded by Carl Hurt, members voted to eliminate the temporary part time position at the water plant. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Upon a motion by Roger Cassell and duly seconded by Frances Perry, members voted to terminate employee 31's position. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Upon a motion by Tommy Herron and duly seconded by Frances Perry, members voted to pay the bills. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

Upon a motion by Carl Hurt and duly seconded by Roger Cassell, members voted to adjourn the meeting at 9:40 pm. Voting in favor of this motion was Roger Cassell, Tommy Herron, Frances Perry, Rita Tipton, and Carl Hurt. There were no opposing votes.

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**MAYOR**

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**RECORDER**

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