

JOINT PUBLIC HEARING of the Gate City Town Council and the Gate City Planning Commission was held on Tuesday, March 13, 2007 at 6:30 pm at the Gate City Town Hall.

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

ABSENT: Roger Cassell

OTHERS PRESENT: Jason McCully, Diane Reed, Dwain Reed, Martin Hill, Greg McDavid, Debbie Kindle, Ron Kindle, Ross Jenkins, Michelle Jenkins, Loretta Cruby, Chuck Newton, Arletha Newton, Richard Hubbard, Wallace Ross, Carl Muncey, Tommy Quillin, Lois Quillin, Eric McMurray, Lisa McCarty, Sam Cruby, Stoney Falin, Chris Kilgore, Joe Coates, Police Chief Jason Cox

Mayor Mark Jenkins called the joint public hearing to order at 6:30 pm.

The following is proposed to be added as a Preamble to the Gate City Comprehensive Zoning Ordinance (Chapter 24, preceding Sec. 24. 1).

Nothing in this ordinance shall be construed as giving to any person any kind of right, interest or easement in any street, alley, sidewalk or public way of the town for any sign, or other encroachment of any type whatsoever, whether the same be erected prior to or subsequent to the adoption of this article, whether the same be attached to the street, alley, sidewalk or public way or is hanging over the same or is portable or temporary display. It is expressly understood and provided that the owner, lessee or custodian of such sign, or other encroachment, is a mere licensee and subject to the will of the council and that the sign, or other encroachment in question shall be removed at any time upon receipt of such notice fail to comply therewith, he or she shall be charged with a class 2 misdemeanor AND punished by a fine of not more than \$1,000, provided that such penalty shall not exceed the penalty prescribed by law for like offense, and the town manager shall forthwith remove the sign, awning or encroachment at the expense of the owner. Each day of noncompliance shall constitute a separate offense.

General authority of town relative to streets and sidewalks, Cod of Virginia, §§15.1-14, 15.1-363—15.1-462, 15.1-888 et seq.

With no public comment regarding the public hearing, Mayor Mark Jenkins closed the public hearing regarding the change to the Gate City Comprehensive Zoning Ordinance at this time.

Mayor Mark Jenkins opened the public hearing regarding Town of Gate City's Business District Revitalization Community Development Block Grant Application.

Tommy Herron questioned the first page of the Town of Gate City's Business District Revitalization packet.

Michelle Jenkins asks about the administration costs listed in the packet.

Tommy Herron asks if anyone monitors the money that the business owners will spend on repairs.

Wallace Ross asks what area in the Town the grant will cover.

The grant will cover the Jackson and Water Street area.

Town Attorney Mike Carrico asks about the Town contributing as far as using the public works crew to fill in the tree pits.

Tommy Herron asks about the removal of the street lamps.

Roger Cassell joins the meeting at this time.

Wallace Ross asks what the Town would do with the funds left over or if the project costs more than expected.

The application is due next Wednesday.

Town Attorney Mike Carrico asks if the application can include letters of support.

Letters of support from local organizations would help with the application.

With no further comment regarding the CDBG public hearing, Mayor Mark Jenkins closed the public hearing at this time.

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

Invocation was provided by Michelle Jenkins.

The Pledge of Allegiance was led by Chuck Newton.

Mayor Mark Jenkins thanked Michelle and Chuck for providing the Invocation and the Pledge of Allegiance.

Upon a motion by Frances Perry and duly seconded by Rita Tipton, members voted to approve the minutes from the February 2007 Regular Monthly Meeting and the

February 21, 2007 Public Hearing. Voting in favor of this motion was Frances Perry, Rita Tipton, Carl Hurt, Tommy Herron, and Roger Cassell. There were no opposing votes.

Mayor Mark Jenkins opened the floor for public comment at this time.

Wallace Ross asks about the criteria for qualification of the organization that will be doing the volunteer work on citizen's homes inside the town.

Frances Perry discussed the volunteer group, Impact Virginia, which will be working on homes in Gate City.

Wallace Ross asks about the legal litigations that took place last month. He also asks if auditing the books is done in the town.

Town Attorney Mike Carrico discussed the Code of Virginia which does not allow legal matters to be discussed in regular session.

Dwaine Reed asks if there would be a possibility the town would consider running sewer to the Silver Spur in the Daniel Boone area of the county.

Mayor Mark Jenkins informed Mr. Reed that he would need to attend the Sanitation Authority meeting tomorrow night.

Mayor Mark Jenkins expressed his thanks to Wallace Ross for the article in the Kingsport Times News that he contributed to.

Wallace Ross asks if there was going to be any paving done in the town.

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

The Water Policy Manual was tabled until next month's meeting.

The council discussed Adkins' subdivision at this time.

The Adkins' are asking the town to take over the maintenance of their current water lines and water meters.

Roger Cassell asks about the subdivision being taken into the town. He also asks about the petition that was signed by the residents of the subdivision to come into the town.

Rita Tipton asks what the next step would be to take over the water system.

Loretta Cruby informed that the council that she could not use the 20,000 gallon water tank that currently serves the residents in Adkins' Subdivision.

Town Attorney Mike Carrico discussed the reimbursement for the water lines in Adkins' Subdivision. The Adkins' are requesting that the town repay them over a three year period.

Carl Hurt asks if the repayment to the Adkins' would effect the repayment of the original loan for the Manville/Red Hill water project.

Rita Tipton suggested that the town over the Adkins' current water system.

Upon a motion by Tommy Herron and duly seconded by Roger Cassell, members voted to accept Adkins' proposal minus the 20,000 gallon water tank. Voting in favor of this motion was Frances Perry, Rita Tipton, Carl Hurt, Tommy Herron, and Roger Cassell. There were no opposing votes.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to approve the Community Development Block Grant Resolution with the addition of up to \$35,000 in kind contribution. Voting in favor of this motion was Frances Perry, Rita Tipton, Carl Hurt, Tommy Herron, and Roger Cassell. There were no opposing votes.

RESOLUTION

TOWN OF GATE CITY'S BUSINESS DISTRICT REVITILZATION COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, The Town of Gate City has participated in the Virginia Department of Housing and Community Development's Community Development Block Grant Funds (CDBG) Planning Process since September 2005 by undertaking a study for the revitalization of the business district in Gate City; and

WHEREAS, the Town of Gate City has identified and designated a redevelopment area characterized by slums and blight due to building, infrastructure, and site deterioration that have served as disincentives for private investment leading to unrealized commercial potential and underutilized buildings; and

WHEREAS, the Town of Gate City has conducted surveys of businesses, property owners/landlords, shoppers, and town residents and conducted meetings with the general public to complete a needs assessment whereby severe blight, non-conforming uses, streets, and storm drainage deficiencies, storefront deterioration, insufficient public parking, street lighting, and signage were identified as major concerns of property owners, businesses, and other stakeholders; and

WHEREAS, Town of Gate City has become a Virginia Main Street Affiliate and has committed to executing a "Main Street" approach for downtown restructuring and economic revitalization; and

WHEREAS, a physical revitalization and economic restructuring plan has been prepared, which included a preliminary engineering report (PER) and a downtown streetscape plan presenting all required infrastructure improvements, a Market Study assessing the strengths and weaknesses and identifying community priorities, a façade improvement plan, and an adaptive reuse/housing rehabilitation program design; and

WHEREAS, The Town is willing to undertake blight removal in accordance with Title 36-49, Code of Virginia and in cooperation with the Scott County Redevelopment and Housing Authority will adopt a Redevelopment Plan for the downtown redevelopment area that meets eligibility requirements under Title 36 of the Code of Virginia, if necessary; and

WHEREAS, 10 project area property owners have expended \$12,300 since July 1, 2006 for property improvements and 10 property owners have submitted signed Letters of Intent for \$89,500 in building rehabilitation, façade and entrance improvements utilizing CDBG funds; and

WHEREAS, the LENOWISCO Planning District Commission provided \$7,500 for the Water and Sewer Improvements PER and the Environmental Assessment; and

WHEREAS, \$600 was provided by local downtown businesses for a marketing billboard and brochure; and

WHEREAS, \$1,000 was provided by the Town of Gate City toward the marketing billboard and brochure and the Town will also provide \$35,000 in-kind assistance with their public works department towards removing existing lighting and banner poles and placing brick pavers into existing tree pits along Jackson Street; and

WHEREAS, The Town of Gate City has properly advertised and conducted public hearings on February 21, 2007 and March 13, 2007, which addressed the CDBG program and the CDBG project application, thereby meeting citizen participation requirements; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the Town of Gate City, Virginia hereby wishes to apply for a FY2007 Community Development Improvement Grant in the amount of \$700,000 for the Town of Gate City's Business District Revitalization Project for the purpose of undertaking physical and economic blight removal with a total project cost of \$845,400.

FURTHERMORE, The Town of Gate City agrees to serve as the legal applicant for this project. The Mayor of the Town of Gate City is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

Adopted this 13th day of March, 2007.

Tommy Quillin asks if the vote for the CDBG Resolution was on the Town Council Agenda.

Upon a motion by Rita Tipton and duly seconded by Tommy Herron, members voted to approve the addition as a Preamble to the Gate City Comprehensive Zoning Ordinance (Chapter 24, preceding Sec. 24. 1). Voting in favor of this motion was Frances Perry, Rita Tipton, Carl Hurt, Tommy Herron, and Roger Cassell. There were no opposing votes.

Rita Tipton discussed the Planning Commission appointments with the council at this time.

Land Use-Bob Barker and Richard Hubbard

Subdivision-Richard Hubbard and Eric McMurray

Zoning-Richard Hubbard and Bob Barker

Capital Improvement Plan-Rita Tipton and Vickie Roberts

Park Committee-Eric McMurray

The Chairman of the Planning Commission is a member of all the committees.

Rita Tipton also discussed the Capital Improvement Strategy.

The Planning Commission reviewed Arnette & Muldrow's report. They have questions about some of the numbers listed in the report but they will review the report further in the coming months' meetings.

Rita Tipton also discussed the road bore for Scott Farmer's Co-Op. The Planning Commission wanted to let the council know that they take care in what action is taken so presidents are not set.

Michelle Jenkins commented on the water policy manual regarding the road bore at Scott Farmer's Co-Op.

Police Chief Jason Cox handed out his monthly police department report.

Mayor Mark Jenkins asks if the county is doing anything with their drug dog.

The council discussed the call for the K-9 on Fort Henry Drive in Kingsport.

Stoney Falin handed out the monthly public works report.

Mayor Mark Jenkins thanked Stoney for stepping in and taking charge.

Tommy Herron asks Tommy Quillin if all the work was completed at this apartment complex.

Stoney asks the council about the road bore at the new Scott Farmer's Co-Op.

Loretta Cruby thanked the council for the raw water pump. She provided the council with a copy of the quarterly inspection report.

Roger Cassell asks about the bids that Loretta provided to the council.

Loretta Cruby discussed the line carrying the chemicals that treat the water. The line needs to be replaced. She also asks about the vehicles parked behind the building being auctioned off and some of the money used towards purchasing a grinder pump. She also ask the council if she could donate some old beakers and glass wear that the water plant found that is not being used.

The donation of the beakers and glass wear will be put on next month's agenda.

Tommy Quillin asks about the Quillin tank overflowing.

There were no recommendations from the Sanitation Authority.

Rita Tipton discussed the Economic Redevelopment Committee.

A copy of the committee's by-laws and vision statement was included with the council's packets.

Mr. Jay Dixon is going to look at the Virginia Landmark Register and the National Register.

The committee voted to donate \$2,000 to the Clinch Mountain Music Fest.

The council discussed giving money to the Clinch Mountain Music Fest but no amount was ever voted on.

The Economic Redevelopment Committee is requesting that the council budget \$25,000 next budget cycle for their committee.

Mayor Mark Jenkins thanked Joe Coates for joining the committee.

Carl Hurt had nothing to report to the council.

Roger Cassell expressed his gratification to Stoney and the office workers for their extra work.

Tommy Herron had nothing to report to the council.

Town Attorney Mike Carrico discussed the title searches for the condemned properties that Robert Mullins requested. There seven properties that Robert Mullins requested and two of the seven cannot be found.

Rita Tipton spoke about American Legion mowing the park this season. They want to know if the town wants to renew their contract and a possible increase in their pay.

Rita Tipton spoke about the invoice from Anderson Lock and Security. She wants to know if the town needs to send a bill to AEP for the work that Anderson Lock and Security did for the power company building located downstairs.

Mayor Mark Suggested that the lease agreement with AEP be reviewed before sending them a bill.

Rita also discussed the trash truck backing into Nancy's Treasure's. Public works crew will repair the gutter.

Rita Tipton discussed a letter that was received for the Civitan requesting a prize donation for their golf classic to raise money for a new playground.

Roger Cassell suggested leaving town money within the town.

Rita also met with Community Development Financial. They finance small business loans.

Daniel Duquette joins the meeting at this time.

Mayor Mark Jenkins asks if Community Development Financial could come and do a presentation for the council.

Frances Perry has nothing to report to the council.

Mayor Mark Jenkins thanked everyone for the extra work they have done.

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

Upon a motion Frances Perry and duly seconded by Carl Hurt, members voted to adjourn the meeting at 9:15 pm. Voting in favor of this motion was Frances Perry, Rita Tipton, Carl Hurt, Tommy Herron, and Roger Cassell. There were no opposing votes.

MAYOR

RECORDER
