

Council Meeting Minutes July 8, 2014

The Tazewell Town Council met in regular session at 7:15 p.m. in the Town Hall Council Chambers.

Present:

Mayor A. D. Buchanan, Jr.
Councilmember Glenn Catron
Councilmember David Fox
Councilmember Terry Mullins
Councilmember Jack Murray

Absent:

Councilmember Chris Brown
Vice-Mayor Chris Blankenship

Staff present were Town Manager, Todd Day; Clerk, Linda S. Griffith; Attorney, Brad Pyott; Executive Assistant, Robin Brewster; Police Chief, DeWitt Cooper; Zoning Administrator, Donald Pruitt, Jr.; Public Works Director, Lawrence Sheppard and Jason Kinser.

CALL TO ORDER1

Mayor Buchanan called the meeting to order with the pledge of allegiance and invocation by Todd Day.

JEANIE DAMERON – LOCUST STREET

Jeanie Dameron, a resident of 108 Locust Street, came before Council concerning the next door neighbor's house concerning issue with dogs, cats, rats, bad odors and rain runoff from the property. Ms. Dameron stated the house is falling in and the grass is up to her waist. Ms. Dameron stated this property has been like this for (8) eight years and she doesn't know what the problem is and she needed the respect as a taxpayer.

George Smith stated he lives across the street from Ms. Dameron and this property has been foreclosed on and one of the worse in the area.

Manager Day stated he was made aware of the issue a year ago and (8) eight houses in the area have been condemned in the Town.

Motion was made Councilmember Fox, seconded by Councilmember Murray to proceed with the cleanup of the property. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

APPROVAL OF MINUTES

Motion was made by Councilmember Murray, seconded by Councilmember Fox to approve the minutes of July 8, 2014. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

FINANCIAL STATEMENTS

Motion was made by Councilmember Murray, seconded by Councilmember Fox to approve the financial statements for July 2014. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

PROJECTION AND ACTIVITY REPORTS

Motion was made by Councilmember Mullins, seconded by Councilmember Murray to approve the project and activity reports. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

ECONOMIC DEVELOPMENT COMMITTEE

Councilmember Brown stated the Economic Development Committee was working on the river walk project to obtain easements from property owners.

TRAIN DEPOT COMMITTEE

Councilmember Mullins updated Council concerning the Train Depot Committee obtaining grants and ideas from CPPC. Councilmember Mullins stated an open house will be held on Friday, July 25, 2014 from 4:00 p.m. – 6:00 p.m. at the train station.

PLANNING COMMISSION

Councilmember Murray advised the Planning Commission meets every first Monday of every month. Councilmember Murray stated the Planning Commission is working on annexation and the VDOT property.

TRANSIENT OCCUPANCY TAX

Motion was made by Councilmember Murray, seconded Councilmember Fox to dispense with the second reading of the Transient Occupancy Tax. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

Motion was made by Councilmember Murray, seconded by Councilmember Catron to adopt the Transient Occupancy Tax. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

VRS 50/30 RESOLUTION

Motion was made by Councilmember Fox, seconded by Councilmember Murray to adopt the VRS 50/30 Resolution. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

THE CROOKED ROAD DONATION

Manager Day stated the “The Crooked Road” had requested a donation of \$5,000 and stated this would not have an impact on Tazewell County or the Town of Tazewell.

Motion was made by Councilmember Murray, seconded by Councilmember Fox to not donate to “The Crooked Road” and use the money for donations of the train station and the Tazewell County Historical Society. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

PLUM CREEK WINERY

Council discussed a donation to the Plum Creek Winery for the Wine Festival to be held at Nuchols Hall on September 6, 2014. Councilmember Murray stated this was a private owned business and should not use tax dollars.

Manager Day stated the Town use the employees to help out with the Wine Festival instead of a cash donation.

UPDATE OF AUCTION OF VEHICLES/EQUIPMENT

Manager Day stated the old vehicles and equipment were sold by Regency Auction for \$10,305.

FOIA SEMINAR

Manager Day reminded Council of the FOIA Seminar on July 31, 2014 at the TMS.

VDOT LOT RESOLUTION

Motion was made by Councilmember Murray, seconded by Councilmember Mullins to approve the VDOT Resolution. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

Councilmember Murray stated that the Planning Commission had approved the VDOT Resolution also.

FIRE HYDRANT DEED OF EASEMENT

Manager Day stated an easement needed to be drafted by the Town Attorney for the fire hydrant at THS in order to maintain and fix leaks.

Motion was made by Councilmember Catron, seconded by Councilmember Murray to accept an easement for the fire hydrant at THS. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

TAZEWELL YOUTH FOOTBALL DONATION REQUEST

Motion was made by Councilmember Murray, seconded by Councilmember Fox to donate \$300 to Tazewell Youth Football.

After discussion, Councilmember Murray and Councilmember Fox withdrew their motions.

Motion was made by Councilmember Fox, seconded Councilmember Mullins to donate \$1,000 to the Tazewell Youth Football. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

Council asked that Tazewell Youth Football provide financial statements.

FINANCIAL UPDATE RECREATION DEPARTMENT

Richard Smith with the Recreation Department came before Council advising them that the pool and concession were breaking even for the season and that the concession was doing better than the pool. Mr. Smith stated he had found a business to obtain pool chemicals at a lower price saving the town approximately \$5,000.

Manager Day stated he wanted concession be a service to the community not money making process.

IDA COMMITTEE

Manager Day stated that it was very important for IDA Committee and Economic Development Committee work together for existing business and future business for the Town of Tazewell.

ADOPTION PROVISIONS OF VIRGINIA STATE CODE

BE IT ORDAINED by the Council of the Town of Tazewell, Virginia, that Section 16-2, Adoption of State Law of Article I, of Chapter 16, of Motor Vehicles and Traffic Ordinance of the Town of Tazewell, be, and the same hereby is, amended as follows:

Section 16-2 - Adoption of State Law

Pursuant to the authority of §46.2-1313 of the Code of Virginia of 1950, as amended all of the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 and in Article 2 (§18.2-266, et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, except those provisions and requirements, the violations of which constitute a felony, are hereby adopted and incorporated in this Chapter and made applicable within the Town of Tazewell. References to "Highway of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as though set forth at length herein, and it shall be

unlawful for any person, within the Town of Tazewell, to violate or fail neglect or refuse to comply with any provision of Title 46.2, or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia which is adopted by this Section; and the Council of the Town of Tazewell does hereby adopt and impose the same penalties for the violation of any provision or requirement hereby adopted as imposed for a similar offense under Title 46.2 or under Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, subject only to any limitation of the Charter of the Town of Tazewell.

Due to the amendment of Title 46.2, or Article 2 of Chapter 7 of Title 18.2 of the Virginia Code effective July 1, 2014 and this ordinance be passed as an emergency Ordinance and that it be in effect from the date of its passage. Motion was made by Councilmember Mullins seconded by Councilmember Fox adopt the Ordinance as an emergency measure to be in effect from the date of its passage. On vote, Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

REVISED SECTION OF ORDINANCE – GRASS CUTTING ON TOWN RIGHT-OF-WAY

Council discussed the revising the Town Code for grass cutting on Town right-of-way.

Attorney Pyott read the first reading of the amendment to Section 13A ordinance, which was also recommended by the Planning Commission.

Motion was made by Councilmember Catron, seconded by Councilmember Murray to accept the recommendation of the Planning Commission to amend the grass cutting ordinance. On vote, Councilmember Catron, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Fox, nay. Motion failed for a lack of quorum.

PUBLIC COMMENTS

Veda Ferguson, a resident of 108 Fairmont Avenue, came before Council concerning the brush and grass needing to be cut Fairmont Avenue.

Betty Wallace, a resident of 708 West Riverside Drive, came before Council concerning Hurst Street needing to be paved. Mrs. Wallace stated there were still a lot of vehicles in yards that were not tagged on Riverside Drive and Division Street.

EXECUTIVE SESSION

RESOLUTION

Motion made by: Councilmember Murray
Motion Seconded by: Councilmember Fox
Vote: All voted aye

Resolution Number: ES08082014
Meeting Date: July 8, 2014
Purpose: Personnel & Legal

CERTIFICATION OF EXECUTIVE SESSION

Whereas, the Tazewell Town Council has convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, 2.1-344.1 of the Code of Virginia requires a certification by this Council that such executive session was conducted in conformity with Virginia Law;

Now Therefore, Be It Resolved, that the Tazewell Town Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Tazewell Town Council.

VOTE

Ayes: Councilmember Catron, Councilmember Fox, Councilmember Murray, Councilmember Mullins

Nays: None

Absent: Councilmember Brown and Vice-Mayor Blankenship

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)

ADJOURNMENT

With no further business to come before Council, meeting was adjourned at 10:05 p.m.

Called Council Meeting Minutes
July 16, 2014

The Tazewell Town Council met in a special called meeting at 6:30 a.m. in the Town Hall Council Chambers.

Present:

Mayor A. D. Buchanan, Jr.
Vice-Mayor Chris Blankenship
Councilmember Chris Brown
Councilmember Glenn Catron
Councilmember David Fox
Councilmember Jack Murray

Absent:

Councilmember Terry Mullins

Mayor Buchanan called the meeting order.

Attorney Pyott advised Council needed to approve the Town borrowing \$900,000 General Obligation Bond with bond counsel and lender for a \$3.5M Route 61 Improvement Project.

Motion was made by Councilmember Fox, seconded by Councilmember Murray for the Town to proceed with borrowing \$900,000 for the Route 61 Improvement project. On vote, Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Murray, aye.

Attorney Pyott stated the Town Treasurer/Clerk obtain several banks quotes for the \$900,000.

After discussion, motion was made by Councilmember Brown, seconded by Councilmember Murray voted to accept the best offer. On vote, Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Murray, aye.

Motion was made by Councilmember Fox, seconded by Councilmember Brown to appoint Hutton and Williams as the bond counsel for the General Obligation Bond of \$900,000 for Route 61 Improvement Project. On vote, Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Fox, aye; Councilmember Murray, aye.

Motion was made by Councilmember Murray, seconded by Councilmember Fox to hold a public hearing on August 12, 2014 at 7:15 p.m. for the Route 61 Improvement Project to borrow \$900,000.

Meeting was adjourned at 7:15 a.m.