

## **Council Meeting Minutes**

**October 13, 2015**

### **PUBLIC HEARING**

Mayor Buchanan called the public hearing to order at 7:15 p.m. The Town of Tazewell held a public hearing for the proposed zoning of the Dial Rock area, Dry Town area and Steeles Lane area that was annexed in 2010. Mayor Buchanan asked if anyone wished to speak for or against this issue. At this time, no one spoke for or against this reading.

The Tazewell Town Council met in regular session at 7:30 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Chris Brown

Councilmember Glenn Catron

Councilmember Jack Murray

Councilmember David Fox

Councilmember Jerry McReynolds

Staff present were: Town Attorney, Brad Pyott; Town Manager, Todd Day;

Treasurer, Sharon Davis, Police Chief, DeWitt Cooper; Fire Chief, Josh Roberts; Executive Assistant, Robin Brewster; Zoning, Building, Property Official, Chris Hurley; Town Clerk, Leeanne Billings, Public Work Director, Donny Pruitt.

### **CALL TO ORDER**

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

### **PROCLAMTATION FOR DOMESTIC VIOLENCE**

Mayor Buchanan read the proclamation for domestic violence. He presented the proclamation to Doug Sheets of Clinch Valley Community Action that states that October 2015 will be recognized as Domestic Violence Month in the Town of Tazewell. Doug Sheets thanked Mayor Buchanan and the Town and encouraged others to recognize domestic violence month.

## **BEAUTIFICATION COMMITTEE**

Flora Sinkford presented the beautification committee to the town council. She stated that some members were unable to be there due to illness but she introduced the present members and told what the committee does. They recognize three yards and a business for the beautification awards each month. They thanked the council for their support. Mayor Buchanan thanked the committee for all their hard work and job well done. He also stated that the decorations on Main Street looked good. Councilmember Fox also thanked the committee.

## **PUBLIC COMMENT**

Vera Eaves of 401 East Riverside Drive, North Tazewell, VA came before council to voice her concern for Clinch Valley Community Action. She stated that the community needs to come together, and that when people come together more can be done. She also said that she was a strong supporter of the Labor of Love Mission and that they support others in the community. She invited everyone to come volunteer and help to see what really goes on down there. She stated that Mr. Sheets has his hands full. She would like to challenge everyone to come together and support them.

Tom McAvoy of 102 West Riverside Drive, North Tazewell, VA came before council and stated that at the last meeting he requested help for parking at his residence while they had the food distribution at Labor of Love. He requested the curb painted yellow, which means no parking. He said that it was not done. He did say that at the last event, that parking was not an issue. However, he said that there are not enough officers to have someone pulled for that every time, and that if Labor of Love could fix the problem that easily, why wasn't it done before. Then he asked us to paint the curb again. Manager Day stated that he has not had time to go down there and look at the issue. He also stated that when Labor of Love is there helping and feeding the needy we will not be down there issuing parking tickets and that we will not be painting the curb.

Rene McAvoy of 102 West Riverside Drive, North Tazewell, VA and Doug Sheets (Director of Clinch Valley Community Action) of 132 Hill Street, Tazewell, VA stated that they have been working together on the issues that have been brought forth. They are still in need of a night manager. At this time they did not have the funding to hire one. They look forward to moving ahead and working with each other in a positive manner. Mr. Sheets thanked Chief Coor and invited Rene Steele (over Labor of Love, present at meeting) to come and be a part of this process. He stated that they need a game plan and they are working on one. Mrs. McAvoy, thanked Chief Cooper and his officers for everything that they have done and hopes that council will still continue to support them. She also thanked Mrs. Eaves for her comments and said it is nice to hear her speak publically and openly. She said this tonight has been positive. Mr. Sheets stated there would be a volunteer training on November 2<sup>nd</sup> to train people that would want to assist with the shelter.

Councilmember Fox stated that it looked better down there, they are doing a fantastic job, but he did notice a street light out. Councilmember Murray asked if anyone had the pole number. Chief Cooper stated he would take care of it. Councilmember Fox stated that he would like to make it to the training on November 2<sup>nd</sup> and thanked council.

Tammy Smith of 103 East Riverside Drive, North Tazewell, VA stated that she is still concerned with the buildings in North Tazewell. However, the fire hydrant issue that she brought up had been taken care of and she appreciated it. She took pictures of the area and passed them around to the audience, then to the council. She stated that one of the worst eye sores down there is owned by the Town. She thinks the owners of the buildings should be held accountable and made to clean them up. There has been a committee formed to help. She stated that they are wanted to move forward but the change will start with the council's help.

### **APPROVAL OF MINUTES**

Motion was made by Councilmember Fox, seconded by Councilmember Murray to approve the minutes of September 8, 2015. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

### **APPROVAL OF FINANCIAL STATEMENTS**

Motion was made by Councilmember McReynolds, seconded by Councilmember Murray to approve the financial statements for September 2015. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Councilmember Catron asked about the recreation category and why was it so far out of budget, specifically the building maintenance line. Manager Day stated it was more than likely the work that has been done to the trail around the lake, but he would check into it.

### **APPROVAL OF PROJECT REPORTS**

Motion was made by, Councilmember Murray, seconded by Councilmember Catron to approve the project reports for September 2015. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

### **DRY TOWN UPDATE**

Manager Day gave an update on the Dry Town Sewer Project. He stated the project is closed and they will have a closeout meeting in November.

## **ROUTE 61 UPDATE**

Manager Day stated that on Route 61 from 460 to Lincolnshire Park they will be widening the road for potential development of property. This has went to bid and we will have a bid opening within a month.

## **LINCOLNSHIRE DAM**

There has been no change on this project.

## **ROUTE 61 BRIDGE**

Manager Day stated that this project has been pushed back to 2017.

## **WELCOME TO TAZEWELL SIGN**

Manager Day stated that by the next meeting the sign will be complete. The sign is located by Crab Orchard Museum and it is the first of two signs.

## **PLANNING COMMISSION COMMITTEE**

Councilmember Murray gave an update. He stated that the committee has met twice since the last council meeting. They have discussed old houses and the comprehensive plan and will have something together by December.

## **TRAIN DEPOT COMMITTEE**

Vice-Mayor Mullins gave an update for the Train Depot Committee. He stated that Manager Day attended a meeting regarding the grant we were awarded and he will let Manager Day tell us about the meeting. Manager Day stated that we were awarded a grant for \$300,000.00 + for renovations at the Depot. Over the next two and a half years we will be working on it. The Request For Proposal went to ad last week and we have already sent out six packets to companies interested. We hope to secure an architect next month.

## **SESQUICENTENNIAL CELEBRATION**

Susan Reeves gave an update. She stated that they had their second meeting this evening. They are going to try to incorporate this celebration in other activities. They are going to start with the Christmas Parade. The theme will be 1866 to Tazewell Today. They will have another meeting in two weeks and make a calendar of events.

## **TAZEWELL TODAY**

Irma Mitchell, President of Tazewell Today gave an update about the committee. She said that local concerned citizens have come together to revitalize Main Street. They have organized

several events such as, Movie on Main, Tucks & Tractors, and have developed a plan for Main Street. The Ratliff Foundation has conducted studies for Main Street and they are making progress. New businesses are being launched and big things are going to happen. On October 19<sup>th</sup> Hill Studios will be here for a meeting at 4:30. She thanked the council and town for all they have done to help.

### **TRUNK OR TREAT**

Manager Day stated that Vickie Booth was asked to head this event. Last year there were over 1,000 kids that participated. This year there will be lots of things to do and it is going to be a good event. The Mayor stated that there will be a lot of activities for the kids. He also stated that in years past we use to do Halloween events at Lincolnshire and now they are on Main Street and he feels this will be a big event.

### **CONDEMNATION ACTIVITIES**

Zoning, Building, Property Official, Chris Hurley discussed the process of condemnation. He stated the ad will run for two weeks. The Rose house on Meadow Street was taken down on October 7<sup>th</sup>. The house on Hopkins Street was taken down by the owner. After November 1<sup>st</sup> the house on Adria Road will be taken down and also the Gilley house on Riverside Drive. The house on Hotel Avenue will be taken down after October 15<sup>th</sup>. The Mitchell House on Railroad Avenue will be after October 15<sup>th</sup>. There were seven houses taken down last year and at least six this year. Mayor Buchanan stated the Winfrey house on Lyons Avenue has been redone and looks good.

### **UPDATE ON THE BUILDINGS AT NORTH TAZEWELL**

Manager Day stated that the buildings in North Tazewell have been inspected. He said that he knows we need to make improvements to the Town building behind there. Gary Jackson the building inspector, gave them some information on one of the buildings down there today and that we will try to get to work on these buildings.

### **VIRGINIA TOURISM**

Manager Day stated that it would help Tazewell to be recognized in Virginia tourism and recommended that the IDA get involved. He has contacted Mr. Rose to set up a meeting on October 27<sup>th</sup>.

### **RECYCLING BIN DISCUSSION**

Attorney Pyott has contacted the Lester Group and has a letter for Manager Day to send out. Currently we lease the land for the basketball court from them and we are going to attempt to get more land from them for the recycling bins. Hopefully we will know something by the next meeting. Mrs. Betty Wallace, who was attending the meeting, spoke up and asked why can't they be put in the industrial park, it is out of the way and out of site. Councilmember Brown stated we

don't have land there. Manager Day stated that he has spoken to the land owners there and has not had good response. Manager Day stated that she makes valid points because they have been moved twice since he had been manager. But if we are allowed to proceed with our plans we will put down pads and fencing and have specific hours. Mr. McAvoy asked if Ramey Ford would be an option but it was stated it was in a flood plain.

### **EMERGENCY SHELTER UPDATE**

Fire Chief Josh Roberts stated that they are waiting one direction for council. Manager Day will be glad to give a recommendation to council. He said that what was given was for an emergency shelter and that is not feasible for the Town to do that a warming station would be more feasible. If the situation was bad enough FEMA would step in and he felt an emergency shelter is more than we can handle. He did also say the fire department needed a generator so they would be able to provide heat. Councilmember Brown made a motion to allow the Chief's to do what they needed to, to get this done. Councilmember Murray seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

### **HOLIDAY TIME OFF**

Manager Day stated that the policy book recognizes a half day off on the day before Thanksgiving. He would like to request all day November 25, 26, and 27 and December 24 and 25. Motion was made by Councilmember Brown to approve the all day requests made by Manager Day. Motion was seconded by Councilmember Fox.

### **VETERANS DAY PARADE**

Councilmember McReynolds gave an update of the parade committee. The parade will be Sunday, November 8<sup>th</sup> and travel from Tazewell High School to Main Street. There will be a dinner after the parade for the veterans and there will also be another flyover this year. Chief Cooper will ask that no cars be allowed to park on Main Street due to the safety of the children.

### **BANK LINE OF CREDIT RENEWAL**

The line of credit that we have had in the past was discussed and motion was made by Councilmember Fox to renew the line of credit at First Community Bank. Councilmember Murray seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye

### **DONATION REQUEST FROM TES-PTA FOR FALL FESTIVAL**

Manager Day stated that the town had been asked to donate to the fall festival at Tazewell Elementary School. Councilmember Catron asked if we have done this in the past. Councilmember Brown asked why did they need it. Executive Assistant, Robin Brewster stated it

was for fall festival events on October 30. Councilmember Murray made a motion to allow Manager Day to give them a donation according to the donation policy council passed earlier in the year. Vice-Mayor Mullins seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye

Discussion: If North Tazewell Elementary requests a donation, it will be the same as they give Tazewell Elementary.

### **CAFETERIA PLAN RESOLUTION**

Executive Assistant, Robin Brewster discussed the Cafeteria Plan. This is a pretax insurance plan. Mayor Buchanan read the resolution. Motion was made by Councilmember Catron to approve the resolution. Councilmember McReynolds seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

### **MISCELLEANOUS**

Tammy Smith asked if the meetings could be televised. Mayor Buchanan stated that they have discussed this and will be looking into it.

Attorney Pyott stated that the Planning Commission has recommended that the Town have a street naming ordinance. Motion was made by Councilmember Murray to prepare a street naming ordinance and have a public hearing on it next month. Councilmember Catron seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Attorney Pyott also said that they need to be working on General Assembly recommendations for the upcoming session.

### **PUBLIC COMMENT**

Someone from the audience stated that there were grants that the Town could get that would help with the cost of a generator at the fire department. Mayor Buchanan asked them to please give their name and information to the staff.

Vera Eaves asked could we petition Norfolk and Southern and ask them to make North Tazewell a “No Blow” area. She said she knows of three places in Bluefield that are no blow zones but those places have a gate.

## **EXECUTIVE SESSION**

Councilmember Murray made a motion that they go into executive session. Councilmember Brown seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.



## RESOLUTION

Motion made by: Murray

Resolution Number:ES151013

Motion Seconded by: Brown

Meeting Date:15 October 13

Vote: All voted Aye

Purpose: Personnel

### 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, 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

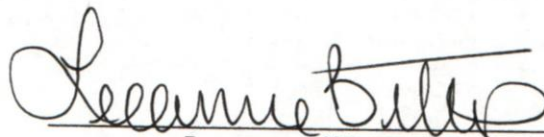
Ayes: Councilmember Catron, Brown, Mullins, Murray, Fox, McReynolds

Nays:

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

Absent during vote:none

Absent during meeting:none



Leanne Billings, Clerk

Councilmember Murray made a motion they come out of executive session. Councilmember McReynolds seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Mayor Buchanan stated the reason they went into executive session was to discuss personnel. On a roll call vote to confirm, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

### **ADJOURNMENT**

Councilmember Murray made a motion to adjourn the meeting. Motion was seconded by Councilmember Fox. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

The meeting adjourned at 9:21 p.m. until November 10<sup>th</sup> at 7:15 p.m.