

Council Meeting Minutes

November 10, 2015

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

Present:

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Chris Brown

Councilmember Glenn Catron

Councilmember Jack Murray

Councilmember David Fox

Councilmember Jerry McReynolds

Absent:

Staff present were: Town Attorney Representative Robert Altizer; Town Manager, Todd Day; Treasurer, Sharon Davis, Police Chief, DeWitt Cooper; Fire Chief, Josh Roberts; Rescue Squad Administrator, Syndee Saleem; 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. He first wanted to recognize the Veteran's Day Parade Committee and thank them for their hard work and he also thanked the veterans for their time served. Mayor Buchanan then opened with the pledge of allegiance and invocation given by Town Councilmember Glenn Catron.

RESOLUTION FOR THS CHEERLEADING TEAM

Mayor Buchanan read the resolution and congratulated the THS cheer team on their accomplishments in their tournaments. They came in first place and went to the state competition. Mayor Buchanan presented the cheer team with the Resolution from the Town of Tazewell. The councilmembers congratulated each member and told them to keep up the good work. Mayor Buchanan stated it was a great honor for the Town of Tazewell to get to honor the THS cheerleaders.

INTRODUCTION OF POLICE LIEUTENANT

Police Chief, DeWitt Cooper introduced the new Lieutenant David Mills to the council and presented him to the public as well. Mayor Buchanan welcomed him to the Town of Tazewell.

HALL OF FAME

Mayor Buchanan stated that Billy Wagner, originally from Tazewell, was up for the Baseball Hall of Fame and what a great honor it would be for someone from Tazewell to receive that award.

FELICIA DECOURCY REGARDING PARKING ON MAIN STREET

Felicia de Courcy resident of 409 Marion Avenue Tazewell, Virginia, and business owner of 205 East Main Street, came before council to discuss the striping of the new parking spaces on Main Street. She stated that in front of her office use to be five parking spaces and now there are four. She also pointed out that along the street on both sides, there have been several spaces, nineteen she believes, that have been lost due to this new striping. She states that because of the different lengths of the parking spots these spaces have been lost. She would like to request that we fix the sizes of the spaces to increase the number of parking spots on Main Street.

Manager Day stated that it was permanent paint and could not be fixed. He also stated that we have changed some spaces to handicap spaces. He stated the parking spaces were done by VDOT standards and he was following their guidelines. Ms. De Courcy asked where could she get a copy of the VDOT standards? Mayor Buchanan stated that it was marked according to the VDOT handbook. It does say 20 foot spaces. Manager Day stated that he wished more people were as passionate as Felicia de Courcy and said that we would have a better and more successful community. He also stated that he had spoken to her and he appreciates her concern and respects her concern, The biggest complaint that has been made is because of small spaces. Spaces range from 17.2 feet to 21 feet and they were not consistent. He has the VDOT guidelines and stated that we do not have to follow them, however if someone were to sue the Town they could ask why we did not follow the VDOT handbook. That is why he will always follow the VDOT guidelines. It states that parking spaces on the end of the road will be a minimum of 20 feet and we followed that, and the ones in the middle should be 22-26 feet so we chose 24 feet. The paint put down is permanent paint and we would have to mill up the road. Manager Day stated if the council wants to use different specs he will look into this issue. He also stated that we put in two VDOT approved handicap ramps and we are still working on the sidewalks on Main Street. Councilmember Murray stated that he like it at the post office better with just two parking spaces there, it makes it easier to pull in and out of the post office. Manager Day also stated that the Town had just recently purchased the Cox property off of Main Street and that property was going to become a parking facility to help with the issue of limited spaces on Main Street. He said that we would begin enforcing the tow hour parking more diligently and that he will not change the parking spaces unless council directs him to do so.

TAMMY SMITH WITH COMMENTS ON THE TOWN

Tammy Smith of 103 East Riverside Drive North Tazewell, Virginia came before council to discuss the North Tazewell area of the Town of Tazewell. She stated that there have been some positive things happening in that area. Since the last council meeting, the concerned citizens of the North Tazewell area have formed a committee as recommended by one of the councilmembers. The committee has been named the North Tazewell Project. They will take concerns and comments from the areas and try to address these issues. Also, she stated that since the last council meeting the Town has cleaned up their property on Riverside Drive, gotten rid of the trash truck and demolished the house on Railroad Avenue. Also, the church in their community held a trunk or treat that was a great event for the community. She stated that there are programs that could be implemented to reduce crime and activity and they would like to see a neighborhood watch program put in place as there is still drug activity in their neighborhood. Also, implement a program to help those that are addicted. She stated that North Tazewell Elementary School has a 92% free lunch rate and feels that these programs, if implemented, would help give those children a better chance for their future by removing the drug issue in the area. Also, another issue for their committee, they would like to see the building owners in North Tazewell be held responsible to fix up their buildings. She would like to challenge the Town Council to support their committee and help them make the area a better place. Mayor Buchanan thanked her and offered a challenge to her. He would like to challenge her to come before the council every quarter and give them a committee report to help keep everyone informed of their concerns and progress.

PUBLIC COMMENT

Rene McAvoy of 102 West Riverside Drive, North Tazewell, Virginia stated that she has appeared five times to request the parking space in front of her home be painted and that Manager Day said he would not paint the curb. She stated that when her fence is backed into would the Town be responsible for the damages? She quoted Manager Day from his discussion with Ms. De Courcy stating, "I will always follow VDOT guidelines." Then stated that it doesn't look like he is. She said the mayor told him to paint the curb and he said no he won't. She stated that there is still a drug problem in her area and it needs to be stopped. She asked what Chief Cooper needs to clean up the drug problem and asked that we make sure it is in our next budget so they can help clean up the community. There was suspicious activity going on Halloween as the kids were trick or treating. Then stated that VDOT standards applied to North Tazewell too.

Councilmember Murray stated that she has come before council three times or more and the mayor doesn't give the manager orders, the Town Council does. He also stated that there are more than two drug houses in town and the courts won't let you just go stop one. As for the free lunches, he stated that when his children were in school only two kids paid for their lunches, but they cannot do anything about school lunches. Mrs. Smith began to speak from the audience and Mayor Buchanan stopped her and stated that we were not going to argue. Councilmember Murray stated that we have given the police department what they need to do their job. Then stated that the council can only do so much and if she isn't happy with them, then she can replace them.

Manager Day asked the council to respectfully consider Ms. de Courcy's concerns so she doesn't have to come back. Then he stated to Mrs. McAvoy if she could find where it says to paint the curb in front of her house he will not only paint her curb but every other one in town if she can find a statue that says he is to paint it, he will look at it. Other than that he will not paint the curb unless council directs him to do so. He also stated that since she has taken her time to address this matter he feels as though she deserves to have the matter cleared up. Mrs. McAvoy says she would like to schedule an appointment with him to go over the paper work and Manager Day agreed to meet with her.

Councilmember Brown made a motion that they schedule a meeting with Felicia de Courcy to discuss the parking issues on Main Street. 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.

APPROVAL OF MINUTES

Motion was made by Councilmember Catron, seconded by Councilmember Fox to approve the minutes of October 13, 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 Murray, seconded by Councilmember Catron to approve the financial statements for October 2015. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

APPROVAL OF PROJECT REPORTS

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

Councilmember Brown asked Manager Day if the Town was offering leaf assistance this year. Manager Day said yes the truck is working, it was fixed about two weeks ago.

DRY TOWN UPDATE

Manager Day gave an update on the Dry Town Sewer Project. He stated the project is complete.

ROUTE 61 UPDATE

Manager Day stated that Route 61 project has went to bid and we will have a bid opening around December 3rd.

LINCOLNSHIRE DAM

Manager Day stated that they completed the study last week.

ROUTE 61 BRIDGE

Manager Day stated that there has been no activity on this report and it is targeted for 2017.

PLANNING COMMISSION COMMITTEE

Councilmember Murray gave an update. He stated that the committee is still reviewing the Comprehensive Plan and reviewed the list of houses that have been torn down. There have been a total of ten houses torn down, five are in the North Tazewell area, three of the ten have been torn down at owner's expense.

TRAIN DEPOT COMMITTEE

Vice-Mayor Mullins gave an update for the Train Depot Committee. He stated that they just held a meeting before the council meeting tonight and that it was a very exciting and positive meeting. There were 18 committee members present. Moving forward they will select an architect firm at the December council meeting. There have been six or seven submitted proposals and by this time next year they hope to be selecting a builder.

UPDATE ON TELEVISED TOWN COUNCIL MEETINGS ON COMMUNITY CHANNEL

Executive Assistant, Robin Brewster stated that the Lyons Club televises their auction from our council room so she will ask Eddie with the Lyons Club to see how that works.

RECYCLING BIN DISCUSSION

Councilmember Catron asked Manager Day if there was any update on the Recycling Bins. Manager Day stated that we have contacted Lester Development Group that owns the land and we are waiting to hear from them.

APPOINT REVIEW PANEL FOR TRAIN STATION RFP

The Town Council must appoint two members to serve on the panel to review the RFP. Councilmember Murray recommended Vice Mayor Mullins and Councilmember Catron to be on the panel. Motion was seconded by Councilmember McReynolds. On vote, Vice-Mayor

Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Two Train Station Committee Members must also serve on this panel. Motion was made by Vice Mayor Mullins that the Train Station Committee could appoint these two members at their own discretion. Motion was seconded by Councilmember Murray. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

DONATION REQUEST FROM CASA PROGRAM

Councilmember Brown asked if this program was local or if it was in Richmond. Felicia de Courcy stated that there was not one that operates in Tazewell. There was no motion made.

APPROVE TO SCHEDULE PUBLIC HEARING FOR DECEMBER MEETING FOR CHARTER REVISIONS/AMENDMENTS

Attorney Altizer stated that we have changes to make to our Town Charter and need to hold a public hearing to do such and send to the General Assembly. Motion was made by Councilmember Catron to hold a public hearing prior to the start of the December council meeting. Motion was seconded by Councilmember Murray. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

WRIT OF ELECTION DISCUSSION

Manager Day stated that earlier in the year Chris Blankenship had resigned from his position. The Town acted as the Town Charter allowed. We held interviews and appointed Jerry McReynolds to take the vacant seat. However, in 2010 the General Assembly changed the law on how the appointments must be made. The Town must petition the courts for a special election. After learning this law change, the Town has petitioned the court and are waiting for a response.

FIRST READING OF PROPOSED STREET NAMING ORDINANCE

Zoning, Building, Property Official, Chris Hurley, stated that the proposed ordinance mirrors what the County has adopted to change street names. Councilmember Murray made a motion to dispense the reading of the ordinance and move to a vote. 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.

Attorney Altizer stated that it is a very long ordinance.

APPROVE VDOT RESOLUTION FOR REVENUE SHARING

Manager Day discussed the revenue sharing grant from VDOT. He stated that we have to pass the VDOT resolution to be able to participate in revenue sharing. Mayor Buchanan read the VDOT resolution. Councilmember Murray made a motion to adopt the resolution. Motion was seconded by Councilmember McReynolds. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

STREET NAME CHANGE –MARTINGALE DRIVE

Zoning, Building, Property Official, Chris Hurley, stated that in August we had a suggestion to name the street by Clinch Valley Pharmacy, Martingale Drive. The Planning Commission voted to bring this before the council to be voted on. Councilmember Brown made a motion to name the street Martingale Drive. Motion was seconded by Councilmember Murray. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

UNSAFE STRUCTURE ABATEMENT –OLD BOWLING ALLEY

Manager Day has spoken to the owner of the old bowling alley. He may make a donation of the entire building to the Town. There is a request to move forward with the condemnation of the section of the building that is hazardous. Councilmember Murray asked Manager Day if he thinks the owner will donate it, he stated yes he does. Then he asked if it costs anything for condemnation. Manager Day answered, just staff time. Motion was made by Councilmember Murray to continue with the condemnation process. Motion was seconded by Councilmember McReynolds.

Councilmember Brown asked if we had people to inspect it? Manager Day stated that it was not structurally sound and we have quotes to demolish, \$20,000.00 for the entire building but we are just looking at half of it right now. Councilmember Fox stated that the owner of the old Acme building wants to sell.

On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

MISCELLANEOUS

December 5th there will be an open house at the train station, the parade and tree lighting on Main Street.

Mayor Buchanan thanked everyone who was involved in the Trunk of Treat and said it was a great event.

Councilmember Fox thanked the Veterans Day Parade Committee and recognized Flora Sinkford and Edith Jackson for their hard work and great job.

EXECUTIVE SESSION

Councilmember Brown made a motion that they go into executive session to discuss legal negotiations. Councilmember Fox 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: Brown

Resolution Number: ES151110

Motion Seconded by: Fox

Meeting Date: 15 November 10

Vote: All voted Aye

Purpose: Legal Negotiations

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

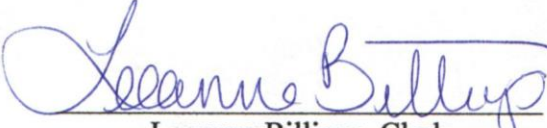
Ayes: Councilmember Catron, Mullins, Murray, Fox, McReynolds

Nays:

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

Absent during vote: Brown

Absent during meeting:



Leanne Billings, Clerk

Councilmember Murray made a motion they come out of executive session. Councilmember Fox seconded the motion. On vote, Vice-Mayor Mullins, 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 legal proceedings and read the resolution for Certification of Executive Session. On a roll call vote to confirm, Vice-Mayor Mullins, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

ADJOURNMENT

Mayor Buchanan adjourned the meeting at 9:14 p.m. until December 8th at 7:15 p.m.