

Council Meeting Minutes

December 8, 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 proposed Charter Revision/Amendments. 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:

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Chris Brown

Councilmember Glenn Catron

Councilmember Jack Murray

Councilmember Jerry McReynolds

Absent:

Councilmember David Fox

Staff present were: Town Attorney Brad Pyott; 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 honor America for Pearl Harbor Day (which was December 7th). Then he wanted to remember the lives lost in the shooting in San Bernardino, California. Mayor Buchanan then opened with the pledge of allegiance and invocation given by Town Manager Todd Day.

Mayor Buchanan wanted to recognize Irma Mitchell and congratulate her for a great Christmas Parade. At this time Mayor Buchanan presented a second place ribbon to Treasurer, Sharon Davis for the float entered by the Sesquicentennial Committee.

Mayor Buchanan stated that the THS theater program won second place in competition last night and Jake Laney won the outstanding actor award.

Mayor Buchanan introduced Rescue Squad Administrator, Syndee Saleem. She wanted to introduce her staff. She introduced each member present of Town of Tazewell EMS to the council and the public. Manager Day stated that this end of the county has picked up over 50% of the calls and our EMS has been very successful and very impressive. He thanked each of them for all they do and Mayor Buchanan also thanked them.

PUBLIC COMMENT

FELICIA DE COURCY

Felicia de Courcy resident of 409 Marion Avenue Tazewell, Virginia, and business owner of 205 East Main Street, Tazewell, Virginia came before council. She stated that she would like to apologize to Councilmember Catron and Brown. Manager Day scheduled a meeting and she was unable to make it. However, the parking issue on Main Street does need to be addressed. The parking has been reduced by 20% and although Manager Day says it is permanent paint, she believes there is a way to fix the parking situation. Manager Day has stated that they went by VDOT specs however the spaces are not the same size and it is bazar and erratic. She says people have said that she is just upset over parking spaces in front of her business and she does not agree with that statement. Her business will continue to operate however, it could affect new businesses trying to come to Main Street. Again, she feels that this issue should be addressed and looked into and she thanked everyone for their time.

SANDRA NEWBERRY

Sandra Newberry with the Virginia Department of Veteran Services came before council to introduce her self and invite everyone to their grand opening January 8th at 515 West Main Street. They have asked the governor to come and speak and everyone is invited. They will be open five days a week and they offer to help veterans with claims they need filed, questions they have, etc. They are a representative for the veterans.

DON DUNFORD

Don Dunford of 100 Shewey Street, North Tazewell Virginia, appeared before the council and stated that there has been a lot of work done in this town such as paving, the leache project, the water projects for providing water to Baptist Valley and soon providing water to Pocahontas, etc. He stated that Tazewell should be proud. He stated that the paving and work done around town makes this place greater and we need to keep moving forward.

Vice-Mayor Mullins stated that we needed to recognize Mr. Dunford that he would be graduating Saturday from Concord University with a bachelor's degree.

RENE MCAVOY

Rene McAvoy of 102 West Riverside Drive, North Tazewell, Virginia stated that Mayor Buchanan, Councilmember Brown, and Manager Day attended the North Tazewell Project meeting last month and thanked them for that. She said the attitude of the council were positive and only one member has spoken negatively, She feels as though she is concerned about her neighborhood and the drug problem in the area and her concern should not be spoken of negatively. She stated that their committee will be gathering information and will be giving council and an update in January. She would like to encourage the council's support and they will be receiving meeting information. She also would like to ask that on the Town's website, we put email addresses of our councilmember's so they may be contacted and citizens be able to reach their elected officials.

TAMMY SMITH

Tammy Smith of 103 East Riverside Drive North Tazewell, Virginia thanked he members for coming to their North Tazewell Project meeting. She said it feel good to know that some of them want to see North Tazewell grow and that we need economic development to grow and bring jobs. She also stated that if anyone the councilmembers have something they wish to address with her that they do it before she leaves the podium. She stated that she wanted to see the community cleaned up and the goal is to have a better community and that she looks forward to seeing the train depot project begin. Mayor Buchanan thanked her for her invitation to the meetings and thanked her for the information and updates. Councilmember Murray stated that he knows that she doesn't like him and that Mrs. McAvoy doesn't like him but all he did in the last meeting was take up for the manager. He stated that the council wants to see North Tazewell succeed and that he would be glad to back them 100%. However, he would like to make it known that only two councilmembers are allowed to attend any meeting at one time. If there are more than that, it is illegal if it is not held as an advertised meeting. Mrs. Smith stated that she feels Councilmember Murray has been rude and she did not appreciate it and if he isn't going to be for them he should hand in his resignation, that they have someone that could take his spot. He stated that he was not going to resign. Mayor Buchanan apologized to her if they have acted rudely or upset her.

KEVIN CRISP

Kevin Crisp of 642 West Riverside Drive, North Tazewell came before council and thanked them for coming to their community meeting. He stated that they are bouncing ideas around and when the train station future was mentioned that it really sparked interest and he would like to ask Vice-Mayor Mullins if a representative from the Train Station Committee would be a part of the North Tazewell Project Committee. Vice-Mayor Mullins stated that Bob Gemmell, he understood was part of their committee and he was also a member of the Train Station Committee. He also invited them to come to their next Train Station meeting. It would be held next Tuesday at 6:00 pm at the Tazewell Historical Society.

APPROVAL OF MINUTES

Motion was made by Councilmember Catron, seconded by Councilmember McReynolds to approve the minutes of November 10, 2015. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

APPROVAL OF FINANCIAL STATEMENTS

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

APPROVAL OF PROJECT REPORTS

Motion was made by, Vice-Mayor Mullins, seconded by Councilmember Catron to approve the project reports for November 2015. Councilmember Catron stated that he was impressed by Rescue Squad Administrator, Syndee Saleem's format and it was much easier to understand. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

ROUTE 61 UPDATE

Manager Day stated that last week there was a bid opening for the street widening project. The lowest bid was \$2.6 million from Cleco. Motion was made by Councilmember Catron to accept the bid of \$2.6 million from Cleco. Motion was seconded by Councilmember Murray. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

LINCOLNSHIRE DAM

Manager Day stated there is no update.

ROUTE 61 BRIDGE

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

OPTION IV-PHASE 1 WATER DISTRIBUTION PROJECT

Manager Day stated that this project was being completed. There were still some issues on the lending areas and they will be closing this project soon.

METER REPLACEMENT PROJECT

Manager Day stated that 26 large commercial meters have been installed and 194 residential installed. They are averaging about 40 meters per day and they had to get an extension on the project because of meter delivery.

VML LEGISLATIVE TRIP

Manager Day stated that the VML Legislative trip is the second week in January and he needed to know if anyone was interested in going and if so let him know.

NORTH TAZEWELL UPDATE

Manager Day stated there will be a follow up meeting to be scheduled but it was a good informative meeting and they will be successful and he appreciates the interest and thanks the committee.

PLANNING COMMISSION COMMITTEE

Councilmember Murray gave an update. He stated that the committee received a newly revised copy of the Comprehensive Plan and will be reviewing it. He stated that Zoning, Building, Property Official, Chris Hurley is doing a very good job.

TRAIN DEPOT COMMITTEE

Vice-Mayor Mullins gave an update for the Train Depot Committee. He stated that they held an open house on December 5th and it was very well attended. They appreciate everyone coming out and he thanked Susan Reeves and Jennifer Boyd for all the work they have done. Tonight they heard three presentations for an architect. He also stated that their next meeting will be held next Tuesday at the Historical Society at 6:00pm.

SECOND READING OF THE PROPOSED ORDINANCE FOR STREET NAMING

Councilmember Murray made a motion to dispense the reading of the ordinance. Motion was seconded by Councilmember McReynolds. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

Attorney Pyott stated that the county has tried to get in sync with the town addressing and we need to adopt a street naming ordinance. It will go in affect in 30 days. This ordinance will be a mirror of the county ordinance. It will also be beneficial to the EMS. Motion was made by Councilmember Catron to adopt the street naming ordinance. Motion was seconded by Councilmember Murray. On a roll call vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

BOWLING ALLEY UPDATE & APPROVAL TO ACCEPT PROPERTY AFTER ADEQUATE INSPECTION

Manager Day showed council a representation of the FEMA map for that area. It shows the flood way areas. He stated that we could build there but it would need to be reviewed before something was built there. The owner of the property has offered to donate it to the Town. Manager Day stated that the IDA could get the property later and turn it in to something. Right now we are looking at demolishing part of the building to remove the eyesore and the estimated cost would be no greater than \$40,000.00. Also, the agreement would be that the current tenant would have a year to vacate the property. Manager Day stated that at the moment he has no intentions on what to do with the property. Motion was made by Councilmember Murray to accept the property. Motion was seconded by Councilmember Brown. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

BOWLING ALLEY PROPERTY REAL ESTATE TAXES

Manager Day stated that the real estate taxes on the building totaled up to, \$1,471.20 and that if we accepted the property we would be taking care of the real estate taxes as well. Mayor Buchanan asked about the other colors on the FEMA map and Manager Day explained them. Mayor Buchanan then asked if it is donated to us today, do we take ownership of it? Attorney Pyott stated that we would need to change the deed first to show the change of ownership. However we would be doing a title search first and get it appraised. Mayor Buchanan also asked if the renter would be required to pay us rent. Manager Day stated that he had not looked at that. Manager Day then asked if it would be agreeable to write off the amount due in taxes? Motion was made by Councilmember Brown and seconded by Councilmember Catron to write off the real estate taxes for the property. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

SEWER TAP FEE EXPLANATION FROM DAVID DAWSON

Manager Day stated that the Drytown project was complete. The majority of the area had a grant to get the tap fees paid. The state allows non-user fees to be applied. David Dawson has provided us information on the non user fees and debt services. If we do not get the connections we may have to give the money back. Manager Day stated that within the next couple of days council needs to give him direction. They have had a year and a half to hook onto the sewer and there was no use doing the project if they are not going to hook up on it. Councilmember Murray asked how many had hooked up. Manager Day stated 27 and all were grant paid. Mayor Buchanan asked how many use it. Manager Day stated about 63.

ENTERPRISE ZONE INCENTIVES

Attorney Pyott stated that we had passed to accept incentives for the enterprise zone in an earlier meeting. He stated that he needed direction to prepare these incentives, such as meals tax, business license etc. for the January meeting. Councilmember Catron made a motion for

Attorney Pyott to prepare the enterprise zone incentives. Motion was seconded by Vice-Mayor Mullins. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

RECYCLING BIN DISCUSSION

Attorney Pyott stated that Jim Ferrel, representative for the Lester Development Group, has contacted him and they have discussed the land at Lincolnshire park that is being used as a basketball court and also discussed the land requested to use for the recycling bins. They have setup a meeting to further discuss and he seems very receptive to the idea.

PROPOSED CHARTER AMENDMENT

Councilmember Catron made a motion to accept the proposed Charter amendments as submitted and discussed during the November 10th council meeting and at the public hearing again tonight, and to submit the proposed Charter amendments to the 2016 General Assembly for consideration and approval. Councilmember Murray seconded the motion. On a roll call vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

FAIR HOUSING RESOLUTION

Executive Assistant, Robin Brewster, stated that in order to close out the Dry Town project we needed to pass the Fair Housing Resolution. Councilmember Brown made a motion to accept the Fair Housing Resolution. Motion was seconded by Councilmember Murray. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

DISCUSSION ON JULY 4TH FIREWORKS DISPLAY FOR 150TH CELEBRATION

Executive Assistant, Robin Brewster stated that she has gotten quotes to have the fireworks on July 4th for 2016. Since we will be incorporating the 150th year celebration we will be having a bigger and longer show. However, the price of the show has almost tripled. The show from American Firework would be \$18,000.00 and they are the same price as Zambelli Firework. Councilmember Murray asked could we check on prices for that type of show for July 3rd. Vice-Mayor Mullins stated he would agree with that. Executive Assistant Robin Brewster, stated that she will get other options.

VDOT RESOLUTION-VANGUARD AVENUE EXTENSION

Manager Day stated that in order for the town to get reimbursed for the street maintenance on Vanguard Avenue we needed to adopt the VDOT Resolution. Mayor Buchanan read the 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 McReynolds, aye.

BUSINESS GROWTH INCENTIVES

Manager Day stated that earlier we had gotten Main Street added to the Enterprise Zone for the town. There have also been incentives passed for the enterprise zones to entice businesses to come. Manager Day would like to see us offer incentives to come to other parts of our town as well. He stated that he has a quote from the one that prepared the incentives for the enterprise zone and the fee would not exceed \$5,000.00. He is requesting permission to have an incentive package drawn up for the rest of the town areas. After some discussion, Councilmember Murray asked if we could table the discussion until the next meeting.

HISTORICAL DISTRICT

Manager Day stated that he has been in contact with Hill Studio and they have stated that the historical district should be increased. There could be tax incentives there too. There has been a request to include more buildings on Main Street in the historical category. Manager Day asked if council would like to take the recommendation from Hill Studio and expand the historical district. Councilmember Catron made a motion to expand the historical district. Councilmember Brown seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

PRV DISCUSSION

Manager Day asked could we move this topic to the end of the meeting.

IDA NOMINATION

Manager Day stated that Bill Weeks position on the IDA was now vacant and he needed suggestions from council to fill the seat.

BZA NOMINATION

Manager Day stated there is an open position on the BZA and he needs recommendation for someone to fill the seat. This position will be recommended by the Town Council but will be appointed by the Judge.

TOWN OF TAZEWELL EMS FINANCIAL UPDATE

Rescue Squad Administer, Syndee Saleem and Mr. Waycaster, from the billing firm came before council to discuss the financial status of the rescue squad. It was stated that there has not been much revenue collected due to the name change of the rescue squad. It takes Medicare time to work through name changes and everything needed from the Town is complete. After much discussion, it was stated that there was about \$230,000.00 outstanding and they have only spent \$196,000.00 and Manager Day would like to revisit this again in six months.

PRV DISCUSSION

Manager Day stated that the water line is complete and in May when it is turned on it will increase pressure. We currently have \$17,000.00 unspent. He would like to request that the town bid out PRV's and supply them to the residents that will be affected by the increase if the resident would like to have one. Councilmember Murray stated we should make sure the residents understand the situation completely and knows what a PRV does. Councilmember Murray made a motion to bid out PRV's and supply them to residents that would be affected by the increase in pressure. Motion was seconded by Councilmember Catron. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

MISCELLANEOUS

Attorney Pyott stated that in the matter of the council vacancy issue, the court will allow us to hold the election no later than the next general election, IT was decided that the November 2016 would be the most efficient date. Councilmember McReynolds appointment will stand and his appointment will be recognized by the court.

Mayor Buchanan stated he wanted to remind everyone of the Town's Christmas Dinner next Thursday.

EXECUTIVE SESSION

Councilmember Murray made a motion that they go into executive session to discuss two matters of personnel, legal negotiations, and prospective business property. Councilmember Brown seconded the motion. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

RESOLUTION

Motion made by: Murray

Resolution Number: ES151208

Motion Seconded by: Brown

Meeting Date: 15 December 08

Vote: All Aye

Purpose: Personnel, Prospective
Business Real Property

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

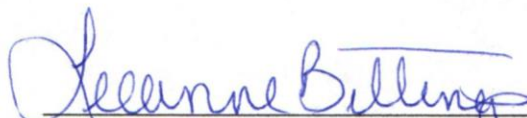
Ayes: Councilmember Catron, Brown, Mullins, Murray, McReynolds

Nays:

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

Absent during vote: Fox

Absent during meeting: Fox



Leanne Billings, Clerk

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

Mayor Buchanan stated the reason they went into executive session was to discuss, personnel, legal proceedings, and prospective business property and read the resolution for Certification of Executive Session. On a roll call vote to confirm, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

Mayor Buchanan asked if there was a motion to accept an architect for the Depot project. Vice-Mayor Mullins made a motion that they accept the bid from Barry A. Rakes-Architect, PLLC. Motion was seconded by Councilmember McReynolds. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember McReynolds, aye.

ADJOURNMENT

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

Mayor Buchanan adjourned the meeting at 10:09 pm.