

Council Meeting Minutes

February 9, 2016

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 Town to be able to accept USDA Rural Development Funding for new police cars. 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 and opened with the pledge of allegiance and invocation given by Reverend Rick Mallory.

SPECIAL PRESENTATIONS

Special Recognition of Officer Steven Davis for MADD Award

Police Chief Cooper came before council and presented Corporal Steven Davis with the MADD (Mothers Against Drunk Drivers) Award. This is the second year in a row that Corporal Davis has won this award.

FBLA Certificate of Recognition

Mayor Buchanan read the recognition certificate for FBLA and declared February 7-13 FBLA week in the Town of Tazewell. Mrs. Mullins of Tazewell High School accepted the certificate on behalf of the FBLA.

Special Presentation to Mary Jayne Smith

Mary Jayne Smith was recognized for winning a trip to Disney World through the Make a Wish Foundation. The Town made her princess for the evening and presented her with a certificate, flowers, tiara, and Councilmember Murray presented her with a Mickey and Minnie Mouse watch.

Rick Mallory Regarding Community Support Meeting

Reverend Rick Mallory of the Fincastle Baptist Church and resident of 114 Ben Bolt Avenue, Tazewell, Virginia came before Council to discuss the economy of our town, our county and our state. He stated that the economy affects us all and the Tazewell Ministerial Association would like to hold a prayer meeting to pray over our economy. The exact date is not set yet but it will be held in April, at Nuckolls Hall and he would like to ask for Council's support and prayers for this event. Mayor Buchanan stated that we will help get the word out any way we can and that we would be glad to help.

PUBLIC COMMENT

MICHAEL WALKER of 620 West Main Street, Tazewell, Virginia came before council to discuss the traffic at the Tazewell Elementary School. When parents are dropping off or picking up their children the line gets so long that it starts backing out into the road and you have to go in the other lane to get around them. Also, another issue that he would like to discuss is the fact that there is going to be a brewery beside the little league field. He said that he welcomes new business and he is not against it he just feels that it is not a good environment to have beside the little league field.

TAMMY SMITH signed up to speak however when she was called to speak she said she changed her mind and she would wait until the next meeting to speak.

MINUTE CORRECTION

Motion was made by Councilmember Brown, seconded by Councilmember Murray to approve the minute correction submitted (See Minute Attachment A) from the November 2015 minutes. 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 Brown, seconded by Councilmember Catron to approve the minutes of January 12, 2016. 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 McReynolds, to approve the financial statements for January 2016. 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 Brown, seconded by Vice-Mayor Mullins to approve the project reports for January 2016. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

ROUTE 61 UPDATE

Manager Day stated the go ahead was given on Friday and work will begin immediately to widen the road.

LINCOLNSHIRE DAM

Manager Day stated there is no change.

ROUTE 61 BRIDGE

Manager Day stated that this project is targeted for 2017.

METER REPLACEMENT PROJECT

Manager Day stated this is a slow process but it is a good project. We have 1,200 new meters installed. Councilmember Catron stated that we discovered a leak was detected at his business

and he received a phone call letting him know it and he appreciated that very much because he was not aware he had a leak. Manager Day stated that with the new meters we are able to get very accurate readings and even able to get timed readings. The estimated completion date should be three months depending on the weather. Manager Day said that Public Works Director Donny Pruitt, has selected a good crew for this job and they are doing a good job on the project. Councilmember Fox stated that all the departments are doing a good job. He then asked if there were occasions where people would have to leave their water running because of the cold temperatures if we would adjust the bill for that. Manager Day stated that we allow for one adjustment per year if there is a water leak and if we are aware of the problem with freezing water and they leave their water running we will try to work with them.

NORTH TAZEWELL UPDATE

Manager Day does not have an update on the North Tazewell Project meeting, however Town Attorney Brad Pyott, is working on the bowling alley property.

NEW BUSINESS ATTRACTION GRANT

Manager Day stated that our economy has taken a big hit and he is concerned about how we are going to continue to move forward. He discussed ways that the Town is having to adjust the budget to compensate for problems the economy has caused. Lately there have been several local businesses that have closed such as, Kmart in Claypool Hill, Wal-Mart in Kimball, Ryan's, Staples, and Norfolk Southern in Bluefield. He stated that our Planning Commission and Economic Development have been very aggressive in the last year trying to keep going and try to grow. He also stated that we have several citizens that are concerned with our economy and growth of our town. Manager Day stated that we have been working with a company to develop incentives that we will be able to offer new businesses that will hopefully attract them to come to Tazewell. Incentives include, if the business supplies a certain number of jobs for Town of Tazewell, 100% of the tax paid to the Town will be eligible for a refund. We will be advertising in VML magazines, etc. and stated that this has never been done by a municipality in the Commonwealth. Councilmember Catron thanked manager Day and stated that was an outstanding presentation. Mayor Buchanan stated that you have to make people want to come here and told Manager Day that he is doing a good job. Mike Thompson, with Tazewell County was also recognized for his help in getting the incentives looked at and in place with the county.

LEGISLATIVE TRIP

Manager Day stated that there were several entities there, VDOT and local legislative members. He stated that it was a good trip however it was cut short by bad weather.

PLANNING COMMISSION COMMITTEE

Councilmember Murray gave an update. He stated that the committee has scheduled a public hearing for the Comprehensive Plan for March 7th at 6:45pm. They have discussed boundary adjustments, property maintenance, demolitions, and an alley way closure in North Tazewell.

TRAIN DEPOT COMMITTEE

Vice-Mayor Mullins gave an update for the Train Depot Committee. He stated that the committee met twice last month. The first meeting was to get fund raising ideas and the second meeting was with Barry Rakes, an architect for the Depot. The next meeting is March 15th at 6:30pm at the Historical Society.

AIRPORT AUTHORITY

Councilmember McReynolds gave an update on the airport. He stated that the Airshow has been set for the fourth Saturday in August. It is a free event and this year they will also be having a car show, and motorcycle show. The airport is available to rent for parties. They also have a flight instructor to teach flying lessons.

BOUNDARY ADJUSTMENT

Manager Day stated that the Planning Commission is looking at boundary adjustments. We will not be eligible for another annexation yet because we have had one in the last 10 years, but we can do boundary adjustments and clean up the Town's boundary lines. We will be looking at revenue versus expense to do this.

REQUEST TO CLOSE LINCOLNSHIRE PARK FOR MOUNTAIN MUDDER EVENT

Manager Day stated that last year the Mountain Mudder was held at the Fairgrounds and this year they would like to hold the event at Lincolnshire Park. They would like to shut down the park on either July 30th or September 10th. Motion was made by Councilmember Brown to allow them to hold the even at Lincolnshire Park and shut down the park for that day. 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.

APPROVE INVOICE FOR INFLATABLES FOR SPRING EXPO

Manager Day presented an invoice to the Council for the cost of inflatables at the Spring Expo. The invoice is for \$3,375.00. There was no motion made at this time.

EMERGENCY REPSONSE PLAN –WASTEWATER TREATMENT FACILITY

David Hilton presented the Emergency Response Plan to the Council. This outlines emergency procedures, contacts for emergency situation, mutual aid departments that we can dispatch.

RISK ASSESSMENT –WASTEWATER TREATMENT FACILITY

David Hilton presented the Risk Assessment for the Wastewater Treatment Facility to the Council. This report discusses threats against the Wastewater Facility. It also gives suggestions

on how to prepare for unforeseen circumstances such as, name badges for each employee, a secondary holding area for sewage storage, etc. Manager Day thanked David and said he was doing a good job. Councilmember Murray stated that one of the contacts, Bill Archer, needs to be removed, as he is retired now. Vice-Mayor Mullins thanked David and he also thanked Mrs. Mullins from Tazewell High School who is over the COE program as that is how David became employed with the Town and he stated that it was a very good program for the school to have.

ALLEYWAY OFF OF THIRD STREET DISCUSSION & RECOMMENDATION

Manager Day stated that he has received complaints about activity going on in the alleyway off of Third Street. The Police Department does patrol that area however they can't be there all the time. Officials see no reason as to why the alleyway could not be closed. The alleyway would be split 50/50 between the adjoining property owners. The Planning Commission has recommended to present this issue to the Town Council. Councilmember Murray stated that the gentleman at 107 Third Street came before the Planning Commission previously and was very discourteous. Then he came before the Town Council and was very rude and Council did not make a motion to close the alley. He was very disrespectful to Council and Councilmember Murray does not feel that we should close the alleyway due to his actions. Manager Day stated that if there is a motion to close the alleyway, there would have to be a public hearing. Mayor Buchanan asked if the alleyway was gravel or paved? Manager Day said it is paved and we plow and salt it. Motion was made by Councilmember Fox to close the alleyway. Motion was seconded by Councilmember Brown. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye. A public hearing will be scheduled.

EXECUTIVE SESSION

Councilmember Catron made a motion that they go into executive session to discuss two matters legal counsel (Rt 61) and prospective business. 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: Catron

Resolution Number: ES160209

Motion Seconded by: Brown

Meeting Date: 16 February 09

Vote: All Aye

Purpose: Legal Counsel (Rt 61)
Prospective Business

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

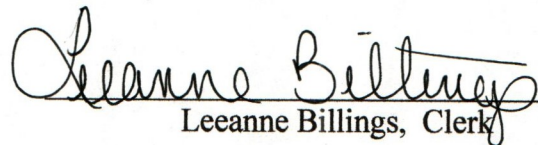
Ayes: Councilmember Catron, Brown, Mullins, Murray, Fox, McReynolds

Nays: none

(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 Fox made a motion to 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 legal counsel for Rt. 61 and discuss prospective business. He then 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 Fox, aye; Councilmember McReynolds, aye.

WORK SESSION

There will be a Council work session held on February 23rd at 5:30pm.

ADJOURNMENT

Mayor Buchanan adjourned the meeting in recess at 9:06 pm until the work session on February 23rd.

November minutes that was submitted:

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.

Minute correction submitted:

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