

Council Meeting Minutes

May 10, 2016

The Tazewell Town Council met in a work session at 6:15 p.m. in the Town Hall Conference Room.

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:

DONATION FROM DAVID NICHOLS TRUST DISCUSSION AND RECOMMENDATION FROM TOWN MANAGER

Manager Day stated that before he passed, David Nichols and he had a discussion about paving the walking path around Lincolnshire Lake. He stated that there is a \$25,000.00 donation that has been left to the Town as long as the Town will match it and it must specifically be used around the path at the lake. However, we have been getting feedback that people would rather leave it gravel. Manager Day does feel like it would be acceptable to use the money toward maintaining and up keeping the existing path and we could look at using this during the fiscal year of 2017-2018 since the budget has already been completed for the 2016-2017 year. He suggests creating a committee to work toward this and they can get feedback from runners and the community members. The committee can come back in a year and give recommendations.

DISCUSSION OF PROPERTY BESIDE 102 E FINCASTLE

Manager Day stated that the vacant lots beside 102 E Fincastle would have to be leveled and there would have to be a 30 foot wall built to secure the land beside it. We have an estimate of the wall and it will cost over \$200,000.00 to construct. Do we want to consider taking a survey, etc.? It was decided that we do not want to move forward and do not want to accept.

Attorney Pyott stated that in order for David Haven's property to have the street widened, we will have to have it surveyed first. There are four properties down there and he has already built a retaining wall.

MOVIE THEATER UPDATE

Manager Day stated that he and Executive Assistant Robin Brewster, went to look at the movie theater property. They found that the electricity has been turned off. Robin Lee, a structural engineer will be looking it to make a recommendation. If we take the donation of the property, it will have to be completely redone. Manager Day said that if we do open a Town operated movie theater it will be successful, however he would rather not get into the movie theater business. There are individuals that are interested in the property. Discussion was held on whether to accept the donation of the property or not and what our options were. Some options would be: accept the building, renovate, and operate, or give to the IDA and let them give the building to one of the interested parties. Manager Day stated that he would put an RFP together so we can get an idea of where the building stands and how much it would take to get it up to good condition. At this time we would not want to offer the new incentives, we could use them for leverage. There are grants out there to update equipment. We can do an analysis for the town to operate it and bring it to the table.

LITTLE LEAGUE GRANT REQUEST

We have submitted a request to the Ratliff Foundation and we will be submitting one in June to the Shott Foundation.

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 first reading of the 2016/2017 proposed budget. Mayor Buchanan read a summary of the general fund proposed budget. Mayor Buchanan read a summary of the water fund proposed budget. Mayor Buchanan read a summary of the sewer fund proposed budget. 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 David Fox

Councilmember Jerry McReynolds

Absent:

Staff present were: Town Attorney Brad Pyott; Town Manager, Todd Day; Treasurer, Sharon Davis, Police Chief, DeWitt Cooper; Executive Assistant, Robin Brewster; Town Clerk, Leeanne Billings; Public Work Director, Donny Pruitt; Zoning & Property Management Official Chris Hurley; Recreation Director, Travis Barbee.

CALL TO ORDER

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

PUBLIC COMMENT

None.

SPECIAL PRESENTATION IN MEMORY OF JEFF WHITE

Chief Cooper presented a shadow box with Lt. White's dress coat, badge and hat to the White family and said that they would be displaying it in the main foyer of the police department. He gave a special recognition to the family. Mayor Buchanan thanked the family for coming and thanked them for the time that Jeff had spent with the Town.

PROCLAMATION FOR RELAY FOR LIFE

Mayor Buchanan read the proclamation for Relay for Life. They would like for everyone to participate in "Paint the Town Purple" week. The Town received a thank you card from them and Mayor Buchanan read it aloud.

RESOLUTION FOR THE THS ONE-ACT TEAM

Mayor Buchanan read the resolution for the THS One Act Team and presented it to Sarah Jackson and Sarah Shelton and congratulated them on a job well done.

SPECIAL RECOGNITION OF DERRICK YOUNG OF THE THS WRESTLING TEAM

Mayor Buchanan presented Derrick Young of the Tazewell High School wrestling team with a special certificate for his performance on the wrestling team and congratulated him on a job well done. He placed fourth in the state.

SPECIAL RECOGNITION OF CHRIS HURLEY

Mayor Buchanan recognized Zoning, Building, Property Official, Chris Hurley for becoming certified as a Flood Plain Manager and Property Maintenance Official and congratulated him on the job well done.

APPROVAL OF MINUTES

Motion was made by Vice-Mayor Mullins, and seconded by Councilmember Murray to approve the minutes of April 12, 2016. On vote, Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Motion was made by Councilmember Murray to approve the minutes from the work session held on April 14, 2016. 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.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Councilmember Catron and seconded by Councilmember Fox, to approve the financial statements for April 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 Murray and seconded by Councilmember Fox to approve the project reports for April 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 he gets manager updates each week and forwards the progress to the council members.

NORTH TAZEWELL UPDATE

Manager Day stated he did not have an update from the North Tazewell committee.

TAZEWELL TODAY

Irma Mitchell gave an update on the Easter Egg hunt. She thanked Louise Leslie and Terry Mullins for their help on the clues. There was a lot of fun and excitement had with this activity.

PLANNING COMMISSION COMMITTEE

Manager Day stated that the Planning Commission discussed the Ramey property and a house that was torn down on Adria Road.

TRAIN DEPOT COMMITTEE

Vice-Mayor Mullins gave an update for the Train Depot Committee. He stated that the project is still on schedule and they are very excited for it to be a full time visitor's center. Also, they have full support from the Train Committee and North Tazewell committee and Town Council. He also wanted to remind everyone of the dinner/banquet on June 4th at 7:00pm. Tickets will be \$50.00 apiece.

SESQUICENTENNIAL COMMITTEE

Susan Reeves discussed the Main Street Mile event that will be held on May 28th. There will be a timed event and there will be an untimed event. They will also give an award to the school that has the most children participate.

VACATION OF ALLEY BETWEEN THIRD STREET AND MITCHELL STREET

Manager Day stated that two months ago we held a public hearing regarding this matter. The Town staff has reviewed this issue and recommended to close it. A motion to close the alleyway between Third Street and Mitchell Street was made by Councilmember Fox. Motion was seconded by Vice-Mayor Mullins.

Councilmember Murray asked were we voting to close it or abandon it. It was answered, to close it and it would no longer be Town property. Betty Wallace, who was attending the meeting, asked why it needed to be closed. It was said that the area is dark and unlit and there is unnecessary activity that goes on in the alleyway. Vice-Mayor Mullins asked if the Planning Commission recommended it be closed. Councilmember Murray stated that they recommended to send it to the Town Council to be voted upon. Betty Wallace asked what will happen to the land that makes up the alleyway and it was explained that no one would be land locked and the property would be split amongst the three property owners at tax assessed value. If the adjoining land owner does not want to purchase it the other land owners can buy it. There is a water main through there; we will still have access to it. On a roll call vote; Councilmember McReynolds, aye; Councilmember Fox, aye; Councilmember Murray, aye; Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye.

DAVID HAVENS ALLEY UPDATE

Attorney Pyott stated that he spoke to Jim Ribble and he is going to survey the property and then he can take further action.

SECOND READING OF THE FIRE PREVENTION AND PROTECTION ORDINANCE

Attorney Pyott read the ordinance for fire prevention and protection. Motion was made by Councilmember Fox to pass the ordinance. Motion was seconded by Councilmember McReynolds. On a roll call vote; Councilmember McReynolds, aye; Councilmember Fox, aye; Councilmember Murray, aye; Vice-Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye.

SPEED LIMIT DISCUSSION

Manager Day said that he has had complaints that the speed limit on Tazewell Avenue is too low. He would like direction from council whether or not they want a professional company to evaluate the speed limit. If they would like it done and they company gives us a recommendation, we need to take it. It was decided to get a price on what the study would cost.

SEWER AUDIT

Motion to accept and approve the sewer audit was made by Councilmember Murray. 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.

SEWER TRUE UP

Manager Day stated that we buy water from the County PSA and they have to do the same for the sewer. As it stands, they owe us \$3,000.00. Motion to accept True Up was made by Councilmember Murray. 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.

SET WORK SESSION DATE FOR TOWN COUNCIL AND IDA

Manager Day requested that there be a work session between the Town Council and the IDA to discuss the new tax incentives. The meeting is set for May 17th at 5:15pm.

MISCELLANEOUS

TOURISM AREA

Manager Day proposed a map that shows the tourism zones in the town. All areas outside of Residential zoning are included on the map. Motion was made by Councilmember Brown to accept the proposed map. 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.

NATIONAL POLICE WEEK

Mayor Buchanan wanted to remind everyone of police week and that we had an invitation from the sheriff's department to join in.

EXECUTIVE SESSION

Councilmember Brown made a motion that they go into executive session to discuss legal consultation. 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.

RESOLUTION

Motion made by: Brown

Resolution Number:ES160515

Motion Seconded by: Murray

Meeting Date: 16May15

Vote: All voted Aye

Purpose: Legal Consultation

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

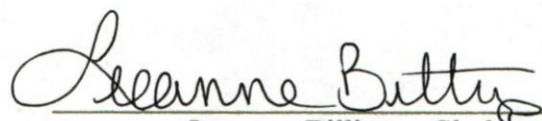
Ayes: Catron, Brown, Mullins, Murray, Fox, McReynolds

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


Leeanne Billings, Clerk

Motion was made to come out of executive session by Councilmember Brown. 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.

Mayor Buchanan stated the reason they went into executive session was to discuss legal consultation. 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.

ADJOURNMENT

Mayor Buchanan adjourned the meeting in recess until the work session on Thursday, May 17 at 5:15 pm.