

## **Council Minutes**

### **-Work Session-**

The Tazewell Town Council met in a work session at 6:30 p.m. in the Town Hall Council Chambers.

**Present:**

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Chris Brown

Councilmember Jack Murray

Councilmember Glenn Catron

Councilmember David Fox

Councilmember Jennifer Boyd

**Absent:**

Staff present were: Staff present were: Town Attorney, Brad Pyott; Town Manager, Todd Day; Executive Assistant, Robin Brewster; Clerk/Treasurer, Leanne Regon.

### **PROJECTS**

Manager Day discussed the movie theater. There are 25 spaces for parking in the parking lot. He spoke to Don Dunford and he is willing to help us acquire more spaces for parking. He has spoken to the Tobacco Commission to help pay for updating cameras in the theater, that will be about \$40,000.00. There is a lot of updating that will have to be done. Manager Day is requesting direction from council.

Attorney Pyott is working on legal documents to give to Frank Barnes regarding the walking trail. There are specific details Frank Barnes would like for the fencing. He has been very receptive of what the town would like to do. The Thompson Foundation and Ratliff Foundation have also been approached. Manager Day recommends that we focus on the trail and use local money, then focus on the hotel. The expense for the trail should be around \$7,500.00. This would be the cost of a bridge and then gravel would be another expense. Manager Day asked for comments from the council.

Councilmember Murray stated he would like to see the theater project underway rather than the trail. Manager Day stated that we will have to hire that job out and the trail would be done in house. He also has a letter of intent for someone that wants to go in the theater. He then

reminded council that there is a donation of \$25,000.00 that would go toward the trail. The donation is from David Nichols Trust.

## **BUDGET**

During the budget work session council discussed an increase in the rate for retail and financial BPOL taxes. Manager Day has a packet prepared for the large businesses in town. He would like to hand out this information to the businesses to make them aware. This packet will give them information about our increase. It will show other locations that they are located in and what the license rate is there. Manager Day is presenting a .08% increase. This would make the rate .23% instead of .15%. Using Magic Mart as an example the other localities they are located in the average rate is .2%. Councilmember Brown asked about the .23% rate. Manager Day stated that he anticipates other localities will be raising their rates as well and if we don't raise ours now, we will be behind again. The increase for Magic Mart based on .23% using 2016 figures will be an increase of \$2,700.00 more a year. Council voted for an increase to .3% for the 2017-2018 budget. The newly proposed rate would be .07% less. Councilmember Catron stated that the customers are the ones that will pay this because the businesses will just raise their prices. Councilmember Murray asked why we didn't leave it at the .3% that was voted on because in a few years it would have to be redone again. Mayor Buchanan asked how often other localities change their rates. Councilmember Boyd stated that if we left it at .3% they would not have to revote. Councilmember Brown stated that if we could get by with just raising it to .23% he would rather do that. Manager Day stated that we just need to keep up with the industry and do due diligence. He is not saying raise rates because we need the revenue but raise rates to stay competitive. Councilmember Brown was going to make a motion however he needed to wait until open forum. We will add this to tonight's agenda.

## **BOWLING ALLEY**

Manager Day would like to get direction from council as to what they would like to see become of the bowling alley property. Councilmember Catron asked what the options were. Manager Day stated that it could have potential as a recreation center. Councilmember Brown stated he liked the idea of it being a recreation center. Vice Mayor Mullins asked could we afford it. Manager Day stated we could get funding from grants. Manager Day stated that he has an engineering report of the building. He stated that it has potential but it will cost to get it up to where we would want it. We could polish the concrete floors; put air in it, and lighting. We could do that within budget now. We could put basketball goals in there and get something started. Councilmember Brown stated that it could be rented out for birthday parties, etc. Councilmember Murray stated that he likes it because it would be something for the North Tazewell area.

## **Council Minutes**

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 Jack Murray

Councilmember Glenn Catron

Councilmember David Fox

Councilmember Jennifer Boyd

Absent:

Staff present were: Staff present were: Town Attorney, Brad Pyott; Town Manager, Todd Day; Executive Assistant, Robin Brewster; Clerk/Treasurer, Leeanne Regon; Fire Chief, Josh Roberts; Rescue Squad Administrator, Syndee Saleem; Property Maintenance/ Zoning Administrator, Chris Hurley; Public Works Director, Donny Pruitt; Recreation Director, Ben Rosado.

### **CALL TO ORDER**

Mayor Buchanan called the meeting to order and an invocation was given by Manager Day.

Mayor Buchanan wanted to recognize all the little league teams that went to state. He named the teams and said what a good job they have each done.

### **SPECIAL PRESENTATION**

Mike Tonck with Charter Communications came before council to discuss the franchise agreement that Time Warner Cable has with the town. It is now expired and they would like to extend it. It would be extended about ten years. Time Warner has merged with Charter Communications and they would request their franchise be reinstated. Councilmember Murray stated that they are the only cable service available and they are taking advantage of customers. He stated that people pay the same thing here as other places that have other options and said that they use used equipment for our area. Mr. Tonck stated that was correct they did use equipment that had been previously used but they test it to make sure it works properly. He stated that

Charter is moving away from discounts to offer better standardized prices. They are changing prices and changing service. Mayor Buchanan asked if this was an exclusive franchise, Attorney Pyott stated no it wasn't. Someone else can still come in but most do the process to have a public hearing etc. Councilmember Fox stated he would like to have better signal. His service goes out a lot. Mr. Tonck stated that they are going to work to improve digital, the signal, and fiber. Mayor Buchanan asked if they had a contract with the county and Mr. Tonck said yes it is very similar. Attorney Pyott stated that the term would be 2017-2027 and they would need to amend the current agreement to include the name change, removing the local payment box, etc. A public hearing would be required to do so. Councilmember Brown asked if the franchise agreement could be negotiated, Attorney Pyott stated they can negotiate the terms. Vice Mayor Mullins would like to see them put an office in Tazewell. Councilmember Murray made a motion to hold a public hearing for Charter Communication to amend their franchise agreement. Councilmember Fox seconded the motion. A public hearing will be scheduled at 6:45pm on August 8<sup>th</sup>. Councilmember Brown asked if the agreement could be sent to council to review prior to the public hearing. Attorney Pyott said yes, and they already have the current one. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

### **REPRESENTATIVE FROM FARM TO TABLE**

Daphne Murray and Clint Neel came before the council to discuss Farm to Table. The event will be held on Main Street on September 9<sup>th</sup>. They would like to request \$1,000.00 to help with the expense of music performances. The Joey Trivett Jazz Band will be performing. Councilmember Brown stated he thought he received a request for this for \$500.00 not \$1,000.00. They were unsure of that but will check on it. Councilmember Brown would like to see a financial report after the event. Vice Mayor Mullins made a motion to donate \$1,000.00 to Farm to Table. 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 Boyd, aye.

### **PUBLIC COMMENT**

No public comment.

### **APPROVAL OF MINUTES**

Motion was made by Councilmember Catron to approve work session minutes and council. Councilmember Murray seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **FINANCIAL REPORT**

Treasurer Regon gave a financial report of the last month to council. She stated that the auditors were here last week and they are pleased with some of the corrections and new procedures we have implemented.

## **APPROVAL OF FINANCIAL STATEMENTS**

Motion was made by Councilmember Murray and seconded by Councilmember Brown, to approve the financial statements for June 2017. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **TOWN MANAGER'S UPDATE ON ONGOING PROJECTS**

Manager Day stated he has no updates at this time.

## **PLANNING COMMISSION COMMITTEE**

Councilmember Murray gave an update on the Planning Commission and stated that they discussed home occupation permits, street names and boundary adjustments. Mayor Buchanan asked if Charity will be moving since she got married. No one was sure but we will ask. It was also stated that Planning Commission Member Jackson was very ill and to remember her in your thoughts.

## **TRAIN DEPOT COMMITTEE**

Vice Mayor Mullins discussed the depot project. He stated it is being reviewed by the civil rights division. The historical society will be reenacting a photo that was taken an eclipse 100 years ago in August when the eclipse happens. It will be August 21<sup>st</sup> on Main Street.

## **DEDICATION OF PROPERTIES**

Attorney Pyott stated that the ox Property that was purchased for the hotel is seven parcels and the theater property needs deeds prepared to give to the IDA. Mayor Buchanan read the resolution to donate theater property to the IDA, Councilmember Catron made a motion to adopt the resolution. 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 Boyd, aye.

Mayor Buchanan read the resolution to donate the Cox property to the IDA for the purpose of a hotel. Councilmember Brown made a motion to adopt the resolution. Councilmember Catron seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **RESCUE SQUAD**

Manager Day had proposed the county contribute 50% if the cost of EMS calls in the county. The county has agreed to give the town \$20,500.00 a year. The town must request this quarterly. Councilmember Murray stated that the rescue squad is doing better in the billing department. The County has made changes that could impact us positively. Rescue Squad Administrator Syndee Saleem has gotten a grant for \$150,000.00 for a new squad. Councilmember Murray made a motion to support the EMS for another year. Councilmember Boyd seconded the motion. Vice Mayor Mullins stated that 945 rescue will now be running calls in Bishop. Councilmember Murray stated that he is going to work more with billing to try and help. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **RECYCLING BINS**

Manager Day stated that the recycling center is now fully functional. An employee will be there when it is open. Operating hours will be Tuesday and Thursday from 7:00am to 3:30pm and Saturday from 7:00am to 2:00pm. This station is not restricted to Town only use. They discussed moving the trash dumpsters from behind town hall. They said it is mostly county garbage that goes in it. If the trash bins are put up at the recycling center the employee up there will have to enforce a no trash policy. Manager Day recommends no trash be taken up there and it would only be for municipal use. Councilmember Murray wanted to know why we were allowing everyone to use the recycling center. Manager Day stated because he is trying to justify the cost of the project. Public Work Director Pruitt stated that it does not cost us anything to dump the bins, just the man hours and fuel cost. Councilmember Murray asked if they were removing the dumpsters behind the building. Manager Day stated yes. Councilmember Murray made a motion to accept only recycling at the recycling center, no trash accepted, only for municipal use. Motion was seconded by Councilmember Catron. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, nay; Councilmember Boyd, abstained from voting.

## **CAFETERIA PLAN RESOLUTION**

This is a resolution regarding pre-taxed health insurance. Mayor Buchanan read the cafeteria plan resolution. Vice Mayor Mullins made a motion to adopt the resolution. Councilmember Fox seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **PROPOSED STREET NAMES**

Property Maintenance/ Zoning Administrator, Chris Hurley stated the Post Office is challenging some of the streets submitted. Planning Commission has recommended Cumberland Plaza will be Bluemont Lane. The trailer park on Steeles Lane will be Parkwood Court. The lower part of Hill Street will be called Coleman Lane. The Post Office sent address change letters yesterday. Councilmember Murray made a motion to approve the street names presented. 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 Boyd, aye.

### **LAW CHANGES EFFECTIVE JULY 1<sup>ST</sup>**

Attorney Pyott stated that the town needs to adopt all the law changes that have went in effect on July 1<sup>st</sup>. Councilmember Fox made a motion to adopt changes. Councilmember Murray seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Motion was made to adopt this as an emergency ordinance by Councilmember Murray. Councilmember Fox seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

### **MISCELLANEOUS**

Manager Day discussed BPOL rates. Councilmember Murray made a motion to reduce the earlier approved rate of .3% to .23%. 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 Boyd, aye.

### **EXECUTIVE SESSION**

Councilmember Brown made a motion that they go into executive session to discuss prospective business and personnel matters. Councilmember Catron seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

**RESOLUTION**

Motion made by: Brown

Resolution Number: ES170711

Motion Seconded by: Catron

Meeting Date: 17 July 11

Vote: All Aye

Purpose: Prospective Business & 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**

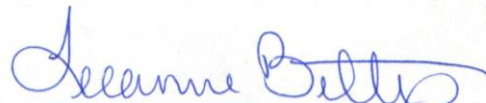
Ayes: Catron, Brown, Mullins, Murray, Fox, Boyd

Nays:

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

Absent during vote:

Absent during meeting:

  
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Leanne Billings, Clerk



Motion was made to come out of executive session 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 Boyd, aye.

Mayor Buchanan stated the reason they went into executive session was to discuss prospective business and personnel. He then read the resolution for Certification of Executive Session. On a roll call vote, Vice Mayor Mullins, aye; Councilmember Catron, aye; Councilmember Brown, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Councilmember Brown made a motion to allow Seven to have an ABC permit and serve alcohol outside, in front of their restaurant during Main Street Moments. Councilmember Boyd seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, nay; Councilmember Fox, aye; Councilmember Boyd, aye.

#### **ADJOURNMENT**

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

Mayor Buchanan adjourned the meeting at 9:37pm.