

Council Minutes

September 12, 2017

Public Hearing

The Town of Tazewell held a public hearing on September 12, 2017 at 7:15pm in reference to Amending the Home Occupation Ordinance. Mayor Buchanan read the proposed amendments and asked if there was anyone wishing to speak for or against this matter. There were no public comments at this time. Mayor Buchanan closed the public hearing.

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 Jennifer Boyd
Councilmember David Fox

Absent:

Councilmember Jack Murray
Councilmember Glenn Catron

Staff present: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Town Attorney, Brad Pyott; Chief of Police, David Mills; Fire Chief, Josh Roberts; Clerk-Treasurer, Leeanne Regon; Public Works Director, Donny Pruitt; Property Maintenance & Zoning Administrator, Chris Hurley; Recreation Director, Ben Rosado.

CALL TO ORDER

Mayor Buchanan called the meeting to order. He asked that each of us remember the events that happened on 9-11 and those that have been affected by Hurricane Harvey and Hurricane Irma. He also stated that Councilmember Murray would be having surgery tomorrow, Councilmember Catron was sick, and Councilmember Brown's mother passed away, he asked everyone to please remember these situations. Mayor Buchanan led the pledge of allegiance followed by the invocation given by Fire Chief Josh Roberts.

SPECIAL PRESENTATIONS

CHILDHOOD CANCER AWARENESS MONTH PROCLAMATION

Councilmember Brown read the Proclamation for Childhood Cancer Awareness Month. Mayor Buchanan presented the Proclamation to Jill Rasnick. She stated that there will be a candlelight service held Thursday, September 14, 2017 at 7:00pm at the Tazewell High School Lawn and invited everyone to attend.

TAZEWELL COUNTY HISTORICAL SOCIETY PRESENTING THE TOWN WITH ECLIPSE PHOTO

Susan Reeves with the Historical Society stated that on August 21, 2017, the date of the Great American Eclipse, they recreated an eclipse photo from May 28, 1900 with the help of the citizens of Tazewell. She presented the photo to the Town Council and stated that if anyone would like one, they are for sale at the Historical Society.

APPROVAL OF MINUTES

Minute Amendment

Attorney Pyott stated that the minutes from the August 8th work session need to be amended. The minute correction needs to reflect that Council voted for a three year extension of the franchise, in addition to the specific amendments requested by Charter Communications notwithstanding the reduction in the franchise term from twenty years to three years.

Motion was made by Councilmember Brown to approve the minute amendment. Vice Mayor Mullins seconded the motion.

Council held discussion on the services, under the amendments as proposed, that Charter was going to provide to the Schools. Although Council was not supportive of the proposed amendment which would reduce the free cable service provided to the schools from extended basic service to general basic service, Attorney Pyott reminded Council that Charter representative Mike Tanck indicated that the level of service in place for the schools would remain as is for the duration of the extension before being modified and reduced from extended to basic. Given this “promise” by Tanck not being reflected in the terms of the franchise modification, Attorney Pyott strongly encouraged Council to consider initiating the immediate receipt of public comment regarding the satisfaction of the Charter subscribers with the level and quality of services being offered by the franchisee. This input could then be used to support the need for and identification of cable service franchise alternatives prior the expiration of the Charter franchise extension term.

On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Motion was made by Vice Mayor Mullins to approve the August 8th minutes as amended. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Motion was made to approve the August 17th minutes by Councilmember Brown. Motion was seconded by Councilmember Boyd. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

FINANCIAL REPORT

Treasurer Regon gave a financial report. She asked council for feedback on what they would like to see in their packet for the financial report. It was also stated that the tax information should be available from the Commissioner of Revenue's office hopefully this week. Manager Day stated that there was an event financial report in their packet as well. It shows that the Town has spent over \$74,000.00 this year. He stated that if anyone stated that the Town/Town Council doesn't support growth, we can show them that we do.

APPROVAL OF FINANCIAL STATEMENTS

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

TOWN MANAGER'S UPDATE ON ONGOING PROJECTS

Manager Day stated we are still working on the Welcome to Tazewell Sign and hope to have it completed next month. He stated that the American Legion Building is in need of repairs and we will be painting it and making repairs the first week in October. We will be installing a strip on the wall for clubs and those who rent it to hang things from so the wall does not get damaged.

PLANNING COMMISSION COMMITTEE

Planning Commission Chair, Susan Reeves stated they discussed a temporary housing request in which they requested more information on, they discussed a chicken ordinance and a boundary adjustment.

TRAIN DEPOT COMMITTEE

Vice Mayor Mullins discussed the depot project. He stated the bid opening that was set for August 31st has been extended and now has a deadline of September 19th at 2:00pm.

EVENTS FINANCIAL REPORT

The event financial report was discussed during the monthly financial report.

DONATION REQUEST FROM FALLEN WARRIORS, INC.

The Town Council has received a donation request from the Fallen Warriors to help fund the wall of fallen warriors project they would like to do. Manager Day stated that the donation sheet council agreed on is available if they need to review it. Councilmember Fox made a motion to donate \$1,000.00 to the Fallen Warriors. Motion was made by Councilmember Boyd. Councilmember Brown asked what funds were left in the donation line item. Treasurer Regon stated there was a balance of \$11,550.00 in that line item through June 30, 2018. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

TWIN DEPOTS SCENIC TRAIL DISCUSSION

The North Tazewell Train Depot and the Narrows Train Depot are “Twin Depots.” Mayor Buchanan read a resolution to name the trail between the two depots the Twin Depot Scenic Trail. Vice Mayor Mullins made a motion to approve the resolution naming the trail, Twin Depot Scenic Trail. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

AMEND HOME OCCUPATION ORDINANCE

Manager Day stated that sometimes people do not know there are steps to follow when operating a home business. We will be placing a notice in the Town Newsletter to make people aware of the Home Occupation Ordinance. He suggested if we notify them they could come in and follow the necessary procedures.

A motion was made to bypass the reading of the Amended Home Occupation Ordinance by Councilmember Brown. Motion was seconded by Vice Mayor Mullins. On a roll call vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Mayor Buchanan read the resolution for the ordinance amendment. Motion was made to adopt the ordinance amendment by Councilmember Brown. Motion was seconded by Councilmember Boyd. On a roll call vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

OVERVIEW OF THE PROPOSED HOTEL PARKING GARAGE

Manager Day stated that the Town has received a grant for the parking garage from DHCD. Executive Assistant Brewster read the steps necessary in order to move forward with this project. She stated they need to have a “sparkplug” group for the project. There is a maximum of \$30,000.00 available from DHCD. All of the steps read must be done by October 20th. Manager Day stated that a \$750,000.00 is also possible from DHCD. He stated that he and Jim Baldwin will be part of the sparkplug group.

SCENIC RIVER DESIGNATION & RESOLUTION

Manager Day stated that in 2014 a letter was sent to Ms. Crump with DCR regarding a portion of the Clinch River. We are trying to get it designated for use as a scenic river site. Manager Day met with Ms. Crump on September 11th to discuss this possibility. He stated that the Clinch River merges at Long John Silvers and goes to Pisgah Road a total distance of 5.6 miles. The Town will clean the 5.6 miles along the Clinch River and ask for land owner's cooperation. Canoes and kayaks would be able to go down it. It has to be test floated before they can designate it. Vice Mayor Mullins read the resolution to adopt the Scenic River Designation. Motion was made by Councilmember Fox to adopt the resolution. Motion was seconded by Councilmember Boyd. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

UPDATE ON DUNFORD PARK

Manager Day stated that part of the Clinch River runs through Dunford Park. There is a grant the Town can get for \$100,000.00 that we could put work into Dunford Park. It would help with erosion, etc. There are three other properties that border the river and we will work with the property owners and get their permission to do work there. This area was recognized by the Virginia Inland Game and Fisheries for youth fishing. It was also mentioned that kids fish day is September 30th.

DOMINION ENERGY VIRGINIA COMMUNITY MEETING

Dominion Energy would like to have a hydroelectric plant in Tazewell County. The Town owns property close to Burkes Garden and it has a water source on it. Dominion would like to put a plant on part of the land.

TIMBER CRUISE PROPERTY

The property out by Burkes Garden has timber on it. The Town has timbered the property in the past. Motion was made by Vice Mayor Mullins and seconded by Councilmember Fox to timber the property. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

MAIN STREET UNITED METHODIST SCHOOL TRAFFIC RECOMMENDATION FOR PINE STREET

Manager Day stated that there is now a school at Main Street United Methodist. There is now a parking problem with traffic. Manager Day showed a map of the streets around Main Street Methodist. School dismisses at noon and 3:30 pm. During dismissal times traffic is heavy through this area. The police department has started directing traffic. We also direct traffic at THS and TMS. Manager Day is requesting permission from council to make the section on Pine Street between town hall and the church a one way street during the evening dismissal time. We would purchase street signs to make the public aware of new changes. Mayor Buchanan stated we would need to let business owners and home owners around this area know of the changes.

Motion was made by Councilmember Fox to allow it to be a one way street during the evening dismissal time and proceed with signage. Motion was seconded by Vice Mayor Mullins. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

MAIN STREET EVENT DISCUSSION

Councilmember Boyd stated that she had been approached by the owner of Seven. They discussed having an event after working hours on Main Street. It would have beer, a concert and get together, however ABC would not allow it. The Town would have to apply for the ABC license. The councilmembers did not think the Town should have the responsibility of that. This is tabled until the spring time then we will revisit the issue.

PUBLIC COMMENT

Tony Karnes of 104 Payne Street came before council to discuss the address change. He is upset over the changes. He feels that the public was not notified well. He asked if 911 did this. Manager Day stated that 911 did this 15 years ago. Mayor Buchanan stated that we held a public hearing regarding addressing. Chris Hurley answered that Payne Street was not one of the more problematic streets like others were. Manager Day stated that we can set up a meeting with him and discuss the addressing and its issues if he would like. It was stated that only eight addresses did not change.

MISCELLANEOUS

Mayor Buchanan stated that Senator Warner visited our Town and it was put in his newsletter. Mayor Buchanan read what was in there about Tazewell.

Mayor Buchanan reminded everyone of Kids Fish Day on September 30th.

EXECUTIVE SESSION

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

RESOLUTION

Motion made by: Brown

Resolution Number: ES170912

Motion Seconded by: Boyd

Meeting Date: 17 September 12

Vote: All voted Aye

Purpose: Personnel Matter &
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

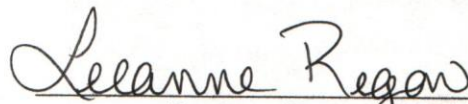
Ayes: Brown, Mullins, Fox, Boyd

Nays: none

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

Absent during vote: Catron, Murray

Absent during meeting: Catron, Murray



Leanne Regan, Clerk

Motion was made to come out of executive session by Councilmember Brown. Motion was seconded by Vice Mayor Mullins. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

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

Manager Day recommended that B11 receive the real estate incentive. He recommends that B11 318 Distributing and Virginia Mountaineer Brewing LLC dba Painted Peak Brewing Company receive BPOL, FF and E incentives. Motion was made by Councilmember Fox to accept Manager Day's recommendation. Motion was seconded by Councilmember Brown. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

Mayor Buchanan suggested moving the winter meetings to 6:30pm instead of 7:30pm. Attorney Pyott stated that there would have to be a change of the Town Charter in order to do so. Mayor Buchanan asked Manager Day and Attorney Pyott to check into it.

ADJOURNMENT

Mayor Buchanan adjourned the meeting at 9:38pm.