

Council Meeting Minutes

October 8, 2024

Present:

Mayor Michael Hoops
Vice Mayor Glenn Catron
Councilmember Jonathan Hankins
Councilmember Zach Cline
Councilmember David Fox
Councilmember Emily Davis
Councilmember Joe Beasley

Absent:

Staff members present were Town Manager, Leeanne Regon; Executive Assistant, Susan Reeves, Attorney, Brad Pyott; Police Chief, Stan Lampert; Zoning and Property Maintenance Official, Chris Hurley; Accounts Payable, Sabrina Schooley

Public Hearing

Mayor Hoops called the meeting to order at 7:15pm. Mayor Hoops read the Notice of Public Hearing. This public hearing was called regarding the amendment to the procurement ordinance. Attorney Pyott informs members about this ordinance. This ordinance comes into line with what the state code specifically requires.

Councilmember Cline asked if a chart could be placed within the packet. So that it breaks down clearly for the councilmembers. Attorney Pyott stated that this is just a public hearing. The council may request changes to what he has drafted and they can discuss these changes. That will be the first reading. If no vote is made tonight on this, then the second reading will occur next month and then the council will have to vote. If it is passed at that time, it would take effect 30 days from the date that the it was passed. If it is voted no and is not passed their existing procurement that is in place will stay in effect.

Mayor Hoops asked if anyone would like to speak for or against this matter. Hearing none, Mayor Hoops adjourned the Public Hearing at 7:23pm.

Call to Order

Mayor Hoops called public meeting to order at 7:30pm.

Pledge of Allegiance.

Pastor Nate Thomas led the meeting in the invocation prayer.

Special presentations/Requests

Shelby Jean Davidson expressed concerns to the Council regarding motorcyclists on Main Street on Sunday mornings 10:30am to 12:30pm are disrupting church services. She would like to know if the Council would be able to do anything about her concerns. Could there be a separate exit for them so that they could avoid driving beside their church? Could there be any alternative to divert traffic beside the church during those hours? She stated that she almost had a collision with a motorcyclist on an exit ramp near Ramey's because they came to a stop. Police Chief Lampert suggested that maybe signage could be displayed in that area that church services are in session. Zoning and Property Official Hurley stated that signs may encourage the opposite effect and make the problem worse. Attorney Pyott stated that he would talk with the Pastor about this and the possibility of temporary signs just reminding travelers that services are in session.

Local Business Recognition-None scheduled

Approval of Minutes

Councilmember Davis made a motion to approve minutes from September 10, 2024; Vice Mayor Catron seconded. Councilmember Cline asked for spelling errors found to be corrected. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Approval of Financial Statements and Reports

Councilmember Beasley made a motion to approve financial statements and financial reports for September 2024. Councilmember Fox seconded. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Committee/Conference Updates

Planning Commission did not meet. Attorney Pyott updated the council about the upcoming meeting on November 4th. The council that was hired to independently to represent the town on the energy proposal may be present for this meeting. They are working on getting a site development plan in place before the meeting and if they are able to do that members from Elliot Energy may be present for the meeting as well.

Unfinished Business

(A) Tazewell Cinemas & Entertainment, LLC. IRF Agreement

Manager Regon said that the Tazewell Cinemas & Entertainment applied for an IRF grant. This will be a loan because a private entity owns the property. This loan is administered through the town and the DHCD. The loan is for \$399,000 with a 20-year term with 2.5% interest. There is a contract with DHCD that has been prepared and ready to be signed. The contract signing is on hold pending discussion of possible incentives. Manager Regon asked the council what their

thoughts are on this. Mayor Hoops asked if any changes at this point, if made require review from DHCD before the contract can go forward. Manager Regon confirmed that if there are changes, they do have to be reviewed first. Manager Regon has spoken with DHCD and they will allow the option of up to two years of interest only payments and this could be used as an incentive. There were discussions between councilmembers and Manager Regon of the whether the payment could be rebated back to the business. Councilmembers exchanged thoughts and ideas on if this could be done without changing the template for the current contract. Manager Regon gave the example; if they let the business make interest only payments for two years then we could rebate those interest only payments for the two years. Manager Regon reminded the council that the IRF is a grant to the town but it will be a loan to the business to pay back to the town. The business owner is aware that this will be a loan and not a grant. Councilmember Davis agrees that we should allow the business to do two years of interest only payments and if possible, allow rebates for those payments. Manager Regon stated that the business has 18 months to complete the project and at the time they must start payments. One year of interest will be \$9,497. It is Manager Regon's understanding that the DHCD will not release the full amount \$399,000 to the business. The business will have to expend their own funds and then submit reimbursement documents to the town. The town will then submit that to DHCD and DHCD will release the funds to the town to distribute back to the business. There were discussions regarding what it would look like and what actions are available if the loan is defaulted or if the business did not use the full amount of the loan. Councilmember Beasley asked if the payments go to the town or back to DHCD. Manager Regon said that it was her understanding that it is paid back to the town. It will be funds that stay with the town so that it can be a revolving loan and they can offer this to businesses in the future. The DHCD will still have to approve any business that requests the loan to be sure the expenditures fall within the guidelines of the IRF grant. Councilmembers Beasley, Davis, Fox, and Vice Mayor Catron, are agreeable to the two-year interest only payments and then let I/EDA decide if we could rebate those two years back to the business. The councilmembers asked Manager Regon to ask DHCD to add the amendment of the two-year interest only payments. No motion was made at this time pending more discussion with DHCD and business owner.

New Business

(A) Ordinance Amendment for I/EDA)

Attorney Pyott stated that the way the town code is written only residents can be on the I/EDA board. It has become more challenging recruiting members due to the current way the code is written. This ordinance will allow people who live outside of town but own a business or own real property in town and are qualified to vote in Tazewell County, may serve on the board of I/EDA. There are very qualified potential candidates for I/EDA that own and operate businesses in town but live just outside the town line. This amendment would make it possible for them to be able to serve on the I/EDA. Attorney Pyott will read the first reading of the Ordinance Amendment. The second reading will be scheduled for next month and at that time council can vote on this.

(B) Ordinance Amendment for Board of Building Code of Appeals

Attorney Brad Pyott read the first reading of the Ordinance Amendment for the Board of Building Code of Appeals. This amendment will allow the board to recruit new board members who live

outside of town but own a business or own real property in town may serve on the board so long as they are qualified to vote in Tazewell County.

(C) Warhawk Park Project Deed of Donation for Adjacent Lot

Manager Regon had a meeting with Kondwani Patterson, Each One Teach One and Vera Mitchell on September 18th at First Baptist Church located at 353 Carline Avenue. They discussed a property adjacent to the town I/EDA access to Warhawk Park. That property is owned by First Baptist Church and they would like to deed the land beside the park to Each One Teach One for Warhawk Park. They asked if the town might help with the cost to do this. Attorney Pyott said that if council would approve this, he could do a deed of donation for First Babtist Church to Each One Teach One. The maximum cost would be \$300. What this property will do for Warhawk park is improve the access to the park and provide additional parking. Robin with Clinch Valley Community Action got a \$76,000 grant for playground equipment for the park. They have made great progress with the Warhawk Park design. The councilmembers discussed the process of separating the deed. Vice Mayor Catron motioned to approve Attorney Pyott to work up to \$300 to prepare the deed for the property donation from the First Babtist Church to Each One Teach One. Councilmember Davis seconded. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Approve Resolution and Code of Conduct for USDA Grant Application for Police Cruiser

Manager Regon stated that every year the town applies for a grant with the USDA Rural Development to try to get a police cruiser. USDA Rural Development's budget year begins October 1st. We are now able to open a grant application for fiscal year 2025. Before we can apply, we have to have the resolution and code of conduct approved. Mayor Hoops read the resolution. Councilmember Davis made a motion to approve the resolution. Councilmember Beasley seconded. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Mayor Hoops read the code of conduct. This was approved on October 8, 2024. Councilmember Davis made a motion to approved the code of conduct. Councilmember Fox seconded. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

(D) Amendment to Procurement Ordinance

Attorney Pyott read the first reading of the amendment to the procurement ordinance. The second reading will be in November and the council will be able to vote at the time. Depending on the vote it can take effect past 30 days from the day to that vote.

(E) Farmers Market Update

Manager Regon informed the council that they have tried to apply for two grants. The Tobacco Commission grant and the T-Mobile grant. Both of the grants require some matching funds and one required that we have engineering drawings. We currently do not have a budget for these requests. Councilmember Cline asked what the percentage was for the matching funds. Manager Regon replied that we will have to match 75% but this also includes in-kind services not strictly cash dollar matches. The grants will be open again in February. We are planning to try again at that time. Councilmember Cline recommended that the town use rescue funds to fund the drawings. Once we have that on the table get the quote and then we could discuss how much we are willing to put into the project. He imagines that the drawings would cost less than \$50,000. Manager Regon said that she spoke with Pam from Thompson and Litton. Pam's best guess at this time would be somewhere around \$44,000 for the drawings. Councilmember Cline motioned that we utilize up to \$50,000 in rescue funds in order to fund the drawings for the Farmer's Market. Councilmember Hankins seconded. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Lincolnshire Park Fields

Manager Regon had in the past received a quote for infield repair for two fields and that was \$66,300. She then received a second quote that included both infield and outfield. This quote was for \$390,110, that includes demo, irrigation, grading, sod, and the top dressing of the fields. Manager Regon asked the council if they would like would like continue to pursue this project. Vice Mayor Catron asked if we have found any grants that could help with this project. Manager Regon said none that she has found but she will continue searching. Councilmember Cline would like to look at Lincolnshire Park as a whole. There are many updates and repairs that need to be made to the pool, aqua park and facilities. He asked how much should we try to invest in the park? Councilmember Davis stated that there are more structural needs at the pool and facilities maybe we should prioritize the revitalization there before we address the fields. Councilmember Cline would like the council to develop a comprehensive plan for the entire facility. Councilmember Cline asked for an update regarding the inspection and integrity of the dam at the park. Manager Regon said that in 2023 Marshall Miller completed an inspection of it. No issues were found at that time. She will check into when the next inspection will take place. Councilmember Fox had questions and concerns regarding the inflatables at the aqua park. Manager Regon informed the council that there are several pieces of inflatable equipment that need replacement. The council will table this discussion until next month.

(F) Hurricane Helene & Storm Cleanup Update

Manager Regon thanks the Fire Department, Public Works team, Police Department, EMS, and 911 dispatchers. Without them we would not have been able to keep up with the effects of this storm. Strategic planning began immediately to help prepare us in the future. Some of our biggest issues were communications, no power, fallen trees, and flooding. Our Police Department made

several rescues from high water on Walnut Street. Our EMS had to set up oxygen stations in there building for citizens without electricity. The Waste Water Treatment Plant lost power and had to run off of a generator for seven days and it took approximately 500 gallons of diesel a day. The estimated cost was \$2,000 a day to run the plant on generator. The town lost power to several pump stations. The water tanks on Dogwood Road and Buskill Subdivision got very low and the town had to issue a boil water advisory for the affected areas. The town had to rent a generator to run the Peak water tank for six days. Manager Regon states that she can see a true value in having a generator for our pump stations and water tanks in the future. Manger Regon also said that we are trying to get reimbursed for the cost of the fuel and generator rental through FEMA. As of now we don't know what qualifies for reimbursement or if overtime could be reimbursed but she is looking in to this. Manager Regon informed council that our Fire Department had to assist Clear Fork and use our boat to rescue a family from high waters. Manager Regon informed the council that the Public Works team has been focused on clearing debris. She also stated that we cannot touch a tree that has fallen into power lines. It has to be AEP. Councilmember Cline asked what the relationship is between the Fire Department and AEP. Do they have the authority to cut the power to a live wire that may be on a house? Manager Regon said that to her understanding the Fire Department would relay that to 911 dispatchers and they would contact AEP.

Councilmember Beasley commends our emergency services and the town for actions taken during and after this hurricane. He also suggested that we try to meet with or communicate with AEP to get a plan in place on what we can do if more trees fall into power lines so that we can better handle the situation. Manager Regon said that our crews are being proactive and trimming back as many limbs and trees that they can to help.

(G)Miscellaneous- None

Public Comments

John Davidson approached the council. He wanted to take this time to thank the Town for their action during this natural disaster. Mr. Davidson expressed a special thank you to the individuals that were out working during this storm. He said that he saw leaders out serving during this time and emergency crews working everywhere to help anyway they could. He would love to do something for our First Responders and the Public Works crew. He would like to work out something for them at the Back of the Dragon.

Council Comments

Mayor Hoops said that Kid's Fish Day was a success. They had 95 kids at this event. The homecoming parade is coming up the following day. It would be at 6:30pm and they will be lining up at the Little League Field at 5:40pm. The Fire Prevention Parade would be Saturday at 6:00pm.

Vice Mayor Catron took a moment to thank Chief Lampert for a quick response to an incident. He appreciates that we are a strong community that comes together in times of need.

Councilmember Hankins thanks everyone for all of their hard work, effort, and for coming together to overcome the obstacles that we faced with this storm. He said that the 911 dispatchers took on a record-breaking number of calls during this storm and did so with all of the communication difficulties. He is amazed at what we accomplished and how we all worked together.

Chief Lampert thanked the Dispatch Center for their amazing work. They were able to do this while having communication issues, no cell service, and poor radio service. Everyone did an amazing job overcoming the obstacles and getting the job done.

Adjournment

Vice Mayor Catron made a motion to adjourn. Councilmember Hankins seconded the motion. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Meeting adjourned at 9:07pm.