

Council Meeting Minutes

June 8, 2021

The Tazewell Town Council met in an executive session at 7:00 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Terry Mullins

Councilmember David Fox

Councilmember Emily Davis

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember Chris Brown

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

EXECUTIVE SESSION

Motion was made to go into executive session by Councilmember Catron. Motion was seconded by Councilmember Davis. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

RESOLUTION

Motion made by: Catron

Resolution Number: ES210608

Motion Seconded by: Davis

Meeting Date: 21 June 08

Vote: All voted Aye

Purpose: Personnel Matters,
Prospective Business, Award of Public
Contract Involving the Expenditure of
Public Funds

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

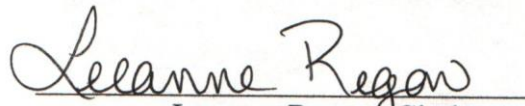
Ayes: Catron, Brown, Davis, Mullins, Fox, Beasley

Nays: none

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

Absent during vote:

Absent during meeting:



Leeanne Regon, Clerk

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

Mayor Hoops stated the reason they went into executive session was for Personnel Matters, Prospective Business, and Award of Public Contract Involving the Expenditure of Public Funds. He then read the resolution for Certification of Executive Session. On a roll call vote Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

Mayor Hoops adjourned the executive session.

The Tazewell Town Council met in regular session at 7:30 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Terry Mullins

Councilmember David Fox

Councilmember Emily Davis

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember Chris Brown

Staff present were: Town Attorney, Brad Pyott; Town Manager, Todd Day; Executive Assistant, Robin Brewster; Clerk/Treasurer, Leeanne Regon; Zoning, Building, Property Official, Chris Hurley; Police Chief, David Mills; Fire Chief, Jason Hodge.

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Manager Day.

SPECIAL PRESENTATION/REQUEST(S)

SPECIAL RECOGNITION OF THE GRADUATE MARGARET RIDLEHUBER

Mayor Hoops stated that unfortunately Margaret Ridlehuber was unable to attend the meeting but the Town would like to recognize her achievement of being accepted as a cadet in the Air Force. Mayor Hoops then read a letter congratulating her.

NEW BUSINESS RECOGNITION

CLEAR SIGHT EYE CARE

Mayor Hoops welcomed Dr. Amber Hurley who has opened Clear Sight Eye Care. She stated that she has lived in Tazewell for seven years. She is now located in Dr. Rhinehart's old building. They opened on Friday. So far she says that she has had great response and appreciates Tazewell welcoming her so well. She discussed techniques that she has/does and that she is the only one in the area that has some of these techniques. She is trying to get eligible with Medicare to take their insurance.

APPROVAL OF MINUTES

Motion was made by Councilmember Beasley, seconded by Councilmember Beasley to approve the minutes of May 11, 2021. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Councilmember Catron, seconded by Councilmember Beasley to approve the financial statements for May 2021. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

PLANNING COMMISSION COMMITTEE

Councilmember Davis stated that the Planning Commission met and discussed the code for flea markets again. The flea market operator has had an issue with people wanting to come on Saturday and set up but the Town is not open and they cannot get a license from the Town. The flea market operator would like to be able to offer an exemption to the vendors that only want to set up a day or so, in order to let them set up if the Town is not open and then have the opportunity to come get their license if they want to continue setting up. Planning Commission voted to allow an exemption of three days per calendar year. They also voted that the flea market operator must keep records of any vendor that is exempt and must report it to the Treasurer.

They also discussed amending our code for B1 and B2. If someone wants to purchase a business property and they want to tear it down and rebuild they must keep it as a business. This will help protect our business district.

2ND READING AND APPROVAL OF 2021/2022 BUDGET

Motion was made by Councilmember Catron to waive the second reading of the budget. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Motion was made by Councilmember Beasley to approve the 2021/2022 budget. Motion was seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

AMENDMENT TO CHAPTER 16 MOTOR VEHICLES & TRAFFIC ORDINANCE-2ND READING & APPROVAL

Attorney Pyott stated that we had the first reading at the last meeting and then had discussion over the timing to pay the parking ticket. It now states the ticket must be paid within 10 days from the violation. Motion was made by Vice Mayor Mullins to waive the reading. Motion was

seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Motion was made by Councilmember Catron to approve the amendment. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

RECYCLING CENTER DISCUSSION

Councilmember Davis stated that someone has approached her and they would like the center opened seven days a week. The person has even offered to get a petition signed. Councilmember Catron asked if it would cost the Town anything to open it seven days a week. It was answered yes, we would have to have someone available to empty the bins. Councilmember Brown asked if the dumpsters are full on Saturday after the landfill is closed where would we dump them so people could use it on Sunday. Councilmember Fox stated that he is concerned about the employees. He stated that they deserve time off. Councilmember Brown asked if we have had more than one person ask. It was understood that it had just been one person asking. Councilmember Beasley stated that we tried this back in January and then closed it on Sunday again because we seen that it was causing the bins to be over filled. The discussed opening half a day on Saturday to be open on Sunday. They decided that being open all day Saturday would be better. There was no motion made to change the days or hours.

APPROVE RESOLUTION FOR ANNUAL RENEWAL OF CAFETERIA PLAN

Executive Assistant Brewster stated that the cafeteria plan is a pretax on our insurance. Motion was made by Councilmember Davis to waive the reading. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Motion to approve the resolution was made by Councilmember Beasley. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

BUDGET AMENDMENT APPROVAL

Manager Day stated that there is a drain on Fairground Road that needs replaced and the cost of material has increased more than what was budgeted. Also, materials for the trail have increased more than what was expected. The budget amendments are to increase these line items. Motion was made by Councilmember Davis to approve the budget amendments. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

GL POSTING ENTRIES APPROVAL

Treasurer Regon stated that at times during the year funds borrow from each other and creates what is called a due to due from. This means one fund owe the other fund money. By voting to approve this journal entry, it would be giving me permission to forgive the interfund transfers and forgive the money owed between the funds. Motion to approve journal entry was made by Councilmember Beasley. Motion was seconded by Councilmember Davis. Councilmember Brown asked how will it show that we did this. Treasurer Regon stated that it will show on the trial balance report and it is in their council packet each month for them to review. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

APPROVE RESOLUTION FOR FINANCING TERMS OF BOBCAT

Manager Day stated that we have gotten quotes from banks for the purchase of a Bobcat. BB&T-Truist Bank was the bank with the lowest interest rate. There is a resolution that needs to be read and approved if council wants to approve this purchase. Mayor Hoops read the resolution. Motion was made by Councilmember Davis to approve the purchase and approve the resolution. Motion was seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

TAZEWELL COUNTY BOARD OF SUPERVISORS DONATION TO TOWN OF TAZEWELL FIREWORKS

Manager Day stated that Board of Supervisor Member Mike Hymes has donated \$1,000.00 to the Town to help toward the cost of fireworks.

AMERICAN RESCUE PLAN

Manager Day stated that the Town is set to receive around \$3.4 million dollars. He stated that himself, Executive Assistant Brewster and Treasurer Regon will participate in a webinar tomorrow. He would like to form a committee for this. Councilmember Brown would like the whole council to be on it. Manager Day thinks that would be a great idea. He also stated that there are certain criteria we have to follow on what we can spend it on.

APPROVE RATES AT LINCOLNSHIRE PARK

Manager Day has proposed a "\$5 Summer." The Aquapark is open on Friday, Saturday and Sunday and you can get into both the Aquapark and pool for \$5.00. We can leave the price \$4.00 for the pool Monday thru Thursday. This past weekend we did a free weekend and there was over 1,600 people there. We now have a small concession stand at the Aquapark. Sharon Thomas is doing concessions at the pool. Motion was made by Councilmember Fox to approve a \$5.00 Summer. Motion was seconded by Councilmember Brown. Councilmember Davis asked if we do this, are the pool passes good for the Aquapark too. Councilmember Brown stated he thought the pool passes should be good for both. Councilmember Beasley wanted to clarify that paddle

boards and kayaks are still separate. Manager Day stated yes they would be. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

ABC REQUEST FROM TAZEWELL TODAY FOR MAIN STREET MOMENTS

Manager Day stated he received a request from Tazewell Today regarding the Friday event for Main Street Moments. The concert will be back on Main Street this year instead of the high school. They would like to be able to offer alcohol if attendees want it. Motion was made by Councilmember Brown to approve the request. Motion was seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

SET PUBLIC HEARING FOR AMENDMENT TO B-1 AND B-2 ZONING ORDINANCE

Zoning, Building, Property Official, Chris Hurley stated that we are trying to save the business districts for businesses. If there is a newly erected structure in a business zone, it should be used for business purposes. Councilmember Brown asked what if a house in a business zone burns down and they want to rebuild and change the foot print, would they have to come request to rebuild their house. Attorney Pyott stated yes they would. Manager Day stated they could request an exemption in that situation. The business district also has the overlay district too. Attorney Pyott has a proposed draft after the Planning Commission met last night. It was determined that we will hold a public hearing before the start of next months council meeting.

HEART OF APPALACHIA DONATION REQUEST

Manager Day stated that he has received a donation request for \$2,500.00 from the Heart of Appalachia. He stated that we did not donate last year. They now have a new director, David Woodard. Motion was made by Councilmember Fox to approve the donation. Motion was seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

CLINCH MOUNTAIN MOTOR WORKS ABC REQUEST

Manager Day stated that Manny Elswick is having an event at his shop and he would like to serve beer. Chief Mills stated that he has spoke with Clinch Mountain Motor Works and they said drinking would be contained inside. Motion was made by Councilmember Catron to approve the request. Motion was seconded by Councilmember Davis. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

APPROVE TO DONATE VANDYKE LOT TO TAZEWELL TODAY

Manager Day stated that the IEDA purchased the Vandyke lot on Main Street. He referenced the deed that was in their council packet and discussed page 3 & 4 of the deed. Motion was made by Councilmember Brown to donate the Vandyke lot to Tazewell Today. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

PUBLIC COMMENT

Andre Wallace of 315 Riverside Drive North Tazewell, Virginia came before council and stated that he has lived in Tazewell since August 1999. He is coming to council to read a resolution that has been prepared for Juneteenth. He also stated that he is in the process of opening a veterans shelter and applying for a 501c3 status. Also, he stated that Fudge Street is not wide enough and he would be willing to donate land to make a cul-de-sac.

He stated that the Friends of Juneteenth group has prepared a resolution that they would like council to approve. He read the resolution. Manager Day asked him to email it to him. Motion was made by Councilmember Brown to approve the resolution recognizing June 19th as Juneteenth in the Town of Tazewell pending review and approval of the resolution from our town attorney. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

It was discussed after the vote that Juneteenth would be recognized on a yearly basis.

Councilmember Fox asked him about Fudge Street. Mr. Wallace stated that he has a tenant on Fudge Street and her vehicle has been towed because it was in the road way too much and her vehicle has been hit three times. The road needs to be wider he said.

Ebony Wallace 269 Aspen Street Tazewell, Virginia came before council and stated that she works with children and high schoolers. They work with businesses that have trades and they can learn the trade. They also get school credit for it too.

Mayor Hoops told Mr. Wallace that he would not be in town on Juneteenth but he really enjoyed the event last year.

COUNCIL COMMENTS

Councilmember Fox stated that he would like to get a paper copy of the council packet. Manager Day asked if he wanted his tablet and he said no.

EXECUTIVE SESSION

Motion was made to go into executive session by Councilmember Brown. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

RESOLUTION

Motion made by: Brown

Resolution Number: ES210608

Motion Seconded by: Catron

Meeting Date: 21 June 08

Vote: All voted Aye

Purpose: Personnel Matters,
Prospective Business, Award of Public
Contract Involving the Expenditure of
Public Funds

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;

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VOTE

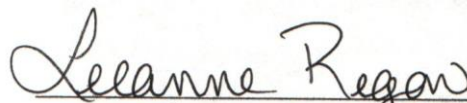
Ayes: Catron, Brown, Davis, Mullins, Fox, Beasley

Nays: none

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

Absent during vote:

Absent during meeting:



Leeanne Regan, Clerk

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

Mayor Hoops stated the reason they went into executive session was for Personnel Matters, Prospective Business, and Award of Public Contract Involving the Expenditure of Public Funds. He then read the resolution for Certification of Executive Session. On a roll call vote Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

ADJOURNMENT

Motion to adjourn was made by Councilmember Fox and seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Meeting adjourned at 9:59pm.