

Council Meeting Minutes

November 9, 2021

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

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Terry Mullins

Councilmember Emily Davis

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember David Fox

Councilmember Chris Brown

Staff present were: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Clerk/Treasurer, Leanne Regon; Zoning & Property Maintenance Official, Chris Hurley

WORK SESSION

ARPA FUNDS

Manager Day stated that concerns have been brought to him asking if we are spending the ARPA funds in ways that are within the guidelines of ARPA. They then reviewed the guidelines for ARPA spending. He has spoken to other localities and auditors to get their understanding of ARPA guidelines and spending. Attorney Pyott prepared a letter regarding ARPA spending. Attorney Pyott read his letter. His opinion is if we have supporting statistics that the Town had a negative economic impact, we can use those funds for economic development.

Mayor Hoops and Councilmember Davis both asked how do we show that we were negatively impacted. Manager Day stated that we have documentation of loss in meals tax, loss of revenue, and businesses have closed. He also stated that there has already been money spent on the splash pad and Kidzown. There has already been a vote on how to spend these funds. If there needs to be a change, please let him know.

Mayor Hoops stated that he doesn't want people to think that he is against the sports complex, he isn't. He just wants to make sure that we are following guidelines and we are covered by those guidelines.

Vice Mayor Mullins stated that the sports complex has been on our project list a long time. He feels this is a good project and that it would meet an economic need.

Councilmember Beasley is in agreement.

Councilmember Catron is in agreement.

Councilmember Fox stated that he is for updating the recreation areas and for emergency services. He is still not sure on the sports complex.

Councilmember Catron stated that the company we are working with is not going to partner with us if they don't think they are going to make money.

Councilmember Beasley asked if they don't think the sports complex will meet the guidelines, then would Kidzown.

Manager Day stated that is exactly what he is talking about. It's all in how you interpret the guidelines, you can read it and have an understanding and someone else can read it and have a different understanding.

Councilmember Davis asked if we have documentation on how it negatively affected us. Manager Day answered yes and pulled up the slide from the original presentation made to council and reviewed.

EXECUTIVE SESSION

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

RESOLUTION

Motion made by: Catron

Resolution Number: ES211109

Motion Seconded by: Davis

Meeting Date: 21 November 9

Vote: All voted Aye

Purpose: Consultation with Legal
Counsel Pertaining to Actual or
Probable Litigation & Personnel Matters

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, Davis, Mullins, Fox, Beasley, Brown

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 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 Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and Personnel Matters. 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.

PUBLIC HEARINGS

TOWN CHARTER AMENDMENT

Mayor Hoops called the public hearing to order at 7:15 p.m. The Town of Tazewell held a public hearing for a Town Charter Amendment. Mayor Hoops read the notice of public hearing. Mayor Hoops asked if anyone would like to speak for or against this matter. Hearing none, Mayor Hoops closed the public hearing.

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 Emily Davis

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember David Fox

Councilmember Chris Brown

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

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Zach Hash.

SPECIAL PRESENTATION/REQUEST

REQUEST TO WAIVE PERSONAL PROPERTY TAX FOR ACTIVE-DUTY MILITARY

We have received a letter from Mr. Phillip Bevins requesting that we waive personal property taxes for active-duty military. His letter was read aloud. He is asking that we waive taxes on one vehicle for active-duty military just as we do for disabled veterans. Mayor Hoops stated that Manager Day would research and looking this to see what other localities are doing and report back on this issue.

APPROVAL OF MINUTES

Motion was made by Councilmember Beasley seconded by Councilmember Catron to approve the minutes of October 12, 2021. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

APPROVAL OF FINANCIAL STATEMENTS

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

PLANNING COMMISSION COMMITTEE

Councilmember Davis stated that the Planning Commission met and discussed a special exception permit for 2791 Fincastle for an Air BNB and discussed a few changes recommended for the Historic Review Boards Bylaws. They would like to have a public hearing set for each of these matters.

APPROVAL OF TOWN CHARTER AMENDMENT

Section 6-12 of the Town Charter discusses the quorum requirement for the Planning Commission. The current requirement is for five voting members and an amendment is requested to make it a quorum of four voting members.

Section 6-231 of the Town Charter discusses the term of a Board of Zoning Appeals member. It currently states a term of two years and an amendment is requested to make it terms of five years.

Motion was made by Councilmember Davis to accept and approve the amendments to the Town Charter. Motion was seconded by Councilmember Beasley. On a roll call vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

SET PUBLIC HEARING FOR PROPOSED CHANGES TO THE TOWN CODE AND HISTORIC REVIEW BOARD BY-LAWS FOR DECEMBER 14, 2021 AT 7:00PM

Motion was made by Councilmember Fox to set a public hearing for December 14th at 7:00pm for the proposed changes to the Town Code and Historic Review Board By-Laws. Motion was seconded by Councilmember Catron.

Attorney Pyott stated that he would have the changes to us so the public can review before the public hearing.

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

SET PUBLIC HEARING FOR SPECIAL EXCEPTION PERMIT REQUEST FOR AN AIR BNB AT 2791 FINCASTLE TURNPIKE FOR DECEMBER 14TH, 2021 AT 7:15PM

Zoning & Property Maintenance Official, Chris Hurley stated that the current owner of the property is Mack Payne. He is in the process of selling it to Adam Lapins. He owns the Dragon's Den on Dogwood Road. Vice Mayor Mullins asked if they will rent it out by the room or the

whole house. It was answered that it would be the whole house to our understanding. Motion was made to set the public hearing on December 14th at 7:15pm by Councilmember Beasley. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

APPROVAL TO SUBMIT FUNDING APPLICATION TO VDH FOR BUSKILL SUBDIVISION PROJECT

Manager Day stated that the Town had received a grant of \$75,000 and \$25,000 for the PER (Professional Engineering Report) for the Buskill Subdivision project. He would like to apply for additional funding for the project. Motion was made by Councilmember Davis to submit application to VDH for funding. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Beasley, aye; Councilmember Fox, aye.

EMPLOYEE CHRISTMAS DINNER-THURSDAY, DECEMBER 9TH AT 6:30PM AT THE VIP ROOM

Manager Day reminded everyone that the employee Christmas dinner would be on December 9th at 6:30pm at the VIP Room.

PUBLIC COMMENT

None.

COUNCIL COMMENTS

Councilmember Fox asked if we would be offering leaf pickup this year. Manager Day stated that we are and we will post about it to advertise it.

Police Chief Mills thanked the Town for continuing to do the Community Thanksgiving Dinner. He stated that it was well attended. There were volunteers there from the Sherriff's Office, the Town Office, and others. Ronnie and Dorothy White cooked the meal and did a great job.

He also stated that the Veterans Day Parade was a great event. He stated that Flora Sinkford and Sonia Alford and their volunteers did a great job.

He also made a suggestion to hold Trunk or Treat on Main Street again next year. He said that it took about two hours to drive through the line out at the middle school this year.

Vice Mayor Mullins stated that on social media, we were talked about again this time because we had Halloween events on the actual day of Halloween.

Councilmember Beasley stated that Tazewell Avenue was very crowded and suggested that we look into way to make it safer on that street next year.

ADJOURNMENT

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

Meeting adjourned at 7:52pm.