

Council Meeting Minutes

March 14, 2023

The Tazewell Town Council in an executive session at 6:15 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Glenn Catron

Councilmember Jonathan Hankins

Councilmember Zach Cline

Councilmember Emily Davis

Councilmember David Fox

Councilmember Joe Beasley

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

EXECUTIVE SESSION

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

RESOLUTION

Motion made by: Fox

Resolution Number: ES230314

Motion Seconded by: Beasley

Meeting Date: 23 March 15

Vote: All voted Aye

Purpose: Personnel Matters, Privacy of
Individuals Unrelated to Public 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

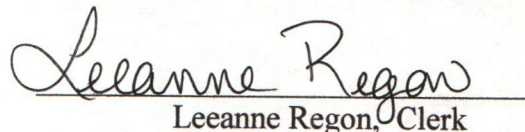
Ayes: Catron, Hankins, Cline, Davis, Beasley, Fox

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

Mayor Hoops stated the reason they went into executive session was for Personnel Matters and Privacy of Individuals Unrelated to Public Business. He then read the resolution for Certification of Executive Session. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PUBLIC HEARING 7:00PM

JOINT PUBLIC HEARING (TOWN COUNCIL AND PLANNING COMMISSION) - SPECIAL EXCEPTION PERMIT (AIR BNB) LOCATED AT 145 PHILOS STREET

Mayor Hoops read the notice of public hearing. Zoning & Property Maintenance Official, Chris Hurley stated that the request is for 145 Philos Street and he had sent out four certified letters to the adjoining property owners and one letter had come back. Mayor Hoops asked if anyone would like to speak for or against this issue.

Marshall Taylor of 303 Cedar Street came before council and stated that he doesn't really like the idea of having an Air BNB there because it is in his back yard. There are a lot of biker guys that could come hang out there and he doesn't want that in his back yard.

Susan Sawyers, owner of 145 Philos Street, came before council and stated that if approved, the Air BNB would probably only be rented a select number of months during the year. It would only be short term rentals. She also stated that there would be "quiet time" hours. She would have a rule in place that there could be no loud noise after 10:00pm or 11:00pm. Zoning & Property Maintenance Official, Chris Hurley stated that special exception permits are to be renewed every year, If there are complaints or issues, the permit would not be renewed.

JOINT PUBLIC HEARING (TOWN COUNCIL AND PLANNING COMMISSION) - REPEAL OF EXISTING SEC 23-116 OF ARTICLE VIII OF CHAPTER 23 OF THE TOWN OF TAZEWELL; AND, THE PROPOSED ADOPTION OF SEC. 23-100.1, REGARDING THE ISSUANCE OF ZONING PERMITS FOR A FAMILY DAY HOME

Mayor Hoops read the notice of the joint public hearing and asked Attorney Pyott to give a brief explanation. Attorney Pyott stated that 20 years ago, the Town Council enacted Family Day Homes. It was put in the BZA section of the code. We are just needing to move it to a more appropriate place within our code. Also, there have been changes made in the state code as well for Family Day Homes. At this time, we are also updating our code to match the state code regulations.

Danny Willis asked what a Family Day Home is. Attorney Pyott answered that it was for child care and it was overseen by the Department of Education.

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

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Glenn Catron

Councilmember Jonathan Hankins

Councilmember Zach Cline

Councilmember Emily Davis

Councilmember David Fox

Councilmember Joe Beasley

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

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Pastor Nathan Thomas.

TRIBUTE TO RETIRED TOWN EMPLOYEE AND FIRE DEPARTMENT MEMBER CECIL JOHNSON

Mayor Hoops stated that Cecil Johnson was always friendly to everyone he met. He was a great employee and all-around great person. He then read the plaque from the Town of Tazewell and the resolution recognizing Mr. Johnson's numerous years of service with the Town of Tazewell Public Works Department and the Town of Tazewell Fire Department. He then presented the plaque and resolution to TJ Johnson, Cecil's son.

Mayor Hoops also read a plaque from the fire department. This plaque was an order of promotion. Mr. Johnson served with the Town of Tazewell Fire Department from 1991-2023. He was respected by all the members of the department as well as members from other departments. At this time Fire Chief John Thomas is promoting him to LT. of the Town of Tazewell Fire Department. Again, he was recognized for his time and service and that plaque was also presented to TJ Johnson.

DONATION REQUEST FOR DECA NATIONALS

Jaden Redd and Taryn Stiltner came before council representing DECA from THS. The stated that they had brought back school spirit to the school with their broadcasting and they went to

DECA competitions last year and competed. They are going back again this year. The total cost of their trip is \$7083.00. Manager Day stated that last year we supported them with a \$200 donation. Motion was made by Councilmember Davis to donate \$200 again this year. Motion was seconded by Councilmember Fox

PROJECT UPDATE

Rick Chitwood with Thompson and Litton came before council to give a project update. He stated that for the Wastewater Treatment Plant Upgrade project, the bids last year were extremely high so the funding agencies agreed to hold the funding for a year. The market conditions have not improved. Material availability may be easing up a little bit. We could readvertise in the fall if we want to. DEQ says they will hold the funds another year if we would like them too. The original amount of the project was \$10 million with \$7 million loan and \$3 million grant. He took the bids he has and did the 70/30 split and with current pricing it was still a very high amount of loan payments. The monthly revenue needed to generate the loan payment is very high. Once you award the contract it takes about two years for their process. He also said that he commends out WWTP employees and said they do a great job with maintaining that plant. He stated that we could look at going another year and hold the funds again and just keep budgeting funds in our working budget in case something breaks. He also recommend we look at our rates and prepare for debt service payments.

Mayor Hoops asked about the cost of supplies and the availability of materials. It was answered that the cost is about the same as we've seen lately. The supply is getting a little better but labor is what is hurting. Coast and getting someone to do the work is the hard part. Everyone is having issues not just us. Town of Richlands and Tazewell County are going through the same things. Manger Day stated that we have had three consecutive years of rate hikes. We are moving funds into an LGIP to prepare for debt service. Councilmember Beasley asked if something such as the belt press broke and we had to replace it, would it come off of the cost for the project. Mr. Chitwood replied that anything that we replaced or upgraded on our own would come off of the cost of the project. Councilmember Cline asked if we could do the project in increments. Mr. Chitwood stated that what he is giving council tonight is the bear bones of the project. He doesn't recommend doing it in increments.

Councilmember Fox asked what class operator do we have. Manager Day stated that Scottie is a class one operator. Councilmember Fox stated that Scottie had told him that the plant was operating ok right now and that they have tried to maintain the equipment and repaid what they can.

Mr. Chitwood stated that the water line project is having the same type of issues. He has not spoke to Ms. Ward to see if they will hold funds for another year. This project was broken down into three phases. He can work with Manager Day and reach out to the funding agency and see if they would also hold funding for this project. Councilmember Cline asked what percentage of a chance do we have that something could break down and we have to replace it. Mr. Chitwood said maybe a 30% chance. He then asked id we hold off another year if that chance would increase. Mr. Chitwood answered that he hated to say this but maybe so. He thinks that there is going to have to be another rate increase put in place. However, he does think that we can get another year out of it. Manager Day stated that we can get Thompson & Litton or another firm to

reevaluate the life of the sewer plant and look at where we are at needing replacements. Mayor Hoops encourages the new members to go to the plant and tour it.

TAZEWELL TODAY UPDATE

Alicia Bales, President of Tazewell Today and Vanessa Rebentisch, Executive Director, came before council to give an update on Tazewell Today.

Mrs. Bales stated that their mission is to revitalize Main Street and draw people to the heart of Tazewell. We do have a Main Street Designation. They have tried to restructure themselves and created many committees within their organization such as the Economic Vitality Committee, Design Committee, Promotion Committee, and an Organization Committee. They have developed a 2022-2023 budget. She also stated that they could not put on the events that they do without the help of the Town of Tazewell, Town Council, Manager Day, Public Works Director Donny Pruitt and all his staff and their volunteers.

They have done the Polar Plunge and partnered with Clinch Valley Community Action on that event. They have run and operated The Rink this year. They brought in \$10,000 in revenue from it. It created eight part time jobs.

They have received a \$35,000 grant which has helped with Murals on Main, banners, and a feasibility study. They have received full accreditation for 2023.

APPROVAL OF MINUTES

Motion was made by Councilmember Beasley, seconded by Councilmember Fox to approve the minutes of February 14, 2023, February 27, 2023, and March 9, 2023. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Vice Mayor Catron and seconded by Councilmember Hankins to approve the financial statements for February 2023. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PLANNING COMMISSION COMMITTEE

Councilmember Davis stated that the Planning Commission did not meet in a regular meeting however, they did participate in tonight's joint public hearing.

SPECIAL EXCEPTION PERMIT FOR 145 PHILOS STREET AIR BNB

There was a joint public hearing held tonight for a special exception permit request for an Air BNB at 145 Philos Street. Councilmember Beasley made a motion to approve the special exception. Motion was seconded by Vice Mayor Catron. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

FIRST READING REPEAL OF EXISTING SEC 23-116 OF ARTICLE VIII OF CHAPTER 23 OF THE CODE OF THE TOWN OF TAZEWELL

Attorney Pyott read the repeal for the Code. He stated that this is the first reading and the second reading will be next month along with a vote

CLEAN UP MONTH

Manager Day stated that each year we do a cleanup month in town. We will pick up acceptable extra items in town free of charge. We have traditionally done this in May. Councilmember Fox suggested we do this in April. Councilmember Davis likes it in May. Property Maintenance Official, Chris Hurley that May was the national month for clean ups. They discussed brush pickup during this time. It was stated that the Town will pick up one free load of brush pickup. Councilmember Fox asked what if they have more than one load. Vice Mayor Catron stated they would have to pay a fee for the remainder. Councilmember Beasley made a motion for clean up month to be held in the month of May. Motion was seconded by Councilmember Davis. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

TIME CAPSULE AT MINI PARK

Manager Day stated that there is a time capsule at the mini park in the green space. It was asked how old it was. It was answered that Charlie Green was mayor during that time. Manager Day stated that we are going to have to move it at least temporarily due to construction.

DONATION REQUEST FOR THS PROM

Manager Day stated that he has received a request of donation for the THS Prom. Last year we donated \$500. Motion was made by Councilmember Beasley to donate \$500 to THS Prom. Motion was seconded by Councilmember Cline. On vote, Vice Mayor Catron, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DONATION REQUEST FOR SKILLS USA

Manager Day stated that he has received a donation request from Skills USA. He stated that last year we donated \$200. Motion was made by Vice Mayor Catron to donate \$200. Motion was seconded by Councilmember Davis. On vote, Vice Mayor Catron, aye; Councilmember Hankins,

aye; Councilmember Cline, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

MISCELLANEOUS

Manager Day stated that he is very much aware of the traffic issues from the bridge closure. He has talked to VDOT every day. He is hoping that the congestion will decrease and people will use other routes. He stated that beginning March 27th the bridge at Hubble Hill will have one lane closure at a time.

PUBLIC COMMENT

None.

COUNCIL COMMENTS

None.

ADJOURNMENT

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

Meeting adjourned at 8:37pm.