

MINUTES
REGULAR COUNCIL MEETING
MONDAY, AUGUST 19, 2013
TOWN HALL – 6:00 P.M.

Council Members:

Kyle Fletcher-Mayor
Kenneth Holbrook
Greg Bailey
Tim Boardwine
Harry Kelly
Jason Kilgore
Monty Salyer

Debora Baca - Treasurer/Clerk
Julie Hensley – Town Attorney
Randy Beckner – Mattern & Craig
Cody McElroy – Mattern & Craig
Bob Harrison – IDA Chairman
Kitty Barker – Virginia Tourism
Chris Sturgill – Spearhead Trails
Everett Minton – Fran’s Farm & Feed
Charlie Willis - Resident
Allen Gregory - CVTimes

The meeting was called to order by Mayor Fletcher.

Councilman Salyer asked to add two items to the agenda under New Business; “Zoning Ordinance Idea” and “Tourism Zone”. Mayor Fletcher requested an addition to Old Business to consider “Authorization to Submit a Water Plant Planning Grant”. Councilman Holbrook moved to approve the agenda with the amendments made by Councilman Salyer and Mayor Fletcher. The motion was seconded by Councilman Kilgore and unanimously approved.

Chris Sturgill updated the Council on the activities of Spearhead Trails. The grand opening was successful and the trails have already been drawing tourism dollars into St. Paul. To date, Spearhead has sold over 765 permits. Spearhead has done in one and a half months what it took Hatfield McCoy a year to do. They have been working with Chief Phillips on some noise complaints, but it seems to be mostly locals with dirt bikes. Mr. Sturgill said they have a very cooperative relationship with the St. Paul Police Department and the officers have been there to back them up when dealing with security issues. VDOT has sent a letter to Spearhead stating that ATV’s may cross Highway 58 at the Hardee’s intersection if a “Share the Road” sign is also placed on the McDonald’s side of the intersection. Several comments were made by Mr. Sturgill and council members on the economic impact that can already be seen. For the upcoming year, the annual permit fee will be \$50 and a daily fee of \$20. Mr. Sturgill said his goal is to add about 10 miles of trails each year, and they are working to accommodate trail bike riders.

Bob Harrison and Kitty Barker discussed the advantages of creating a Tourism Zone. Ms. Barker presented a packet, commenting that the General Assembly passed legislation authorizing localities to create a tourism zone by outlining a geographical area. It also allows the town to determine the kind of businesses needed and offer incentives to be determined by the locality to tourism related businesses. This would assist the IDA in competing for business interests in the town. The first thing that would be required is a development plan and then to designate a Tourism Zone. Ms Barker advised that she would assist with a development plan and it should not take very long because St. Paul already has a great deal of information available. The General Assembly also designed a gap financing program, wherein the state will help to provide

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financing assistance to new businesses. Ms. Barker assured Council that a Tourism Zone has nothing to do with the town zoning ordinance. This is just a way of designating an area where you want to encourage new tourism businesses to locate. She said you can actually create a tourism zone for the whole town which would overlay any other zones. It does not impact anything except to provide incentives for new tourism business investors. Mr. Harrison said there has already been interest from a hotel investor to participate in this program. Ms. Barker recommended that Council consider creating a Tourism Committee. Mayor Fletcher suggested utilizing St. Paul Tomorrow members and Ms. Barker suggested including the Main Street group.

Everett Minton, owner of Fran's Farm & Feed, requested approval to continue his small animal swap at his downtown business location. Mayor Fletcher visited Mr. Minton and suggested that he come before Council to explain the animal swap event. Councilman Kilgore said he visited the business last Saturday and it appeared that everything went smoothly. Mr. Minton said the chickens and rabbits were all in crates or cages. The advantage of holding this event was the sale of almost 3 tons of feed and a total sales figure between three and four thousand dollars. There were people coming to their downtown business from as far away as Pound and Claypool Hill. Following a brief discussion, Ms. Baca provided a copy of the animal ordinances, noting that the ordinance language regarding animal noise should be addressed if a complaint has been received. At this time, there has not been a noise complaint regarding the animal swap. Councilman Salyer said he does not see any reason to address this matter. After hearing the ordinance, Town Attorney Julie Hensley said Mr. Minton is not "keeping" or "housing" animals offered and it is her opinion that there is nothing to address at this time. Mayor Fletcher said he just wanted to make sure that the Council is aware in case they hear any complaints.

Charlie Willis stated his concern about ATV's having liability insurance. Ms. Baca said if the ATV owner has purchased a permit through the town, they are currently required to have liability. If their permit is purchased through Spearhead Trails, liability is not required. Councilman Bailey said that Spearhead Trails does not require liability insurance. Councilman Holbrook suggested referring this to the committee that is reviewing the ATV ordinance. Councilman Bailey said the Spearhead Trail attorney has researched the matter and they do not require liability insurance. Mayor Fletcher said the town could require it, but this can be reconsidered as further action is taken regarding the ATV ordinance.

Mayor Fletcher made the following announcements:

- Mayor Fletcher reported on discussion topics at his luncheon with Congressman Griffith. One of the main topics was advanced technology in coal fired power plants that will remove pollutants and trap the carbon dioxide.
- VDOT has been contacted regarding the needed street repairs. Mayor Fletcher has been told that they plan to do some temporary repairs on Wise Street until it can be asphalted.
- Mayor Fletcher has also discussed the South St. Paul drainage problem with Conrad Hill of VDOT.

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Councilman Salyer asked about campers located near the old Jessie's Food Market. Mayor Fletcher said a worker for Frizzell Construction has been staying in one and he believes the longer trailer has been used to store equipment for them. Frizzell is the contractor working on the 58A Bridge Attachment. Mayor Fletcher said he will check these campers out again.

A motion was made by Councilman Salyer, seconded by Councilman Holbrook, to approve the minutes as presented. The motion carried unanimously.

A motion was made by Councilman Salyer, seconded by Councilman Holbrook, to approve the consent agenda. The motion passed unanimously.

Old Business:

Cody McElroy discussed the bid documents on the building repair work for the library, swimming pool, and railroad museum. He asked Council for authorization to begin soliciting quotes and advised that he will have a pre-bid meeting with the four contractors being solicited on Thursday and will notify Ms. Baca and Councilman Boardwine. Cody also said he has set the documents up to show the bid on each building and included separate additives so the town will have the ability to choose what work they would like done with the amount of money they have to spend. A motion was made by Councilman Kilgore to authorize Mattern & Craig to move forward with soliciting bids for the building work. The motion was seconded by Councilman Holbrook and unanimously approved.

Next, Randy Beckner discussed the cost overrun in the Sludge Removal Project. The amount of total sludge has been greatly underestimated and the contractor believes they may exceed the tonnage by 250-300 tons. The contract cost is \$839 per dry ton. Both the Sludge and Bridge Project had a 5% contingency going in and the Bridge Project is running fine. There will actually be a change order to reduce the contract amount of the Bridge Project. There was initially a \$20,200 contingency in the Bridge Project and there is also a \$10,000 savings because of a VDOT permit that did not have to be obtained. Mr. Beckner is asking Council for approval to move the contingency from the bridge contract to the sludge contract if necessary. He said they will get approval from RD before moving any money. There was a brief discussion about the amount of sludge and the savings from using the Tennessee landfill compared to the Wise County landfill. A motion was made by Councilman Holbrook to authorize Mayor Fletcher to move the Bridge Project contingency funds to the Sludge Removal Project. The motion was seconded by Councilman Kelly and unanimously approved.

Mayor Fletcher emphasized the importance of seeking funds to begin planning for a new water treatment plant. Mr. McElroy said the town council adopted a resolution last year to pursue a water planning grant to do a preliminary engineering report for a regional water plant and upgrade/expand the town's water plant facility. Up to \$50,000 is available through this grant and it is due the first week of September. A motion was made by Councilman Salyer to authorize Mattern & Craig to proceed with the grant application. In addressing a letter of interest from

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Russell County, Mayor Fletcher noted that a regional concept could be visited, but the town would always own the entire plant. Mr. Beckner pointed out that a regional concept would only share capacity, similar to the one used for the wastewater plant. Mr. McElroy said this is merely requesting funding to study a water plant upgrade/expansion. The motion was seconded by Councilman Kelly and passed unanimously.

Councilman Salyer asked if VDOT is simply going to patch Wise Street or actually repair it. Mayor Fletcher said he discussed this with Kirk and they are going to patch the two potholes, but he has not been given any instruction for asphaltting. Mayor Fletcher said he intends to follow up with VDOT officials regarding the request to pave that section of Wise Street. Councilman Salyer moved to authorize the Mayor to send another copy of the letter with a notice of "Second Request" at his discretion. This would depend on VDOT's response when Mayor Fletcher speaks with them again. The motion was seconded by Councilman Kilgore and carried unanimously.

In light of the condemnation letter from Robert Mullins regarding the Lion's Den property, Councilman Salyer asked that the Town Attorney review the advertisement to receive bids on the property. Ms. Hensley said the town still has the options it had before the condemnation; the property can be improved by the town and sold; it can be sold as is and improved by someone else within a time frame allowed by Mr. Mullins; or the building can be torn down and the land can be sold. There was discussion about requiring a potential purchaser to repair the building, the requirement to put in the advertisement that the building has been condemned, and the time frame flexibility to get the repairs done. Councilman Salyer said he will resend the RFP to Ms. Hensley and asked that she review, edit the advertisement if necessary, and try to get back to everyone within ten or fifteen days. A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to table this matter until the attorney reviews. The motion passed unanimously.

Ms. Baca reported that the town is approaching the final phase of the CDBG project. The last four facades will go to bid in the next month. The streetscape schematic for the project area is complete and the streetscape funds have been approved to be used at the underpass entrance. A drawing of the proposed gateway landscaping and the downtown schematic was provided for everyone to review. The town was granted an extension through February 24, 2014 and all work must be completed by that date. The streetscape project was moved to 4th Avenue between Riverside Drive and Russell Street because the VDOT Enhancement Grant will cover the same area and at best will be several months behind the CDBG work, therefore, any work done through the CDBG project would have been disturbed when relocating utilities and replacing sidewalks. The goal is to make the entrance into the project area more appealing in hopes of drawing more people to downtown. Following a brief discussion about the landscaping, a motion was made by Councilman Salyer to approve the gateway streetscape project plans. The motion was seconded by Councilman Kilgore and unanimously approved.

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Since the last meeting, Council has been polled on two issues. The first is approval to allocate \$9500 to be spent along with the insurance money for a complete new Fire Department roof. A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to confirm the poll vote and approve the \$9500 allocation for the Fire Department roof. A roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion carried unanimously. The second issue was approval to spend an additional \$1500 on the new police car. Councilman Boardwine moved to confirm the unanimous poll vote and approve the purchase of the police car. The motion was seconded by Councilman Salyer and unanimously approved.

New Business:

Ms. Baca gave everyone a copy of the VML Conference packet. She encouraged each council member to contact her or Glenda within the next week to let them know if they plan to attend. Councilman Bailey and Councilman Kilgore commented on the benefit of the information provided at the conference.

Councilman Kilgore has been in contact with Wise County School Superintendent Jeff Perry regarding town use of the football field. They have discussed working out a possible lease to allow the Town of St. Paul to manage and maintain the field. He pointed out how this would provide a venue for sporting events, practices, and possibly a concert venue. A meeting with Dr. Perry and Jody Evans has been arranged for tomorrow. A motion was made by Councilman Salyer authorizing Councilman Kilgore and Councilman Boardwine to meet with Dr. Perry on behalf of the town council to discuss the terms of a possible lease or MOU. The motion was seconded by Councilman Kelly and unanimously approved.

Councilman Kilgore discussed rocks left in the river preventing water travel from the park boat ramp to Oxbow. The town needs to get a permit to enter the river from the South St. Paul side and pull the rocks out with an excavator. Obtaining the necessary permits would cost about \$2,000 and Councilman Kilgore suggested using money budgeted for the trails to get this done. Councilman Salyer asked if the TVA money could be used for this purpose since this was left in the water when the river was changed. Mayor Fletcher said he has been in contact with a lady from TVA to see if they would consider assisting the town with this project. Councilman Salyer said he will check on using the TVA funds for obtaining these permits. Following a discussion about requirements when entering the river, a motion was offered by Councilman Holbrook to table this item for further review. The motion to table was seconded by Councilman Boardwine and passed unanimously.

The Bluebell Island Trail is now complete. Councilman Kelly announced the dedication of the Bluebell Trail will be held at 4 p.m. on Saturday, August 31st at the park. Following the dedication, there will be a ceremonial walk from the gate to Bluebell Island. The park pavilion

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will be used if it is not booked. If it is booked, Councilman Kelly requested that a tent be placed near the trail entrance for the dedication ceremonies. A motion was made by Councilman Kelly, seconded by Councilman Boardwine, to approve the dedication date for Bluebell Trail. The motion carried unanimously.

Councilman Salyer recommended that council members start thinking about a possible signage ordinance. He has noticed big fluorescent signs taped on the underpass as well as wedding and yard sale signs posted on electric poles. Councilman Salyer checked with the Town of Wise and provided a copy of their sign ordinance, asking everyone to look it over and consider a similar ordinance for the town. Mayor Fletcher said he will check to see if we have any current ordinances that address restrictions on signs.

Councilman Salyer thanked the town crew for their efforts to get the park cleaned and the caboose painted prior to the Entrepreneur Challenge event. However, the pavilion is in need of guttering repair and painting. Mayor Fletcher acknowledged the condition of the pavilion, but reminded everyone that our street department has had numerous ongoing projects. It was suggested that the Recreation Committee select the color from the color palette provided by Arnett Muldrow. Councilman Salyer emphasized the importance of following the branding, signage, and color scheme we paid Arnett Muldrow to provide. Councilman Bailey suggested that the river swish be placed on the back of the pavilion. There was discussion about the importance of being consistent in colors and logos. Everyone agreed that the Recreation Committee will pick the color and the pavilion will be painted and repaired.

Next, Councilman Salyer shared pictures of the railroad trestle located on Highway 58 entering St. Paul from the west. He shared a letter he drafted to Norfolk & Southern Railroad. He asked Ms. Baca and Mayor Fletcher to review, edit, and send this request to Norfolk Southern. A motion was made by Councilman Boardwine authorizing Mayor Fletcher to send the letter. The motion was seconded by Councilman Holbrook and unanimously approved.

The draft of a resolution sent to the town by LENOWISCO is proposing the town support the governor to observe a day between September 15-29, 2013 as a "Day To Serve". Following discussion about whether or not the town should designate a specific day for a particular event, a motion was made by Councilman Salyer to adopt the resolution. The motion was seconded by Councilman Boardwine and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion carried unanimously.

Councilman Salyer requested that the Zoning Ordinance be added to our website for leaders and citizens to more easily access information. Ms. Baca said she will work on getting it posted to the site.

Based upon the presentation by Mr. Harrison and Ms. Barker, Councilman Salyer made a motion to take the first steps to create a Tourism Zone, allowing Kitty Barker to assist us in working out the details. The motion was seconded by Councilman Bailey. Councilman Holbrook raised

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question about whether or not it would be proper to refer this matter to the Planning Commission first. Following comments on the confusion of the term “zone”, it was agreed that a tourism zone designation would simply mean incentives could be offered to new businesses and it would not impact the town zoning ordinance. Ms. Baca asked for clarification that official designation will require passing of a resolution. Councilman Salyer confirmed that a resolution would be required once the plan is submitted to the council. The motion passed unanimously.

A motion to adjourn the meeting was made by Councilman Kelly, seconded by Councilman Boardwine, and unanimously approved. The meeting was adjourned.

Mayor

Town Clerk