

MINUTES
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 16, 2015
TOWN HALL – 6:00 P.M.

Council Members:

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

Allen Gregory-CVTimes

Others Present:

Debora Baca – Clerk/Treasurer
Julie Hensley – Town Attorney
Earl Carter – Public Works Director
Jonathan Johnson – Police Captain
Bo Phillips – Police Chief
Kathy Stewart – Main Street Director
Cody McElroy – Mattern & Craig
Bob Harrison – IDA Chairman
Rob Jones – Sustainable Development
Robyn Lee – UVA-Wise, CRVI
Travis Stanley – Fire Department

The meeting was called to order by Mayor Fletcher at 6:00 p.m.

Councilman Holbrook moved to approve the agenda as presented. Councilman Boardwine seconded the motion and it passed unanimously. Councilman Kilgore asked if we could combine the closed sessions. Mayor Fletcher advised that Rob Jones will be needed in the first closed session and he would like to get that one done so Mr. Jones didn't have to stay for the entire meeting. The motion to approve the agenda as presented passed by unanimous roll call vote.

Robyn Lee gave Council an overview of the progress of Clinch River Valley Initiative (CRVI), and updated Council on some of their accomplishments. The CRVI partners are working to connect downtown revitalization, outdoor recreation, water quality, entrepreneurship, and environmental education along the river. Initial funding for development of a Clinch River State Park was allocated by the 2015 General Assembly. In the upcoming General Assembly session, CRVI will be requesting an additional \$2.5 million for land acquisition and \$2.6 million for park development. A state park is estimated to create \$3.5 million annually, and create 31 local jobs during the startup phase. Several access points have been added along the river, and they are exploring an access point in St. Paul. She talked about the "Hometowns of the Clinch Program". This program will support revitalization efforts along the river. Ms. Lee said grant opportunities and marketing opportunities will be available for participating communities. She also talked about the "Entrepreneurship Summit" and the "Clinch River Youth Summit" held in March. Students attending the Youth Summit learned about the Clinch River Valley and the ongoing programs to increase economic development. Ms. Lee announced that on October 9th, CRVI was awarded the Scenic Tourism Award.

On behalf of the Lyric Project, Kathy Stewart thanked the Council for getting the lights fixed at the pool building. Several businesses recently attended a workshop to put St. Paul on the Map, working to correctly identify St. Paul points on Google Maps. Main Street will be promoting "Shop Small Saturday" on November 28th. Ms. Stewart will have a booth at UVA-Wise for the Social Impact Fair, which will give students a look at volunteering and working for non-profits.

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The Lyric Project is also sponsoring a play called "Yes Virginia" that will be held December 11th and 12th. Ms. Stewart said she has received a grant for attending a grant writing workshop at Berea, Kentucky in conjunction with ARC. There will be a team of six people attending. Ms. Stewart said that Virginia Main Street has agreed to provide Frazier & Associates to design a wayfinding map.

Mayor Fletcher made the following announcements:

- 1) The tree lighting is on December 4th, the Christmas parade December 5th, and the Santa Train November 21st.
- 2) Lights have been installed on the pool building.
- 3) The soup and salad fundraiser for the Lyric Project was a successful event.

A motion was offered by Councilman Holbrook to approve the minutes as presented. The motion was seconded by Councilman Kelly and unanimously approved.

Councilman Boardwine moved to approve the Consent Agenda. The motion was seconded by Councilman Kilgore and passed unanimously.

Council unanimously agreed to address **Item 1 under Old Business** and **Item 1 under New Business** so Mr. McElroy could leave.

Mr. McElroy reported that he has received the grit chamber costs from Debbie and Wendee, and is working on a draft letter to Dominion requesting funding for the construction of a new water intake. Cody also addressed the construction timeline on the wastewater plant. At the present time, the contractor is 58 days beyond the substantial completion date. Per the contract, liquidated damages are \$1,000 per day, so the amount of damages to date is \$58,000. The current projected date of substantial completion is November 23, 2015. He said there should not be any change orders that would affect the final completion date. They are looking at allowing additional days for final completion. Cody explained how liquidated damages are to be collected and the pay request process for including damages. He also said it is a possibility that Frizzell could go through legal action in attempt to avoid paying damages. There was a brief discussion about the contractor contesting. The Town Attorney suggested if the situation escalates, further discussion would probably be best in closed session since it could be a potential legal matter.

A motion was made by Councilman Holbrook to enter into closed session under VA Code Section 2.2-3711(A)(30) to discuss contract with Creative Boutique Hotel. The motion was seconded by Councilman Kilgore and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0. Rob Jones was asked to stay for closed session.

Councilman Holbrook moved to enter back into open session, certifying that the only matter discussed in closed session was contracts under VA Code Section 2.2-3711(A)(30). The motion was seconded by Councilman Kelly and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

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Old Business:

Main Street has authorized Frazier to design a map of wayfinding signage on behalf of the town, therefore, Councilman Salyer moved to remove Item #2 from the table. The motion was seconded by Councilman Boardwine and unanimously approved.

Councilman Kilgore reported that the LED lights have been ordered for the park. The cost was less than \$300 each. Earl has ordered four lights.

A motion was made by Councilman Kilgore, seconded by Councilman Boardwine, to proceed with the purchase of the E. L. Dye property for a price of \$235,000. A roll call vote was taken: Salyer-Aye; Bailey-Aye; Holbrook-Aye; Boardwine-Aye; Kilgore-Aye; Kelly-Aye. The motion passed 6-0. It was noted that Creative Boutique Hotels has budgeted \$167,000 to purchase from the town part or all of this property, so the net amount that will be expended by the town is \$68,000.

Councilman Kelly reported that the Street Committee is recommending that a handicap parking space be marked in front of the Cornerstone Building. There is already handicap access at the curb. Councilman Kilgore said the space is already there and we just need to put up a handicap parking sign. There was a brief discussion about additional parking on Fifth Avenue along the Episcopal Church side of the road. The Street Committee is also requesting that \$1,500 be allocated to mark the pavement on B Street between Wise Street and Johnnie Ramey Drive. There was discussion concerning safety in that area because you can't tell where the parking lots end and the road starts. Councilman Kelly spoke with Clatterbuck Pavement Markings who agreed to do the striping for \$1,500.00. A motion was made by Councilman Kelly to accept the Street Department Committee recommendations and authorize the \$1,500 to allow Clatterbuck to do the work. The motion was seconded by Councilman Kilgore and passed unanimously. Councilman Kelly said he will advise the contractor.

Councilman Bailey said he has previously discussed the idea of a floating origination fee. He offered a motion to authorize the Town Attorney to establish language for an ordinance to implement a \$2.00 floating origination fee. After clarifying that this would be draft language and a public hearing would be required, the motion was seconded by Councilman Salyer. There was a brief discussion about a tax on ATV permits and it was pointed out that this is like a purchased meals or lodging tax. It would not be taxing the business owner, but would be a fee passed on to the consumer. A roll call vote was taken: Kelly-Nay; Kilgore-Nay; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed by a vote of 4-2. Ms. Hensley clarified that she would send the draft language to Debbie when it is done so that it can be placed back onto the agenda. Councilman Bailey acknowledged his agreement.

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New Business:

Councilman Kilgore said he learned at the VML Conference that there is a big initiative to create bicycle and pedestrian facilities, some of which is funded by federal grants. He pointed out that it is difficult for us because our town is comprised of downtown, South St. Paul, and West Hills. The problem is you have to cross a highway to get from West Hills to downtown. Councilman Kilgore suggested an easement could be obtained to bring a walking/biking trail from West Hills, running behind Hicks Market, and dropping down into South St. Paul. Then a bridge could be placed to cross the river into town. He would like to look at the available grants for greenway projects. A greenway would attract younger people to the area that have the skills that attract tech companies like cyber security firms. Ms. Baca recommended asking Main Street Director Kathy Stewart to assist with a grant application. Mr. Carter said we could possibly use the utility easement already in place if the same path was followed. Councilman Kilgore said he also envisions a Riverwalk in this project. A motion was made by Councilman Holbrook, seconded by Councilman Kelly, authorizing Councilman Kilgore to pursue a grant application for a Greenway Project. The motion passed unanimously.

Travis Stanley spoke to Council about the need for a new fire truck. He said the SP Fire Department insurance ISO rating is a six right now, with a one being the best, and a ten being the worst. ISO ratings are determined by water supply, training record, communication capabilities, and equipment. With a few improvements in training records and equipment, the SP Fire Department is looking to improve their rating to a four or five. If the ISO rating is lowered, it would lower the home owner insurance for everyone in the community. Mr. Stanley said the current fire truck is twenty years old, not capable of pumping foam, and will only carry two people. The truck being considered is a demo model at an estimated cost of \$385,000. This truck would haul up to six people with a greater water capacity and a ladder system. Mr. Carter and Mr. Stanley addressed several questions regarding this matter. The Fire Department is requesting the Town considering splitting the cost of this new fire truck. Following a lengthy discussion about department growth, fire truck equipment needs, cost, training, and grant assistance, Ms. Baca suggested a firm cost be determined prior to meeting with funding agencies during the January legislative session to see what grant/loan money might be available, then we would know the amount of money needed to be considered in the budget. A motion was made by Councilman Kilgore to table this request until March. The motion was seconded by Councilman Boardwine and carried unanimously.

The next three items are all donation requests. A motion was made by Councilman Kilgore, seconded by Councilman Salyer, to donate \$100 to the CASA program and \$100 to Wise County Social Services Foster Care Program. The motion passed unanimously.

Chief Bo Phillips updated council members on department activities. They are sponsoring a toy drive again this year. Chief Phillips and Captain Johnson hand delivered letters to elderly citizens offering assistance during bad weather or power outages. Chief Phillips said there was a recent accident on the ATV trail, again raising concern about having a vehicle to access the

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trails. This is the third incident and Chief Phillips asked Council to consider the purchase of an ATV with the capability of hauling an injured person on a backboard. Castlewood Rescue Squad used theirs during this last accident. Mayor Fletcher advised Chief Phillips to get quotes on an equipped ATV and bring it back to Council.

Next, Chief Phillips said he met with the State Police to discuss the Threat Assessment Plan. Even though we are a small rural area, Chief Phillips said we have some real security concerns with the railroad, power plant, and utility plants. He asked everyone to start thinking about camera systems and fencing for the water and new sewer plant. He further said he would like to see a camera system and a buzz-in back door for the town hall.

Chief Phillips asked Council to consider allowing the police department to take their cases to Wise County Court. He noted that there had been previous discussion about this if Chuck Slemp was elected. Mr. Slemp will take office in January, and the Town of St. Paul already has to hear some of its cases in Wise County anyway, such as anything occurring on Housing Authority property. A motion was offered by Councilman Boardwine to refer all cases to Wise County Courts. The Town Attorney advised that civil cases, including seat belt violations, must go to the county where they occurred. Councilman Boardwine restated his motion to allow all criminal cases to be sent to Wise County Court as of January 1, 2016. The motion was seconded by Councilman Kilgore and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

Council agreed to address Item #10 before entering closed session. Councilman Salyer moved to approve the draft development agreement with Creative Boutique Hotels, pending final approval by Town Attorney Julie Hensley and Attorney Greg Gilbert. The motion was seconded by Councilman Kilgore, and a roll call vote was taken: Salyer-Aye; Bailey-Abstain; Holbrook-Aye; Boardwine-Aye; Kilgore-Aye; Kelly-Aye. The motion passed 5-0.

A motion was made by Councilman Holbrook to enter into Closed Session to discuss Personnel under VA Code Section 2.2-3711(A)(1), Acquisition & Disposition of Property under VA Code Section 2.2-3711(A)(3), and Legal under VA Code Section 2.2-3711(A)(7). The motion was seconded by Councilman Kilgore and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0. Earl Carter was asked to stay for closed session.

Councilman Holbrook moved to enter back into open session, certifying that the only matter discussed in closed session was Personnel under VA Code Section 2.2-3711(A)(1), Acquisition & Disposition of Property under VA Code Section 2.2-3711(A)(3), and Legal under VA Code Section 2.2-3711(A)(7). The motion was seconded by Councilman Kelly and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

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Councilman Kelly moved to hire Travis Jessee as a Street Department Laborer at a beginning hourly wage of \$12.00 per hour. The motion was seconded by Councilman Boardwine and passed by unanimous vote. In the event the job offer is declined by Travis Jessee, the job shall be offered to William Helton.

A motion was made by Councilman Kelly to adjourn. The motion was seconded by Councilman Boardwine and carried unanimously. Mayor Fletcher adjourned the meeting.

Mayor

Clerk