

MINUTES
REGULAR COUNCIL MEETING
MONDAY, MAY 19, 2014
TOWN HALL – 6:00 P.M.

Council Members:

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

Julie Hensley – Town Attorney
Debora Baca - Treasurer/Clerk
Bo Phillips – Chief of Police
Earl Carter – Public Works Director
Lou Wallace – Lyric Committee
Bob Harrison – IDA Chairman
Sherry Allen – CHS FBLA
Students – CHS FBLA

Allen Gregory – CVTimes

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

Mayor Fletcher asked to add Item#14 under new business to discuss “Police Department K-9 Officer”. A motion was made by Councilman Holbrook to approve the agenda as amended. The motion was seconded by Councilman Kilgore and unanimously approved.

Under Public Requests, Sherry Allen, Castlewood High School FBLA Sponsor, informed the Council that, after competing at the regional level, CHS has nine students going on to the FBLA National Competition in Nashville, TN. Three of the FBLA students spoke about their division of the competition. Ms. Allen reviewed the costs of the trip and asked for consideration of a donation. Mayor Fletcher congratulated the group and advised that their request is on the agenda and will be addressed under new business.

Lou Wallace advised that Kathy Stewart was unavailable and asked her to invite Council members to the Lyric Ad Hoc Committee meeting with Sara Levinson, the architect hired by Main Street to create a design for the theater building. Ms. Wallace provided copies of the preliminary design. Ms. Wallace also presented a recreation and tourism map she has been working on with Frank Kilgore and Mige Davey. She talked about the cost for design, printing, and placement of this map in strategic locations and asked Council to consider spending up to \$3500 toward these costs. There was discussion about a promotion card being done by a group partially funded through the Virginia Tourism Corporation.

Allen Gregory congratulated the Council members on all of the work being done throughout town and their determination to improve the infrastructure. He also expressed a concern about the number of accidents at the intersection of 4th Avenue and Riverside Drive. Mr. Gregory asked that a caution light be placed at this intersection. Mayor Fletcher advised that such a light must be requested through VDOT.

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Mayor Fletcher made the following announcements:

- 1) He reminded everyone that any work requests for the town crew should come directly through the town hall office so a work order can be done.
- 2) Clinch River Days will be held on May 29th, 30th, and 31st.
- 3) The Lyric has been checked for leaks and the Street Department will be working on several items requested by the committee. They will clean the front façade and help them hang the new banner.
- 4) There have been several reports of underage ATV drivers and the Police Department will be looking into this matter.

A motion was made by Councilman Holbrook to approve the minutes of the April 21, 2014 meeting and public hearing, the May 5, 2014 Special Meeting, and the May 8, 2014 Budget & Policy meeting. The motion was seconded by Councilman Boardwine and unanimously approved.

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

Old Business:

There being no additional information on the Phipps Property, Councilman Holbrook moved to leave this matter on the table. The motion was seconded by Councilman Boardwine and passed unanimously.

Councilman Kelly moved to rescind a motion passed last month to place one hour parking signs on sections of Broad Street, but still approve the striping of the parking spaces. A second was offered by Councilman Holbrook. Councilman Kelly said he has talked with most of the business owners and is hopeful that clearer striping of regular and handicap parking spaces will help the parking situation. He is still waiting on a cost estimate from Cody McElroy for making the IDA lot beside the Molinary building a parking lot for downtown. This also would improve the parking situation. Following further discussion about whether or not Broad street parking spaces should have time restrictive signage for parking in front of businesses, Councilman Salyer called for the question. Mayor Fletcher called for the vote and the motion carried unanimously.

Councilman Salyer said he spoke with Terri Ann Funk about her request for funding of promotional material. She was unable to attend tonight's meeting and asked if the matter could be tabled until our next meeting. Councilman Salyer moved that this item be tabled. He will ask Terri Ann to get with Lou Wallace to make sure they are not competing against each other for VTC money and that we are working together on promotional materials. The motion was seconded by Councilman Holbrook and passed unanimously.

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New Business:

Ms. Baca presented a draft agreement between the IDA and Town of St. Paul to manage the IRF and ARC grants awarded for renovations of the Willis Building. Since DHCD required the Town to be the applicant and recipient, Joy Rumley sent a sample agreement to use if the Town would like the IDA to manage the two grants. She said the same agreement was presented to the IDA last month and they decided to take a month to look it over and asked Attorney Linda Tiller to review the agreement before they take any action. The IDA will probably address it at their meeting next month. Ms. Baca pointed out that the Town Attorney just received a copy of this agreement today. She suggested that council members take time to read it thoroughly and to ask Ms. Hensley to review it before considering it for approval. Ms. Baca stated concern about some of the language that addresses additional funding for the project. A motion was made by Councilman Holbrook to table this matter to a later date. The motion was seconded by Councilman Boardwine and passed unanimously.

Councilman Kelly said additional surveillance cameras are needed at the east end of the park. Following a brief discussion about the cost to add two additional cameras at the back side of the pavillion and the new bathroom facility, a motion was made by Councilman Kelly to purchase two additional cameras to be installed at the park. Councilman Salyer asked for a friendly amendment to approve "up to \$800" for the purchase of the two cameras. Councilman Kelly agreed to the amendment and added to his motion that the town crew get the two cameras we already have installed at Estonoa. The motion was seconded by Councilman Kilgore and passed unanimously.

Councilman Bailey discussed possible consideration of implementing a float tax for people floating the river. It wouldn't cost our businesses any additional money. He pointed out that, just like the lodging and meal tax, it would be passed on to the people coming into town from outside the area to use our facilities. Councilman Bailey said, after serving on the Budget Committee, he believes it is important to find ways to bring additional money to the town. He explained how the float tax is generated in other tourist towns like Banner Elk, NC. Councilman Kilgore said he would like to see how Clinch River Adventures does this year before considering a tax. Councilman Bailey moved to table this matter until February, 2015. The motion to table was seconded by Councilman Holbrook and passed unanimously.

Councilman Salyer said Ms. Vencil showed him around Estonoa recently and asked that he express how appreciative she is for the effort made by the town crew to keep Estonoa clean and all of the vegetation cut back. He asked Mr. Carter to please thank the crew on behalf of Ms. Vencil and the Council. Councilman Salyer reminded everyone that, in the near future, Terry Vencil could possibly retire and changes could take place at Estonoa. He encouraged council members to be thinking about how important Estonoa is to our town and how we will continue supporting Estonoa. Mayor Fletcher said he has talked to John Hicks about making some repairs to the walkway on the backside of the lake.

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Ms. Baca asked for approval for the July 4th fireworks display. The cost will be \$4,175.00 and is the same size as last year. A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to authorize the purchase of the fireworks. The motion passed unanimously. Upon inquiry by Mayor Fletcher about certification, Mr. Carter said we have people certified to conduct the fireworks display.

Next, Ms. Baca explained a DMV Stop program designed to help localities collect personal property taxes. If a list is provided to the Virginia DMV of people who owe delinquent personal property taxes, they would not be allowed to purchase their tags until they have proof of payment for their taxes. This program is used by Wise County and other towns in the region. Ms. Baca said she believes it would be an effective way to increase collections of personal property taxes, noting that the town actually collects some delinquent taxes when they are not allowed to purchase their tags because of a Wise County delinquency. Councilman Kelly made a motion to send the names of people with delinquent taxes to the DMV. The motion was seconded by Councilman Salyer and unanimously approved.

Ms. Baca pointed out that when Council authorized hiring two summer employees, they did not decide on a rate of pay for summer lifeguards or the Street Department summer employees. She advised that the rate of pay for these employees last year was \$7.50 per hour. Councilman Salyer moved to pay the summer employees the same rate of pay as last year. Councilman Boardwine offered a second and the motion passed unanimously.

Councilman Salyer asked that the gravel all the way down through the park be swept before Clinch River Days. Mayor Fletcher advised that the Street Department will be working all week mowing, cleaning, and preparing for Clinch River Days.

Councilman Salyer moved to approve appropriation of \$3500 for the map being designed by Lou Wallace and others, stipulating that there is a coordinated effort between this group and the other group working with Virginia Tourism. The motion was seconded by Councilman Kelly. During discussion, Councilman Bailey pointed out that there have been problems with some of the people that are listed on the map. Councilman Bailey said he doesn't believe the Town should appropriate money until those issues are settled. He further explained that there have been some copyright issues with Spearhead Trails. Councilman Kilgore said he believes the issue has been resolved. Councilman Salyer amended his motion to include "after there has been a meeting with Spearhead and Terri Ann's Virginia Tourism group." Following further discussion, the Town Attorney advised against the town getting involved in a project that, per Councilman Bailey's comments, may be in a copyright dispute. Councilman Bailey said the emails indicate that Spearhead wants to participate but he doesn't know if the copyright issue is resolved at this time. Councilman Salyer rescinded his motion. A motion was made by Councilman Holbrook and seconded by Councilman Salyer, to table this matter until the issues have been resolved. The motion passed unanimously. Councilman Bailey suggested future consideration of a billboard advertisement promoting St. Paul next spring.

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A motion was made by Councilman Salyer to donate \$300 to Castlewood FBLA for travel to the national competition in Nashville, TN. The motion was seconded by Councilman Boardwine and unanimously approved.

Per a request made by Gary Crum, Coordinator of the first Clinch River Mandolin Festival, Councilman Kelly moved to donate the requested amount of \$231 to the Mandolin Festival to be held in St. Paul on September 27, 2014. The motion was seconded by Councilman Holbrook and carried unanimously.

As requested by St. Paul Elementary School, a motion was made to the Summer Reading Program in the amount of \$83.20. The motion was seconded by Councilman Kilgore and was unanimously approved.

Ms. Baca reviewed the request letter from Jessica's Little Feet, wherein she is requesting to use the swimming pool on Monday from 11:00 – 12:00 noon and from 5:00 – 6:00 p.m. to conduct Zumba classes. We allowed her to use the pool last year, but Ms. Baca pointed out that pool parties begin at 6:00 p.m. and she has concern that the evening request could conflict with pool party preparations. Councilman Salyer had questions and concern about allowing a private business to use our public pool and charge people for the classes. He compared it to the advertisement and rental process followed for leasing the park caboose to Clinch River Adventures. Ms. Hensley noted that one of the differences is this person is not requesting exclusive use of the public pool. Following a brief discussion about whether or not to charge a fee and concern about the evening class interfering with pool parties, Councilman Salyer moved to approve the request with the stipulation that her classes do not take precedent over any private rental, and that she provides proof of liability insurance. Councilman Kilgore asked to add that the evening class would be allowed only from 5:00-5:45 p.m. The motion was seconded by Councilman Boardwine and passed unanimously.

In consideration of the request from Southwest Virginia Emergency Medical Services, Mr. Carter said this organization provides support to the town and the fire department. They also provide the equipment for our CPR classes. Ms. Baca said there is \$392 remaining in the donation line item. A motion was made by Councilman Kelly to donate \$392 to the Southwest Virginia Emergency Medical Services. The motion was seconded by Councilman Kilgore and carried by unanimous vote.

Police Chief Bo Phillips discussed a proposal to send Officer Andrew Packard to K-9 training. The police department has a continuation grant from 2012 to help with K-9 expenses. The town currently has \$4,736 that needs to be spent by June 30th. Chief Phillips has also received almost \$2400 in donations for the K-9 program, bringing the total funds available to \$7300. The cost of the dog, equipment and training is \$8,000. With the current grant money, Chief Phillips said he sent Officer Packard to the school over the weekend because if he didn't start immediately, this particular training will not be available until late summer. He is expecting enough donations to cover the entire cost and would like approval from the Council to continue the K-9 program and

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allow Officer Packard to complete the school. Chief Phillips said he is working on a K-9 policy he will bring to the Council for consideration. A motion was made by Councilman Holbrook to approve the \$8,000 request for the K-9 and training costs for Officer Packard. The motion was seconded by Councilman Kilgore and the motion passed unanimously. Councilman Salyer asked that the Town Attorney review the K-9 policy when Chief Phillips finishes the draft. There was further discussion about the entire Police Department Policy Manual and the need to reinstate use of that policy. Chief Phillips said several parts of the policy do not apply and he would like to make some changes before presenting it to the Council for approval. Ms. Hensley said it is important that each current and future police department employee sign an acknowledgement that they have read and understand the policy.

In regard to the request by Allen Gregory during public expression, Councilman Holbrook asked for special consideration to ask Mayor Fletcher to send a letter requesting VDOT to look at addressing the concerns about the number of accidents at the intersection of Riverside Drive and 4th Avenue. All agreed and Councilman Holbrook offered a motion authorizing Mayor Fletcher to send such a request to VDOT. The motion was seconded by Councilman Kilgore and passed unanimously.

Councilman Holbrook moved to enter into Closed Session to discuss legal matters under VA Code Section 2.2-3711(A)(7). The motion was seconded by Councilman Bailey and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

A motion was made by Councilman Holbrook to enter back into Open Session, certifying that the only matter discussed in Closed Session was Legal under VA Code Section 2.2-3711(A)(7). A roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

A motion was made by Councilman Salyer to recess the meeting until Thursday, May 22, 2014 at 7 p.m. The motion was seconded by Councilman Bailey and passed by unanimous vote.

The meeting was recessed until May 22nd at 7 p.m.

Mayor

Clerk