

Lebanon Town Council Meeting
Town Hall, Lebanon, VA
Monday, May 12, 2014
6:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, Mayor
J. C. Boyd, Vice Mayor
Bill Bolling, Council Member
Hassel Kegley, Council Member
A. G. Griffith, Jr., Council Member
DeAnna C. Jackson, Council Member
A. Doyle Fields, Council Member

Staff Members Present: Michael L. Duty, Town Manager
Jackie L. Hubbard, Controller
Mark Mitchell, Chief of Police
Stephanie Burke, Clerk of Council
Kevin Tiller, Town Attorney

- I. The meeting was called to order by Mayor Dodi.
- II. Prayer: Mr. Mark Mitchell
- III. Pledge of Allegiance: Mayor, Council and Staff Members
- IV. Edit for items not on the agenda:

Upon motion made by Mr. Griffith, seconded by Mr. Kegley, the agenda was unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

- V. Edit and approve minutes from the 04/14/14 council meeting:

Upon motion made by Mr. Kegley, seconded by Mr. Griffith, the minutes from the 04/14/14 council meeting were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

- VI. Approve accounts payable for the month of April:

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the accounts payable for the month of April were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

VII. Public Hearing to consider:

- A. An application submitted by Mr. Kemp Gilmer for the rezoning of property on the north side of Gilmer Street from R-2 Residential to C-1 Commercial.

VIII. Planning Commission Members Present:

Ralph Snead, Chairman
Michael L. Duty, Vice Chairman
J. S. Easterly, Jr., Clerk
Donald Ramey, Member
Stephen Quillen, Member
Bill Bolling, Member

Planning Commission Members Absent:

Tim Coleman, Member

- A. The Town Council recessed from regular session, 6:08 P.M.
- B. Mr. Snead, Chairman, opened the public hearing, 6:09 P.M.
- C. Mr. Kemp Gilmer was present to discuss his application.
- D. Upon motion made by Mr. Bolling, seconded by Mr. Duty, the Planning Commission unanimously voted to recommend to the Town Council that the application submitted by Mr. Kemp Gilmer for the rezoning of property be approved upon the condition that all regulations set forth by the Town of Lebanon Zoning Ordinance are met. The vote was as follows: Mr. Snead, Aye; Mr. Duty, Aye; Mr. Easterly, Aye; Mr. Ramey, Aye; Mr. Quillen, Aye; Mr. Bolling, Aye.

IX. Mr. Snead closed the public hearing, 6:14 P.M.

X. The Town Council returned to regular session, 6:15 P.M.

XI. Ralph Snead, Planning Commission Chairman, recommended on behalf of the Planning Commission that the application submitted by Mr. Kemp Gilmer for the rezoning of property be approved upon the condition that all regulations set forth by the Town of Lebanon Zoning Ordinance are met.

XII. Upon motion made by Mr. Bolling, seconded by Mr. Boyd, the Town Council unanimously voted to approve the application submitted by Mr. Kemp Gilmer for the rezoning of property upon the condition that all regulations set forth by the Town of Lebanon Zoning Ordinance are met. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

XIII. Public Request:

- A. Ms. Kelly McBride Delph, director of the Russell County Public Library, was present to present the library's budget report to the Town Council and to request a continuation or increase of the Town's annual donation to the library.
- B. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Town Council unanimously voted to increase the annual donation to the Russell County Public Library by \$500.00 for the 2014-2015 fiscal year.
- C. Mr. Carl Rhea was present to discuss his concerns regarding the rules for the Town ball field. Mr. Duty advised Mr. Rhea that the fee to use the ball field is \$100.00 for the first day and \$75.00 for the second day. Mr. Duty also advised that a \$100.00 deposit is required and will be refunded if no damage has occurred and cleanup is not required by the Town. Mr. Duty explained that all fees are due on the day before use; however, if weather does not permit the use of the field, the fees will be refunded. Mr. Duty also advised that pets are allowed at the ball field with the condition that all waste must be picked up. Mr. Rhea advised that he understood and would comply with the ball field rules.

XIV. Town Manager's Report: Mr. Duty presented the town manager's report for the month of April.

- A. Police Department Report: Mr. Mitchell presented the police department report for the month of April and informed the Town Council that the police department has received several complaints of excessive noise. Mr. Tiller advised Mr. Mitchell that he would research to see if the existing noise ordinance would be adequate. Mr. Mitchell also advised that it would be helpful to conduct a background check on all peddlers' license applicants.

XV. Town Attorney Report: None.

XVI. Old Business: None.

XVII. New Business:

- A. Upon motion made by Mr. Boyd, seconded by Ms. Jackson, the Town Council unanimously voted to approve the Renewal of the Cable Television Franchise resolution. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.
- B. Upon motion made by Ms. Jackson, seconded by Mr. Griffith, the Town Council unanimously voted to approve the Employer Contribution Rate of 13.43% for Counties, Cities, Towns, School Divisions and Other Political Subdivisions resolution. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

XVIII. Committee Reports and Recommendations: None.

XIX. Recess, 6:49 P.M.

XX. Resume, 6:54 P.M.

XXI. Enter closed session: 6:54 P.M.

A. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711 for the purpose of discussing (1) personnel, (4) privacy of individuals and (7) legal issues. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

B. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Town Council unanimously voted to return to regular session. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

C. Stephanie Burke, Clerk of Council, presented the Roll Call Vote:

Do you certify that to the best of your knowledge, the Town Council in its' closed session; only discussed business matters lawfully exempted from the public meeting requirements of the Freedom of Information Act; and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.

The roll call vote was as follows: Mayor Dodi, Aye; Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Tiller, Aye; Mr. Duty, Aye; Mr. Hubbard, Aye.

XXII. Adjourn closed session: 7:38 P.M.


XXIII. Upon motion made by Mr. Boyd, seconded by Mr. Fields, Mr. Tiller was authorized to pursue the collection of business licenses that have been delinquent for over a one year period. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

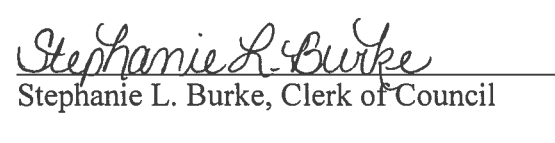
XXIV. Upon motion made by Mr. Boyd, seconded by Mr. Griffith, Ordinance No. 14-1 was adopted concerning the eligibility of town employees for the town election. The roll call vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

XXV. Upon motion made by Mr. Boyd, seconded by Mr. Bolling, the Town Council approved an employment and severance package for the town manager, Michael L. Duty, as described and acknowledged by the executed agreement on May 12, 2014. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Nay; Mr. Fields, Aye.

XXVI. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Town Council unanimously voted to adjourn. The vote was as follows: Mr. Boyd, Aye; Mr. Bolling, Aye; Mr. Kegley, Aye; Mr. Griffith, Aye; Ms. Jackson, Aye; Mr. Fields, Aye.

Adjourn: 7:42 P.M.


Nelson A. "Tony" Dodi, Mayor


Stephanie L. Burke, Clerk of Council

Minutes recorded by: Stephanie L. Burke, Clerk of Council
Minutes prepared by: Stephanie L. Burke, Clerk of Council
Minutes approved by: Michael L. Duty, Town Manager