

Lebanon Town Council  
Regular Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, January 7, 2019  
6:00 P.M.

Council Members Present: Nelson A. “Tony” Dodi, Mayor  
DeAnna C. Jackson, Vice- Mayor  
J. Hassel Kegley, Council Member  
A. Doyle Fields, Council Member  
Kevin B. Ferguson, Council Member  
Scott J. Gilmer, Council Member  
Mary J. Stanley, Council Member

Staff Members Present: Mark A. Mitchell, Town Manager/Chief of Police  
A. Diane Nunley, Clerk of Council  
Kevin D. Tiller, Town Attorney

I. The meeting was called to order by Mayor Dodi.

II. Prayer: Mr. Mitchell

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

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

V. Edit and approve minutes from the 12/10/18 regular council meeting, 12/20/18 special council meeting

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, the minutes from the 12/10/18 regular council meeting, 12/20/18 special council meeting were unanimously approved. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

VI. Approve accounts payable and capital assets for the month of December.

Upon motion made by Mr. Gilmer, seconded by Mr. Fields, the accounts payable for the month of December were unanimously approved. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

VII. Public Hearing to consider:

An application has been submitted by Lewis Quesenberry for variance in subdivision of property located on 62 Park Avenue.

Planning Commission Members Present:

Donald Ramey, Chairman  
Tim Coleman, Vice-Chairman  
R. D. Snead, Member  
DeAnna C. Jackson, Member  
Mark A. Mitchell, Member  
Leonard Kegley, Member

Planning Commission Members Absent:

J. S. Easterly, Jr., Clerk

- A. The Town Council recessed from regular session, 6:04 P.M.
- B. Mr. Ramey, Chairman opened the public hearing, 6:04 P.M.
- C. Mr. Quesenberry advised that Woody McClanahan was interesting in purchasing the property located at 62 Park Avenue. Therefore, it was necessary for variance in subdivision of the property to be in compliance with the zoning ordinance to sell the property.
- D. No one spoke to oppose the application.

Upon motion made by Mr. Mitchell, seconded by Mr. Snead, the Committee unanimously voted to recommend a variance in the zoning ordinance be granted as far as the set back lines and street frontage. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Snead, Aye; Ms. Jackson, Aye; Mr. Mitchell, Aye; Mr. Kegley, Aye.

- VIII. Mr. Ramey closed the public hearing, 6:08 P.M.
- IX. The Town Council returned to regular session, 6:08 P.M.
- X. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission to approve the variance in subdivision.

Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Town Council unanimously voted to approve the variance in subdivision be granted as far as the set back line and street frontage. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

XI. Resolutions:

- A. Service Recognition – Stephen Quillen

Mayor Dodi presented the Service Recognition plaque to Mr. Quillen.

Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the Town Council unanimously vote that a copy of this Service Recognition Resolution be made a permanent part of the Town Council minutes on January 7, 2019. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

B. Reimbursement Loan Resolution

Mr. Mitchell discussed the reimbursement loan resolution and requested to amend the term 60 days to 90 days.

Upon motion made by Mr. Gilmer, seconded by Mr. Ferguson, the Town Council unanimously voted to approve the Reimbursement Loan Resolution with amended changes. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

XII. Public Request

Doro Martin spoke to the council regarding an annual Thanksgiving Dinner for town residents. She advised that Cedar Pointe church previously had provided a Thanksgiving Dinner, due to circumstances Cedar Pointe would not be able to this year. She suggested during the Bicentennial events to request can food donations.

Mayor Dodi requested Ms. Stanley and Mr. Gilmer work with Ms. Martin to organize an annual Thanksgiving Dinner for town residents.

XIII. Police Report: None

XIV. Town Manager's Report:

A. Discuss Food Trucks-Vendor Fees-Taxes

Mr. Mitchell discussed charging an annual fee of \$100 or a \$25 fee for each event for food trucks instead of the \$500 itinerant merchants or peddlers fee that is currently in place.

Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Town Council voted to approve a yearly fee of \$100 for all itinerant merchants or peddlers. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Nay; Mr. Ferguson, Aye; Ms. Stanley, Aye.

B. Richardson-Wayland Crosswalk

Mr. Mitchell discussed placing a crosswalk light at the intersection on Pittston Road and Main Street for the amount of \$9,376.80.

Upon motion made by Mr. Kegley, seconded by Ms. Stanley, the Town Council unanimously voted to approve the crosswalk light at the intersection on Pittston Road and

Main Street at the said amount. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mr. Gilmer requested for Mr. Mitchell to get a quote for stamped crosswalks at Church Street and Mill Street.

C. Lighting at Lebanon Middle School

Mr. Mitchell discussed the placing crosswalk flashing lights near Lebanon Middle School, all council agreed to purchase the crosswalk flashing lights.

D. RFP for IT

Mr. Mitchell presented the RFP for IT services. All the council agreed to proceed with the RFP for IT services.

E. Approve the pre-audit

Upon motion made by Mr. Gilmer, seconded by Mr. Ferguson, the Town Council unanimously voted to approve to pay the pre-audit fee. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

F. Legal fees for Northrop Grumman

Mr. Mitchell presented the legal fees that has accumulated on the Northrop Grumman case. Based on the tax burden he recommended the town pay 38 % of the fees.

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, the Town Council unanimously voted to approve to pay 38% of all legal fees accrued from the Northrop Grumman lawsuit. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

G. Downtown Streetscape

Mr. Mitchell presented the pricing from Appalachian Power to purchase light poles for the Downtown Streetscapes using funds from the Downtown Revitalization Grant.

Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the Town Council unanimously voted to approve the purchase of the light poles from Appalachian Power at the quoted price. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

XV. Town Attorney Report: None

XVI. New Business

A. Brian Ferguson -Trash Site for County

Mr. Ferguson, with Russell County Solid Waste, presented information to move the County Trash Site on Haber Drive to Regional Park Road in front of the Alcoa Wheels Building. The issues on Haber Drive are high traffic, safety and more convenient. The County plans to extend the present recycle location and extend the privacy fence. Mayor Dodi suggested planting trees in addition to the privacy fence. Mayor Dodi requested Mr. Ferguson meet with Mr. Mitchell to work out the specific details on a use permit to present at the February council meeting.

XVII. Recess: 7:29 P.M.

XVIII. Resume: 7:39 P.M.

XIX. Enter closed session: 7:39 P.M.

A. Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(5)(7) for the purpose of discussing prospective business or industry and legal issues. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

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

C. A. Diane Nunley, Clerk of Council, presented the Roll Call Vote:

Virginia Code, 1950, Section 2.2-3712(D)

Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) 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 by the Town Council. Any member of the Town Council who believes that there was a departure from the requirements of clauses (1) and (2), shall so state prior to the vote, indicating the substance of the departure that, in their judgment, has taken place.

The roll call vote was as follows: Mayor Dodi, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye; Mr. Tiller, Aye; Mr. Mitchell, Aye.

XX. Adjourn closed session: 7:51 P.M.

XXI. Adjourn: 7:55 P.M.

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, the Council unanimously voted to adjourn to reconvene on January 21, 2019 at 6:00 P.M. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

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Nelson A. "Tony" Dodi, Mayor

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A. Diane Nunley, Clerk of Council

Minutes recorded by: A. Diane Nunley, Clerk of Council

Minutes prepared by: A. Diane Nunley, Clerk of Council