

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, VA
Monday, February 11, 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:

Mayor Dodi requested to add under New Business Item F Administrative Agreement for Lebanon Downtown Revitalization Project.

Upon motion made by Mr. Gilmer, seconded by Mr. Kegley the agenda with amended changes 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 01/07/19 regular council meeting, 01/21/19 reconvened council meeting.

Upon motion made by Mr. Kegley, seconded by Mr. Fields, the minutes from the 01/07/19 regular council meeting, 01/21/19 reconvened 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 January.

Upon motion made by Mr. Gilmer, seconded by Mr. Kegley, the accounts payable for the month of January 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 Michael E. Leonard for a conditional use permit for home office use.

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, 6:05 P.M.
- B. Mr. Ramey, Chairman opened the public hearing, 6:05 P.M.
- C. Mr. Michael E. Leonard advised that he had previously requested to be on the Town of Lebanon's wrecker list and he completed all documents to do so. Later after some controversy he was notified by the Town Manager, Mr. Mitchell his wrecker service was removed from the list. Mr. Leonard advised he then applied for a conditional use permit to operate his Lebanon Tow Service from his residents. He advised that the tow storage facility would be located at his business at Highway 19.
- D. No one spoke to oppose the application.

Upon motion made by Mr. Snead, seconded by Mr. Coleman, the Committee voted to approve Michael E. Leonard a conditional use permit for home office use providing no wrecked vehicles were parked at residence. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Snead, Aye; Ms. Jackson, Aye; Mr. Mitchell, Aye; Mr. Kegley, Nay.

- VIII. Mr. Ramey closed the public hearing, 6:19 P.M.
- IX. The Town Council returned to regular session, 6:19 P.M.
- X. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission to approve the conditional use permit for Michael E. Leonard for home office use providing no parked wrecked vehicles were at the residence.

Upon motion made by Ms. Jackson, seconded by Mr. Gilmer, the Town Council voted to approve the conditional use permit for Michael E. Leonard for home office use providing no parked wrecked vehicles were at the residence. The vote was as follows: Mr. Kegley, Nay; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

XI. Resolutions:

A. Request for Street Addition-Shell Building Road

Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the Town Council unanimously vote to pass the resolution petitioning the Department of Transportation for maintenance payments for the shell building road. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mayor Dodi recommended to name the road to the shell building Joe Gillespie Drive.

Upon motion made by Mr. Kegley, seconded by Ms. Stanley, the Town Council unanimously voted to name the road to the shell building Joe Gillespie Drive. 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: None

XIII. Police Report: None

XIV. New Business

A. Brian Ferguson-Trash Site for County

Upon motion made by Mr. Ferguson, seconded by Ms. Jackson, the Town Council unanimously voted to issue a permit between the Town of Lebanon and the Board of Supervisors to move the trash site to Regional Park Road at the recycling site. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

B. APCO Franchise

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

C. J. A. Street

Brian Poe and Shari Brown presented the Guaranteed Maximum Price Proposal for the Gymnasium & Athletics Facility.

Mayor Dodi requested the council schedule a meeting with J.A. Street Associates to discuss the proposal at a later date.

Mayor Dodi requested the council grant Mr. Mitchell permission to revise the Administrative Agreement for the Lebanon Downtown Revitalization Project with Town of Lebanon information and authorize the execution of the agreement.

Upon Motion made by Mr. Ferguson, seconded by Mr. Gilmer, the Town Council unanimously voted to approve for Mr. Mitchell to revise the Administrative Agreement for the Lebanon Downtown Revitalization with Town of Lebanon Information and execution of the agreement. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

D. Discuss Engineering Proposal for Block Grant

Mr. Gilmer recommended to accept the A/E Services Proposal from The Lane Group for the amount of \$82,000.

Upon motion made by Mr. Gilmer, seconded by Ms. Jackson, the Town Council unanimously voted to approve the A/E Services Proposal from The Lane Group for the amount of \$82,000. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

E. IT-Proposal Bids

1. ABS Technology bid amount \$100 per hour.
2. Computerized Bookkeeping Services bid amount \$45 per hour.

Upon motion made by Mr. Gilmer, seconded by Mr. Ferguson, the Town Council unanimously voted to accept the proposal from Computerized Bookkeeping Services for the Town of Lebanon. 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. Town Manager's Report:

Mr. Mitchell presented the purchase order for the Fire Department in the amount of \$25,684.

Upon motion made by Mr. Fields, seconded by Mr. Gilmer, the Town Council unanimously voted to approve to pay the purchase order for the Fire Department using the estate donation with remaining balance to be paid with the county funds. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mr. Mitchell advised the council concerning the need to adopt a Conflict of Interest Policy concerning the Downtown Revitalization Project.

Upon motion made by Mr. Gilmer, seconded by Mr. Fields, the Town Council unanimously voted to authorize Mr. Mitchell to execute a Conflict of Interest Policy in consultation with Mr. Tiller. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mary Stanley, Aye.

Mr. Mitchell presented the purchase for 4 six-yard container at the price of \$1370 with a 5% discount with the purchase of 4 containers.

Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Town Council unanimously voted to purchase 4 six-yard containers 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.

Mr. Mitchell advised the council that the approved amounts of funds had been transferred to the LGIP funds.

Mr. Mitchell advised the council that due to Ms. Burke being on maternity leave the permission to add Ms. Stinson to the bank accounts.

Upon motion made by Mr. Gilmer, seconded by Ms. Stanley, the Town Council unanimously voted to approve to add Beverly Stinson to the Town of Lebanon bank accounts. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mr. Mitchell requested the council approve a recondition engine for the amount of \$15,795.20 for the Backhoe.

Upon motion made by Mr. Kegley, seconded by Mr. Fields, the Town Council unanimously voted to approve a recondition engine for the Backhoe 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.

Mr. Mitchell presented a proposal to purchase police equipment from seized assets in the amount of \$28,000 for cages for police cars, tasers, shot guns and lidar guns.

Upon motion made by Mr. Gilmer, seconded by Mr. Kegley, the Town Council unanimously voted to authorize Mr. Mitchell to utilize the asset seizure funds to purchase the police equipment as described. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mr. Mitchell requested the colors for the pool slide and cage. The council agreed for Ms. Jackson to choose the colors.

Mr. Mitchell presented the invoice to repair the guardrail on Pioneer Drive and Main Street near Lebanon Block for the amount of \$11,000.

Upon motion made by Mr. Ferguson, seconded by Mr. Kegley, the Town Council unanimously voted approve the invoice to repair the guardrail 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.

Mr. Mitchell requested the council's pleasure concerning the splash pad fence. Mr. Gilmer advised that the Parks and Recreation Committee requested the splash pad fencing be in the form of a bid.

Mr. Mitchell discussed the concrete bid for the pool and splash pad.

Mayor Dodi presented the request for a donation to Southwest Virginia Community College for the festival of arts.

Upon motion made by Ms. Jackson, seconded by Mr. Gilmer, the Town Council unanimously voted to approve a donation to Southwest Virginia Community College same as last years donation amount. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

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)(1)(5)(7) for the purpose of discussing personnel, 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)

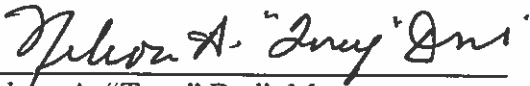
Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) that only such public business matters as were identified in the motion by which the closed 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.

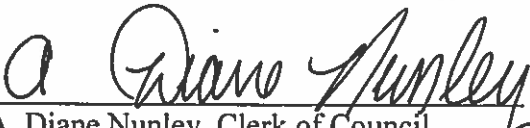
The roll call vote was as follows: Mayor Dodi, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye; Mr. Tiller, Aye; Mr. Mitchell, Aye.

XX. Adjourn closed session: 9:45 P.M.

XXI. Adjourn: 9:48 P.M.

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


Nelson A. "Tony" Dodi, Mayor


A. Diane Nunley, Clerk of Council

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