

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, VA
Monday, May 21, 2018
6:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, Mayor
J. C. Boyd, Vice Mayor
J. Hassel Kegley, Council Member
A. Doyle Fields, Council Member
DeAnna C. Jackson, Council Member
Kevin B. Ferguson, Council Member
Scott J. Gilmer, Council Member

Staff Members Present: Jackie L. Hubbard, Controller/Interim Town Manager
A. Diane Nunley, Administrative Assistant
Mark A. Mitchell, Chief of Police
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. Jackson, the agenda was unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

V. Edit and approve minutes from the 04/09/18 regular council meeting and minutes from the 04/09/18 special council meeting:

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the minutes from the 04/09/18 regular council meeting and minutes from the 04/09/18 special council meeting were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

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

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

VII. Public Hearing to consider:

An application submitted by Maegan A. Brown for a conditional use permit for home occupation use of the property located at 425 Donald C. Moore Drive in a R-1 Single Family District. The home occupation will be an online sales of children's clothing boutique.

Planning Commission Members Present:

Donald Ramey, Chairman
Tim Coleman, Vice-Chairman
R. D. Snead, Member
J.S. Easterly, Jr., Clerk
DeAnna C. Jackson, Member

Planning Commission Members Absent:

Stephen M. Quillen, Member

- A. The Town Council recessed from regular session, 6:02 P.M.
- B. Mr. Ramey, Chairman, opened the public hearing, 6:02 P.M.
- C. Maegan A. Brown spoke that she wishes to offer an online children's clothing boutique and would be shipping the merchandise out of her home.
- D. No public comments.

Upon motion made by Mr. Easterly, seconded by Mr. Snead, the planning commission unanimously voted to approve the application for Maegan A. Brown for a conditional use permit. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye; Mr. Snead, Aye; Mr. Easterly, Aye.

Mr. Ramey requested a Planning Commission and Town Council joint monthly meeting be scheduled the Monday before the regular council meeting.

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 conditional use permit application for Maegan A. Brown.

Upon motion made by Mr. Boyd, seconded by Mr. Fields, the town council unanimously voted to approve the conditional use permit for Maegan A. Brown upon the conditions that all regulations set forth by the Town of Lebanon and the Zoning Ordinance are met. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye. Mr. Ferguson, Aye.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the town council unanimously voted to approve a regular town council and planning commission monthly meeting the Monday before regular town council meeting at a restaurant of choice and paid by the town. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XI. Public Request:

- A. The Town Council recognized Tammy Jo Lasley for receiving the WoodmenLife Heart & Heritage Caring for Others Award.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the town council unanimously voted to enter the WoodmenLife Heart & Heritage Caring for Others Award as a resolution. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

- B. Betsy Summerfield advised the council that her bulk trash hasn't been picked up. Mr. Hubbard informed Ms. Summerfield she needed to call the town hall and they will schedule a pick-up day.

XII. Police Department Report:

Chief Mitchell presented the monthly report for the month of April. He advised the council that the police have received numerous reports of a bear within the town. Mr. Mitchell recommends that everyone keeps trash enclosed, all pet food in containers and no bird feeders out. He also advised the council that the grant for "Click it or Ticket it" began today therefore his officers would be working overtime on this grant. He advised the council that Tanner Couch would be graduating from the police academy this Thursday, May 24, 2018.

XIII. Town Manager's Report:

Mr. Hubbard advised the council that the annual audit was complete and report should be completed by the end of the month. He updated the council concerning the Parks and Recreation playground equipment, construction of sidewalk at ballfield completed last week, umbrellas ordered for the Old Mill Park and most of the flowers planted. He advised the council about the Wastewater Treatment Plant's digester going down, but the employees did the actual labor which saved on the cost of the project.

Mr. Hubbard advised the council that Brad Cook with Lebanon Fire Department contacted him concerning the council sponsoring the Guitars and Good Times event to raise funds to help teachers deal with students with Child Behavior issues.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to continue to support the Guitars and Good Times event. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

Mr. Hubbard advised the council that the Town Manager's truck tags were expiring the end of the month and requested the pleasure of the council on either keeping the tags that was on the truck or revert to the government ones. The council agreed on the government tags.

Mr. Hubbard advised the council that a census is due for addresses within the town and requested that the council use Tammy Lasley and Diane Nunley to update all the address information.

Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the council unanimously voted to approve for Tammy Lasley and Diane Nunley to update all town addresses for the census. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XIV. Town Attorney Report:

Mr. Tiller updated the council on the Lebanon Cleaner's lawsuit, today makes the twenty-first day since he filed the lawsuit which is the time period given to respond. If he doesn't receive anything by end of the week he will go ahead and default judgement on Lebanon Cleaners.

XV. Old Business: None

XVI. New Business:

A. Discuss Suboxone

Ms. Jackson discussed the complaints she had received concerning the clinic near Rite Aid. Mr. Tiller recommended placing police officer on site. The council agreed to place an officer near the facility on the days of operation.

B. Dilapidated Building

Mr. Hubbard discussed three dilapidated buildings, letters have been sent, requested the pleasure of the council on the next steps. The Council agreed to have Mr. Tiller issue letter to the three property owners and each be given a time limit to respond.

C. Peddlers License

Ms. Jackson discussed with the council the peddlers license fee, a couple of high school boys were wanting to set up an ice slushy stand this summer and the \$500 fee was too expensive for small businesses. The Council agreed to encourage the boys to apply for a conditional use permit instead or peddlers license.

Upon motion made by Ms. Jackson, seconded by Mr. Ferguson, the council unanimously voted to approve the boys to get either a regular business license if they live in a Commercial District or conditional use permit if they live in a R-1 or R-2 zoning area. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

D. Painting of Pavement at Old Mill Park

Ms. Jackson discussed the painting of pavement at Old Mill Park. A business from Knoxville sent a sample which she felt didn't match the crosswalk. Mr. Gilmer said he would contact Clatterbuck Pavement Marking to get another sample from them. The council agreed to discuss the issue at the June council meeting.

XVII. Recess 6:57 P.M.

XVIII. Enter closed session: 7:07 P.M.

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

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

C. A. Diane Nunley, Administrative Assistant, 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. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye; Mr. Hubbard, Aye; Mr. Mitchell, Aye.

XIX. Adjourn closed session: 8:24 P.M.

- XX. Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the Town Council unanimously voted to hire all 15 applicants for the lifeguard position and Jennifer Woodlief and Ernie Woodlief as directors. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXI. Upon motion made by Mr. Fields, seconded by Mr. Boyd, the Town Council unanimously voted to hire Jordan Stallard, Joshua Harris, Caleb McGlothlin and Chandler Morrison as summer help for the street department. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXII. Mayor Dodi advised the council that Mr. Hubbard had prepared a preliminary purposed budget for review. The 2018-2019 budget was to be approved at the June meeting.
- XXIII. Mr. Hubbard advised the council that he had received a proposal from Steffey Construction on installing a fence around the Old Mill Park for the amount of \$29,950. Mr. Steffey sent a book for the council to pick out the color of rock they wished to install at the Old Mill Park.
- XXIV. Adjourn: 8:32 P.M.

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, the Council unanimously voted to adjourn to reconvene on Tuesday May 29, 2018, to conduct event coordinator interviews and other business items. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.


Nelson A. "Tony" Dodi, Mayor


A. Diane Nunley, Administrative Assistant

Minutes recorded by: A. Diane Nunley, Administrative Assistant
Minutes prepared by: A. Diane Nunley, Administrative Assistant