

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, Virginia
Monday, December 12, 2022
4:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, Mayor
DeAnna C. Jackson, Vice- Mayor
A. Doyle Fields, Council Member
Scott J. Gilmer, Council Member
Mary J. Stanley, Council Member
M. Elijah Leonard, Council Member
W. Bradley Lambert, Council Member

Staff Members Present: Andrew R. Shortt, Town Manager
Kevin D. Tiller, Town Attorney
A. Diane Nunley, Clerk of Council
Richard Eric Deskins, Chief of Police

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

II. Prayer: Shawn Street

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

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

V. Edit and approve minutes from the 11/14/22 regular council meeting.

Upon motion made by Mr. Leonard, seconded by Mr. Lambert, the minutes from the 11/14/22 regular council meeting was unanimously approved. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

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

Mr. Shortt requested to remove the Witmer Public Safety Group, Inc. charges in the amounts of \$198.00, \$328.00, and \$655.31. Mr. Gilmer questioned if Mr. Shortt had reviewed the Aramark and Cintas invoices. Mr. Shortt advised that he had reviewed them. Mr. Shortt stated that the Aramark invoices are reoccurring bathroom supplies and Cintas charges are for uniforms. Mr. Gilmer requested for Mr. Shortt to speak with Mr. Farmer to see if the Lebanon Recreation Center has enough staff to take care of replacing the bathroom supplies themselves. Mr. Gilmer requested Mr. Shortt check about purchasing the uniforms rather than renting them.

Upon motion made by Mr. Gilmer, seconded by Mr. Fields, the accounts payable for the month of November with removing the Witmer Public Safety Group, Inc. charges was unanimously approved. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

VII. Recognition

Mary Stanley Resolution

Mayor Dodi presented a resolution plaque to Ms. Stanley for her service on the Lebanon Town Council.

Upon motion made by Mr. Leonard, seconded by Ms. Jackson, the Town Council unanimously voted to approve the resolution for Mary Stanley as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Chris Kiser Resolution

Mayor Dodi presented a retirement resolution plaque to Chris Kiser for his years of service on the Lebanon Police Department.

Upon motion made by Mr. Lambert, seconded by Mr. Leonard, the Town Council unanimously voted to approve the resolution for Mary Stanley as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

LHS Cross Country Team

Mayor Dodi presented certificates to recognize the Lebanon High School Boys Cross Country Team for being the 2022 Virginia High School League Group 1A Boys Cross Country Champion. The recognitions are as follows:

Derek Mitchell	First Place
Alec Deckard	Fifth Place
Eli Taylor	Twelfth Place
Carter Dillon	Fifteenth Place
Emmitt Breeding	LHS Boys Cross Country Team Member
Blake Chafin	LHS Boys Cross Country Team Member
Ethan King	LHS Boys Cross Country Team Member
Landon Hess	LHS Boys Cross Country Team Member
Owen Jones	LHS Boys Cross Country Team Member
Hunter King	LHS Boys Cross Country Team Member
Gavin Tincher	LHS Boys Cross Country Team Member
Colt Roberts	LHS Boys Cross Country Team Member

VIII. Public Hearing

Main Street Villas, LLC. Pursuant to Section 36-23 of the code of Virginia, 1950 for the Lebanon Town Council to adopt a resolution declaring the need for the Wise County Redevelopment & Housing Authority to exercise its powers in the Town of Lebanon for the limited purpose of issuing no more than 21 housing vouchers to Main Street Villas, LLC for use in the Main Street Villas Development to be constructed on East Main Street in Lebanon, Virginia.

A. Mayor Dodi opened the Public Hearing: 4:36 P.M.

B. Mr. Keith Viers, Executive Director for Cumberland Plateau Regional Housing Authority, advised that Wise County Redevelopment and Housing Authority have twenty-one housing vouchers for the Main Street Villas LLC. He stated that this resolution states the need for the Main Street Villas housing project, plus it will allow for the Wise County Redevelopment and Housing Authority to exercise their powers to assist in low-income housing needs within the Territorial boundaries of the Town of Lebanon. He stated this is a revenue stream for the project.

C. No one spoke in opposition.

IX. Mayor Dodi closed the public hearing, 4:39 P.M.

X. The Town Council returned to regular session, 4:39 P.M.

XI. Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to authorize Wise County Redevelopment and Housing Authority to administer twenty-one (21) vouchers for the Main Street Villas project because of the great need for safe, sanitary low-income dwelling accommodations within the Town of Lebanon that is being developed by Cumberland Plateau Regional Housing Authority. The vote was as follows: Ms. Jackson Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XII. Public Request:

Keith Viers-Project update and resolution

Mr. Viers thanked the Town Council for their support concerning the Main Street Villas project plus all the Town's revitalization. Mr. Viers advised that as of now the Main Street Villas project is in line with their time schedule. He stated that they are currently prequalifying contractors to bid for the project which the process will close December 22, 2022. At that time, they will evaluate firms that have submitted their prequalified bid to ensure they comply and meet the requirements before going out to bid on the project for a general contractor. Mr. Viers stated he hoped to have a general contractor in place and start construction by early spring. Mr. Gilmer questioned Mr. Viers regarding Puckett Street. Mr. Viers stated that as of now they plan to move forward in the construction with no changes to Puckett Steet.

Ms. Svitlana Boyd stated that the Town Council are elected by the people in order to serve the people. Ms. Boyd advised that she is interested in purchasing a lot located at 181 West Banner Street therefore she would like to know the zoning restrictions on a Modular Home before she purchases this property. Mr. Shortt stated that Modular Homes are permitted in a R-2 General

Dwelling District. Ms. Boyd questioned how she could get proof it would be allowed before she purchased a Modular Home. Mr. Tiller advised her to purchase a building permit which would include the size of the home plus where she would place the home on the lot before actually purchasing the home.

Ms. Boyd stated that on behalf of her and her neighbors Ben and McKenna Price, Bart and Heather McGlothlin they pay County taxes as well Town taxes but receive no services such as trash pick-up at their homes, police control plus a gravel road to drive on. Mr. Tiller advised Ms. Boyd that the road is a private road which doesn't meet VDOT specs therefore the Town cannot maintain a private road. Mr. Leonard advised that there is trash pick-up, but Ms. Boyd stated that the trash truck does not come all the way to her home. Chief Deskins advised Ms. Boyd that the police do patrol on her road, and he assured her they would increase patrol on Viers Court. Ms. Boyd questioned the Town Council about rezoning. Mr. Tiller advised Ms. Boyd that he cannot answer any questions regarding rezoning due to the open legal lawsuit.

XIII. New Business

Ordinance -Reimbursement for certain expenses incurred in responding to DUI and related incidents

Upon motion made by Mr. Leonard, seconded by Mr. Fields, the Town Council unanimously voted to approve the Ordinance of the Town of Lebanon, Virginia, regarding reimbursement for certain expenses incurred in responding to DUI and related incidents as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye. Discussion: Mr. Lambert questioned Mr. Tiller if this ordinance would permit the Lebanon Fire Department to bill only for DUI vehicle accidents. Mr. Tiller stated that they can bill for DUI or any other reckless driving accidents.

Ordinance-Pertaining to camping on public sidewalks

Mayor Dodi advised that the ordinance pertaining to camping on public sidewalks is similar to what other localities have approved. Mr. Tiller stated that the ordinance basically states it is a misdemeanor to camp on a town owned street, sidewalk, alley or other public right-of-way, but it does not supersede trespassing in the parks after a certain time.

Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to approve the Ordinance pertaining to camping on public sidewalks as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XIV. Recess: 5:10 P.M.

XV. Resume: 5:28 P.M.

XVI. Town Managers Report

Quote for 2016 Freightliner Door

Mr. Shortt advised that he had three quotes to replace the Lebanon Volunteer Fire Department 2016 Freightliner door. The first quote is from Abingdon Collision & Towing, Inc. for the amount of \$3,330.64, Appalachian Collision & Auto Parts for the amount of \$2,345.99 and Brooks Collision Center for the amount of \$2,831.50.

Upon motion made by Mr. Lambert, seconded by Mr. Gilmer, the Town Council unanimously voted to approve the quote from Appalachian Collision & Auto Parts for the amount of \$2,345.99 as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Abstain; Mr. Lambert, Aye.

Floodplain Ordinance

Mr. Shortt advised that back in the summer FEMA and DCR met with him to review the Town of Lebanon's floodplain issues. He stated that there was a couple violation from citizens that he will address. He stated that the first step to be in compliance is for the Town Council to approve a Floodplain Ordinance.

Upon motion made by Mr. Lambert, seconded by Ms. Jackson, the Town Council unanimously voted to approve the Floodplain Ordinance as presented and appoint Andrew Shortt as Floodplain Administrator. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

CITAC-MOU

Mr. Shortt stated that at the last Town Council meeting a motion was made to terminate both MOU's with Cumberland Mountain Community Service concerning the CITAC program. Mr. Shortt stated that after speaking with Chief Deskins, he would like for the Town Council to amend the motion for the Town to stay in the program but terminate the CITAC Coordinator position. Chief Deskins stated the being in the CITAC program would eliminate a Police Officer having to stay with an ECO (Emergency Custody Order) which used to be seventy-hour process but now it can be up to a seven-to-nine-day process. He stated that by having the program when the Police Officer takes an ECO in, they can take them to the drop center and return back to duty.

Upon motion made by Mr. Gilmer, seconded by Mr. Lambert, the Town Council unanimously voted to approve the updated MOU with Cumberland Mountain Community Service CITAC program pending legal approval. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Personal Property Tax

Mr. Shortt advised that the Personal Property Taxes were delayed being sent to Southern Software due to waiting to see what the County response was to the tax rate. He stated that he spoke with Ms. Carrier, and they should be back from the software company around December 14, 2022, plus the Town can change the actual due date. The Town must give the citizens at least a thirty-day period to pay them.

Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to extend the due date on Personal Property taxes to January 31, 2023. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Fire Department Radios

Mr. Shortt advised that he met a couple of times with the Fire Department Chief McCoy concerning purchasing new radios. He stated they are on Virginia State Contract. Mr. Shortt presented two quotes for the radios.

10-33 Communications & Solutions LLC.	\$15,540.00
BK Technologies	\$18,001.20

Upon motion made by Mr. Gilmer, seconded by Mr. Lambert, the Town Council unanimously voted to approve the quote for six radios from 10-33 Communications & Solutions LLC. for the amount of \$15,540.00. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Water Meters

Mr. Shortt stated that the current water meters were all installed at one time with a ten-year lifespan. He stated that the current price is \$180 each. The Town currently has about 1500 water meters install which would cost the Town about \$285,000 to replace all of them. He stated that as of now it is about a year to get the water meters with Ferguson. Mr. Shortt stated that he will put a plan together to try to get some grant money funding. He advised that he plans to phase these out over a five-year or so period.

CUSI & MIP Information

Mr. Shortt advised that he added CUSI and MIP information for the Town Council to review. He stated that if the Finance Committee would plan a meeting even perhaps ARPA Committee also to discuss the CUSI and MIP software.

Planning Commission

Mr. Shortt advised that he spoke with Bart McGlothlin, David Boyd and David Coleman concerning serving on the Planning Commission, which all of them are interested in serving.

XVII. Chief of Police Report

Chief Deskins presented the monthly Police Report. He advised that the Police Radios have been ordered. He stated that the shop with a cop program is a little short on funds, but their goal is to provide ten kids with a \$200 budget each.

XVIII. Town Attorney Report

Mr. Tiller requested to speak with the Town Council in closed session.

XIX. Enter closed session: 5:59 P.M.

A. Upon motion made by Mr. Leonard, seconded by Mr. Lambert, 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 issues. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

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

Mr. Tiller stated that Ms. Stanley left the closed session before any Town Business was conducted.

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; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye; Mr. Shortt, Aye; Mr. Tiller, Aye.

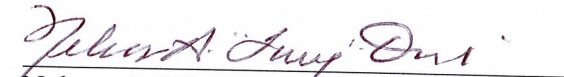
XX. Adjourn closed session: 6:30 P.M.

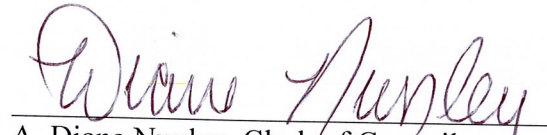
XXI. Upon motion made by Mr. Lambert, seconded by Mr. Gilmer, the Town Council unanimously voted for the Town of Lebanon sign an agreement a mutual release between Northrop Grumman Systems as discussed and allow Mayor Dodi to sign the agreement as Mayor. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XXII. Upon motion made by Mr. Leonard, seconded by Mr. Lambert, the Town Council unanimously voted to appoint Judy Lockridge to the Lebanon Planning Commission effective today. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XXIII. Adjourn: 6:35 P.M.

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