

Lebanon Town Council Monthly Meeting
Town Hall, Lebanon, VA
Monday, April 11, 2016
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
A. G. Griffith, Jr., Council Member
Scott J. Gilmer, Council Member

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

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

II. Prayer: Mr. Mark Mitchell

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

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

V. Edit and approve minutes from the 03/14/16 regular council meeting and the 03/17/16 special joint meeting:

Upon motion made by Ms. Jackson, seconded by Mr. Fields, the minutes from the 03/14/16 regular council meeting and the 03/17/16 special joint meeting were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

VI. Approve accounts payable for the month of March:

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

VII. Resolutions and Proclamations:

- A. Sexual Assault Awareness Proclamation: Jennifer Bourne of Clinch Valley Community Action was present to discuss the proposed Sexual Assault Awareness proclamation.

Upon motion made by Mr. Boyd, seconded by Mr. Griffith, the Sexual Assault Awareness proclamation was unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

- B. VRS Member Contributions Resolution:

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the VRS Member Contributions resolution was unanimously approved. The roll call vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

- C. VDOT Street Additions Resolutions:

Upon motion made by Mr. Boyd, seconded by Mr. Gilmer, the VDOT Street Additions resolutions were unanimously approved. The roll call vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

VIII. Public Requests: None.

- IX. Town Manager's Report: Mr. Duty presented the town manager's report for the month of March.

Mr. Duty provided an update on the efforts of the Russell County PSA and the Town to provide water service to residents of Fincastle Estates.

- A. Police Department Report: Chief Mitchell presented the police department report for the month of March.

- X. Town Attorney Report: Mr. Tiller advised the Council that he received information on a class action law suit regarding municipal derivatives. He advised that this law suit may involve the Town if certain securities were purchased between 1992 and 2011. Mr. Hubbard advised that he would contact Mr. Bill Lawson, the financial advisor for the Town's EQUI-VEST employee annuity plan, to determine if these securities were purchased.

XI. Old Business:

- A. Delinquent Business Licenses:

Mr. Hubbard informed the Council that the Town had a 7-year window in which to collect delinquent business licenses.

Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously authorized Mr. Tiller to notify nine businesses that legal proceedings would be initiated in regards to outstanding business license fees. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

XII. New Business:

A. 2014 – 2015 Audit Report:

Mr. Hubbard informed the Council that the Town was given a favorable, unqualified opinion on the 2014 – 2015 audit report.

XIII. Committee Reports and Recommendations:

- A. Mr. Boyd commended Town Manager Michael Duty, Director of Public Works Benny Robinson and Town street and maintenance employees for their several hours of diligent work during poor weather conditions over the previous weekend to repair major water line breaks.
- B. Mr. Gilmer informed the Council that a copy of the Downtown Revitalization Project visioning session notes, survey results and a summary of assessment activities would be submitted to the DHCD by April 22, 2016 in order to have access to the \$5,000 reserved planning grant funding. He further advised that, if the revitalization project is determined to be eligible, a Community Development Specialist from the DHCD would be assigned to the Town in either May or early June 2016 to further assist with the planning grant.
- C. Mr. Kegley informed the Council of a citizen's request to install a traffic light at the intersection of Overlook Drive and Pittston Road. Mr. Duty advised that this would be an expensive project. He further advised that he felt that the light would not meet the required standards at this time and therefore VDOT would most likely not approve plans for a traffic light installation at this location.
- D. Mr. Gilmer inquired about trimming the trees along the intersection of Overlook Drive and Pittston Road to allow for better driver visibility. Mr. Boyd agreed that this would improve driver visibility. Mr. Duty advised that he would investigate this issue and report his findings back to the Council.
- E. Ms. Jackson informed the Council that she was contacted by a citizen requesting that more seating be installed at the J. S. Easterly Park tennis courts. She informed the Council that it was determined that there was not adequate space for bleachers but that additional picnic tables would be installed.

XIV. Recess: 6:45 P.M.

XV. Resume: 6:50 P.M.

XVI. Enter closed session: 6:50 P.M.

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

B. Upon motion made by Mr. Boyd, seconded by Mr. Griffith, 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. Griffith, Aye; Mr. Gilmer, Aye.

C. Stephanie Burke, 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 his 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. Griffith, Aye; Mr. Tiller, Aye; Mr. Duty, Aye; Mr. Hubbard, Aye; Mr. Mitchell, Aye.

XVII. Adjourn closed session: 7:54 P.M.

XVIII. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to amend the professional business license rate to a cap fee of \$5,000,000 for the existing rate of \$2.50 per \$1000 of gross receipts and to establish a rate of \$0.75 per \$1000 of gross receipts beyond the cap rate. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

XIX. Upon motion made by Mr. Boyd, seconded by Mr. Fields, Chief Mitchell was authorized to fill three vacant sergeant positions from within the department as discussed and

authorized by the Council. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

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

Adjourn monthly meeting: 7:57 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