

Lebanon Town Council Monthly Meeting
Town Hall, Lebanon, VA
Monday, June 13, 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
Mark A. Mitchell, Chief of Police
Kevin Tiller, Town Attorney

Staff Members Absent: Stephanie Burke, Clerk of Council

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. Griffith, 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. Griffith, Aye; Mr. Gilmer, Aye.

V. Edit and approve minutes from the 05/09/16 council meeting:

Upon motion made by Ms. Jackson, seconded by Mr. Boyd, the minutes from the 05/09/16 council 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 May:

Upon motion made by Mr. Boyd, seconded by Mr. Griffith, the accounts payable for the month of May 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. Public Hearing to consider the 2016 – 2017 budget:

A. The Town Council recessed from regular session: 6:07 P.M.

B. Mayor Dodi opened the public hearing, 6:07 P.M.

C. No public comments.

VIII. Mayor Dodi closed the public hearing, 6:08 P.M.

IX. Public Requests:

- A. Mr. Leonard Kegley was present to request a refund of \$327.60 for payments made on his utility account from April 2015 until December 2015. Mr. Kegley stated that he had cut his water off in April 2015 but had continued to pay the bill. Mr. Duty advised that he would review this issue further.
- B. Mr. Reggie Childers was present to request that the speed limit be changed to 20 MPH on N. Church Street and requested that the area be patrolled or that a stop sign be installed to control speeding. Mr. Duty informed Mr. Childers that a stop sign could not be installed on N. Church Street since it is a main road; however, Mr. Mitchell advised that he would issue extra patrols for this area.

Mr. Childers also requested that the Council promote tourism in the town and county, consider installing a Frisbee golf course, assist with the designation of the Clinch River as a Blue Way and promote the Search & Rescue Team.

X. Public Hearing to consider:

- A. An application submitted by James D. Farmer for a conditional use permit to use the property located at 867 West Main Street in an R-1 Single-Family District for a day care home occupation.

XI. Planning Commission Members Present:

Michael L. Duty, Vice Chairman
J.S. Easterly, Jr., Clerk
Donald Ramey, Member
Tim Coleman, Member
DeAnna Jackson, Member

Planning Commission Members Absent:

Ralph Snead, Chairman (Resigned)
Stephen Quillen, Member

- A. The Town Council recessed from regular session, 6:30 P.M.
- B. Mr. Duty, Vice Chairman, opened the public hearing, 6:31 P.M.
- C. Ms. Kathy Clevinger was present in favor of the permit application. She informed the Commission that she rents the property from Mr. Farmer and is currently operating the business but was unaware, until notified by the Town, that a conditional use permit was required. She explained the details of the business to the Commission.

- D. Upon motion made by Mr. Ramey, seconded by Ms. Jackson, the Planning Commission unanimously voted to recommend that the application submitted by James D. Farmer for a conditional use permit to use the property located at 867 West Main Street in an R-1 Single-Family District for a day care home occupation be approved upon the conditions that all state licensing requirements and all regulations set forth by the Town of Lebanon Zoning Ordinance would be met. The vote was as follows: Mr. Duty, Aye; Mr. Easterly, Aye; Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye.

XII. Mr. Duty closed the public hearing, 6:46 P.M.

XIII. Planning Commission Old Business:

Mr. Easterly discussed the conditions at BAMB Construction. Mr. Easterly inquired if the company was in compliance with the terms of their conditional use permit.

Mr. Kevin Tiller, Town Attorney, recommended that a letter be sent informing the company of their noncompliance and that a deadline be set for the company to come into compliance with the terms of the permit.

Upon motion made by Mr. Easterly, seconded by Mr. Ramey, the Commission unanimously voted to send the noncompliance letter as discussed to BAMB Construction. The vote was as follows: Mr. Duty, Aye; Mr. Easterly, Aye; Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye.

XIV. Planning Commission New Business:

The Planning Commission reviewed a request by Curtis Cox for the subdivision of property located at Lebanon Manor.

Upon motion made by Mr. Easterly, seconded by Mr. Ramey, the Planning Commission unanimously voted to recommend that the request made by Curtis Cox for the subdivision of property located at Lebanon Manor be approved. The vote was as follows: Mr. Duty, Aye; Mr. Easterly, Aye; Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye.

XV. The Town Council returned to regular session, 6:50 P.M.

XVI. Mr. Duty, Planning Commission Vice Chairman, recommended on behalf of the Planning Commission that the application submitted by James D. Farmer for a conditional use permit to use the property located at 867 West Main Street in an R-1 Single-Family District for a day care home occupation be approved upon the conditions that all state licensing requirements and all regulations set forth by the Town of Lebanon Zoning Ordinance would be met.

Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to approve the application submitted by James D. Farmer for a conditional use permit to use the property located at 867 West Main Street in an R-1 Single-Family District for a day care home occupation upon the conditions that all state licensing requirements and all regulations set forth by the Town of Lebanon Zoning Ordinance would be met. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

XVII. Mr. Duty, Planning Commission Vice Chairman, recommended on behalf of the Planning Commission that the request made by Curtis Cox for the subdivision of property located at Lebanon Manor be approved.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the request made by Curtis Cox for the subdivision of property located at Lebanon Manor 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.

XVIII. Mr. Brian Dillon was present to request a donation for the LHS boys soccer team.

XIX. Recess: 6:50 P.M.

XX. Resume: 6:55 P.M.

XXI. Enter closed session: 6:55 P.M.

A. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711 (1), (3), and (7) for the purpose of discussing personnel, acquisition or sale of property, 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. Fields, seconded by Mr. Boyd, 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. Jackie Hubbard, Controller, 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. Griffith, Aye; Mr. Tiller, Aye; Mr. Duty, Aye.

XXII. Adjourn closed session: 7:40 P.M.

XXIII. Town Manager's Report:

Mayor Dodi requested that the Town Manager's report be reviewed at the next meeting.

A. Police Department Report: None.

XXIV. Committee Reports and Recommendations: None.

XXV. Old Business:

A. Property Maintenance Ordinance:

Mr. Tiller provided the Council with a proposed ordinance for the Council's review and future discussion.

B. Downtown Revitalization Project Update:


Mayor Dodi informed the Council that the planning grant application is awaiting approval.

C. Delinquent Business Licenses:

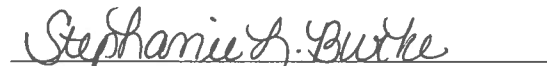
Mr. Tiller informed the Council that he is proceeding with the collection of delinquent licenses and that one license fee has been settled for collection.

XXVI. Upon motion made by Ms. Jackson, seconded by Mr. Fields, the Council unanimously voted to adjourn to reconvene on Monday, June 20, 2016 at 6:00 P.M. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Griffith, Aye; Mr. Gilmer, Aye.

Adjourn to reconvene monthly meeting: 7:58 P.M.



Nelson A. "Tony" Dodi, Mayor



Stephanie L. Burke, Clerk of Council

Minutes recorded by: Jackie L. Hubbard, Controller
Minutes prepared by: Stephanie L. Burke, Clerk of Council
Minutes approved by: Michael L. Duty, Town Manager