

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, VA
Monday, April 10, 2017
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: Michael L. Duty, Town Manager
Jackie L. Hubbard, Controller
A. Diane Nunley, Administrative Assistant
Kevin D. Tiller, Town Attorney
Mark A. Mitchell, Chief of Police

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 Ms. Jackson, seconded by Mr. Ferguson, 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 3/13/17 regular council meeting:

Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the minutes from the 3/13/17 regular 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 March:

Upon motion made by Mr. Boyd, seconded by Mr. Fields, the accounts payable and capital assets 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. Ferguson, Aye; Mr. Gilmer, Aye.

VII. Public Hearing to consider:

An application submitted by Chafin & Chafin, PC for a conditional use permit for the residential use of the properties located at 46 East Main Street and 48 East Main Street in a C-1 Commercial District

Planning Commission Members Present:

Donald Ramey, Chairman
Tim Coleman, Vice Chairman
Michael L. Duty
DeAnna C. Jackson
RD Snead

Planning Commission Members Absent:

J.S. Easterly, Jr., Clerk
Stephen Quillen

- A. The Town Council recessed from regular session, 6:08 P.M.
 - B. Mr. Ramey, Chairman, opened the public hearing, 6:08 P.M.
 - C. No one was present to speak in favor or opposition of the application.
 - D. Upon motion made by Mr. Snead, seconded by Mr. Duty, the Lebanon Planning Commission unanimously voted to recommend to the Council that the application submitted by Chafin & Chafin, PC for a conditional use permit for the residential use of the properties located at 46 East Main Street and 48 East Main Street be approved upon the condition that all regulations set forth by the Town of Lebanon and the Lebanon Zoning Ordinance be met. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Duty, Aye; Ms. Jackson, Aye; Mr. Snead, Aye.
- VIII. Mr. Ramey closed the public hearing, 6:11 P.M.
- IX. Upon motion made by Mr. Duty, seconded by Mr. Coleman, the Planning Commission unanimously voted to recommend to the Council that the C-1 Commercial District section of the Lebanon Zoning Ordinance be amended to include that parking requirements for any building existing as of January 1, 1989 shall be approved by the Zoning Administrator for any and all intended uses. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Duty, Aye; Ms. Jackson, Aye; Mr. Snead, Aye.
- X. The Town Council returned to regular session, 6:13 P.M.
- XI. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission that the application submitted by Chafin & Chafin, PC for a conditional use permit for the residential use of the properties located at 46 East Main Street and 48 East Main Street be approved upon the condition that all regulations set forth by the Town of Lebanon and the Lebanon Zoning Ordinance be met.

XII. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission that the C-1 Commercial District section of the Lebanon Zoning Ordinance be amended to include that parking requirements for any building existing as of January 1, 1989 shall be approved by the Zoning Administrator for any and all intended uses.

XIII. Upon motion made by Mr. Boyd, seconded by Mr. Gilmer, the Council unanimously voted to approve the application submitted by Chafin & Chafin, PC for a conditional use permit for the residential use of the properties located at 46 East Main Street and 48 East Main Street upon the condition that all regulations set forth by the Town of Lebanon and the Lebanon Zoning Ordinance be met. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XIV. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to amend the C-1 Commercial District section of the Lebanon Zoning Ordinance to include that parking requirements for any building existing as of January 1, 1989 shall be approved by the Zoning Administrator for any and all intended uses. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XV. Proclamation: Sexual Assault Awareness Month

Ms. Rhyli Drake of Clinch Valley Community Action was present to discuss the proposed Sexual Assault Awareness Month proclamation.

Upon motion made by Mr. Ferguson, seconded by Mr. Boyd, the proclamation declaring April 2017 as Sexual Assault Awareness Month in Lebanon was unanimously approved. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XVI. Enter closed session: 6:20 P.M.

A. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1) for the purpose of discussing personnel issues. 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. Boyd, seconded by Ms. Jackson, 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. 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. Duty, Aye; Mr. Mitchell, Aye.

XVII. Adjourn closed session: 6:39 P.M.

XVIII. Public Requests:

A. Mr. Reggie Childers was present to request that a putt-putt course be installed at the Old Mill Park. Mayor Dodi informed Mr. Childers that the Council had approved a revised traditional park design for the Old Mill Park and had included the design plans as part of the Town's Community Development Block Grant application for the Lebanon Downtown Revitalization Project. Mr. Childers also informed the Council that the three river towns, St. Paul, Cleveland and Honaker, were working together to promote tourism.

XIX. New Business:

A. LHS Soccer Team Funding:

Upon motion made by Mr. Ferguson, seconded by Ms. Jackson, the Council unanimously voted to approve a \$250 donation to the LHS girls soccer team and a \$250 donation to the LHS boys soccer team to assist with the purchase of uniforms. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

XX. Enter closed session: 6:54 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(A)(1), (3), (5) and (7) for the purpose of discussing personnel, acquisition or sale of property, prospective business or industry and legal issues. 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. Boyd, 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. 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. Duty, Aye.

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

XXII. Upon motion made by Mr. Boyd, seconded by Mr. Ferguson, the Council unanimously voted to approve an agreement between the Town of Lebanon and Lebanon Little League for the management, operation, control and use of the Town of Lebanon ballfield by Lebanon Little League. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XXIII. Upon motion made by Mr. Gilmer, seconded by Mr. Kegley, the Council unanimously voted to approve a donation of \$10,000 for the final construction phase of the State of Virginia Little League Museum located at the Glade Hollow Park adjacent to the Town of Lebanon. Should the museum not be constructed and finished, it is understood that the \$10,000 donation will be returned in full to the Town of Lebanon. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XXIV. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to donate a used lawn mower to Lebanon Little League. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

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

Adjourn monthly meeting: 7:55 P.M.


Nelson A. "Tony" Dodi, Mayor


Stephanie L. Burke, Clerk of Council

Minutes recorded by: A. Diane Nunley, Administrative Assistant

Minutes prepared by: Stephanie L. Burke, Clerk of Council

Minutes approved by: Michael L. Duty, Town Manager