

Lebanon Town Council Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, September 12, 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  
Scott J. Gilmer, Council Member  
Kevin B. Ferguson, Council Member

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

- I. The meeting was called to order by Mayor Dodi.
- II. Moment of Silence in remembrance of the 9/11 terror attacks
- III. Prayer: Mr. Mark Mitchell
- IV. Pledge of Allegiance
- V. Edit for items not on the agenda:

Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the agenda 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.

- VI. Edit and approve minutes from the 8/3/16 special joint meeting and the 8/8/16 regular council meeting:

Upon motion made by Mr. Boyd, seconded by Mr. Gilmer, the minutes from the 8/3/16 special joint meeting and the 8/8/16 regular council meeting were 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.

- VII. Approve accounts payable for the month of August:

Upon motion made by Boyd, seconded by Mr. Fields, the accounts payable for the month of August were 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.

- VIII. Public Hearing to consider:

An application submitted by Debbie Smith for a conditional use permit for the residential use of the property located at 1414 East Main St. (previously Discount Wholesale Tobacco) in a C-1 Commercial district.

Planning Commission Members Present:

Donald Ramey, Chairman  
J.S. Easterly, Jr., Clerk  
Michael L. Duty  
DeAnna C. Jackson  
RD Snead

Planning Commission Members Absent:

Tim Coleman, Vice Chairman  
Stephen Quillen

- A. The Town Council recessed from regular session, 6:07 P.M.
  - B. Mr. Ramey, Chairman, opened the public hearing, 6:08 P.M.
  - C. Ms. Debbie Smith was present to discuss her application and advised the Council of her plans to use the property as her primary residence.
  - D. Upon motion made by Mr. Easterly, seconded by Mr. Snead, the Lebanon Planning Commission unanimously voted to recommend to the Council that the application submitted by Debbie Smith for a conditional use permit for the residential use of the property located at 1414 East Main St. be approved. The vote was as follows: Mr. Ramey, Aye; Mr. Easterly, Aye; Mr. Duty, Aye; Ms. Jackson, Aye; Mr. Snead, Aye.
- IX. Mr. Ramey closed the public hearing, 6:10 P.M.
- X. The Town Council returned to regular session, 6:11 P.M.
- XI. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission that the application submitted by Debbie Smith for a conditional use permit for the residential use of the property located at 1414 East Main St. be approved.
- XII. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to approve the application submitted by Debbie Smith for a conditional use permit for the residential use of the property located at 1414 East Main St. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.
- XIII. Constitution Week Proclamation:
- Ms. Patricia Gray of the Tabitha Adams Russell Chapter of the National Society of the Daughters of the American Revolution was present to request that the Council approve the

proposed Constitution Week Proclamation declaring September 17 through September 23 as Constitution Week.

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

XIV. Blueway Designation Resolution:

Upon motion made by Mr. Boyd, seconded by Mr. Gilmer, the Council unanimously voted to approve the Blueway Designation Resolution, proposed by Mr. Reggie Childers at the August 2016 regular council meeting, declaring that the Clinch River from its source to the Tennessee State Line, Laurel Bed Lake and Hidden Valley Lake be designated as "Blueways". The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XV. Public Requests:

A. Mr. Reggie Childers was present to address the Council and to request that the Town partner with other local governments in the area to improve the economy. Next, Mr. Childers expressed his concern over speeding on Church Street, accessibility to fire hydrants on Technology Park Drive and apparent air issues in his water lines.

B. Mr. Woody McClanahan was present to inquire about dumpster fees and the garbage collection policy.

XVI. Town Manager's Report:

Mr. Duty presented the town manager's report for the month of August. Mr. Duty advised that the foundation design for the Main and Church Street traffic light replacement had been approved and that work should begin within two or three weeks. Mr. Duty also advised that the J.S. Easterly Park tennis courts will be paved at W-L Construction & Paving, Inc.'s next availability.

Mr. Duty informed the Council that Steve VanDyke of iGo Technology was interested in attaching a satellite dish to the Duty Water Tank. Mr. Duty requested that Mr. Tiller prepare a property use agreement draft.

Upon motion made by Mr. Boyd, seconded by Mr. Ferguson, the Council unanimously voted to allow Mr. Gilmer, Mr. Duty and Mr. Ferguson to begin negotiations with Mr. VanDyke of iGo Technology for the use of the Duty Water Tank property. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

A. Police Department Report:

Chief Mitchell presented the police department report for the month of August and informed the Council that he is very pleased with the performance of the newly hired officers.

XVII. Town Attorney Report:

Mr. Tiller informed the Council that a hearing date for the Clawback court case has been scheduled for October 7, 2016.

XVIII. New Business:

A. Rescheduling of October Council Meeting:

Upon motion made by Mr. Fields, seconded by Mr. Boyd, the Council unanimously voted to reschedule the October 11, 2016 regular council meeting for October 17, 2016 at 6:00 P.M. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XIX. Old Business:

A. Delinquent Business Licenses:

Mr. Tiller informed the Council that he plans to have lawsuits filed on delinquent business licenses by the end of the week.

B. Downtown Revitalization Project:

Mayor Dodi informed the Council that the Town was approved for a \$35,000 planning grant for the Lebanon Downtown Revitalization Project. He reminded the Council that proposals from consulting firms are due on September 19, 2016 at 4:00 P.M. He further informed the Council that a review board designated by the Lebanon Downtown Revitalization Project Management Team will be reviewing the proposals in order to rank the firms and schedule negotiations. Mayor Dodi requested that the Council vote to meet on Monday, September 26, 2016 at 6:00 P.M. to review the proposals.

XX. Committee Reports and Recommendations:

- A. Ms. Jackson, Parks and Recreation Committee Chairwoman, informed the Council that the Parks and Recreation Committee met on August 31, 2016 to discuss construction plans for the new Town park. She further advised that all landscaping at the Lebanon Manor entrance will be removed and replanted for fall.

Upon motion made by Ms. Jackson, seconded by Mr. Fields, the Council voted to name the new Town park, located on Main Street, Old Mill Park. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, No; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

XXI. Recess: 7:28 P.M.

XXII. Resume: 7:33 P.M.

XXIII. Enter closed session: 7:33 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 (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. Gilmer, 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. Stephanie Burke, Clerk of Council, presented the Roll Call Vote:

Virginia Code, 1950, Section 2.2-3712(D)

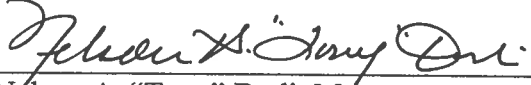
Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) that only such public business matters as were identified in the motion by which the closed 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 their judgment, has taken place.

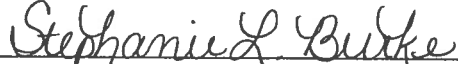
The roll call vote was as follows: Mayor Dodi, Aye; Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye; Mr. Duty, Aye; Mr. Hubbard, Aye.

XXIV. Adjourn closed session: 7:59 P.M.

XXV. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Council unanimously voted to adjourn to reconvene on Monday, September 26, 2016 at 6:00 P.M. at the Lebanon Town Hall. The vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Aye; Mr. Kegley, Aye; Mr. Boyd, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye.

Adjourn to reconvene monthly meeting: 8:01 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