

REGULAR MEETING

The Town Council of the Town of Weber City met in a regular meeting at 7:00 p.m. on Tuesday, October 20, 2020. The meeting was in the assembly room of the Weber City Town Hall in Weber City, Virginia. Justin Addington led the council in prayer. The pledge of Allegiance was said by all in attendance.

PRESENT: Mayor: Vacant
 Town Attorney: Michael Carrico
 Council Members: Justin Addington, Eileen Deckard, Casey Kinkead, Greg Smith,
 Teresa Tilson

ABSENT: None

Vice Mayor Greg Smith advised the public that Mayor Deskins had resigned on October 14, 2020 in order to be a full time police officer for the town of Weber City.

APPROVAL OF MINUTES:

Motion to accept the September 15, 2020 Regular Monthly meeting minutes was made by Teresa Tilson; the motion was seconded by Steve Smith; the motion passed with 4 voting AYES: none voting NAY: 1 No Vote, Greg Smith.

Motion to accept the October 14, 2020 Special Called meeting minutes was made by Justin Addington; the motion was seconded by Casey Kinkead the motion passed with 3 voting AYES: none voting NAY: 1 abstention:1 No Vote, Greg Smith.

Motion to accept the September 2020 Financial Report was made by Casey Kinkead; the motion was seconded by Teresa Tilson the motion passed with 4 voting AYES: none voting NAY: 1 No Vote, Greg Smith

Public Presentations:

Daniel and Anna Dean addressed the council to advise of water issues located at their property at 2322 US Hwy 23 N, as well as for the surrounding properties to include Boones Heating and Cooling, Rhoton & Smith Furniture, The Log Cabin Church. They stated the area is experiencing issues with flooding created by VDOT water runoff from US Hwy 23 N. It appears a tile that has been placed by VDOT is creating flooding to the buildings on their property as well as surrounding properties, and according to their deed now water rights have been given. They asked if the town could assist in anyway on their behalf with a meeting they had scheduled the following day with VDOT. Mike Carrico suggested the Deans meet with VDOT as planned October 15, 2020 and get back to the town if the problem is not resolved from the meeting with VDOT. The Deans advise they would report to the town.

Chassidy Hensley, a resident located near 146 Johnson Street, addressed the board to advise of issues with trash located behind the old Hutchin's Brothers building. She stated the neighbor is piling trash up and not placing the trash in cans; the trash is put out all during the week just on the ground. They have several large rats. The rats are trying to get into the ductwork at the apartment building to where she lives, as well as the rats are now out during the daytime and will chase at residents. She stated they have attempted to contact the owner of the property with no luck. She also brought up issues with the neighbor having animals that are chained to a tree and not placed inside for shelter during inclement weather with little water. Interim Chief of Police Matt Bishop spoke up and advised that the animals do make a mess with the trash at the property due to placing it on the ground not in cans. By guidelines, the law is clear the dogs are on a leash at least 6 feet long so he is limited but will continue to keep an eye on the situation. Vice Mayor Greg Smith stated the town would see what can be done to assist with the issue.

Phil Owens came in late and just wanted to say he agreed with Mr. and Mrs. Dean in regard to the water issues.

Vice Mayor Greg Smith closed the public presentations as no one else needed to address the council.

Boundary Adjustment /Ordinance Committee: Mike Carrico stated the group met and they had discussed making a general type of zoning with properties: along Highway 23, the Warehouses, and towards the existing Food City to be labeled commercial property, with everything else being residential. Mr. Carrico stated, the town has a lot of mixed uses of properties; multiple family dwellings intermingled with single family dwellings, and currently has a few mobile homes. He also talked about the idea of establishing mobile home requirements to limit the number of mobile homes per location, possibly 2-3 per 1 acre of land. A public hearing would be needed to see what residents think. Existing mobile homes would be grandfathered in. The main reason the town is looking into zoning is because the town is hoping to have a boundary adjustment to incorporate the Bray property, which would require a zoning per the county board of supervisors. The Bray industrial property is currently zoned for liquor by the drink in the county; therefore, the town zoning would have to match that requirement, to be brought into the town limits.

Financial Committee: Eileen Deckard advised of needed changes to the bank signatures. Mike Carrico suggested this be passed until after closed session.

Fire Department: Fire Chief Bruce Cross advised the town the time for the Halloween trunk or treating would be from 5-8 at the old Food City, stating that the Gate City Fire and Police Departments, as well as the County Sheriff's office would all give out candy at the same time.

Bruce Cross stated he made an offer on the old Food City building; it was accepted and the bank has advised they would give the Fire Department an 80% loan. The current owner of the property is willing to finance 50% at a better rate than the bank could offer. He contacted the county board of supervisors and they are in support of the project to relocate the station. The board asked him what the fire department needs from them and he stated monetary help would be ideal. He asked the county if some of Cares Act funding can be used for certain renovations such as a decontamination area. He also stated that the existing facilities have nothing to offer for shelter in emergency situations, and having a facility that also satisfies this need would be an asset for Weber City. He is still awaiting an answer regarding the Cares Act funds. An architect is currently drawing up potential plans to renovate the building.

Steve Smith asked the approximate cost of the project. Mr. Cross stated the anticipated cost is 1.2 million to purchase and renovate so that the station is built to code.

Steve Smith asked if the existing building could be sold to recoup some of the funds, as well as continued tax revenue from the building. If the Fire Department makes the purchase, the former Food City building would then be classified as a tax exempt property. The town would lose revenue on Real Property Taxes as a result.

Mr. Cross stated that at some point in the future the fire department personnel will need to be a paid position to remain open due to lack of volunteers, as volunteers are fewer and fewer each year.

Vice Mayor Greg Smith suggested that Mr. Cross meet with the Fire Department Committee, Teresa Tilson and Steve Smith, to further discuss what would be needed of the town. They could then report back to the town if any decisions needed to be made.

Legal Affairs. Mike Carrico addressed the members of the council to advise that everything in court with the officers seems to be going very well; they seem to have full respect of the judges and have no complaints. Mr. Carrico stated that he would recommend they enter a closed session because a few things needed to be discussed.

Maintenance Committee: Casey Kinkead stated he has requested quotes for maintenance on the building. Also, R & M Doors is scheduled to install the new garage door the first week in November.

Mayors Report: Because the position of mayor is currently vacant, Vice Mayor Greg Smith requested a motion be made regarding the purchase of Halloween candy.

A motion to spend up to \$150 to purchase candy was made by Justin Addington; the motion was seconded by Teresa Tilson; the motion passed with 4 voting AYES: none voting NAY: 1 No Vote.

Trash complaints near Hutchins Brothers was discussed during the public presentation time.

High grass complaints on Boone Street were reported to VDOT because it is a VDOT street so the high grass is their responsibility.

Vice Mayor Greg Smith stated the clerk had advised him the first check for the new Gaming Tax was received that day from the Department of Taxation; the amount received was \$4,320.00; however, at this time we are unaware if it is for only one month.

Vice Mayor Greg Smith addressed the need for the town to adopt a Covid Policy stating that we have a copy of a policy from a neighboring town. The policy is lengthy and Mike Carrico stated he would review the policy to insure that it adheres to the federal labor laws that are already in place. He will have that at the next meeting.

Personnel Committee: Mike Carrico suggested this be passed until after closed session.

Police Department: Interim Police Chief Matt Bishop presented a list of traffic summons: 49 citations for the month of September 2020 - a 40 % decrease from last month. Compared to last year, this is an increase of 81.63%. He explained he believed the decrease was due to the officer who had been off work due to the Corona virus, as well as the public taking note of their speed and driving more safely. The total motor vehicle accidents was 5, with only one having minor injuries. There is only one accident to date for the month of October. Interim Police Chief Bishop advised the council that officer Austin Hensley will be going to the academy next month. He asked that Mike Carrico review the contract and present his findings next month. He stated that the officers have completed their annual recertification with side arms and shot guns. The rifles loaned to the town on the 1033 Program for the semi-automatic rifles have now been sent back to the army base in Alabama. Tuning forks have been sent off for calibration.

Street Committee: Justin Addington advised he hadn't heard anything; Casey Kinkead questioned what had been determined regarding the hole along the edge of the street located on Sunnyvale Street. Vice Mayor Greg Smith stated he would speak with the previous Mayor Patrick Deskins for resolution.

CLOSED SESSION

A motion to enter a closed session to discuss legal and personnel issues was made by Justin Addington; the motion was seconded by Eileen Deckard; the motion passed with 4 voting AYES: none voting NAY: 1 No Vote, Greg Smith.

A motion to go out of closed session and back into regular session was made by Teresa Tilson; the motion was seconded by Eileen Deckard; the motion the motion passed with 4 voting AYES: none voting NAY: 1 No Vote, Greg Smith.

CERTIFICATE OF CLOSED SESSION

The Mayor, Council members and the Town's Attorney entered closed session.

After returning from closed session, the mayor and council members hereby certify that only legal matters, for which the closed meeting was convened, were heard, discussed, or considered in the meeting by the Mayor, and Council members. Voting "AYE" were Justin Addington, Eileen Deckard, Greg Smith, Teresa Tilson; Casey Kincaid and none voting "NAY".

Action from closed session: A motion to appoint Greg Smith as *Interim* Mayor and Justin Addington as Vice Mayor until the May 2021 election was made by Steve Smith; the motion was seconded by Teresa Tilson; the motion passed with 3 voting AYES: none voting NAY: 1 abstention: 1 No Vote, Greg Smith.

A motion for a resolution to change the bank records to remove former Mayor Patrick Deskins and replace with Greg Smith was made by Teresa Tilson. The motion was seconded by Justin Addington; the motion passed with 4 voting AYES: none voting NAY.

A motion to appoint Matt Bishop as the Police Chief was made by Justin Addington; the motion was seconded by Eileen Deckard; the motion passed with 4 voting AYES: none voting NAY.

A motion to pay pending debt to Charles Bridwell's office and continue the contract was made by Justin Addington; the motion was seconded by Teresa Tilson the motion passed with 4 voting AYES: none voting NAY.

ADJOURNMENT: A motion to adjourn was made by Steve Smith; the motion was seconded by Casey Kinkead; the motion passed with 4 voting AYES: none voting NAY.

Interim Mayor

Town Secretary