

REGULAR MEETING MINUTES
TOWN COUNCIL OF THE TOWN OF WEBER CITY, VIRGINIA

The Town Council of the Town of Weber City met in a Regular Meeting Session at **7:00 p.m. on Tuesday, August 15, 2023**. The meeting was held in the assembly room of the Weber City Town Hall. The meeting was called to order by **Vice Mayor Justin Addington**, and opened with Prayer by **Eileen Deckard, Council Member**. The Pledge of Allegiance was led by: **Mike Carrico, Town Attorney**, and joined by all in attendance.

PRESENT:

Vice Mayor: Justin M. Addington
Town Attorney: Michael Carrico
Council Member: Eileen Deckard
Council Member: Derek Pearcy
Council Member: Teresa Tilson
Council Member: Zackary Salyer
Council Member: Vacant

ABSENT:

Mayor: Christopher J. Powers

Mayor Report and Comments:

Vice Mayor, Justin Addington began the meeting with the announcement of the resignation of Chris Powers, Mayor, effective August 11, 2023. Justin announced that as Vice Mayor, he will now be stepping up to the role of Interim Mayor until the special election in November 2023. Anyone wishing to be on the ballot in November to fill the Mayor seat, and/or Council vacancies, must submit their application to the County Registrar's office by 5 pm, Friday, August 18, 2023.

He asked if anyone in the room was interested in becoming a Council member. Jeff Flanary, resident, said that he had submitted his application that day to be on the ballot in November, for one of the vacant Council seats.

There were no appointments by the Council at this time, to temporarily fill the vacant seat.

Interim Mayor, Justin Addington, concluded his report, by saying that he will do his best to serve the Town in the role as Mayor. He then asked for the following motions:

A motion was made by **Teresa Tilson**, and seconded by **Zackary Salyer**, to accept the resignation of Mayor Christopher J. Powers, effective August 11, 2023.

Motion passed with **4** voting AYE, **0** voting NAY, **0** ABSENT, **0** Abstentions **2** Vacant

A motion was made by **Zackary Salyer**, and seconded by **Teresa Tilson**, to remove Christopher J. Powers, Mayor, from any and all Town of Weber City Bank accounts, to include but not limited to, New Peoples Bank, Gate City, and The Bank of Marion – The Scott County Bank, Weber City, with a written resolution effective August 11, 2023.

Motion passed with **4** voting AYE, **0** voting NAY, **0** ABSENT, **0** Abstentions **2** Vacant

APPROVAL OF MINUTES and FINANCIAL REPORT:

Motion to accept the **July 18, 2023 Regular Called Meeting Minutes** was made by **Eileen Deckard**; seconded by **Derek Percy**.

Motion passed with **3** voting AYE, **0** voting NAY, **0** ABSENT, **1** Abstentions, **2** Vacant

Motion to accept the **July 2023 Financial Report**, was made by **Teresa Tilson**, seconded by **Eileen Deckard**.

Motion passed with **4** voting AYE, **0** voting NAY, **0** ABSENT, **0** Abstentions, **2** Vacant

Old Business:

There was much discussion regarding vandalism, and deliberate destruction of Town trashcans, and what to do about it. There has been recent evidence that Town cans have been spray painted, thrown away, damaged, and placed in piles to be hauled away or disposed of with other debris. Council member, Zackary Salyer, suggested that if the Town has proof of such, that the resident responsible for the damaged trash can be removed from trash service by the Town. Town Attorney, Mike Carrico, noted that the cans are the property of the Town of Weber City and if being destroyed by someone, then the WC Police Dept needs to investigate a vandalism of Town property charge. Council Member, Eileen Deckard, stated that the cans were given to the citizens, free of charge, with the understanding that if a can had to be replaced for an address, it would be at the citizen's expense. The Council agrees that trash service will be denied anyone who has destroyed their can, since having a Town of Weber City trash can is required by our current vendor Town Attorney, Mike Carrico, suggested the Town research their current legal authority on record concerning trash service guidelines. Council member, Eileen Deckard, asked if someone chooses not to pay for trash service, will the citizen be responsible for returning the trashcan to Town Hall, or will the Town collect them. No motions made and no vote was taken at this time.

The Council revisited the subject of requiring Mobile Unit (food truck) businesses to obtain a Business License for any business or vendor selling goods within Town limits. They also discussed that Weber City has a Meals Tax ordinance already that requires paying Meals Tax on any food sold within the Town limits, and questioned does this apply to Mobile Units that visit our Town from time to time. Town Attorney, Mike Carrico, will review the wording on the current ordinance, to see how it applies to mobile units. Council member Derek Percy suggested that if the ordinance reads that it requires the Meals Tax to be collected on ALL food items sold within Town limits, that the vendors be put on hold until Meals Tax are paid current. Fire Chief Bruce Cross, urged the Council to be careful not to shut the event down, since it benefits the Town drawing people into this area.

A motion was made by Derek Percy, and seconded by Zackary Salyer, to table both items until the next meeting in September to allow further clarification on this ordinance. Motion passed with **4** voting AYE, **0** voting NAY, **0** ABSENT, **0** Abstentions, **2** Vacant

NEW BUSINESS:

A motion was made by Teresa Tilson, and seconded by Derek Pearcy to set the date due for Trash Service billing to be the 10th of each month, beginning in January 2024, and if not paid by the due date, a 10% late fee be added to each late account. Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

The proposal for Cintas to supply logo mats, touchless dispensers, and paper products on a monthly service contract for the Town Hall and Police Departments has been tabled indefinitely for discussion at a future meeting. Motion made by Eileen Deckard, seconded by Zackary Salyer.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

A motion to begin the process to receive bids from contractors to modify the current council room upstairs to accommodate the Police Department, detect and remediate the mold issue downstairs, and modify the basement area for a Council meeting area, was made by Teresa Tilson, Discussion began regarding this. Teresa Tilson stated that the mold issue downstairs was a health hazard to our officers who are present in the space various times a day, 7 days a week. Moving their offices upstairs would allow them a safer place to work, while the mold issue is addressed, and the space remodeled for another use. It would also allow for adequate restrooms, providing one for each gender. Other benefits mentioned are: increased safety for the Town Hall employees, utilize town hall employees for extra staffing concerns, and save on utilities, and supplies. Eileen Deckard stated she is on the Planning Committee and has contacted a local contractor to look at the space. She further noted that if the officers were out of the office on patrol, they would not be exposing themselves to mold as much. Mike Carrico has spoken with a local contractor who was not able to attend the meeting tonight but is willing to come look at the whole job, make suggestions on resolving the space issues, and give an estimate. Zackary Salyer suggested that the bids are to include figures for moving the Police department upstairs, and creating a Council room downstairs, and also one for keeping the Police Department downstairs after necessary corrections to the existing space. Once estimates are received, the Council can make the best economical decision. Interim Mayor, Justin Addington, asked Ms. Tilson to repeat and clarify her original motion. She clarified that the motion was to begin the process by contacting contractors to look at both areas, with an estimate for both ideas. The motion was then seconded by Derek Pearcy.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

A motion was made by Teresa Tilson, seconded by Zackary Salyer, to begin receiving bids for Snow Removal/Plowing Contract for the 2023-2024 winter season.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

Legal Affairs – by Attorney Mike Carrico

Mike reported that the Judge has signed the order for the Special Election to be held in November 2023 to fill the seat of Mayor and one Council Member. He also stated that a meeting has been planned for the Planning Committee to discuss Zoning matters in the Town of Weber City.

Committee Reports:

ARPA Committee Report:

No new comments at this time. Zackary Salyer, mentioned that he is a member of the Planning Committee also, and they are researching some ideas that ARPA funds may be used for.

Finance Committee Report:

No new comments at this time, per Teresa Tilson

Maintenance Committee Report:

Derek Pearcy asked the Council what they prefer their next step to be regarding the bid process for replacing the HVAC systems at the Fire Department's current location on Roland Street. We have received one bid since February, from Tri City Air Conditioning Company, but that is all. He has reached out to several companies in Virginia and Tennessee, and even though local companies have expressed a desire to bid the project, none have. He asked the Council how they would like to move forward. Mike Carrico suggested that the WCVFD give the Council a timeline for leaving the current building for the new one, to decide if investing money in replacing the entire HVAC system is a good use of the funds. Fire Chief, Bruce Cross, has guessed a timeline of 2 years for their move. He expressed that the current location does not serve as a Fire Hall very well, and money would be better spent somewhere else instead. It is located in a residential area, and that causes problems sometimes with the area residents. His suggestion was to let it go back to being residential property once they vacate the building. He stated that WCVFD is currently focusing on remodeling and opening the venue areas of the new building, so that it can open and generate funding for the remodel of the area of the building that would house the Fire Department and garage bays for the trucks. A citizen asked if the money being considered could be applied to the new Fire Hall building to facilitate the move faster. Derek Pearcy said that that is being looked at also, but the new building is not owned by the Town and there are restrictions on the way ARPA funds are spent.

A motion was made by Derek Pearcy, seconded by Zackary Salyer, to table the bid process for the new HVAC system at the Roland Street location until further information can be gathered to determine the greatest need.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

Personnel Committee Report:

No new information at this time. Eileen Deckard commented that hiring an additional police officer needs to be a consideration. Matthew Bledsoe will be graduating from the Academy on Thursday, August 31, 2023.

Planning Committee Report:

No new information to add. Looking forward to meeting soon regarding zoning for the Town.

Street Committee Report:

Zackary Salyer and Derek Percy gave a few updates on some ongoing road issues. Wilmeth and Maple Streets have large potholes and/or sinkholes on them. The one on Maple Street is particularly dangerous, because it is on both sides of the street, near an eroding drainage pipe going under the street. A person could easily get their foot or leg caught in it and injure themselves. They met with an engineer from Egan Construction to form a plan to repair them. The issue is on a Town road, but to fix the problem will require them to have access under a VDOT street. We currently have a proposal price for the Engineering services only for both streets (\$27,600 for Maple Street and \$26,700 for Wilmeth Street) but have not initiated the work to begin. The Town may want to receive bids to compare prices. Derek asked if a fill in could be done as a temporary fix due to the safety hazard. Interim Mayor, Justin Addington, asked for a motion to contact a local contractor to make immediate, temporary repairs to both streets, to reduce the safety hazard.

Derek Percy made a motion to contact Regan McMurray, to do a Flow Fill-in at both street locations as a temporary fix, it was seconded by Teresa Tilson.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

Zackary Salyer reported that he took care of trimming branches on Pecan Street after receiving a complaint that the branches were scratching cars.

Police Department Report:

Chief Harding gave the report. He informed the Council that Officer Bledsoe will graduate from the Police Academy on August 31, 2023, and invited all to attend if able. He has received only good reports from the Academy and looks forward to having him return to Weber City to begin his position. Several officers have completed additional certified training in the last few months as well. The Department has purchased new firearms, and the Chief has requested a vote that allows each officer the chance to purchase their old pistol at a price of \$150.00 each.

Derek Percy made the motion that law enforcement be allowed to purchase the old firearms, at a price of \$150.00 each. The motion was seconded by Teresa Tilson.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

Fire Department Report:

Bruce Cross gave the report. He began by thanking the Town for voting to use ARPA funds to purchase the 9 HVAC units for the new Fire Department location on US Highway 23N. However, neither the Town, nor the Fire Department were able to directly purchase the units from the supplier, Coastal Supply Co. of Tennessee, LLC because they require the purchase be made by a licensed contractor. Enterprise Gas is a licensed contractor, so they purchased all 9 units, and are seeking reimbursement for the purchase. Fire Chief Cross, has provided copies of the invoices for the equipment received in two shipments. The invoices are as follows: Order #S105959084.001 in the amount of \$10,196.01 and Order #S106268359.002 in the amount of \$26,475.00. For a combined total of \$36,671.01. At the May 16, 2023, Council Meeting the Council voted to approve the purchase of the 9 units at a cost of \$30, 311.11. Fire Chief Cross

requested that the additional funds needed be voted on as well, in the amount of \$6,359.90.

A motion was made by Derek Percy to pay to the Weber City Volunteer Fire Department the difference of \$6,359.90 owed for the heat pump purchase, so they can reimburse Enterprise Gas. The motion was seconded by Zackary Salyer.

Motion passed with 4 voting AYE, 0 voting NAY, 0 ABSENT, 0 Abstentions, 2 Vacant

Chief Cross announced that they will be hosting a Trunk or Treat event on Saturday, October 28, 2023. It will also be a Food Truck Rally and Car Show. He invited the Town to participate in any way they would like. The Weber City Police Department has already committed to attend the event.

He also announced a Christmas Tree Lighting planned for either Dec 9th or 16th in the parking lot of the Fire Department.

Public Comment:

Before Public Comment was open, Town Attorney Mike Carrico, informed everyone, that the current Town Ordinance does require Food Trucks, food wagons, or other mobile food vendors to pay Meals Tax on all food sold within Weber City Town limits. Bruce Cross asked the Council to consider a change to the meal tax ordinance waiving the tax charged to mobile food vendors if possible. Discussion was made with no further action.

Interim Mayor, Justin Addington opened the floor for Public Comment

The first comment came from Jeff Flanary from 213 Legion Street. He announced that he has filed his paperwork to run for Town Council in the November Special Election. He voiced many comments and concerns regarding the current trash service vendor, the amount being charged each household for the trash service, and the current condition of some of the areas of the Town. These concerns have motivated him to run for the vacant seat on the Council. He has many ideas on how to improve the conditions in each of these areas. He requested that at the upcoming September Council meeting that he be appointed by the Council to temporarily fill the vacant seat until the election in November.

Billy Hensley, resident of Wilmeth Street, expressed his disagreement with the \$25.00/residence trash fee that will begin in January 2024. He stated that he owns 20 properties within Weber City and will return his trashcans to Town Hall before he will pay the fee for trash service.

Robert Hammonds, also of Wilmeth Street asked if people choose to deny trash service, will there be enough funds available next year to even pay the new company for the services. He suggested considering a Property Tax increase to ensure that funds are available for future services.

Closed Public comment at 8:25 pm.

CLOSED SESSION

No closed session this meeting.

The next meeting was announced as follows:

Regular Called Meeting September 19, 2023, at 7:00 pm

ADJOURNMENT:

A motion to adjourn was made by **Zackary Salyer**, seconded by **Derek Percy**
Motion passed with **4** voting AYE, **0** voting NAY **0** ABSENT, **0** Abstentions, **2** Vacant

Interim Mayor: Justin Addington

Town Clerk: Penney C. Capps