**MINUTES**

**REGULAR COUNCIL MEETING**

**MONDAY, DECEMBER 11, 2023**

**TOWN HALL- 6:00 P.M.**

Council Members Present: Others Present:

Kenneth Holbrook-Mayor Chad Monday-Town Manager

Carey Watkins Wendee Jones-Treasurer

Josh Sawyers Earl Carter-Public Works Director

Matt Jordan Jonathan Johnson-Police Chief

Bill Wallace Bob Harrison-IDA Chairman

Greg Bailey-Absent Kathy Stewart-Main Street Manager

Geoffrey Hensley-Absent Harry Kelly

Jeff Langley

Mayor Holbrook called the meeting to order at 6:00 p.m. and established a quorum was present.

Approval of Agenda

Town Manager Monday asked to add the vacant IDA lot next to McDonald’s to the agenda as item number 13. Councilman Sawyers asked if the policy committee recommendations needed to be broken into separate motions. Town Manager Monday said that would be the best course of action. A motion to approve the amended agenda was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously.

Public Comment

Chief Johnson addressed the council under Public Comment. He thanked Councilman Sawyers, Witt’s Market, and all others who donated to the police department's White Christmas fund. He expressed his gratitude to all law enforcement agencies involved in the incident that occurred on November 24, 2023.

Mayor Holbrook presented Councilwoman Watkins with a plaque. He expressed his thanks for her service and dedication to the Town of St. Paul during her council term.

Council Comments or Announcements

Councilman Wallace: Councilman Wallace said the town parade was excellent. He thanked the Kiwanis Club for organizing the parade.

Councilman Jordan: Councilman Jordan thanked the town employees for a successful tree lighting. He thanked the Kiwanis Club for their work during the Christmas parade.

Councilman Sawyers: Councilman Sawyers expressed his thanks for the help given to make the Oxbow Ultra successful. He thanked the Lyric Theater volunteers and the St. Paul Volunteer Fire Department for the Polar Express movie event at the Lyric Theater.

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Councilwoman Watkins: See attachment

Approval of Minutes

Mayor Holbrook pointed out the use of Bob Harrison’s name twice under the “Others Present” section of last month’s minutes. The correction would be to add Bob Salyers’ name under the “Others Present” section.

A motion to approve the amended minutes was made by Councilman Wallace. Councilman Jordan seconded the motion. The motion passed unanimously.

Consent Agenda Items

A motion to approve the Consent Agenda items was made by Councilman Jordan. Councilman Sawyers seconded the motion. Under discussion, Councilman Sawyers pointed out that the spending needed to be limited. He asked the treasurer if the financial report was made before the Dominion tax payment. The treasurer stated yes, the tax payment was made after November 30, 2023.

Councilman Wallace congratulated the water department for the award presented in the report.

Mayor Holbrook called for a vote on the motion. The motion passed unanimously.

Old Business

Automobiles Driving on Sidewalks

A motion to table the item was made by Councilman Wallace. Councilman Sawyers seconded the motion. The motion passed unanimously.

Request To Abandon 15 ft. Wide Alley

Mayor Holbrook said a resolution has been completed by the town attorney and certified letters have been sent to adjoining property owners. Councilman Sawyers said he feels the town needs something documenting that those adjoining owners have no interest in purchasing the property. He asked the Town Manager if the public notice stated the town was selling the property. Town Manager Monday said it read “an abandonment of right-of-way”. Councilman Sawyers said the public hearing represented a twelve-month period to respond. He said once the council decides to sell the property to an individual everything needs to be in order and done by the code. Councilman Wallace said the resolution states they can “relinquish or sell” the property. He said the town can relinquish the property, not sell the property. Councilman Sawyers said the resolution is written to relinquish the property solely to Mark Harrison, excluding the neighboring property owner, who has a twelve-month period to respond.

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Councilman Sawyers said he did not want to set a precedence of giving away town property. Mayor Holbrook said the precedence was set when the town relinquished property to the Wise County School Board during the building of the elementary school.

A motion to update the resolution with the term “relinquish to Reilly and Harrison” was made by Councilman Jordan. Councilman Wallace seconded the motion. Under discussion, Councilwoman Watkins asked to add to the resolution that all costs associated will be the responsibility of the two parties.

Councilman Jordan made an amended motion to update the resolution with the term “relinquish to Reilly and Harrison”, with all costs associated to be the responsibility of the two parties. A roll call vote was taken. Watkins-Aye; Sawyers-Nay; Jordan-Aye; Wallace-Aye. The motion passed 3-1.

SPES Penalty Removal

The Wise County School Board paid the water bills for St. Paul Elementary and St. Paul High School after the penalties were processed. On behalf of Karen Dickenson, principal of St. Paul Elementary, Mayor Holbrook asked the council for a waiver of the penalties. A motion to waive the penalties was made by Councilman Wallace. Councilman Jordan seconded the motion. The motion passed unanimously.

Board of Supervisors Letter

Town Manager Monday said the town received a letter, which is included in the council packets, from the Wise County Board of Supervisors. The letter lists the town hall parking lot in the enterprise zone. Mayor Holbrook reminded the council that the property previously belonged to the Assembly of God Church. Mr. Monday said the property is included in the Community Business District according to the Wise County GIS. Councilman Sawyers said the enterprise zone is for commercial and business use. He asked Town Manager Monday to confirm that the town hall lots have been removed, and if so, remove these lots as well. Kathy Stewart, Main Street director, said the hotel had the opportunity to apply. She said she could see if there were other plots to apply to it. A motion to relinquish the two town lots from the enterprise zone and make the Board of Supervisors aware that this is not a residential property was made by Councilwoman Watkins. Councilman Jordan seconded the motion. The motion passed unanimously.

Eastside High School Donation Request

The Treasurer received a request from Eastside High School for a donation of $300 toward the annual Christmas Dance. A motion to donate $300 to Eastside High School toward the annual Christmas Dance was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously with Councilman Sawyers abstaining.

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Legislative Funding Priority List/Local Government Day

Town Manager Monday said January 30, 2024, through February 1, 2024, has been set for the legislative trip. Meetings need to be set up with VDOT, Rural Development, DHCD, and Virginia Tourism. Councilman Sawyers said there will be a time crunch to get all these meetings into a two-day time frame. He asked Town Manager Monday if it would be possible to do six meetings in one day, reminding him that USDA is an hour out of town. Town Manager Monday said the trip could be extended to February 2, 2024. Councilman Sawyers said that would depend on when the agencies can schedule meetings with the town. Councilman Wallace said three days and two nights were spent at the meetings last year. A motion to authorize expenses for up to seven people for Legislative Day from January 30, 2024, through February 2, 2024, was made by Councilman Jordan. Councilman Sawyers seconded the motion. The motion passed unanimously.

Capital Improvement Plan

Councilwoman Watkins made a motion to have a listing of priority conversations that should be addressed during the legislative meetings. She said if the subject is not on the priority list, it should not be addressed during this trip. Town Manager Monday said he can compile this list and get it sent out to the council. He said the Capital Improvement Plan could be in place by January.

Policy Committee Report

Town Manager Monday said the Policy Committee met last Friday. The recommendations coming out of that meeting were presented to the council as an attachment to the original packet.

Public Space Rules: The Policy Committee recommends that each area needs to be addressed individually due to the uniqueness of each area. Councilman Jordan said the park rule stating “no alcoholic beverages” needs to be changed to “no alcoholic beverages unless a special permit is obtained” due to the Clinch River Days Festival. Councilman Sawyers asked if the Oxbow Lake rules needed to contain sizes. Chief Johnson asked that the rule be “catch and release only”. Councilwoman Watkins asked if the Oxbow Lake sign needs to state “no vehicles on gravel surface”? Chief Johnson said the town needed to be permitted access with vehicles to do routine maintenance at the lake. He asked that the sign read “no unauthorized vehicles”.

A motion to approve the recommendations as amended was made by Councilman Jordan. Councilwoman Watkins seconded the motion. The motion passed unanimously.

The council asked Town Manager Monday to start getting sign quotes now that the new rules were set.

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Emergency Alert System: The Policy Committee recommends limiting access to the emergency alert system to designated Town employees and fire department members. A message will be placed on the water bills and a letter will be sent to town residents informing them of the alert system.

A motion to approve the policy committee recommendations to limit access to the emergency alert system to designated town employees and/or fire department members and to split the cost with the fire department as of July 1, 2024, was made by Councilman Jordan. Councilman Sawyers seconded the motion.

Under discussion, Councilman Sawyers asked if any training will be done or if any documents will be signed by the designated people to access the system with Town Manager Monday responding no. Councilman Sawyers said the document needs to be in place following the town’s social media policy guidelines.

Mayor Holbrook called for a vote on the motion. The motion passed unanimously.

Business License Application: The Policy Committee recommends future research to be conducted regarding requirements of zoning for specialty businesses with current regulations before a policy can be put into place. The committee also recommends adopting the new business license application. The zoning issue was also a main concern. Councilman Sawyers said the following process should be used: 1. Planning Commission Review; 2. Planning Commission to bring suggestions to the Town Council or Zoning Administrator if needed. He said his concern stemmed from allowing an illegal business to come into town.

Councilman Sawyers made a motion to implement the process as described. Councilman Jordan seconded the motion. Under discussion, Councilman Sawyers said regarding Air BnB, there needs to be a special use permit if the Air BnB is operated in a residential zoned area. Councilwoman Watkins asked if the on-street apartments were grandfathered in since they were in a business-zoned area. Mayor Holbrook said that was addressed by the former town Zoning administrator.

Mayor Holbrook called for a vote on the motion. The motion passed unanimously.

Public On-Street Parking: The Policy Committee recommends making a request to ask VDOT for permission to paint parking spaces on all streets, giving the Town discretion to paint areas where parking is a concern.

A motion to accept the Policy Committee recommendations with the amended language of “asking for VDOT permission” was made by Councilman Jordan. Councilman Sawyers seconded the motion.

Under discussion, Councilman Sawyers asked if a handicapped parking place application was addressed. Town Manager Monday said it was not addressed by the Policy Committee. Councilman Wallace said the handicapped parking spaces would need to be approved by VDOT.

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Councilman Jordan rescinded his motion. A new motion to refer the matter back to the Policy Committee was made by Councilwoman Watkins. Councilman Sawyers seconded the motion. The motion passed unanimously.

Small Procurement Policy-Authorized Signatures: The Policy Committee recommends that an amendment be made to Section 1 of the Purchase Order Policy reading “$1,001-4,999 Department Head AND Either Treasurer or Town Manager”.

A motion to adopt the changes to the Small Procurement Policy-Authorized Signatures was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously.

Resolution Redraft: The Policy Committee has attached the recommended resolution in the Council handout. Councilman Sawyers asked if any language was added to address the town’s cost. Town Manager Monday said it was left at “operational expenses”. Councilman Sawyers asked to add language stating “operational expenses shall be paid by either the Russell County Public Service Authority or the Wise County Public Service Authority.

Councilman Jordan made a motion to approve the amended Resolution with language stating “Operational expenses shall be paid by either the Russell County Public Service Authority or the Wise County Public Service Authority”; and “incurred costs to the Town shall be paid by the Russell County Public Service Authority or the Wise County Public Service Authority”. Councilman Wallace seconded the motion. The motion passed unanimously.

Capital Improvement Plan

Town Manager Monday said a workshop was held this morning addressing the Capital Improvement Plan. Councilwoman Watkins said any regular maintenance would be taken out of the Capital Improvement Plan. Town Manager Monday asked that it be tabled. Councilman Sawyers made a motion to table the Capital Improvement Plan. Councilman Jordan seconded the motion. The motion passed unanimously.

Dog Park

Councilwoman Watkins presented the council with an itemized list of benefits and financial considerations involving a dog park (see attached list). The possible location is an unusable IDA parking lot. Councilwoman Watkins made a motion asking the council to pursue a Dog Park project and move forward in financing the park. Councilman Jordan seconded the motion. Under discussion, Councilman Jordan asked that the Recreation Committee be involved in this process. The motion passed unanimously.

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Committee Appointments

Councilwoman Watkins gave the council a list of committees for reference about this agenda item. She said there are a lot of crossovers on our current boards and committees that could cause a conflict of interest. Councilwoman Watkins said the perception does not look good from a citizen’s perspective. Mayor Holbrook said the board and committee list handed out was not current, citing the Lyric Theater Committee as an ad hoc committee that does not exist anymore. The Treasurer also said the Budget and Finance Committee consisted of the whole council and not the four listed members in the handout. Mayor Holbrook said the issue of no volunteers affects the committee and boards. He reminded Councilwoman Watkins that a statement of interest for boards, committees, and the previously open council seats was implemented with no response. Councilman Sawyers said if no action is put into place for volunteers, the cycle will be repeated. He said it is a bad practice for any boards that have voting power to have more than one council member. Mayor Holbrook said the appointees of the current committees and boards have performed admirably and do it on a volunteer basis. Councilwoman Watkins suggested adding business owners who live outside town limits to some of the boards and committees. Mayor Holbrook said some of the appointments are appointed under the state code, which requires the appointee to be an in-town resident. A motion to give the Town Manager authority to investigate if in-town business owners, who live out of town, can be appointed to the Planning Commission was made by Councilwoman Watkins. Councilman Sawyers seconded the motion. The motion passed unanimously.

Pool Elevators

Councilman Sawyers addressed the issue of the pool elevator action taken previously by the council. He said there were no plans for the upstairs pool area since it would not be utilized for bingo. Councilman Sawyers pointed out that putting a $60,000 elevator at the pool building concerns him since the building hasn’t been used in at least three years and has no plans for future use. He said if the pool is going to be listed as a capital expenditure, the money can be utilized for better safety concerns such as pool lighting and better security cameras. Councilman Jordan asked if the school still had an interest in using the building since the population has grown and if not, can we address this issue? Councilman Jordan made a motion to reconsider the pool elevator motion. Councilman Wallace seconded the motion. Under discussion, Mayor Holbrook reminded the council that if the elevator is not installed, it will render the upstairs pool building useless. Councilman Jordan suggested the council revisit the elevator issue if the building will be used soon. A motion to table the item until pricing for lighting and security at the pool is obtained was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously.

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Tennis Courts

Councilman Sawyers said although the tennis courts were on the Capital Improvement Plan, the council needs to bump the urgency up. He said the town needs to absorb the cost to dig it up and redo the whole court. Councilman Sawyers made a motion to contact companies to get a quote on the complete renovation of the tennis courts. Councilman Wallace seconded the motion. The motion passed unanimously.

Audit Update

The Treasurer informed the council that Rodefer and Moss are slowly working on the audit but advised that if another firm can be hired, they would let them take over. She said the town is in non-compliance now since the 2021-2022 audit is not finished. She informed the council that former Town Manager, Debora Baca, contacted Brown Edwards, who was also not able to do the audit. Town Manager Monday sent letters out to APA letting them know the town’s audit situation. A motion to table the item was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously.

IDA Lot

Town Manager Monday said the town currently uses one of the IDA lots to pile dirt and debris. The IDA Board has asked that the dirt and debris be removed. He suggested opening it up to the public for free. A motion to allow town equipment to assist in removing the dirt to individuals, with the town having the authority to refuse any request, and also have a waiver in place releasing the town of any responsibility was made by Councilman Jordan. Councilman Wallace seconded the motion. The motion passed unanimously.

A motion to enter closed session to discuss Personnel under Virginia Code Section 2.2-3711(A)(1), Legal Matters under Virginia Code Section 2.2-3711(A)(7), and Contracts under Virginia Code Section 2.2-3711(A)(30) was made by Councilman Sawyers. Councilman Jordan seconded the motion. The motion passed unanimously.

Councilman Sawyers made a motion to enter into open session. Councilman Jordan seconded the motion. The motion passed unanimously.

Councilman Sawyers made a motion to certify that only Personnel under Virginia Code Section 2.2-3711(A)(1), Legal Matters under Virginia Code Section 2.2-3711(A)(7), and Contracts under Virginia Code Section 2.2-3711(A)(30) were discussed in closed session. Councilwoman Watkins seconded the motion. A roll call vote was taken; Watkins-Aye; Sawyers-Aye; Jordan-Aye; Wallace-Aye. The motion passed unanimously.

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A motion to accept the resignation as presented by Julie Hensley as Town Attorney was made by Councilman Sawyers. Councilman Wallace seconded the motion. The motion passed unanimously.

A motion to accept the resignation as presented by Andrea Hicks as Marketing Manager was made by Councilman Sawyers. Councilman Jordan seconded the motion. The motion passed unanimously.

A motion to do an additional change order to the previously approved contract with Letter Press to add five hours for Social Media Implementation was made by Councilman Sawyers. Councilman Jordan seconded the motion. The motion passed unanimously.

A motion to adjourn was made by Councilwoman Watkins. Councilman Wallace seconded the motion. The motion passed unanimously.

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Mayor

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Town Clerk