

WISE TOWN COUNCIL
TUESDAY, SEPTEMBER 27, 2022; 7:00 P.M.
WISE MUNICIPAL BUILDING COUNCIL CHAMBERS
501 WEST MAIN STREET - WISE, VIRGINIA 24293

MINUTES

MEMBERS PRESENT:

Teresa Adkins, Mayor
Ben Conway, Vice-Mayor
Jeffery Dotson
Robin Dotson
Caynor Smith, Jr. **(arrived at the meeting at 7:24 p.m.)*

MEMBERS ABSENT:

None

PLEDGE OF ALLEGIANCE / INVOCATION:

Councilman Robin Dotson led the Pledge of Allegiance. Adrian Dale, Town of Wise Street Superintendent, provided the invocation.

AGENDA CHANGES:

Town Manager Laura Roberts advised that there were no changes to the agenda.

CONSENT CALENDAR:

Jeff Dotson made a motion to approve the consent calendar, which included the minutes of the August 23, 2022 regular Council meeting, the August, 2022 Police, Water Plant, and Fire Department Reports, and the September, 2022 Recreation Specialist, Planning Department, and Special Events Reports. Robin Dotson seconded the motion that passed 4-0. **(Councilman Smith was late arriving to the meeting and missed the vote on this agenda item)*

PUBLIC EXPRESSION:

Kenneth Mullins, resident at 8334 A Pendleton Road, questioned if there would be traffic control signals installed at the intersection of Norton Road and Wise-Norton Road during the Norton Road Widening Project. He stated that he used the intersection frequently traveling to and from his home and numerous traffic accidents had occurred there. Mr. Mullins alleged that Town Council voted against the installation of a traffic signal at said intersection during a public meeting of the Wise County Route 757 project. Town Manager Laura Roberts explained that traffic signals would not be included in the Norton Road Widening Project due to lack of available funding. Councilman Jeff Dotson responded to Mullins' comments, stating that Council had concerns regarding the installation of a traffic signal during the Wise County project and deemed them unsafe due to potential traffic flow issues on Norton Road. He added the Town would have had no control of the signal box if needed in an emergency situation. Dotson emphasized that it was the Virginia Department of Transportation and Wise County who made the final decision to exclude traffic signals from the project. Councilman Dotson expressed hope that traffic signals for the intersection could be incorporated into a future project.

DISCUSSION OF DEPARTMENT HEAD REQUESTS:

Town Planner Reagan Walsh notified that she was planning a community input session in October or November for a park project to build a public park and playground on undeveloped property owned by the Town of Wise. She invited Council to attend and requested they contact her with dates they would be available for such a meeting.

DISCUSSION OF CUMBERLANDS AIRPORT COMMISSION:

Ron Helton, Town of Wise representative on The Cumberland's Airport Commission since 2005, provided Council with a brief summary of a letter received by Town Manager Laura Roberts from the Commission. He stated the letter was requesting the Town to indicate if it wanted to continue to be a member of the Commission moving forward. He informed that the Commission desired to have the Enabling Acts of 1958 updated by the General Assembly in an effort to eliminate the political subdivisions who no longer wish to be active members. Mr. Helton recommended the Town of Wise remain a member and expressed his admiration of the Airport. He added that he would commit as a Commission member to keep Laura Roberts and the Town apprised of the new draft and of any changes in the language of the Enabling Acts of 1958. Councilman Jeff Dotson made a motion that the Town of Wise remain a member of the Cumberland's Airport Commission and for the Town Manger to forward the required documentation to the Commission. Vice-Mayor Ben Conway seconded the motion, with the vote recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway, Vice-Mayor	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"

**(Councilman Smith was late arriving to the meeting and missed the vote on this agenda item)*

ORDINANCE #8, 2022

Town Manager Laura Roberts explained that an inquiry regarding hunting regulations inside the corporation limits had prompted the need for such an ordinance. Roberts added that archery hunting would be addressed at the next meeting following a meeting with the Department of Game and Inland Fisheries. Police Chief Danny French added there was a need for an ordinance to prohibit hunting not only within the Town limits, but also on any Town owned property, such as the Town of Wise Sports Complex which was located outside the corporation limits. After a brief discussion, Vice-Mayor Conway made a motion to adopt "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA PROHIBITING HUNTING OF GAME ANIMALS WITH FIREARMS TO INCLUDE MUZZLELOADERS WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF WISE, VIRGINIA AND ALL TOWN PROPERTIES AND PROVIDING PENALTIES FOR VIOLATION OF SAID ORDINANCE." Councilman Robin Dotson seconded the motion with the vote recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway, Vice-Mayor	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #38, 2022

Town Manager Roberts explained that the Abandoned Mine Land Economic Revitalization Grant (AMLER) public procurements required the Town to hire a qualified engineering firm who would be responsible for engineering services during the Town of Wise Sports Complex Lighting Project.

Following a brief discussion, Councilman Jeff Dotson moved to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING A LUMP SUM CONTRACT WITH THOMPSON & LITTON, INC. FOR PROFESSIONAL CONSULTING SERVICES FOR PHASE ONE IMPROVEMENTS TO THE TOWN OF WISE SPORTS COMPLEX (VELDON DOTSON RECREATION COMPLEX) FUNDED BY THE ABANDONED MINE LAND ECONOMIC REVITALIZATION GRANT”. Vice-Mayor Conway seconded the motion with the vote recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

RESOLUTION #39, 2022

Laura Roberts, Town Manager, advised that, at the direction of Council, she had met with Thompson & Litton to discuss a potential “Storm Drainage Study” to evaluate areas of stormwater flooding within the corporate limits of Wise. She briefly reviewed the areas of focus outlined in the study. Vice-Mayor Conway emphasized the need to include the intersection of Lake Street and Hurricane Road, which was extremely prone to flooding. Roberts responded that she would see that this area was also included in the study area. Following a brief discussion, Vice-Mayor Conway moved to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING A CONTRACT BETWEEN THE TOWN OF WISE AND THOMPSON & LITTON, INC. FOR A CONTRACT TO PROVIDE A STORM DRAINAGE STUDY TO EVALUATE AREAS OF STORMWATER FLOODING WITHIN THE TOWN OF WISE, VIRGINIA”. Councilman Jeff Dotson seconded the motion, with the vote recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

DISCUSSION OF THE DEANNA WHITE REQUEST:

At the request of Council, Town Attorney Leonard Rogers, Town Manager Laura Roberts, Street Superintendent Adrian Dale and Town Planner Reagan Walsh met to discuss the request made by Deanna White of 602 Railroad Avenue at the August 23, 2022 Council Meeting. Ms. White asked for permission to pump water from her basement through a hose across Railroad Avenue onto Town owned property to prevent the flooding of her home. Town Attorney Leonard Rogers informed Council that the committee recommended no action be taken, therefore not allow Ms. White to pump onto Town property due to liability issues that could potentially arise. Councilman Smith added that any water pumped across the road would flow back to her home through a drainpipe that runs under Railroad Avenue. After a lengthy discussion, Councilman Smith made a motion to accept the committee’s recommendation. Councilman Robin Dotson seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

REQUEST TO SELL FORFEITED FIREARMS:

Chief Danny French explained that 35 firearms were forfeited to the Wise Police Department on February 20, 2020 as a result of the department assisting the US Drug Enforcement Agency and State Police with a search warrant inside the Town of Wise corporation limits. French stated the Department of Criminal Justice Services, as well as Town Attorney Leonard Rogers, recommended the firearms be sold in one lot. He added that DCJS and the Commonwealth Attorney’s Office would get a portion of the proceeds from the sale. French requested approval from Council to sell the firearms in a lot following advertisement and receipt of sealed bids from Federal Firearms License holders. He advised that 550 bid invitations were mailed to license holders. After a brief discussion, Councilman Robin Dotson made a motion to approve the sale of 35 firearms forfeited to the Wise Police Department. Ben Conway seconded the motion, with the vote recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

RESOLUTION #40, 2022:

Town Manager Laura Roberts informed that the Virginia Department of Transportation notified the Town several years ago that it intended to stop the practice of selling salt for snow removal to localities. Roberts stated that this notice resulted in the need for a Town salt storage for snow removal during winter months. She advised that following the Town’s “Small Purchasing Procedures” quotes were solicited from three manufacturers of metal arched roof covers, adding the resolution under discussion was the award of the contract was to the low bidder, SteelMaster Building Systems, in the amount of \$25,050. Vice-Mayor Conway reported that construction of the shed was a multi-stage project with Mike Clisso, of Engineering Services, assisting with the design. Following a brief discussion, Caynor Smith, Jr. moved to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AWARDED A CONTRACT FOR THE SALT STORAGE SHED METAL ROOF COVER FOR MANUFACTURE AND DELIVERY OF A 25’ WIDE X 80’ LONG X 12’ HIGH METAL ARCHED ROOF WITH A SOLID REAR WALL TO BE PLACED ON A CONCRETE FOUNDATION WITH WALLS CONSTRUCTED BY OTHERS”. Councilman Robin Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

CLOSED SESSION:

On a motion made by Caynor Smith, Jr. and a second by Ben Conway the Wise Town Council moved to convene into closed meeting for the purpose of and including:

***Legal Matters** – Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel as permitted by Virginia Code §2.2-3711(A)(8).*

***Real Property** – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code §2.2-3711(A)(3).*

OPEN SESSION:

Vice-Mayor Conway made a motion to reconvene in open session. Councilman Smith seconded the motion that carried 5-0.

CERTIFICATION OF CLOSED SESSION – CM RESOLUTION #8, 2022:

Sarina Collins, Assistant Treasurer, read Closed Meeting Resolution #8, 2022, “Resolving and certifying that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applied, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council of the Town of Wise,” and the vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

RESOLUTION #41, 2022:

Mayor Adkins read the heading of Resolution #41, 2022 “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA ACCEPTING CONVEYANCE OF WATER AND SEWER LINES AND ASSOCIATED APPURTENANCES AND A PERPETUAL UTILITY EASEMENT AND RIGHT-OF-WAY FROM THE INDUSTRIAL DEVELOPMENT AUTHORITY OF WISE COUNTY, VIRGINIA” and asked for a motion. Prior to taking formal action, Councilman Smith commented that members of the Wise Town Council always try to work with other agencies, but must always move in the direction that is best for the citizens of the Town they serve. Smith added that the decision regarding the resolution under discussion would be easier if the future needs of the Town were currently known. He expressed his appreciation to staff and Councilmembers for the extra work that had been put into the resolution. Following the discussion, Vice-Mayor Ben Conway moved to adopt Resolution #41, 2022. Councilman Robin Dotson seconded the motion. Prior to the called vote, Mayor Adkins reiterated Smith’s comments, adding that Council’s decision to approve the conveyance, was done so in good faith that Wise County would honor their agreement. Councilman Jeff Dotson agreed that the decision regarding the resolution was difficult and although he would vote in support of it, he did so under protest.

With a motion and a second on the floor, Mayor Adkins called for a roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

RESOLUTION #42, 2022:

Town Manager Laura Roberts informed the extension of municipal water and sewer service along Patriot Drive would serve the new Health Wagon Dental Clinic. Mayor Adkins added that the Dental Clinic would meet the needs of many people in Wise County. Following the discussion, Councilman Robin Dotson moved to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPROVING AN APPLICATION FOR EXTENSION OF MUNICIPAL WATER AND SEWER SERVICE TO SERVE THE NEW 4,800 SF HEALTH WAGON COMMERCIAL ADDITION ALONG PATRIOT DRIVE”. Councilman Jeff Dotson seconded the motion, with the vote recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway, Vice-Mayor	“Aye”
Jeffery Dotson	“Aye”
Robin Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

APPOINTEE REPORTS (Informational Purposes Only) – Acknowledgement of Receipt:

Caynor Smith, Jr. made a motion acknowledging receipt of the Cumberland Airport Commission report from August 18, 2022. Jeff Dotson seconded the motion that carried 5-0.

COUNCIL COMMENTS:

Councilman Caynor Smith, Jr. stated that based on the positive participant feedback he had received, he was very excited about the success of the Town of Wise Sports Complex. He added that he was looking forward to the upcoming Fall Fling.

Vice-Mayor Conway requested that loose gravel on the newly constructed sidewalks along Norton Road be removed to prevent damage to the concrete and stonework.

Councilman Jeff Dotson expressed his pride in being part of such a special small town. Dotson commended the Wise Fire Department for hosting another successful Regional Fire School in September 2022. He announced that the Wise Kiwanis would be sponsoring a fundraiser spaghetti dinner during the Wise Fall Fling on October 7th.

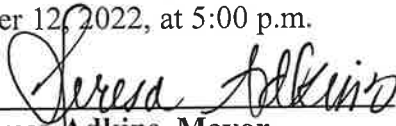
STAFF/MANAGER COMMENT:

Laura Roberts, Town Manager, reported that based on the positive feedback from the college, the UVA-Wise homecoming week was a great success. She added that the relationship between the Town and the UVA-Wise continued to improve. Roberts informed that the UVA-Wise Alumni


Association would be sponsoring a movie at Big Glades following the Trick or Treat event on October 29, 2022. She also reported that the Central High School Homecoming Parade would be held on October 23rd and a pep rally was scheduled for October 27th at Big Glades.

CONTINUANCE:

There being no additional discussion by the Wise Town Council, Mayor Adkins announced that the meeting would be continued until Wednesday, October 12, 2022, at 5:00 p.m.



Teresa Adkins, Mayor



Robin R. Meade, Town Clerk/Treasurer