

WISE TOWN COUNCIL
Tuesday, July 25, 2023; 7:00 P.M.
WISE MUNICIPAL BUILDING COUNCIL CHAMBERS
501 WEST MAIN STREET - WISE, VIRGINIA 24293

MINUTES

MEMBERS PRESENT:

Teresa Adkins, Mayor
Ben Conway
Jeffery Dotson
Robin Dotson
Caynor Smith, Jr.

MEMBERS ABSENT:

None

PLEDGE OF ALLEGIANCE / INVOCATION:

Town of Wise Police Sergeant Jeremy Wells led the Pledge of Allegiance. Reverend Jim Collie provided the invocation.

AGENDA CHANGES:

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

CONSENT CALENDAR:

Caynor Smith, Jr. made a motion to approve the consent calendar, which included the minutes of the June 16, 2023 special-called Council meeting and the June 27, 2023 regular Council meeting, the August 2022 - April 2023 Treasurer's Financial Report, the June 2023 Police, Water Plant, and Fire Department Reports, and the July 2023 Recreation Specialist, Planning Department, and Special Events Reports. Vice-Mayor Ben Conway seconded the motion that passed 5-0.

PUBLIC EXPRESSION:

There being no one from the public audience wishing to comment, Mayor Adkins closed public expression.

HEALTH WAGON REQUEST - BIG GLADES SIGN:

Paula Hill-Collins, Clinical Director of The Health Wagon, requested use of the marquee sign located at Big Glades to advertise for the 3rd Annual "Davey's Shuffle" to be held on August 3, 2023 at Big Glades. The event would provide free school supplies to children in the community. Robin Dotson made a motion to approve the request. Jeffery Dotson seconded the motion that carried 5-0.

PUBLIC HEARING - RESOLUTION #39, 2023:

Mayor Adkins announced that a public hearing was being held on " A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPROVING A CONDITIONAL USE PERMIT APPLICATION SUBMITTED BY LAIKEN HOBBS FOR USE OF AN EXISTING STRUCTURE LOCATED AT 744 HURRICANE ROAD, N.E. AS A SHORT-TERM RENTAL IN AN R-B MEDIUM DENSITY RESIDENCE ZONING DISTRICT". Town Manager Laura Roberts explained that Laiken Hobbs had purchased property with an existing structure located at 744 Hurricane Road N.E. in August 2022 for use as a secondary residence. Hobbs turned the property into a short-term rental through Airbnb to help recoup funds invested in the renovation of the structure. Roberts further informed Hobbs was unaware that a Conditional Use

Permit was required to operate a short-term rental but had subsequently applied for said Conditional Use Permit to become compliant with the Town of Wise Zoning and other applicable Ordinances. Roberts advised the Town Planner and Town of Wise Planning Commission recommended the approval of a Conditional Use Permit as presented for the continued use of the residence as a short-term rental. Vice-Mayor Conway added that as an adjacent property owner, he supported the approval of the Conditional Use Permit, as Hobbs had cleaned up the property and was providing a service for people coming into the Town of Wise. Following the discussion, Mayor Adkins opened the floor for the public hearing. There being no additional comments or questions, the public hearing was closed. Councilman Jeffery Dotson made a motion to adopt Resolution #39, 2023 as presented. Robin Dotson seconded the motion and the vote was recorded by roll call:

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

RESOLUTION #40, 2023:

Town Manager Laura Roberts reminded that Council had previously approved a contract in the amount of \$12,320.00 with Engineering Services for the foundation and wall design for a salt storage building. She explained that during a plan review, staff had requested changes to the entrance and foundation design of the salt storage building. The changes included:

1. Design of a 6" concrete entrance pad sufficient to service heavy machinery and loaded trucks.
2. Design of an asphalt cap for the entrance pad and salt building pad with a transition zone around the perimeter of the entrance pad.

Roberts advised Engineering Services had requested an amendment to the original contract for the additional costs incurred for the requested changes in the amount of \$3000.00, bringing the total contract amount to \$15,320.00. There being no further discussion, Jeffery Dotson made a motion to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA, APPROVING AMENDMENT NO. 1 TO THE CONTRACT FROM ENGINEERING SERVICES FOR FOUNDATION AND WALL DESIGN TO INCLUDE BIDDING AND CONSTRUCTION INSPECTION SERVICES FOR A SALT STORAGE BUILDING”. Ben Conway seconded the motion with the vote recorded by roll call:

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

RESOLUTION #41, 2023:

Town Manager Laura Roberts stated that Council had previously approved a contract in the amount of \$258,100.00 with Thompson & Litton for engineering services for the Rehabilitation of Seven Water Tanks project. Roberts added the project was advertised for bids, including direct

solicitations, however, no bids were received. She informed the project was being rebid as four separate contracts, which created additional work for the engineers, prompting a request from Thompson & Litton to amend the existing contract, adding an additional \$35,300.00 to the agreement. Vice-Mayor Conway inquired as to if there was a deadline to expend the ARPA funding that was being used for the project. Roberts advised the funding for the project had to be expended by December 31, 2026. There being no further discussion, Ben Conway moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPROVING A CONTRACT WITH THOMPSON & LITTON, INC. FOR AN AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES FOR THE REHABILITATION OF SEVEN WATER STORAGE TANKS PROJECT". Jeffery Dotson seconded the motion. The vote was recorded by roll call:

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

ORDINANCE #8, 2023:

Town Clerk/Treasurer Sarina Collins submitted, for Council review and acknowledgment, delinquent tax lists as of June 30, 2023, pursuant to Virginia Code §58.1-3924. Following a brief discussion, Councilman Caynor Smith, Jr. made a motion to adopt "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA ADOPTING THE PROCEDURES FOR UNCOLLECTIBLE TAXES AND DELINQUENTS AS PROVIDED IN VIRGINIA CODE SECTIONS 58.1-3921 AND 58.1-3924, REQUIRING PREPARATION AND SUBMISSION OF CERTAIN LISTS AND DIRECTING THE PUBLICATION THEREOF". Robin Dotson seconded the motion and the vote was recorded by roll call:

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

RESOLUTION #42, 2023:

Town Manager Laura Roberts explained that the resolution being discussed established conditions, of the Virginia Department of Transportation for a Title VI Coordinator, which must be agreed to by the Town of Wise to secure grant funding from VDOT and the Federal Highway Administration. There being no further discussion, Caynor Smith, Jr. moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA DESIGNATING THE TOWN MANAGER AS THE TITLE VI COORDINATOR FOR THE TOWN OF WISE, VIRGINIA: REPEALING RESOLUTION NO. 15, 2023". Ben Conway seconded the motion with the vote recorded by roll call:

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

RESOLUTION #43, 2023:

Town Manager Laura Roberts informed that the Town of Wise Police Department was awarded American Rescue Plan Act Law Enforcement Grant funds in the amount of \$13,750.00 for the purchase of thirteen new handguns and magazines for each officer in the Department. Roberts explained there were two options for Council consideration regarding the Officer's existing handguns:

1. The Town of Wise Police Department could trade in the existing thirteen Glock handguns, which were purchased by the Department in 2015, for a credit amount of \$3,380.00 toward the purchase of the new handguns.
2. The Town of Wise Police Department could retain the existing thirteen Glock handguns and magazines for consideration by Council for the Officers to individually purchase the existing firearms for the fair market value of \$260.00 per handgun.

Councilman Jeffery Dotson suggested Council approve option 2 because the grant funding had already been awarded for the purchase of the handguns and said grant would have to be amended and would be reduced by the amount of the trade-in credit should option 1 be chosen. Following the discussion, Jeffery Dotson made a motion to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING THE PURCHASE OF FIREARMS FOR THE WISE POLICE DEPARTMENT USING THE AMERICAN RESCUE PLAN ACT LAW ENFORCEMENT GRANT FUNDS AND AUTHORIZING THE CHIEF OF POLICE TO OVERSEE THE SALE OF THE EXISTING FIREARMS". Ben Conway seconded the motion. The vote was recorded by roll call:

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

RECREATION COMMITTEE MEETING REPORT - ORDINANCE #9, 2023:

Caynor Smith, Chair, summarized the meeting of the Recreation Committee held to discuss private use of the Town of Wise Sports Complex fields and a request from the UVA-Wise Softball Team to temporarily use two fields. Smith stated that Ordinance #9, 2023 was proposed to rescind and replace Ordinance #7, 2013 to bring the Ordinance up to date with the current operations of the Sports Complex. Councilman Jeffery Dotson made a motion to adopt "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA PROVIDING FOR THE PRIVATE USE OF THE TOWN OF WISE SPORTS COMPLEX INCLUDING THE IMPOSITION OF

FEES; REPEALING ORDINANCE NO. 7, 2013". Councilman Smith seconded the motion with the vote recorded by roll call:

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

Smith advised Council that the UVA-Wise Softball Team had submitted an application to use fields one and two at the Town of Wise Sports Complex from August 21, 2023 - November 17, 2023 due to the installation of new turf on their field located on campus. He added the request was for use Monday - Friday from 3:00 pm - 6:00 pm for practice, which per Recreation Specialist Doug Bates, would not conflict with his schedule for fall. Smith stated the Committee recommended the request from UVA-Wise be approved. Councilman Robin Dotson made a motion to approve the request. Jeffery Dotson seconded the motion with the vote recorded by roll call:

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

CLOSED SESSION:

On a motion made by Robin Dotson and a second by Ben Conway the Wise Town Council moved to convene into closed meeting for the purpose of and including:

Personnel – Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body as permitted by Virginia Code §2.2-3711(A)(1).

OPEN SESSION:

Caynor Smith, Jr. made a motion to reconvene in open session. Robin Dotson seconded the motion that carried 5-0.

CERTIFICATION OF CLOSED SESSION – CM RESOLUTION #14, 2023:

Sarina Collins, Town Clerk/Treasurer, read Closed Meeting Resolution #14, 2023, "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"

Councilman Caynor Smith, Jr. made a motion that a new Assistant Chief of Police position be created as Grade 11 on the Town of Wise pay scale. Ben Conway seconded the motion and the vote was recorded by roll call:

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

Police Chief Kevin Yates expressed the importance of having an Assistant Chief of Police in the Town of Wise Police Department to assist him in his role as Police Chief as well as to be able to step in if needed in the event of an unexpected absence.

APPOINTEE REPORTS (Informational Purposes Only) - Acknowledgment of Receipt:

Caynor Smith, Jr. presented the C-N-W Board Meeting report from June 28, 2023. He reported the Board was given an update on the first phase of C-N-W's bridge inspection repairs, stating the steel necessary to begin the repairs had not been received to date. He also noted the Board was continuing discussion regarding the upcoming retirement and replacement of C-N-W Executive Director Mark Hollyfield. Following the report, Jeffery Dotson made a motion acknowledging receipt of the C-N-W Board Meeting from June 28, 2023. Ben Conway seconded the motion that passed 5-0.

COUNCIL COMMENT:

Robin Dotson stated he had the pleasure of meeting the new owners of Freedom Ford, who expressed an interest in community involvement. He noted he was looking forward to the Town having a good relationship with the business.

Caynor Smith, Jr. highlighted Chillin & Grillin, noting the event's success. Smith also expressed an interest in determining the number of vacant residences in the Town that were connected to the water and sewer system but not actively using or being billed for the services. He cited the lack of housing availability and the potential to charge for having access to the utilities as useful reasons to obtain the information.

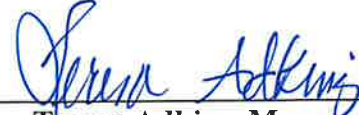
Jeffery Dotson reminded that businesses and homeowners had been asked to decorate to welcome UVA-Wise students and alumni back to Town on August 12th. He noted the Town's participation reflected positively on its relationship with the college.

STAFF COMMENT:

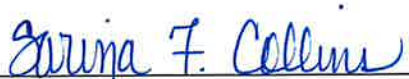
Town Manager Laura Roberts informed the Town was awarded a grant from the Cumberland Forest Community Fund in the amount of \$15,000.00 for the reroofing of the restrooms at the Bear Creek Reservoir. She stated a grant award ceremony would be held on July 31, 2023 at the Oxbow Center if anyone wished to attend. Roberts further advised the Town had partnered with Wise County PSA on an application for the Copper and Lead Inventory Grant offered by the Virginia Department of Health. She stated Wise County PSA was awarded grant funding in the amount of \$250,000.00 to inventory copper and lead pipe, which would include the Town's system.

ADJOURNMENT:

There being no additional discussion by the Wise Town Council, Jeffery Dotson made a motion to adjourn the meeting. Caynor Smith, Jr. seconded the motion that passed 5-0.



Teresa Adkins, Mayor



Sarina F. Collins, Town Clerk/Treasurer