

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, September 17, 2024**. The meeting was held in the assembly room of the Weber City Town Hall. The meeting was called to order by **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:

Mayor:	Justin M. Addington
Town Attorney:	Michael Carrico
Council Member:	Eileen Deckard
Council Member:	Jeff Flanary
Council Member:	Keltie Kerney
Council Member:	Teresa Tilson
Council Member:	Wendell Tipton
Others:	Penney Capps – Clerk, Rhonda Neeley – Treasurer, Donald Harding, III - Police Chief, Frank Tittle – Public Works

ABSENT:

Council Member: Zackary Salyer (working out of town)

APPROVAL OF MINUTES and FINANCIAL REPORT:

A motion to accept the **August 20, 2024**, Meeting Minutes was made by **Teresa Tilson**; seconded by **Jeff Flanary**.

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Vacant, **0** Abstentions

Motion to accept the **August 2024** Financial Report, was made by **Jeff Flanary**, seconded by **Wendell Tipton** .

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Vacant, **0** Abstentions

Mayor Report and Comments:

The Mayor announced that he will be making some changes to the appointed committees. Council member, Eileen Deckard will be moved from the Personnel Committee to the Maintenance Committee. Council member, Jeff Flanary, will now serve on the Personnel Committee with Keltie Kerney due to their experience in managing employees. All other Committee appointments will remain the same.

Mayor Addington brought to the Council's attention that one council member has been absent during several Regular Town Council Meetings. Zackary Salyer, has been out of town for work for several months, and has been unable to attend in person. There is a Town Ordinance outlining the attendance requirements of a Council Member, as follows;

Sec. 2.12. Duty of Council Member to Attend Meetings

Any member of the council failing to attend any meeting of the same without valid excuse may be fined not less than one dollar nor more than five dollars, unless excused by the mayor. Any member so fined shall have the right to appeal to the council over the decision of the mayor. Any member of the council who continuously and successively absents himself without cause, from three regular meetings of the council, shall thereby forfeit his office as councilman and the council shall declare his office vacant and elect his successor. (Code 1950, Section 2.27.)

Council members would need to vote on whether or not to remove the member from office. Council member, Teresa Tilson, asked if the ordinance required attendance to be in person. Council member, Eileen Deckard, asked if Zackary has been made aware of these circumstances. The Mayor stated that he is not trying to remove Zackary from Council due to anything other than the ordinance outlined. The Council requires a person who is able to attend committee meetings, as well as Regular Council meetings, to carry out Town business. Town Attorney, Mike Carrico, advised that since he is an elected Council member, that he be contacted, personally, to discuss the issue, and determine if he would like to continue his role, and is able to attend meetings in the future. Mayor Addington stated that he will call Zack this week and speak with him regarding this.

Old Business:

Vote to Fill Role of Vice Mayor

A motion was made by Teresa Tilson, seconded by Keltie Kerney to nominate Wendell Tipton for the position of Vice Mayor. Eileen Deckard nominated Teresa Tilson for the same position. Teresa Tilson declined the nomination. The vote was then taken for Wendell Tipton as Vice Mayor.

Motion passed with 5 voting AYE, 0 voting NAY, 1 ABSENT, 0 Vacant, 0 Abstentions

Trees Cut Down on Town Property

Council member, Keltie Kerney, has received calls about some trees that were cut down on Town property located behind the Fire Hall on Roland Street. This was first brought to Council attention in March 2023. The person in question, allegedly contacted Town Hall for permission to cut the trees. The trees are still laying on the ground behind the Fire Hall. Keltie asked if there is anything this Council would like to do to follow up on this complaint and the person responsible. And what plans there are to remove the trees. Town Attorney, Mike Carrico, instructed that the WCPD open an investigation regarding the trees being cut on Town property and report back to the Council at the next meeting. In a previous session, Attorney Carrico informed the Council of the penalties for cutting down trees on Town property without permission.

Purchase Salt Spreader for Public Works Department

Council member Jeff Flanary made a motion, seconded by Wendell Tipton, to allow Frank Tittle of the Public Works department to find and purchase a salt spreader for the Town of Weber City's Snow Plow truck, in an amount not to exceed **\$2,500.00**.

Keltie Kerney asked if this amount was included in the budget already. There is money in the budget for snow removal that can be used for this.

Motion passed with 5 voting AYE, 0 voting NAY, 1 ABSENT, 0 Vacant, 0 Abstentions

NEW BUSINESS:

Business Credit Card Account for the Town

A motion was made by Teresa Tilson, seconded by Jeff Flanary to open a Business Credit Card Account at New People's Bank, with a credit limit to be determined by the Bank, and cards issued to the following authorized users with an individual credit limit of \$500.00 each: Penney Capps – Clerk, Rhonda Neeley – Treasurer, Donald Harding III – Police Chief, Carl "Frank" Tittle – Public Works Manager. The cards can be used for purchases as needed up to \$500.00 with approval from the Mayor. Any purchases above \$500.00 must come before the Council for approval vote. The Town Attorney stated also that all paid invoices/bills from the previous month should be available for Council review at any time at the meeting.

Motion passed with 4 voting AYE, 1 voting NAY, 1 ABSENT, 0 Vacant, 0 Abstentions

Purchase Used Police Car

A motion was made by Teresa Tilson that the insurance money issued by VACORP from the police cruiser totaled in July 2024 (**\$23,700**) be used to purchase the used Police cruiser located at Freedom Ford – Wise, VA, in the amount of **\$18,875.00** and insurance funds also be used to purchase the necessary striping on the car (approximately **\$2,300**) and any accessories. Seconded by Keltie Kerney. The vote did not specify what to do with any remaining funds from the insurance check proceeds.

Motion passed with 5 voting AYE, 0 voting NAY, 1 ABSENT, 0 Vacant, 0 Abstentions

Purchase Amber Lights for Plow Truck

The amount fell under the Mayor's approval amount so he approved the purchase. A vote was not necessary

Legal Affairs – by Attorney Mike Carrico

Town Attorney, Mike Carrico, addressed his concerns in the Workshop meeting that took place earlier in the evening.

Committee Reports:

ARPA Committee Report: Teresa Tilson and Zackary Salyer

No new items to present. An update of the Police Department Renovation: Chief Harding has had trouble securing a contractor for the job due to many different reasons, one example is the lack of contractors licensed in Virginia that are available. He believes he may have found one that can begin the work soon. The completion goal is now extended to the end of 2024.

Finance Committee Report: Teresa Tilson and Wendell Tipton

No new items to present. The Business Credit Card has already been addressed in New Business.

Personnel Committee Report: Eileen Deckard and Keltie Kerney

No new items to present. The committee met this month with Town Attorney, Mike Carrico, to discuss current personnel policies, practices, and concerns. And to discuss items going forward to bring the member, Keltie Kerney, up to date.

Zoning/Planning Committee Report: Eileen Deckard and Zackary Salyer

No new items to present. Jeff Flanary spoke up about his frustration in the Zoning not being completed on behalf of the Town. There are many buildings and properties that affect our Town in a negative way, and Zoning is a good place to start on solving those problems. He has volunteered his time to support the efforts of the committee. Mayor Addington said that he would speak with the other member, Zackary Salyer, before making any committee additions or changes.

Street Committee Report: Jeff Flanary and Wendell Tipton

No new items to present. Many streets in Town are in bad shape due to the water line improvement project by Scott County PSA. Frank has spoken with the leadership at PSA and found that they have up to 6 months to repair the damage to the streets due to the improvements.

Maintenance Committee Report: Jeff Flanary and Frank Tittle

Jeff Flanary had no new items to discuss, so he yielded his time to Frank Tittle, the Public Works. Frank told the Council that the new Snow Plow truck has been purchased since the last meeting, and passed all VDOT inspections to be awarded the snow plowing contract agreement for the upcoming season. He is searching for a Salt Spreader to purchase to upgrade the contract with them. He noted that there are a few streets in town that will require re-paving soon. Hudson being one with the greatest need, and the drainage issues resolved on Blanton Drive. He then requested permission to purchase an Amber Light for the new Plow Truck that is large enough to see well in inclement weather. The Mayor asked how much that light might cost. Frank stated **\$200-\$300**. Mayor Addington approved the purchase. He also approved Frank to begin gathering bids for the paving and drain road work that is needed.

Frank then requested the purchase of a Car Wash membership for the Snow Plow truck to remove the salt each time it is used to preserve the life of the truck. Doug's Car Wash in Kingsport can wash trucks with attached equipment on them for \$19.99/month. The Mayor said to use the Town credit card to wash the truck, but on an as needed basis, not a membership.

Police Department Report:

Chief Donald Harding, III gave the report.

Officer Baker has completed the Police Academy and will be on his own patrol by the end of October 2024 once his field training is complete.

Chief Harding made reference to an email he sent to Council members informing them of the accident involving a police cruiser in July 2024 by Officer Vermillion and the insurance company's decision to total it. A check has been received from the insurance company. He is now requesting that the insurance money go towards purchasing a replacement vehicle, equipping and striping it. Freedom Ford of Wise has a used, cruiser for sale in the amount of **\$18,875.00**. He provided the Council with 3 bids for similar vehicles available. Town Attorney, Mike Carrico stated that the Mayor needs to ask for a motion to approve the purchase of the vehicle with the lowest bid and to specify that the remainder of the insurance check be used for striping, etc as needed to equip the car.

Council member, Teresa Tilson, asked the amount of the insurance check. It was **\$23,700.00**. She then asked how much it would cost to stripe the vehicle. The bids the Chief received were around **\$2,300.00**. It was determined that there would be enough funds leftover after the purchase of the vehicle for other items. Mayor Addington then asked for a motion to use the insurance money to purchase the lowest bid vehicle from Freedom Ford of Wise, VA, with striping and loaded with necessary equipment. The vote is recorded under "New Business".

Chief Harding requested that part time employee, Justin Miller, be voted in to Full Time since he has expressed an interest in a fulltime position with WCPD. He will most likely be available for Full Time hours mid-October after the birth of his baby.

Fire Department Report:

Matt Ison, Captain of the WCVFD informed the Council installation of the garage doors has begun on the new WCVFD building located on Hwy 23N. They hope to have the work completed by the end of October. He also announced a Halloween event to be hosted by the Fire Department Saturday, October 26, 2024, from 5-8 pm.

As a matter of information, he shared a sampling of the cost to purchase new fire trucks. Some trucks are grant eligible, and others are not. They are currently working on grants to purchase them and hope to have more news to share soon. The newest Council member, Keltie Kerney, asked how many fire calls take place within the Town of Weber City. Captain Ison said there were 134 calls total last calendar year, in various places in our area. Mayor Addington said that the Fire Department used to provide a call report to the Council each meeting and asked if that practice could be reinstated.

Public Comment: Opened 7:44 pm (40:52)

Billy Hensley, owner of several homes in Weber City, stated that the Town needs to contact VDOT to request road repairs needed all over town. Many roads have old drainage pipes under them that are collapsing due to age and wear. Drain culverts are only good for 25 years, and many in town have been installed for nearly 40 years. He also asked for them to clean out ditch lines to improve drainage of water during hard rains that has been running across the roads creating a hazard.

Public Comment Closed 7:48 pm

CLOSED SESSION

A motion to enter INTO Closed Session to discuss legal and personnel issues was made by **Teresa Tilson**, Council member. Seconded by **Keltie Kerney**, Council member.

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Abstentions

A motion to go OUT of Closed Session and back into Regular Session was made by **Jeff Flanary**, and seconded by **Wendell Tipton**.

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Abstentions

CERTIFICATE OF CLOSED SESSION

The Mayor, Council Members, and the Town's Attorney entered into Closed Session. A motion to certify that only lawfully exempt matters, for which the closed meeting was convened, were heard, discussed, or considered in the meeting by the Mayor and Council members, was made by **Teresa Tilson**, Council member, seconded by **Eileen Deckard**, Council member, and roll call vote made with these **5** members voting "AYE" were:

Jeff Flanary, Wendell Tipton, Teresa Tilson, Eileen Deckard, Keltie Kerney

Voting "NAY" were: **0** with **1** Absent (Zackary Salyer)

ACTION FROM THE CLOSED SESSION:

1. A motion was made by **Teresa Tilson**, seconded by **Wendell Tipton** to change Officer Justin Miller from part-time employee to full-time employee status at the pay rate of \$24.00 per hour, effective at the beginning of the next pay period. This will include full benefits as offered by the Town per Council vote September 20, 2022, page 4, "Actions from Closed Session".

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Abstentions

2. A motion was made by **Eileen Deckard**, seconded by **Keltie Kerney**, to accept Pamela Burke's resignation as part time Assistant Clerk, effective September 17, 2024.

Motion passed with **5** voting AYE, **0** voting NAY, **1** ABSENT, **0** Abstentions

3. A motion was made by Teresa Tilson, seconded by Wendell Tipton, to approve the Resolution stating to open a Business Credit Card Account with New People's Bank in the name Town of Weber City,. The card will have the following Authorized users, with a \$500.00 credit limit each:

Penney Capps – Clerk

Rhonda Neeley – Treasurer

Carl Frank Tittle – Public Works Manager

Donald Harding, III – Police Chief

Motion passed with 4 voting AYE, 1 voting NAY, 1 ABSENT, 0 Abstentions

ADJOURNMENT:

A motion to adjourn was made by **Teresa Tilson**, seconded by **Keltie Kerney**.

Motion passed with 5 voting AYE, 0 voting NAY 1 ABSENT, 0 Vacant, 0 Abstentions

Mayor: Justin Addington

Town Clerk: Penney C. Capps

This document reflects corrections requested by Council members at the October 15, 2024 meeting during the Motion to Approve the Minutes of the September 17, 2024 meeting.