

**Council Minutes**  
**Regular Council Meeting**  
**September 12, 2022 - 6:30 p.m. – 502 Front St. E, Coeburn, VA**

**Attendees:**

Upon roll call, all members of council were present. Cathy Sharpe – Clerk/Treasurer, Jimmy Williams - Town Manager, and William Sturgill – Town Attorney, were also present.

**Call to Order:**

Mayor Deventae Mooney called the meeting to order. Mr. Carrol Childress gave the invocation earlier during the special called meeting. The group stood for the Pledge of Allegiance led by the Boy Scouts at the beginning of the special called meeting.

**Public Expression:**

Shirley Cassidy, 704 Plum Avenue SE, addressed council regarding the action council can take regarding trailer courts with trailers in disrepair. Ms. Cassidy reminded council that they work for the people of the town. Mayor Deventae Mooney asked Town Attorney, William Sturgill, if there are any trailer park ordinances requiring people to put up curtains in their home. Mr. Sturgill said there are no ordinances about that. Mr. Sturgill said there are ordinances for upkeep of yards, litter control and building official code enforcement. Mr. Jeff Kiser asked Mr. Sturgill if they need to add anything to the town code to enforce the upkeep of property. Mr. Sturgill said that the Wise County Litter Control office would need to exercise their jurisdiction to deal with those issues. Mr. Kiser said he would like Coeburn to work with Wise County Litter Control to identify problems and start to take care of them. Ms. Sharon Still asked who is responsible for the upkeep of the trailer court, the individual or the trailer court owner. Mr. Sturgill said that it would depend on the lease agreement who is responsible for the issue. He said usually the responsibility falls on the individual but it could be the landowner depending on the situation. Mr. Sturgill said that the town should start by contacting Wise County Litter Control. Mr. Mooney asked Town Manager, Jimmy Williams, to reach out to Mr. Greg Cross with Litter Control.

Ms. Jessica Mullins, Big Stone Gap, Southern Appalachian Mountain Stewards, invited council to be a part of the Southern Appalachian Mountain Stewards Community Development Listening Sessions. She said the idea behind the sessions is to engage community workers and be sure that the work they do is in line with the work that leaders of the community are trying to do. Ms. Mullins invited council to the first of the listening sessions that will be held September 29, 2022.

Kelly Cox, 103 Brook Avenue NE, informed council of the state of Ringley Park. She said the tables and concrete are very dirty and need to be pressure washed. Ms. Cox said she is concerned because people are sleeping in hammocks in the park. She said she is also concerned about the activities that are going on late at night in the park. Ms. Sharon Still informed Ms. Cox that the people in the hammocks have been removed from the park. Ms. Cox asked what

council's plan is to clean the park and to address the homeless situation at the park. Mr. Deventae Mooney said that the questions about the upkeep of the park could be best answered by Mr. Jeff Livingston, who was unable to attend the meeting. Mr. Mooney said there would be an update at the next meeting.

Public expression was closed.

### **Approval of the Agenda:**

Ms. Sharon Still made a motion to move New Business (A.) Resolution No. 2022-0004 Hiram A. Luke McConnell, Eagle Scout and New Business (B.) Resolution No 2022-0005, 25<sup>th</sup> Anniversary of Justin's Walk to be discussed before reports. Mr. Deventae Mooney seconded the motion, which resulted in all Ayes.

Mr. Jeff Kiser added under New Business (C.) Investigation into a camping ordinance for the Town of Coeburn like the Bristol ordinance to be discussed before reports along with New Business (A.) and (B.). Mr. Deventae Mooney seconded the motion, which resulted in all Ayes.

Mr. Jeff Kiser added under Old Business (C.) Replacing the old Mule for Public Works. Mr. Deventae Mooney seconded the motion, which resulted in all Ayes.

Mr. Mooney made a motion to approve the agenda as amended. Mr. Kiser seconded the motion, which resulted in all Ayes.

### **New Business:**

- A. Resolution No. 2022-0004 Hiram A. Luke McConnell Eagle Scout - Mr. William Sturgill read the Resolution recognizing Hiram A. Luke McConnell for his community service project and acknowledging his attainment of the rank of Eagle Scout.

Mayor Deventae Mooney made a motion to accept Resolution No. 2022-0004. Mr. Jeff Kiser seconded the motion. A roll call vote resulted in all Ayes.

- B. Resolution No. 2022-0005 25<sup>th</sup> Anniversary of Justin's Walk - Mr. William Sturgill read the Resolution recognizing the 25<sup>th</sup> Anniversary of Justin's Walk.

Mayor Mooney made a motion to accept Resolution No. 2022-0005. A roll call vote resulted in all Ayes.

Ms. Gina Porter thanked the town for all they do to get ready for Justin's Walk each year. Ms. Porter thanked Mr. Jeff Livingston for getting the park ready to have the walk each year.

- C. Camping Ordinance - Mr. Jeff Kiser said he would like to have Mr. William Sturgill look into the ordinance Bristol passed and tailor something similar for the Town of Coeburn. Mr. Kiser advised he has seen people sleeping in hammocks in the park. Ms. Sharon Still

said that the town needs a more specific ordinance than Bristol. She said the Bristol ordinance is specific to sidewalks and right of ways and the town ordinance would need to be specific to parks and public areas. Mr. Kiser said that the town needs to be concerned about the safety of the citizens and their children as well as the wellbeing of people who are sleeping in the park. Mr. Kiser mentioned that there are shelters in the area that can be utilized. Ms. Still said that some of the homeless won't go to shelters because they have pets and that in the winter the homeless find other places to stay. Mr. Kiser said the town has to address this issue for the safety of the citizens. Mr. Mooney said that safety is a priority and asked Mr. Sturgill to work on this issue and discuss it at the next meeting.

## **Reports:**

### Fire Department

There was no representative from the fire department present. Mr. Jimmy Williams, Town Manager, said that he had spoken with Cliff Hawkins, Fire Chief, and Mr. Hawkins has requested to close the streets October 31<sup>st</sup> for Trunk or Treat. Ms. Still advised she had spoken with a vendor at the Guest River Rally that was having trouble finding her spot and Ms. Still noticed there was lots of gravel and debris and the number was barely visible. Ms. Still said she would like to see the fire department spray off the sidewalk and street on a regular basis. Mr. Williams said it would be better if public works sprayed those areas.

### Police Department

There was no representative from the police department present. Council was provided a report in their packets.

### Town Manager

Mr. Jimmy Williams, Town Manager, informed council that a new truck has been purchased but has not been driven yet. Ms. Still asked if public works is aware that they could not use tobacco in the new truck. Mr. Williams said he has told public works not to use tobacco in any town vehicles. Mr. Mooney asked Mr. Williams to check and make sure that rule is being followed.

Mr. Mooney asked Mr. Williams if he has checked on the trailer park ordinances. Mr. Williams advised he has been out of the office for two weeks and has not been able to read the ordinances. Ms. Still asked if the trailer parks have business licenses. Mr. Mooney asked Mr. Williams to check and see what other towns do concerning trailer parks.

Mr. Williams advised council that the new town website is up and running and he is in the process of adding the council meetings to the site. Mr. Williams told council that town hall is in dire need of computers. Mr. Mooney asked Mr. Williams to get prices for replacing all the computers in town hall. Mr. Williams said he is in the process of doing that.

He informed Mr. Mooney that he is gathering the information that Lenowisco needs for the wastewater study. Mr. Mooney asked Mr. Williams to compile a list of boards, members and terms for the next meeting. Ms. Still asked if all non-working hydrants have been painted black. Mr. Williams said the hydrants have been painted. Council discussed replacing lights throughout the town.

Mr. Williams advised council that the grant for the police cars and the backhoe is in the final stages of approval. Mr. Joe Still asked about the dump truck needed to haul asphalt. Mr. Williams said the town can use the new dump truck to do that. Mr. Still also inquired about the status of the Waterline Replacement Project. Mr. Williams said the project is nearing completion. Mr. Kiser expressed some concern about how dusty it is at the intersection near Delta Tire and asked Mr. Williams if that section of road could be watered down to help control the dust.

Ms. Still asked how timeclock compliance is coming along. Mr. Williams said he would gather the information. Mr. Kiser asked Mr. Williams to email the information.

Mr. Mooney asked Mr. Williams if the fencing around the town fountain was permanent or if it would be redone. Mr. Mooney said he feels that the fencing is not visually appealing and hides the fountain. Mr. Mooney requested to see the OSHA regulations on railing height and to consider installing new fencing. He asked that before anything is decided about replacing the fencing or the fountain that council be consulted.

Ms. Still asked if Mr. Williams is the only one that operates the marquee downtown. He said at this time he is. Ms. Still suggested that someone else be trained to update the sign. Mr. Williams said he would find someone to do that.

#### Public Works

Mr. Jeff Livingston, Public Works Superintendent, was not present for the meeting. Mr. Williams said that public works has been working non stop and there are a few people on vacation. Ms. Still asked if Camp 18 has been working for the town. Mr. Williams said it has been hit or miss on when Camp 18 can work.

#### Lane Group

There was no representative from The Lane Group present.

#### Treasurer Report

Ms. Cathy Sharpe, Clerk/Treasurer, reported a posted cash balance of \$250,856.70 as of 9/8/22. She reported outstanding checks in the amount of \$71,487.06, accounts payable due in the amount of \$37,206.70 and interim accounts payable in the amount of \$815,550.62; this amount includes checks for the Water System Improvement Project. After deducting the accounts payable due and outstanding checks, the reconciled balance was \$142,162.94.

Ms. Sharpe presented meeting minutes for August 8, 2022 regular meeting and August 22, 2022 special called meeting.

Ms. Sharpe reported three additional deposits since reports had been presented for the meeting. Thursday's deposit was \$5,360.70, Friday's deposits was \$8,174.00 and today's deposit was \$5,539.39 making the total cash availability \$161,237.03.

Ms. Sharpe informed council that the VRA payments are made in January, May, July, and November. Mr. Mooney asked if the town is finished with PayCom. Ms. Sharpe said that the town is still waiting on the FUTA tax refund check. Mr. Williams said it should be here in two weeks.

Ms. Still asked what work was done on the million gallon tank. Mr. Williams asked Mr. Brian Markham what was repaired. Mr. Markham said the transmitter in the radio was repaired. Ms. Still asked about cleaning the tanks. Mr. Markham said the tanks will most likely be cleaned in the spring after the water line project is complete.

Mr. Joe Still asked about the payment on the Wise County PSA Consolidation Study. Mr. Williams said that is a draw down for payment for the study. Mr. Joe Still asked about the payment to T&B Contractors for charcoal filter and filter media. Mr. Markham said that is for refurbishing the filters and the media that goes in them. Mr. Charles Collins asked if the town would be reimbursed for the flocculator that was replaced. Mr. Markham said that is something the town paid for. Mr. Jeff Kiser asked about the payment of \$78,495.30 for the F550. Mr. Kiser said he expected that to be \$100,000 and Mr. Williams informed him that he found a better deal.

Mr. Kiser asked about the pump in Powerstown. Mr. Williams said it should be around \$18,000 to replace. Mr. Williams said that Mr. Jeff Livingston would know more about that.

Ms. Sharon Still made a motion to accept the total accounts payable due as presented. Mr. Joe Still seconded the motion, which resulted in all Ayes.

Ms. Sharon Still made a motion to accept the interim accounts payable due as presented. Mr. Joe Still seconded the motion, which resulted in all Ayes.

Ms. Sharon Still made a motion to accept the August 8, 2022 regular meeting minutes as presented. Mr. Joe Still seconded the motion, which resulted in all Ayes.

Ms. Sharon Still made a motion to accept the August 22, 2022 special called meeting minutes as presented. Mr. Joe Still seconded the motion, which resulted in all Ayes.

#### Attorney Report

William Sturgill, Town Attorney, said that most of the information he had to discuss has been covered. He said he would like to go into close session under (A8).

Ms. Still asked if the fee for the Dial My Calls was monthly or yearly. Mr. Williams said it is a yearly fee. There was a discussion about the timing of the calls. Mr. Mooney suggested sending out calls after the close of the business day to lessen the time staff spends answering questions about the calls. Ms. Still said she thinks the more the system is used, the more comfortable the people will be with it. The reporter from the Coalfield suggested printing a notice about the use of the new system in the paper.

**Old Business:**

- A. Resolution for USDA Grant Funding for Purchase Police Vehicle - Follow up
- B. Resolution for USDA Grand Funding for Purchase Public Works Vehicle - Follow up

Mr. Williams updated Council on this earlier in the meeting. Mr. Mooney restated that the town would be receiving \$52,500.00 for the purchase of a police vehicle and \$97,300.00 for the purchase of a backhoe for public works.

- C. Replacing the old Mule for Public Works - Mr. Jeff Kiser noticed during the Guest River Rally that the mule that public works uses almost daily is in need of replacement. He said the windshield is gone and it is not running well. It used to be used to plow parking lots and is no longer able to do that. Mr. Williams advised he would like to get a mule with a plow attachment. Mr. Mooney said he would like to have the mule added to the list that public works was asked to make. Mr. Mooney would also like to see the list prioritized and have the items priced.

Mr. Kiser made a motion to allow Mr. Jimmy Williams to purchase a mule on EVA and up to \$3,000.00 for a snowplow attachment. If a Mule cannot be found on the EVA site, Mr. Williams will need to bring three bids before council. Mr. Deventae Mooney seconded the motion. A roll call vote resulted in all Ayes.

Mayor Deventae Mooney made a motion to enter into closed session in accordance with Virginia Code §2.2-3711 (A1) to discuss performance of Town of Coeburn personnel and §2.2-3711 (A8) to discuss with legal counsel pertaining to legal matters. Mr. Jeff Kiser seconded the motion, which resulted in all Ayes.

**Closed Session:**

Immediately following closed session, Mr. William Sturgill read “Certification of Closed Meeting”, which is attached to these minutes and made a part hereof. A roll call vote certifying that only business matters that were identified in the motion convening were discussed or considered. The roll call vote resulted in all Ayes.

There were no actions resulting from Closed Session.

**Council Comments and Concerns:**

Carles Collins - Mr. Collins had no comments or concerns.

Joe Still - Mr. Still had no comments or concerns.

Jeff Kiser - Mr. Kiser had no comments or concerns.

Sharon Still - Ms. Still thanked everyone for the work they do. She said she is concerned that there appears to be a divide in the town and feels that council is the same council it was and that it does not matter who sits where, they will continue working for the betterment of the town.


Deventae Mooney - Mr. Mooney thanked council and all town employees for the work they do. He extended his thanks to the Coeburn Improvement Association for the work they did organizing the Guest River Rally. Mr. Mooney said everyone seemed to have had a good time. Mr. Mooney agrees with Ms. Still's concerns and would like to see council carry on the work they have been doing moving the town forward.

**Adjournment:**

Mr. Deventae Mooney made a motion to adjourn the meeting. Ms. Sharon Still seconded the motion, which resulted in all Ayes.

Respectfully Submitted,

  
Attest: Cathy Sharpe, Clerk

  
Deventae Mooney, Mayor