

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
MONDAY, NOVEMBER 6, 2017 – 6:30 PM  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular Council meeting of the Abingdon Town Council was held on Monday, November 6, 2017 at 6:30 p.m. in the Council Chambers of the Municipal Building.

**A. WELCOME - Mayor Lowe**

**B. ROLL CALL – Cecile Rosenbaum, Asst. Town Manager/Clerk**

Members of Council Present:

Mrs. Cathy C. Lowe, Mayor  
Mr. Richard E. Humphreys, Vice Mayor  
Mr. Robert M. Howard  
Mrs. M. Cindy Patterson  
Mr. J. Wayne Craig

Administrative/Town Staff:

Greg Kelly, Town Manager  
Cecile Rosenbaum, Asst. Town  
Mgr/Clerk  
CJ McGlothlin, IT Department  
Chuck Banner, Director of Finance  
John McCormick, Fire Chief  
Matt Bolick, Dir. of Public Services/Const.  
Kim Kingsley, Paralegal/Deputy Treasurer  
Jayne Duehring, Director of Tourism  
Floyd Baily, Director of IT  
Tony Sullivan, Police Chief

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Members of Boy Scout Troop 222

- Colin Graham
- Ian Cole
- Jack Bundy
- Isaac Thiessen
- Braiden Mock
- Dalton Casey

- Haynes Carter
- Jessica Carter
- Chrissy Mock
- Matt Bundy

**D. APPROVAL OF MINUTES (VIDEO 8:24 – 8:57)**

**On motion by Mrs. Patterson, seconded by Mr. Howard, the Council, approved the minutes of the October 16, 2017 Regular meeting as presented.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**At this time, Mayor Lowe commented that she wished to deviate from the agenda requesting a Motion to hear a matter scheduled for closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(7) for the purpose of discussing actual or probable litigation involving personnel as the Council's attorney was present at this time. (VIDEO 8:59 – 28:13)**

**Mr. Craig made a motion, seconded by Mr. Howard, to move the Closed Session scheduled for later on the agenda and listed as Section 2.2-3711(A)(7) for the purpose of discussing actual or probable litigation involving personnel, to the beginning part of the meeting.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**Let the record reflect that Ramesh Murthy, Attorney for the Abingdon Town Council, joined Council members in closed session.**

**On motion of Mr. Humphreys, seconded by Mr. Howard, the Council reconvened in regular session.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**Cecile Rosenbaum, Asst. Town Manager and Clerk, read the following certification to be adopted by the Council members:**

*WHEREAS, the Council of the Town of Abingdon, Virginia has convened in a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions set forth in the Virginia Freedom of Information Act; and*

*WHEREAS, Sec. 2.2-3712(D) of the Code of Virginia, 1950, as amended, requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law; and*

*NOW THEREFORE, be it resolved, that the Council of the Town of Abingdon, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from an open meeting requirement by Virginia law were discussed in closed meeting to which this certification resolution applies 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.*

**The certification was as follows:**

<b>Mr. Craig</b>	<b>I so certify</b>
<b>Mrs. Patterson</b>	<b>I so certify</b>
<b>Mr. Howard</b>	<b>I so certify</b>
<b>Mr. Humphreys</b>	<b>I so certify</b>
<b>Mayor Lowe</b>	<b>I so certify</b>

**On motion of Mr. Craig, seconded by Mrs. Patterson, the Council reconvened in open session.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**On motion by Mr. Craig, seconded by Mr. Humphreys, the Council to instruct PennStuart to enter into mediation of a pending EEOC complaint.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**E. PUBLIC COMMENTS (VIDEO 29:00 – 36:17)**

- Jim Moore, 133 College Street
- Emmitt Yeary, 171 East Main Street, Veterans Memorial Park
- Joe LeVine, 350 Green Spring Road

**F. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES –  
*NONE***

**G. SECOND READINGS – NONE**

**H. CONSIDERATION OF BIDS – NONE**

**I. REPORTS FROM THE TOWN MANAGER/ASSISTANT TOWN MANAGER**

1. Presentation of 2016 Economic Impact of Tourism Study released September, 2017 – *Jayne Duehring, Director of Tourism* (VIDEO 36:50 – 50:50)

Jayne Duehring, Director of Tourism, presented the findings of the 2016 Economic Impact of Tourism Study and the impact tourism had on the Town of Abingdon and Washington County. Mrs. Duehring also discussed upcoming events and changes to the Tourism website.

2. Consideration of Council member to attend a meeting with Washington County Service Authority and Washington County Board of Supervisors (date not yet confirmed for meeting) - *Gregory W. Kelly, Town Manager* (VIDEO 50:58 - 54:25)

Mr. Kelly requested that a Council member be considered to attend an upcoming meeting with the Washington County Service Authority and the Washington County Board of Supervisors to discuss sewer expansion in certain areas of the County. Discussion ensued and Mayor Lowe and Mr. Craig will attend the meeting when it is scheduled.

3. Review investigation of reported Meadows graves as recommended by DHR and re-evaluation of ground penetrating radar – *Cindy Patterson, Council Member* (VIDEO 54:28 – 1:09:35)

Mrs. Patterson stated that Mr. (Joe) LeVine outlined some of the matters and she would like to get a timeline on record. Mr. Craig stated that he believes that the search for graves should continue and that permission should be granted to explore the property. Mr. Kelly stated that he does not have legal authority to authorize anyone to go onto others property. Discussion further ensued.

**On motion by Mr. Craig, seconded by Mrs. Patterson, the Council to instruct the Town Manager to arrange for access to the 70 acres Meadows development site for the Washington County Cemetery Preservation Association and local residents to search for local graves as recommended by DHR.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Nay</b>
<b>Mr. Humphreys</b>	<b>Nay</b>
<b>Mayor Lowe</b>	<b>Nay</b>

**J. RESOLUTIONS**

1. Resolution of the Council of the Town of Abingdon, Virginia to establish a project for the Abingdon Urban Path Extension in accordance with Commonwealth Transportation Board construction allocation procedures – *Gregory W. Kelly, Town Manager (VIDEO 1:09:44 – 1:13:59)*

Matt Bolick, Director of Public Services and Construction, addressed the Council to advise that the current Urban Path is ready to begin, however there is additional funding to expand the path available through the Commonwealth Transportation Board for the Urban Trail project. Mayor Lowe read said Resolution.

**On motion by Mr. Craig, seconded by Mrs. Patterson, the Council adopted the Resolution to establish a project for the Abingdon Urban Path Extension in accordance with Commonwealth Transportation Board construction allocation procedures.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

2. Resolution of the Council of the Town of Abingdon, Virginia supporting and authorizing the Town Manager to submit an application to the Virginia Department of Transportation (VDOT) Highway Safety Improvement Program in the amount of \$306,902 for FY 2019 for two (2) projects; and authorizing the Town Manager to take necessary certain actions in connection with such projects. - *Gregory W. Kelly, Town Manager (VIDEO 1:13:60 – 1:20:50)*

Mr. Bolick, Director of Public Services and Construction, addressed the Council advising that this is 100% VDOT funding for two sidewalk projects. Those areas will include East Main Street in the area of Hillman Highway to Dollar General and the second area will be on Clark Street to Whites Mill to Court near the Munchin Park. Discussion ensued. Mayor Lowe read said Resolution.

**On motion by Mr. Howard, seconded by Mr. Humpreys, the Council adopted the Resolution supporting and authorizing the Town Manager to submit an application to the Virginia Department of Transportation Highway Safety Improvement Program in the amount of \$306,902 for FY 2019 for two (2) projects; authorizing the Town Manager to take necessary certain actions in connections with such projects.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**K. OLD BUSINESS – NONE**

**L. COUNCIL MEMBER REPORTS (VIDEO 1:20:55 -**

Mr. Craig reported that someone should be contacting the Town from Sunset Communications.

Mrs. Patterson stated that the Veteran's Day dedication on November 11<sup>th</sup> at 11 am at the Veteran's Park.

Mr. Howard stated that the District III funding will be held on Wednesday, November 8<sup>th</sup> in Bristol.

**(VIDEO 1:21:42 – 1:25:41)**

Mr. Howard also stated that a decision needed to be made with regard to Emmitt Yeary's request on behalf of the Veteran's Park. Mr. Kelly stated that this would be an appropriate time to act on this matter. Mr. Kelly also stated that the Planning Commission unanimous decision to proceed. Discussion ensued.

**On motion by Mr. Craig, seconded by Mrs. Patterson, the Council approve the plans presented and allow them to proceed for the building of restrooms in the Veterans Park.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**(VIDEO 1:25:49 – 1:27:00)**

**On motion by Mr. Humphreys, seconded by Mr. Craig, for an addition to the November 15<sup>th</sup> work session agenda to include the employee policy and evaluations.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

Mayor Lowe read a letter from Jane Rice Reeves resigning from the Planning Commission and the Board of Zoning Appeals effective immediately. Mayor Lowe stated that the Council will greatly miss her.

Mayor Lowe read a letter received from the Coalition against Bigger Trucks.

Mayor Lowe stated that she received a letter from VML regarding “If I was Mayor” and she has contacted the principal of E. B. Stanley Middle School with regard to that contest.

Mayor Lowe advised Council that a meeting with regard to the public transportation funding (District III) was scheduled for November 8, 2017 at 2:00 pm however she will not be able to attend. Mayor Lowe suggested that the Treasurer attend the meeting.

#### **M. APPOINTMENTS TO BOARDS AND COMMITTEES**

##### **1. Planning Commission (1:32:23 – 1:33:00)**

**On motion by Mr. Humphreys, seconded by Mr. Howard, to reappoint Wayne Austin to the Planning Commission for another term.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**2. Virginia Highlands Small Business Incubator (VIDEO 1:33:01 – 1:34:28)**

**On motion by Mr. Howard, seconded by Mr. Humphreys, to appoint ~~reappoint~~ Gary Lester to the Virginia Highlands Small Business Incubator.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Abstained</b>

Mayor Lowe declared the meeting adjourned.

  
Cathy C. Lowe, Mayor

  
Cecile Rosenbaum, Clerk