

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
MONDAY, JANUARY 8, 2018 – 6:30 PM
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular Council meeting of the Abingdon Town Council was held on Monday, January 8, 2018 at 6:30 pm in the Council Chamber of the Municipal Building.

A. WELCOME by *Mayor Lowe*

B. ROLL CALL – *Cecile Rosenbaum, Town Clerk*

Members of Council Present:

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

Administrative/Town Staff:

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

D. PLEDGE OF ALLEGIANCE – Council Member Cindy Patterson led the Pledge of Allegiance.

C. Consideration of Possible Closed Session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended for the purpose of discussing possible or probable legal action. (VIDEO 7:19 – 22:59)

On motion by Mr. Humphreys, seconded by Mr. Craig, Council went into closed session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended for the purpose of discussing possible or probable legal action.

Ms. Patterson inquired if it was regarding the EEOC matter.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

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

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

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:

Mr. Craig	I so certify
Ms. Patterson	I so certify

Mr. Howard	I so certify
Mr. Humphreys	I so certify
Mayor Lowe	I so certify

E. APPROVAL OF MINUTES (VIDEO 23:06 – 23:25)

On motion by Mr. Craig, seconded by Mr. Howard, the Council approved the minutes of the December 4, 2017 Regular meeting as presented.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

F. PUBLIC COMMENTS – (VIDEO 23:29 – 34:51)

- Nan Harman, 498 Green Spring Road
- Joe Levine, 350 Green Spring Road
- Donna Levine, 350 Green Spring Road
- Stephen Jett, 333 Court Street

G. SPECIAL PRESENTATIONS – POLICE DEPARTMENT

At this time, Tony Sullivan, Chief of Police presented three (3) officers with a plaque in honor of their years of service to the town as well as their duty firearm. The retiring officers were School Resource Officer Allen Hay, Patrol Sargent Charlie Overbay and Lieutenant Bill Snodgrass. Mayor Lowe thanked the officers for their dedication to the town.

Chief Sullivan reported that the retiring officers left vacancies in the department and that two (2) officers had been chosen to serve as Sergeants for the Department. Chief Sullivan noted that candidates are selected by their peers and interviewed extensively for the positions. Assistant Town Manager/Town Clerk, Cecile Rosenbaum, administered the oaths of office to Officer Blake Eads and Officer Eric Lucy. (VIDEO 35:00 – 54:00)

**H. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES –
None**

I. SECOND READINGS – None

J. CONSIDERATION OF BIDS

1. Consideration of Bids for Green Spring Road Realignment Project – Project Number 4000-140-274-PE101; VDOT UPC Number 107752 – **Matt Bolick, Director of Public Services and Construction (VIDEO 55:25 – 1:14:12)**

Matt Bolick, Director of Public Services and Construction presented the bid results for the Green Spring Road relocation project. Mr. Bolick noted that this project is beneficial in that it will provide improvement to the Town's traffic network as well as add a safer and more efficient intersection at Green Spring Road and Cummings Street. Mr. Bolick noted that this project does qualify for revenue sharing funds at a 50/50 match. Mr. Bolick reported that the Town staff, by VDOT, and an independent engineering consultant hired by the Town, have reviewed the plans. Mr. Bolick recommended that the Council accept the lowest bid of Baker's Construction Services, Inc. of Bluff City, Tennessee, with a base bid in the amount of \$4,519,983.44, and to further authorize the Town Manager to execute all paperwork for this project pending final review from VDOT.

Mr. Craig inquired about the process for the bid documents, the design of the road, the one lane roundabout and the traffic impact analysis by Davenport and Company.

At this time, Mr. Craig moved, with a second by Ms. Patterson, the Council, that this matter be referred to the infrastructure committee for a recommendation and that the Town Manager be instructed to forward the bids, bid documents and Davenport traffic study to AMT for additional review and comment.

Mr. Craig and Ms. Patterson inquired if the citizens had reviewed the traffic study and whether a public hearing had been held regarding that design process. Mr. Kelly noted that several citizen input meetings had been held early in the project relative to the road and the development. Mr. Howard questioned Mr. Craig about the timeframe for the infrastructure committee to review the documents. Mr. Craig responded that he felt it could be done without very much delay. Discussion continued and Mr. Humphreys called for question. Mr. Howard asked how the proposed roundabout differed from The Falls one lane roundabout.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Nay
Mr. Humphreys	Nay
Mayor Lowe	Nay

On motion by Mr. Humphreys, seconded by Mr. Howard, the Council accepted the low bid of Baker Construction Services of \$4,519,983.44 for the Green Springs Road Realignment Project Number 4000-140-274-PE101; VDOT UPC Number 107752 and authorized the Town Manager to execute all documents necessary to move the project forward.

The roll call vote was as follows:

Mr. Craig	Nay
Ms. Patterson	Nay
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

K. Reports from the Town Manager/Assistant Town Manager

1. Consideration of Certificate of Public Necessity for Eller Taxi Service, LLC, 214 Park Street, Office 6, Abingdon, Virginia – *Greg Kelly, Town Manager (VIDEO 1:14:23 – 1:36:26)*

Sabrina and Kevin Eller addressed the Council with regard to establishing a taxi service in the Town of Abingdon. Sabrina Eller stated that they presently operate a taxi service in Chilhowie and Marion. At this time, she explained that their present location of 214 Park Street had complications and they wished to move their business to 25276 Lee Highway, Suite 6. Mr. Kelly, Town Manager, stated that the business needed to be located in the Town limits if they wished to operate in the town. Mr. Kelly further explained that the Town's ordinance is very specific and that a public hearing must be advertised prior to the Council's action on the certificate of public necessity. Mr. Kelly further noted that the town has not received an application for a taxi service for as long as he has been employed by the Town. Ms. Eller commented that she felt the application process was complicated and Mayor Lowe asked if Ms. Icenhour and Ms. Rosenbaum could meet with them to get the process moving forward.

2. Consideration of request from Virginia Highlands Airport Authority for reimbursement of a portion of expenses incurred to defend Appalachian Power Company's proposed South Abingdon 138kV power line – *Mickey Hines, Airport Manager (VIDEO 1:36:28 – 2:08:39)*

Mickey Hines, Airport Manager, addressed the Council with regard to expenses in the amount of \$116,000 that the Virginia Highlands Airport Authority incurred as a result of two years of litigation with Appalachian Power Company's proposed South Abingdon 138Kv power line that would greatly affect the extension of the Airport's runway. John White, Chairman of the Virginia Highlands Airport Authority, asked Council if they would consider reimbursing the Airport for a portion of the expenses. Mayor Lowe disclosed that her husband is a member of the Airport

Authority, representing the Harrison District, and that she would not vote on this issue. Discussion ensued. Mayor Lowe asked that a non-departmental budget request be mailed to the Airport Authority for consideration during the upcoming 2018-2019 budget.

Mayor Lowe requested a five-minute recess.

3. Presentation of Traffic Impact Analysis for Green Spring Road as requested by Wayne Craig, Council Member – Davenport representative (VIDEO 2:14:46 – 2:32:24)

Mr. Andrew Hayes with Davenport & Associates addressed the Council with regard to the Traffic Impact Analysis for Green Spring Road. Mr. Hayes stated that the traffic impact study was completed in June 2017. He stated that the objectives were to determine the proposed impacts from the proposed Meadows Development on the neighboring streets view the operations of Cummings corridor, review the Green Spring Road realignment, and the VDOT Exit 17 Interchange project.

Mr. Craig renewed his objections from earlier in the meeting relative to the Green Spring Road realignment project and discussion ensued.

Mr. Craig renewed his earlier motion to refer this matter to the infrastructure committee to look at and bring back to Council for a recommendation. No second was made.

Greg Kelly, Town Manager, commented that Council had authorized the bid award for the Green Spring Road project earlier in the meeting but noted that he needed direction from the collective majority of the Council if they were not going to move forward with the construction. Mr. Craig again stated his objections to the project and the design and asked that it be referred back to the infrastructure committee for comment. Mr. Kelly stated that he did not feel that a motion was necessary as the infrastructure committee meets next week and he will place it on the agenda for discussion and report back at the February Council meeting.

4. Consideration of request to place a fire hydrant at or near Trestle #7 adjacent to the Virginia Creeper Trail – Greg Kelly, Town Manager (VIDEO 2:32:41 – 2:34:57)

Greg Kelly, Town Manager, stated that Charlie and Steve Smith who own a farm adjoining the trestle #7 property contacted him. The Smiths requested the Town's support of the installation of a fire hydrant near Trestle #7 while the Washington County Service Authority was placing a new water line.

On motion by Mr. Humphreys, seconded by Mr. Howard, the Council is in support of Mr. Kelly writing a letter to the Washington County Service Authority requesting a fire hydrant be placed at Trestle #7.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

5. Abingdon Main Street quarterly update – Carrie Baxter, Director of Abingdon Main Street (VIDEO 2:35:59 – 2:42:50)

Carrie Baxter, Director of Abingdon Main Street presented the August 2017 – December 2017. (See attached)

6. Update on Council attendance for the VML Legislative Day, January 31st – Gregory W. Kelly, Town Manager (VIDEO 2:42:52 – 2:47:56)

Mr. Kelly stated that staff needed confirmation as to whom would attend so reservations and registration could be completed. Discussion ensued wherein members indicated that they would respond by January 25th.

Mayor Lowe requested that Gregory W. Kelly, Town Manager, briefly update the Council with regard to Enterprise Zone for Washington County, Virginia to include the Town's Stone Mill Business and Technology Park. (VIDEO 2:47:58 – 3:02:09)

Greg Kelly, Town Manager, stated that Washington County is adopting an Enterprise Zone, which is designed to set forth a geographic region within the County where businesses could be solicited and be eligible for grant funds to establish a business. Mr. Kelly noted that we are very fortunate to have the Stone Mill Business and Technology Park and have requested that the County include that property in the Enterprise Zone. Ms. Patterson proposed that signage be placed in the area near the interstate indicating that the town had property for sale in the Tech Park. Discussion ensued.

On motion by Ms. Patterson, seconded by Mr. Humphreys, the Council asked that the town prepare signage regarding the property available for sale in the Technology Park.

Discussion ensued and Mr. Humphreys called for the question.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

L. RESOLUTIONS – NONE

M. OLD BUSINESS/MATTERS NOT ON THE AGENDA

1. Report on request for lighting at the town's dog park – *Kevin Worley, Director of Outdoor Parks & Recreation (VIDEO 3:02:09 – 3:15:33)*

Kevin Worley, Director of Outdoor Parks & Recreation, stated that the dog park opened in 2010 with established hours of dawn till dusk per local town park rules. Mr. Worley noted that lighting the dog park could cause safety and security challenges as well as increased costs to light all the parks in town. Mr. Worley estimated the cost for installation of lighting at the dog park to be \$30,000, but noted that a request for proposal was not completed and would also require an amendment to the current Ordinance. Discussion ensued and it was agreed that this matter would be referred to the Parks & Recreation Commission for consideration and brought back for review.

On motion by Mr. Craig, seconded by Mr. Humphreys, Council authorized Penn Stuart to represent the Town Council in the December 27th EEOC complaint filing and instructed the Town Manager to pay any legal expenses out of the General Fund.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

N. COUNCIL MEMBER REPORTS (VIDEO 3:15:34 – 3:41:04)

Mr. Craig reported that the Sunset transaction for the purchase of BVU Optinet is on hold for the time being.

Ms. Patterson read a statement regarding the December 2017 by David Rose of Davenport and Associates. (See attached).

On Motion by Ms. Patterson, seconded by Mr. Craig, to have an independent comprehensive financial analysis performed on The Meadows project and should contain details of cost revenue and the fundamental assumptions used to develop that data. This analysis should be used by the Town and shared with the citizens of Abingdon.

Discussion ensued by all members of Council and Gregory W. Kelly, Town Manager.

Mr. Humphreys called for question. Ms. Patterson stated that Mr. Craig had a question. Mr. Humphreys withdrew his question.

Further discussion ensued.

Mr. Humphreys called for question. Ms. Patterson stated her motion again:

On Motion by Ms. Patterson, seconded by Mr. Craig, to have an independent comprehensive financial analysis performed on The Meadows project and should contain details of cost revenue and the fundamental assumptions used to develop that data. This analysis should be used by the Town and shared with the citizens of Abingdon.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Nay
Mr. Humphreys	Nay
Mayor Lowe	Nay

Mr. Humphreys stated that he had been given a framed sign that will be used in the Veteran's Park to honor women in the armed forces and a formal presentation will be forthcoming.

Mayor Lowe stated that that she has attended all the meetings and forwarded all correspondence from citizens. Mayor Lowe read a letter from Greg Case thanking Kevin Worley, Director of Outdoor Parks & Recreation.

O. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 3:41:06 – 3:42:01)

1. Abingdon Redevelopment and Housing Authority

- Appointment to fill the expired term of Dan Smith who did not wish to be reappointed.

2. Tourism Advisory Board

- Appointment to fill the expired term of Susan Yates, The Arts Depot, who is not eligible for reappointment.

3. Economic Development Authority

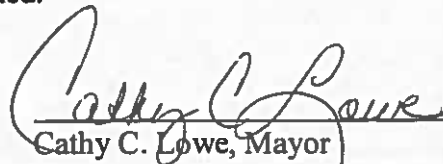
- Appointment to fill the expired term of Milton Maiden, who is not eligible for reappointment.

On motion by Mr. Howard, seconded by Mr. Craig, Council asked that the appointments to committees be continued until next month.

The roll call vote was as follows:

Mr. Craig	Aye
Ms. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

Mayor Lowe declared the meeting adjourned.


Cathy C. Lowe, Mayor


Cecile Rosenbaum, Clerk



Abingdon Main Street Report August 2017 –December 2017

Abingdon Main Street (AMS) is an accredited Main Street program. *“Main Street America (MSA) is the nationally –recognized downtown revitalization program anchored by the National Main Street Center’s Four Point Approach.”* The four points are Design, Organization, Promotions, and Economic Vitality. In August 2017 a transition year began for AMS. Focus for 2018 is on implementing the four points and creating a solid work plan that will meet the standards set by the National Main Street programs.

DESIGN: *“supports a community’s transformation by enhancing the physical and visual assets that set the commercial district apart.”* AMS and the Economic Development Authority partnered to provide a façade improvement grant to 3 downtown businesses. Improvements to Wolf Hills Antiques, Potters Options and Zephyr’s Antiques were completed during the 1st and 2nd quarter of the FY2017-2018. Plans are in motion to continue the Façade Improvement Grant in 2018.

“An Old Fashioned White Christmas” met the visual aspects of Design. The window display contest enhanced the look of Abingdon during the holiday season.

ECONOMIC VITALITY: *“focuses on capital, incentives, and other economic and financial tools to assist new and existing businesses, catalyze property development, and create a supportive environment for entrepreneurs and innovators that drive local economies.”* The Washington County Small business challenge organizers have brought AMS on board. The Executive Director will serve as a mentor for the challenge.

In October Marc Wilson, a small business consultant came to Abingdon. AMS was one of the hosts who organized this visit. Mr. Wilson’s provided one on one consulting and a class room learning experience for merchants.

PROMOTION: *“positions the downtown or commercial district as the center of the community and hub of economic activity, while creating a positive image that showcases a community’s unique characteristics.”* Numerous events have taken place since August that are in line with the promotion criteria. Busker Fest is a market driven event that correlates Abingdon’s artistic nature and tourism. Buskers are placed around town and in front of business to increase foot traffic during Labor Day weekend. This year the festival was plagued by a weather anomaly that discouraged locals and tourist from participating. However, our shop keepers and restaurants still reported positive sales for that day and weekend. The participating artists also said they would to return in 2018. Planning stages are moving to bring Busker Fest back in 2018.

Abingdon's "Old Fashioned White Christmas" was a coordinated effort between, AMS, Community Development Director Tonya Triplet, Tourism Marketing Director Amanda Livingston, and Barter Theatre's marketing director Kalonn Roberts. For the first year the following activities occurred: Sunday, November 19, 2017, 1st Annual Holiday Merchant Open House and window display unveiling; Shop Small Saturday, Saturday, November 25, 2017, which included caroling by the Barter Players and roasted chestnuts from the American Chestnut Foundation; and Saturday, December 9, 2017 was the announcement of the winner of the window display contest. Including the town events such as the tree lighting and the Christmas parade, we were able to market this as a month long celebration of Christmas in Abingdon. A survey was conducted after the open house in which entrepreneurs reported very impressive sales. Using this measurement it has been deemed very successful and will return the Sunday before Thanksgiving in 2018. A second survey will be sent out this week to poll business owners about holiday activities and sales for the months of November and December. However, AMS can report that after speaking with several merchants the events did have a positive effect on sales and foot traffic in town.

ORGANIZATION: *"involves creating a strong foundation for a sustainable revitalization effort, including cultivating partnerships, community involvement, and resources for the district."* Communication is a key ingredient in sustaining the organizational aspect. Building relationships between merchants, and Town of Abingdon employees was the first goal met. Monthly reports have been given to Town Manager Greg Kelly as agreed to in the contract between AMS and the Town of Abingdon. Working with Tonya Triplet, Kevin Worley, and the entire tourism staff, Chuck Banner, Mr. Kelly, Ms. Rosenbaum, Kim Kingsley and the town council has been a pleasure and made the transition for AMS very smooth. Approximately 90% of the merchants in the AMS footprint have been visited on multiple occasions. Gaining their trust is imperative in setting and achieving goals. One marker of success on this front is the number of business who participated in the "Old Fashioned White Christmas" events.

External partnerships with the media have also been built. Interviews with WJHL and WCYB were conducted prior to the start of the holiday season to inform the community of the upcoming events. On November 17, 2017 a press conference was held at the Barter Theatre to officially kick off the holiday season on the day "White Christmas" premiered. A second live interview with WJHL was held in partnership with the Barter Theatre and White Birch Juice. A post event article was written in the Bristol Herald Courier that discussed the positive results of this venture.

In addition to the partnerships built with the merchants, the town, and media, AMS is working with other main street communities in Southwest Virginia to advocate for our region as a whole. On Monday, November 6, 2017 a director's lunch was held at Chick-n-Little. Our next lunch will be held in May in St. Paul, Virginia.

Looking forward to 2018 an AMS board retreat has been planned for Saturday, February 3, 2018. At this session a work plan will be set for the year. At this retreat we will be joined by Kathy LaPlante of National Main Street. Ms. LaPlante will aid us in setting the work plan, inspiring volunteers and fundraising goals and strategies. This is a \$3500.00 value that we are afforded by being a member of the Main Street Community.

In conclusion, Abingdon Main Street has met the criteria for the 4 point approach in the style of events conducted, partnerships formed, economic development, and beautification of Abingdon. AMS has also abided by the agreement between TOA and AMS and has completed the reports requested. The requested meetings have been attended with the Tourism Council and Economic Development Authority. Once the work plan has

been finalized the budget will be completed and turned into Mr. Kelly by March, 1, 2018 as requested. On behalf of the AMS Board of Directors I would like to thank the Town of Abingdon for the support they have given the program. Our organization is extremely thankful for the monetary and in-kind support the town has shown us. We are also very appreciative of the support given to the new Executive Director. The accomplishments we have achieved in the last four months would not have been possible with the TOA Council members and staff.

We are looking forward to the possibilities 2018 holds for this continued partnership and we thank you for your time.

Carrie Baxter
Executive Director

After our Town Council meeting in December when Mr. David Rose came to educate the Council in regards to their role in determining the financial standings of the Town I became very concerned after learning that the Town of Abingdon has not had a Comprehensive Financial Analysis completed.

WHAT IS A FINANCIAL ANALYSIS REPORT?

Comprehensive Financial Analysis Reports accentuate the strengths and weaknesses of a project or entity, in this case the Meadows project.

Communicating the project's strengths and weaknesses in an accurate and honest manner which is helpful to ensure the Town Council and Abingdon Town Staff understand the economics of the project and if the Town's revenue from the project will pay for itself.

For 21 months we have all been told that a financial analysis has been completed by members of the Town of Abingdon staff for the Meadows project when in fact this is not the case according to Mr. David Rose with Davenport and Company. Mr. Rose stated and was very clear that his analysis focused solely on determining only the fiscal position of the Town of Abingdon. Mr. Rose's company doesn't perform financial business analyses.

Mr. Rose also stated that he used information provided by the Town and Food City and that he didn't examine or evaluate the appropriateness or accuracy of the data provided.

To the best of my knowledge neither the Town Council nor has the Town staff seen a financial analysis, or the assumptions used to develop the data given to Mr. Davenport.

I am in favor of building a sports complex but I think that we should be careful about how we spend the bond money so we don't end up like Bristol at the Falls. Having a detailed comprehensive financial analysis will help us as a Council and the Town staff makes educated decisions.

Additionally we should begin construction immediately of temporary ball fields for our citizens to use until a complex is built.

I am reading this information and would like this copy to be entered into the minutes of the Jan. 8th, 2018 Town Council meeting.