

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
MONDAY, MARCH 7, 2016 – 7:30 PM
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular meeting of the Abingdon Town Council was held on Monday, March 7, 2016 at 7:30 p.m. in the Council Chambers of the Municipal Building.

A. Welcome by Mayor Morgan

B. ROLL CALL

Members of Council Present:

Edward B. Morgan, Mayor
Mrs. Cathy Lowe, Vice Mayor
Mr. Richard E. Humphreys
Mr. Robert M. Howard
Mrs. Jayne A. Duehring

Administrative/Town Staff:

Gregory W. Kelly, Town Manager
Cecile Rosenbaum, Assistant Town Manager
Tonya Triplett, Deputy Clerk
Deb Icenhour, Town Attorney
Kim Kingsley, Deputy Treasurer
Matthew Johnson, Director of Planning
John Dew, Dir. Of Construction/Public Services
Tony Sullivan, Police Chief
Kevin Worley, Director of Parks & Recreation
Kevin Costello, Director of Tourism & Economic Development
Floyd Bailey, Director of IT Department

Visitors:

Jim Moore, Stephen Jett, Jim Brown, Jeff Johnson, Ann Hutton, Doc O'Neal, Paul & Donna Quetsch, Jim Street, Tim Kuykendall, Barry Proctor, Joe & Donna LeVine, Jeff Fox and others

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Lowe.

D. APPROVAL OF MINUTES

- February 1, 2016 Work Session Meeting
- February 1, 2016 Regular Meeting
- February 10, Work Session Meeting

On motion by Mrs. Lowe seconded by Mr. Howard, the Council approved the February 1, 2016 Work Session Meeting minutes, the minutes of the February

1, 2016 Regular Meeting and the February 10, 2016 Work Session Meeting minutes as presented.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

E. EMPLOYEE RECOGNITIONS

Mr. Kelly, Town Manager recognized John Dew, Director of Public Services and Construction, for ten (10) years of service.

Mr. Kelly, Town Manager recognized Blake Eades, Abingdon Police Officer for ten (10) years of service. Mr. Eades was not available to attend the meeting.

F. RESOLUTIONS – A Resolution Designating April 3rd-April 9th, 2016 as Local Government Educational Week.

Greg Kelly, Town Manager reported Local Government Education Week was started by the Virginia Local Government Management Association, (VLGMA) to bring awareness to the importance of local government. Mr. Kelly noted that he will serve as President of VLGMA next year.

On motion by Mrs. Duehring seconded by Mrs. Lowe, the Council approved the resolution designating April 3rd-April 9th, 2016 as Local Government Educational Week. Mayor Morgan read the Resolution into the record.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA
DESIGNATING APRIL 3RD THROUGH 9TH, 2016 AS LOCAL GOVERNMENT EDUCATION
WEEK**

WHEREAS, since the colonial period, the Commonwealth of Virginia has closely held the institutions of local government; and

WHEREAS, local governments throughout the Commonwealth provide valuable services to the citizens of the communities they serve; and

WHEREAS, citizen services such as law enforcement, public health and safety, recreational opportunities, and educating local children, are most often delivered at the local level; and

WHEREAS, in recognition of the work performed by local governments, the Virginia General Assembly, on February 29, 2012, designated the first week of April as Local Government Education Week in Virginia; and

WHEREAS, April 2, 1908 was the creation of the Council-Manager form of government in the City of Staunton, Virginia thereby making the first week of April appropriate for this designation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Abingdon, Virginia that April 3rd through April 9th, 2016 is hereby designated as Local Government Education Week; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the Town of Abingdon, Virginia and the Washington County, Virginia School Board will partner to promote the civic education and engagement in an effort to educate citizens about their local government, strengthen the sense of community, and engage the next generation of local government managers.

TOWN OF ABINGDON, VIRGINIA

By: _____

Mayor

By: _____

Town Manager

The undersigned clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Council held on March 7, 2016. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution was as follows:

MEMBERS	ATTENDANCE	VOTE
Edward B. Morgan, Mayor	Present	Aye
Cathy C. Lowe, Vice Mayor	Present	Aye
Robert M. Howard	Present	Aye
Richard E. Humphreys	Present	Aye
Jayne A. Duehring	Present	Aye

WITNESS MY HAND and the seal of the Town of Abingdon as of March 8, 2016.



Sonya Driplitt
Deputy Clerk, Town of Abingdon

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

H. SECOND READINGS OF ORDINANCES – None.

I. CONSIDERATION OF ANY BIDS – None.

J. REPORTS FROM THE TOWN MANAGER - *Greg Kelly, Town Manager*

1. Consideration of Mutual Aid and Cooperation Agreement For Law Enforcement Services For Town of Abingdon, VA and Washington County, VA.

Greg Kelly, Town Manager stated this is a mutual agreement between the Town of Abingdon and Washington County that allows Law Enforcement Services to be shared when necessary. Mr. Humphreys inquired about the content of the agreement.

On motion by Mr. Howard seconded by Mrs. Duehring, the Council authorized Greg Kelly, Town Manager to execute all necessary documents for the Mutual Aid and Cooperative Agreement for Law Enforcement Service for Town of Abingdon, VA and Washington County, VA.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

2. Authorization of Town Manager to enter into a contract for health insurance plan for town employees for the FY 2016/17 plan year.

Greg Kelly, Town Manager reported Sam Brown, Employee Benefits consultant for Local Choice Insurance, attended the Work Session meeting and reported there will be no rate increase in health insurance premiums this year. Mr. Brown noted the town had a good year relative to employee claims.

On motion by Mrs. Lowe seconded by Mr. Humphreys, the Council authorized Greg Kelly, Town Manager to enter into a contract and authorized Mr. Kelly to execute all documents necessary for health insurance for town employees for FY 2016/17 plan year.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

3. Board of Viewers report for proposed partial road closure of Rugby Terrace

John Dew, Director of Public Services and Construction reported that he had been requested by residents in the Rugby Terrace/Oxford/Cambridge Streets neighborhood to consider a barricade to help eliminate cut-through traffic. Mr. Dew noted that Council approved a temporary barricade on September 8, 2015. A public hearing on the matter was held on January 4, 2016 and a Board of Viewers was appointed to consider a street closure and make a recommendation to Council. Mr. Dew reported that the Board of Viewers met February 5, 2016 and made the following recommendations: Restricting Rugby Terrace, Oxford and Cambridge Streets to One-way, installing speed bumps, posting reduced speed limit of 15 miles per hour and conducting a Traffic Signal Warrant Analysis for Main/Hutton, Main/Tanner, Main/Trigg intersections. Mr. Dew's recommendation is to close the east leg of Rugby Terrace using removable bollards and signage, leaving the pavement in place for possible emergency or access needs in the future. The closure would create less confusion, installation and maintenance costs would be less for the closure than other alternatives and speed bumps can create problems for snow plows and street maintenance.

Council members agreed to table the issue, to allow time to study the recommendations and asked that the Rugby Terrace issue be placed on the April agenda.

K. OLD BUSINESS

L. MATTERS NOT ON THE AGENDA

- Jeff Fox, Highlands Community Services reported Highlands Community Services has purchased property in Washington County on Walden Road. They plan to build an environmentally friendly facility with a soccer field, playground, walking trail and a gym. The facility will provide counseling for children. Though the property is in the County the proposed driveway to the facility is located on a parcel which lies within the Town of Abingdon, off Baugh Lane and across the street from Woodlawn Terrace. Mr. Fox anticipates about 70 staff members and customers will visit the facility daily, which will be during regular business hours. The facility will be available for public use. Mr. Kelly stated a traffic impact analysis has been completed.
- Floyd Bailey, Director of IT discussed two options for the placement of a siren in the Country Club Section of Town. The first option would place the siren on Glen View Drive and would be the most expensive option. The second and best option would place the siren on County Club Drive and would cover Country Club residents, as well as the new development. The cost is \$17,618.

On motion by Mr. Humphreys seconded by Mr. Howard, the Council approved \$17,618 to purchase a warning siren to be installed on Country Club Drive, the funds to be taken from Council Contingency.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye

Mrs. Lowe
Mayor Morgan

Aye
Aye

- Mayor Morgan explained a call box on the Virginia Creeper Trail is not working. The cost to replace the call box is \$2,500. Mr. Kelly stated there is money in the budget to cover the cost of the repair.
- Barry Proctor, Morning Side Drive, encouraged Council and Planning Commission to work with Food City developer so the Town does not end up with a "cookie cutter" strip mall design. Mr. Proctor stated the town has an opportunity to preserve the 40 acres of The Meadows property that it owns and he encouraged Council to invest in a serious archeological study. Mr. Proctor stated that local resident, Freddie Caudill produced a table of artifacts, which included, cannonballs, coins, buttons from military uniforms and noted they were found on the Meadows property. He also reported a Civil War Confederate Battery that was discovered on The Meadows property. Mayor Morgan stated the town is interested in working with credible organizations to study the property. Mr. Humphreys inquired about the time frame of Mr. Caudill's survey, how it was done and ownership of the artifacts found on the property.
- Doc O'Neal, 480 Valley Street stated one way on Oxford Street is really inconvenient for him to park a trailer. The temporary closure of Rugby Terrace solved all the traffic problems in the neighborhood.
- Paul Quetch, 122 Oxford Street, stated Mr. Dew's recommendation of closing the east leg of Rugby Terrace had decreased the cut through traffic.
- Laura Beth Hale, 483 Valley Street, stated many of the residents in the neighborhood are in favor of Rugby Terrace closure and it eliminated the problem of cut-through traffic better than expected.
- Mr. Humphreys noted his concern about citizens speaking under Matters Not on The Agenda, on an agenda item Council had previously discussed.
- Jim Moore, 133 College Street, stated Abingdon is a designated Virginia Historic Landmark. Mr. Moore encouraged Council to be good stewards of historic preservation.
- Jim Brown, 1051 Clark Street, stated he wanted to address claims that have been made about objects found and archeology studies that were done on property he has owned since 1983 and is now owned by Food City. Mr. Brown stated he has never granted permission to anyone to perform an archeology study until recently when a study was done for the rezoning of the property. Mr. Brown noted that Mr. Caudill quoted in the paper that the objects were found near The Meadows and along the Wilderness Trail, which runs all the way through Abingdon. Mr. Brown stated if a proper archeology study had been done, the items found should have been documented and recorded and that none had been recorded to his knowledge. Mr. Brown questioned if any of the objects were actually found on his property and cautioned the Town against pursuing a lot of expense before determining exactly where the objects were found.

On motion of Mrs. Lowe, seconded by Mr. Humphreys, the 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 consulting with legal counsel regarding a potential legal action.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

On motion of Mrs. Duehring, seconded by Mr. Howard, the Council reconvened in regular session.

The roll call vote was as follows:

Mrs. Duehring	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

The Deputy Town Clerk, Tonya Triplett, 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:

Mrs. Duehring	I so certify
Mr. Howard	I so certify
Mr. Humphreys	I so certify

Mrs. Lowe I so certify
Mayor Morgan I so certify

M. APPOINTMENTS TO BOARDS AND COMMITTEES

On motion by Mr. Humphreys and seconded by Mr. Howard, the Council reappointed Rachel Fowlkes, who was eligible for reappointment, to the Economic Development Authority for a second term.

The roll call vote was as follows:

Mrs. Duehring Aye
Mr. Howard Aye
Mr. Humphreys Aye
Mrs. Lowe Aye
Mayor Morgan Aye

N. COUNCIL MEMBER REPORTS

- Mr. Humphreys reported some complaints from First Bank and Trust and the contractor for the new hotel. John Dew, Director of Public Services and Construction will look into the issues.
- Mrs. Lowe stated the 2016 Washington County Business Challenge winners will be announced at the March 17, 2016 Chamber Breakfast.
- Mrs. Duehring congratulated Kim Kingsley, Deputy Treasure on her recent accomplishment of completion of phase one of her accounting certificate.
- Mayor Morgan inquired about the Wolf Creek Restoration Project. Mr. Dew reported materials are being collected and stored for the project and work will begin soon.

Mayor Morgan declared the meeting adjourned.


Edward B. Morgan, Mayor


Tonya Triplett, Deputy Town Clerk