

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

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

A. Welcome by Mayor Lowe

B. ROLL CALL

Members of Council Present:

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

Administrative/Town Staff:

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

Visitors:

Rich Macbeth, Beth McCoy, Joe and Donna Levine,
Leslie Bradley, Nan Harmon, Bob Trevorrow, Jim
Moore, Jennifer Montgomery, Main Street Director
and others

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Rick Humphreys

D. APPROVAL OF MINUTES

- o September 6, 2016 Regular Meeting minutes
- o October 3, 2016 Work Session Meeting minutes
- o October 3, 2016 Regular Meeting minutes

VIDEO 9:05

On motion by Mr. Craig, seconded by Mr. Humphreys, the Council approved the September 6, 2016 regular minutes of the Town Council subject to the changes indicated in the memorandum from Cecile Rosenbaum to the Town Council.

The changes included additions that (Mayor Lowe stated, that emails had been received by Council members from some town residents requesting the Council consider placing the Meadows house and 40 acres on the National Historic Register) **and also that (Mr. Craig asked Ms. Rosenbaum, Town Clerk, if she had made the changes to the minutes that Mr. Levine had requested. Ms. Rosenbaum noted that she had not made the changes and Council would have to authorize her to do so.)**

The roll call vote was as follows:

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

VIDEO 9:33

On motion by Mr. Howard, seconded by Mrs. Patterson, the Council approved the October 3, 2016 Works Session Meeting Minutes and the October 3, 2016 Regular Meeting Minutes as presented.

The roll call vote was as follows:

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

E. PUBLIC COMMENTS

The following citizens addressed Council:

- Beth P. McCoy, 21039 Green Spring Road

VIDEO 13:03

F. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCE

- 1. PUBLIC HEARING – Consideration of proposed purchase of properties; 3.54 acres, more or less, laying and being in the Madison Magisterial District, Old South Way and Watauga Road area, being a portion consisting of 2.20 acres, more or less, of Tax Map No. 127-A-18, currently owned by John R. and Nina C. White; and being a portion consisting of 1.34 acres, more or less, of Tax Map No. 127-A-10, currently owned by Cornelia H. Counts.**

Kevin Worley, Director of Parks and Recreation stated this project started in 2005 when VDOT awarded the Town revenue sharing funds to improve the Watauga Trailhead portion of the Virginia Creeper Trail. Mr. Worley noted that VDOT has been gracious in allowing the funds to be extended over the years. Appraisals have been completed by an approved VDOT appraiser and have been accepted. The Town of Abingdon will make two additional payments to the property owners, one in FY 2017-2018 and the other in FY 2018-2019. The land value for the White property was \$100,000 and the VDOT appraisal was 30,815. The land value for the Counts property was \$85,000 and the VDOT appraisal was \$21,015.

Deb Icenhour, Town Attorney stated that the legal department recommends the Council authorize the Town Manager to acquire the properties, as to improve the Virginia Creeper Trail parking and restroom facilities located at the Watauga Trailhead.

VIDEO 18:15

Mayor Lowe declared the public hearing open and asked if anyone would like to speak.

Nan Harmon, 498 Green Spring Road inquired what the use of the land would be. Mr. Kelly stated the land would enable expansion of the parking area at the Watauga Trailhead of the Virginia Creeper Trail which would include room for horse trailers, a restroom facility and would be much safer for bikers and pedestrians.

Hearing no other comments, Mayor Lowe declared the public hearing closed.

VIDEO 19:50

On motion by Mr. Humphreys, seconded by Mr. Howard, the Council approved the purchase of properties; 3.54 acres, more or less, laying and being in the Madison Magisterial District, Old South Way and Watauga Road area, being a portion consisting of 2.20 acres, more or less, of Tax Map No. 127-A-18, currently owned by John R. and Nina C. White; and being a portion consisting of 1.34 acres, more or less, of Tax Map No. 127-A-10, currently owned by Cornelia H. Counts, to improve parking and restroom facilities and authorized Greg Kelly, Town Manager to execute any and all documents necessary to complete the transactions.

The roll call vote was as follows:

Mr. Craig

Aye

Mrs. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye
Mayor Lowe	Aye

Council members stated they are pleased to see this project move forward.

G. SECOND READINGS OF ORDINANCES - None

H. CONSIDERATION OF ANY BIDS - None

I. REPORTS FROM THE TOWN MANAGER AND ASSISTANT TOWN MANAGER

VIDEO 23:38

- 1. Consideration of recommendation of proposals submitted for banking services for the town and authorization of the Town Manager to execute all necessary documentation relative to the town's General and Sewer Fund accounts.**

Chuck Banner, Director of Finance reported that RFP's were issued for banking services on September 1st and hand delivered to the banks in town. Mr. Banner confirmed that the RFP was for banking services for the Town for both the general and sewer fund accounts for a 5-year term with five additional one year renewals. Mr. Banner reported that a committee consisting of the Town Manager, Assistant Town Manager and Mr. Banner had reviewed the proposals and interviewed the top three banks. Mr. Banner stated that it was the committee's unanimous recommendation to award the bid to First Bank & Trust due to their qualifications, cost of services, innovative banking technology, and the quality of their services.

VIDEO 24:51

On motion by Mr. Craig, seconded by Mrs. Patterson, the Council accepted the proposal from First Bank & Trust and authorized Greg Kelly, Town Manager and Chuck Banner, Director of Finance to move the operational Sewer and General Fund Accounts to First Bank & Trust.

The roll call vote was as follows:

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

- a. Authorization of Chuck Banner, Director of Finance to move the sewer fund deposit account**

Chuck Banner, Treasurer/Dir. of Finance stated that while reviewing records the auditor found that the town is being charged service fees on the sewer fund deposit account currently held by Bank of America. The auditor recommended moving the account to another bank. Mr. Banner recommended that Council authorize him to include this account with the accounts that will be moved to First Bank and Trust.

VIDEO 27:07

On motion by Mr. Craig, seconded by Mrs. Patterson, the Council authorized Chuck Banner, Director of Finance and Mr. Kelly, Town Manger to move the sewer fund deposit account to First Bank & Trust.

The roll call vote was as follows:

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

VIDEO 28:18

J. RESOLUTIONS

- 1. A Resolution of the Council of the Town of Abingdon for Authorization to Pick up the Employees Contributions, through payroll deduction, to VRS for Past Service Credit Under as provided for under § 414(h) of the Internal Revenue Code.**

Mayor Lowe stated that after discussion in the work session and the recommendation from Cecile Rosenbaum, Assistant Town Manager, Council tabled this issue until more information can be gathered.

On motion by Mr. Humphreys, seconded by Mrs. Patterson, the Council tabled item J1, a Resolution of the Council of the Town of Abingdon for Authorization to Pick up the Employees Contributions, through payroll deduction, to VRS for Past Service Credit Under as provided for under § 414(h) of the Internal Revenue Code until further information is forthcoming.

The roll call vote was as follows:

Mr. Craig	Aye
Mrs. Patterson	Aye
Mr. Howard	Aye
Mr. Humphreys	Aye

Mayor Lowe Aye

2. A Resolution of the Council of the Town of Abingdon Endorsing the town's 2016 Virginia Smart Scale Project Applications.

John Dew, Director of Public Services and Construction stated the resolution will act as a supporting document for the application that was submitted to VDOT in September. Mr. Dew stated that Smart Scale is the current program VDOT has to allocate funds to road projects, and use to be called HB 2. This resolution includes four projects in Abingdon: French Moore Blvd. Extension/Cook Street, W Main/ Route 19, W Main/Jonesboro Road and widening of E Main Street from Hillman Highway to Empire Drive. Mr. Humphreys inquired if cost estimate attachments are required and if the vetting process is affected by estimates that are too high or too low. Mr. Dew stated that cost estimates are required and estimates too high or too low are taken into consideration. There are two pots of money, state and district and projects can be funded from one or the other or both. District has less money but is also less competitive. Mayor Lowe read the resolution (included below).

VIDEO 33:35

On motion by Mr. Howard, seconded by Mr. Craig, the Council approved the Resolution of the Council of the Town of Abingdon Endorsing the town's 2016 Virginia Smart Scale Project Applications.

The roll call vote was as follows:

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



**A Resolution by the Council of the Town of Abingdon, VA Endorsing the
2016 Virginia Smart Scale Project Applications for the Town of
Abingdon, Virginia**

WHEREAS, Virginia's Smart Scale program established a prioritization and scoring process for the Commonwealth Transportation Board to objectively evaluate projects for funding; and,

WHEREAS, Smart Scale is an application based process available for Counties, Cities and Towns, and public transportation agencies to apply for project funding; and

WHEREAS, The Town of Abingdon, Virginia has submitted applications for funding through the Smart Scale process.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Abingdon as follows:

That the following Smart Scale applications for the Town of Abingdon, Virginia are fully supported and endorsed by the Council of the Town of Abingdon:

- *Project: French Moore Jr. Boulevard Extension*
- *Project: US 11 (Lee Highway) at US 19 (Porterfield Highway) Intersection Improvements.*
- *Project: US 11 (Lee Highway) at State Route 140 (Jonesboro Road) Intersection Improvements*
- *Project: Widen US 11 (East Main Street) between Hillman Highway and Empire Drive*

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Abingdon, Virginia that the above listed 2016 Smart Scale Application projects have the full support and endorsement of the Council.

TOWN OF ABINGDON, VIRGINIA

By: Cathy C. Lowe
Mayor

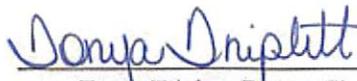
By: Roger W. Kelly
Town Manager

The undersigned clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on November 7, 2016. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, 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 ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Cathy C. Lowe, Mayor	Present	Aye
Richard E. Humphreys, Vice Mayor	Present	Aye
Robert M. Howard	Present	Aye
M. Cindy Patterson	Present	Aye
J. Wayne Craig	Present	Aye

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

(SEAL)



Tonya Triplett, Deputy Clerk
Town of Abingdon, Virginia

K. OLD BUSINESS - None

VIDEO 34:10

L. MATTERS NOT ADDRESSED AT WORK SESSION MEETING

I. Transportation engineering services for the proposed 40 acre Multiple-Use Sports Complex development located on the east side Route 75 (Cummings Street) with direct access to Green Spring Road and North of I-81.

John Dew, Director Public Services and Construction reported the Town sent out RFP's for transportation engineering services for the proposed 40 acre Multiple-Use Sports Complex development located on the east side Route 75 (Cummings Street) with direct access to Green Spring Road and North of I-81. A review committee scored the six (6) proposals received and interviewed three (3) of the firms. The committee recommends Davenport Consulting, who specializes in traffic study impact analysis, is located in South Chesterfield, VA and submitted a proposal for \$68,500.

VIDEO 36:12

On motion by Mr. Craig, seconded by Mr. Humphreys, the Council accepted the proposal from Davenport for the traffic impact study for the sports complex and authorized Mr. Kelly, Town Manger to execute any and all documents necessary to

contract with the firm and further to draw down funds of \$68,500, plus any additional reimbursable expenses from the bond funds.

The roll call vote was as follows:

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

Mrs. Patterson stated that she voted nay due to the recommendation from the Virginia Department of Historic Resources and the survey conducted by SM& E, that the house and 40 acres of The Meadows property are eligible to be listed on the National Registry of Historic Places.

VIDEO 38:28

2. Consideration of January 2017 meeting date.

Mr. Humphreys stated that New Year's Day will be observed January 2, 2017 and the town offices will be closed.

On motion by Mr. Humphreys, seconded by Mr. Howard, the Council approved Wednesday, January 11, 2017 as the meeting date for the January work session and regular meeting, as January 2, 2017 is the observation of New Year's Day.

The roll call vote was as follows:

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

M. APPOINTMENTS TO BOARDS AND COMMITTEES - None

N. COUNCIL MEMBER REPORTS

Mr. Craig reported a fundraiser will be held on November 12 at the Abingdon Community Center to benefit Meals on Wheels. The BVU Board and the Cumberland Plateau Planning District Commission continues to work through the process of selling Optinet.

Mr. Humphreys thanked Mr. Craig for his service on the BVU board.

Mrs. Patterson attended a ribbon cutting at Captain D's, at which time she noticed the noise from I-81 traffic. She also reported work on the Veterans Day Celebration and reported she had met a veteran that signed the peace treaty with Japan. Mrs. Patterson invited everyone to the celebration November 11, 2016 at 11am at the Veterans Memorial Park. She thanked the Parks and Recreation Department, Kevin Worley and the Veterans Park Board for all their hard work in getting the program together. Mrs. Patterson attend the Historic Preservation Review Board meeting.

VIDEO 46:00

Mrs. Patterson inquired about work being done by town employees at 448 Green Spring Road, property owned by Marathon Realty. She reviewed the Right-of-Entry document and the contract between the Town and Marathon Realty and didn't see anything that would require the Town to remove debris and board up the windows and doors. Mr. Kelly explained that the town will ultimately own the property, however, Marathon Realty purchased the necessary properties for rights of way needed for the Green Spring Road project. The town is obligated from a liability stand point to make sure all the properties that it exercises control over are safe. Mr. Kelly confirmed that the tenants of the home had evacuated the property and left a blighted situation. Mr. Kelly noted that this was the third property in town in the last 2 weeks that had to be boarded up and large amounts of trash be removed by town crews.

Mr. Humphreys thanked Deb Icenhour, Town Attorney for help with violators of the noise ordinance. N&S Railway should not blow horns unless there's an emergency between 11pm-6am and Waste Management should not removal trash before 6am. Mr. Humphreys stated the ordinance allows for fines and he would like for Council to think about increasing the fines, making sure they can be enforced and to possibly change the Waste Management agreement to 7am, instead of 6am.

Mr. Humphreys thanked Matthew Johnson, Director of Planning for his service, professionalism, diligent work and willingness to listen to people over the last couple of years and wished him the best in the future. Mr. Humphreys also reported that District Three buses will be taking people to their polling places to vote on Tuesday.

Mr. Howard stated he and Jennifer Montgomery, Main Street Director met with VHCC and is working on possible partnerships between the Town and VHCC. Mr. Howard also reported that District Three is looking to add a second route in the Town of Abingdon next year and extending service into the County.

VIDEO 52:48

Mayor Lowe spoke with People Inc. Small Business Unit, the morning Rotary Club, Cathy Baldwin and Cathy Shearer, with the Virginia Organizing Project. The Business Challenge received a \$1,000 award from Walmart. Mayor Lowe attended the ribbon cutting for the Antique Barn. She also participated in a one-day business challenge with the Gilliam Foundation and Governors of Virginia Velocity Tour. White Birch Juice Company was awarded \$10,000 as the winner of that challenge. Mayor Lowe attended a TSA opening and reported that if you are a frequent flyer you can now pre-register at the DMV. She attended the SWVA Branding meeting, the dedication of the Barter stage and visited Knoxville with Town staff to look at a EDA/Tourism project. Mayor Lowe

is dedicating a tree at Veterans Park to her uncle who served in Korea and WWII. Mayor spoke and gave town pins to a group that was staying with Mr. Humphreys, General Micro Circuits. Mayor Lowe will be distributing pins to the Abingdon High School Volleyball and Golf teams, both won District Tournaments. Watauga Elementary School won the National Blue Ribbon School Award. Washington County and Town of Abingdon are working on the purchase and placement of signs to honor WES; a ceremony will be held at the school on November 15. Mayor Lowe is speaking to the 7th grade class at E.B. Stanley Middle School about the VML If I Were Mayor Essay Contest. Mayor Lowe stated it has been a pleasure to work with Matthew Johnson, Director of Planning, thanked him for his service, leadership and guidance and wished him the best.

Mayor Lowe declared the meeting adjourned.


Tonya Triplett, Deputy Town Clerk


Cathy C. Lowe, Mayor