

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
MONDAY, FEBRUARY 5, 2018 – 6:30 PM  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular Council meeting of the Abingdon Town Council was held on Monday, February 5, 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  
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

**C. PLEDGE OF ALLEGIANCE – Council Member Wayne Craig led the Pledge of Allegiance.**

**D. APPROVAL OF MINUTES (VIDEO 6:52 – 7:18)**

**On motion by Mr. Craig, seconded by Mr. Howard, the Council approved the minutes of the January 8, 2018 Regular meeting as presented.**

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

<b>Mr. Craig</b>	<b>Aye</b>
<b>Ms. 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 7:21 – 13:30)**

- Joe Levine, 350 Green Springs Road
- Richard Macbeth, 1139 Panorama Drive

**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. Consideration of request from resident to vacate a Town right-of-way located near 243 Fugate Street – Matt Bolick, Director of Construction/Public Services (VIDEO 13:40 – 22:15)**

Matt Bolick, Director of Construction/Public Services stated that staff had been approached to consider a potential right-of-way on an unnamed fifteen foot (15') public right-of-way located at the end of Hurt Street near the intersection of Fugate Street. Mr. Bolick stated that he was bring this matter to Council for consideration.

Timothy Hoke addressed the Council state that the right-of-way is located in his back yard and wished to have it vacated. Discussion ensued between the Council and staff. The Council agreed to refer the matter to the Muster Grounds Committee for consideration and the matter would be further discussed by the Council at the next meeting after the Muster Grounds Committee makes a recommendation.

- 2. Update on Urban Path Project – Matt Bolick, Director of Construction/Public Services (VIDEO 22:17 – 23:17)**

Matt Bolick, Director of Construction/Public Services stated that the Town's contractor's first day of work was today and would begin the construction phase of the project in the immediate future. The paperwork has been completed and the contractor has been directed to begin construction with the work around the Virginia Creeper Trail Head to be completed first because of the volume of visitors to the Trail. Mr. Bolick stated that the substantial completion of the whole project by September 28, 2018.

**3. Update on Park Street project – Matt Bolick, Director of Construction/Public Services (VIDEO 23:18 – 29:30)**

Matt Bolick, Director of Construction/Public Services stated that the Town staff and consultant-engineering firm continue to monitor the design and construction schedule for the Park Street project. The coping, surveying and required environmental documentation have been completed. Mr. Bolick reported that the preliminary plans are to be completed by March 1<sup>st</sup> at which time citizen input meetings will be held and the plans will be submitted to the Virginia Department of Transportation for review at that time as well. Mr. Kelly responded to a citizens' question regarding the details of what this project entails.

**4. Update on Fields Penn House and Preservation movement – Gregory W. Kelly, Town Manager (VIDEO 29:33 – 53:28)**

Greg Kelly, Town Manager, discussed the previous repairs to Fields Penn House and the study conducted by Davis Buckley with regard to repairs necessary to bring the House to be deemed proper historic standards and safe standards. Mr. Kelly stated that a RFP was issued a few years back, however the Town was unsuccessful in getting any contractor on board that was willing to accept the liability to shore the building. Mr. Kelly also clarified the bond issue relative to historic properties that was raised by Joe LeVine in the public comments period.

Mr. Kelly also discussed repairs currently pending approval by Department of Historic Resources pertaining to Retirement. Discussion ensued.

Discussion ensued regarding other Town owned properties. Mayor Lowe read a letter from Department of Historic Resources regarding proposed repairs to Retirement. Ms. Patterson requested that a copy of the Department of Historic Resources letter be emailed to her by Mayor Lowe.

**5. Request by Mayor Lowe for update on the Town Manager's discretionary budget line #100-4-91-400-9761 – Gregory W. Kelly, Town Manager (VIDEO 53:30 – 57:50)**

Mayor Lowe stated that the Council did not give an across-the-board cost of living increase this fiscal year however budgeted \$75,000 in discretionary funds to be determined how that would be distributed. Greg Kelly, Town Manager, advised Council that meetings with department heads Cecile Rosenbaum, the Assistant Town Manager and Chuck Banner, Treasurer and Director of Finance, the discretionary budget will be paid out as bonuses for 140 full-time employees, and 10 department heads sometime in March 2018, however, the bonuses do not have to be paid out in equal shares. The department heads will control the funding for their subordinates within their departments. Mr. Kelly stated that he would be handling the department heads funding.

**J. RESOLUTIONS – NONE**

**K. OLD BUSINESS/MATTERS NOT ON THE AGENDA**

1. Update on request for lighting at the town's dog park – *Kevin Worley, Director of Outdoor Parks & Recreation (VIDEO 57:58 – 1:14:42)*

Kevin Worley, Director of Outdoor Parks & Recreation addressed Council regarding the Recreation Advisory Committee's January 29, 2018 meeting. Mr. Worley stated that the matter came up for discussion and it was a unanimous decision not to change the Town ordinance to allow for lighting in the Town parks. Mr. Worley stated that an alternate site for a dog park located on the West End of Town would be a lot owned by the Town on French Moore Jr. Boulevard. He further addressed that if the lot sold that the fencing could be removed and relocated. Discussion ensued. Mayor Lowe stated that the matter might be addressed during the upcoming budget.

There was a brief discussion regarding the practice fields proposed at Virginia Highlands Community College and possibility of temporary electric power at the Black's Fort Lane for Art in the Park events.

**(VIDEO 1:14:48 – 1:19:56)**

Mayor Lowe stated that the Council received a letter from Kathleen Baldwin in reference to the expansion of the Washington County Public Library.

Greg Kelly, Town Manager, advised the Council that he had received a letter from the Washington County Service Authority agreeing to place a fire hydrant in the proximity of Trestle 7 on the Creeper Trail.

Greg Kelly, Town Manager stated that the first term of the Fairview Foundation Lease Agreement with James D. Moore, Jr. Family Limited Partnership expires on February 11, 2018, and it is accordingly time to give notice to renew the lease at this time. Mr. Kelly asked if Council wished to renew the lease. Mr. Kelly thanked Jim and Judy Moore and the Old Glade Antique Tractor Association for the wonderful partnership with the Town.

**On motion by Mr. Humphreys, seconded by Mr. Howard, the Council agreed to renew the second term, which expires on February 11, 2028, and authorized the Town Manager to execute all documents necessary to renew the lease agreement with James D. Moore, Jr. Family Limited Partnership.**

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

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

**L. COUNCIL MEMBERS REPORTS (VIDEO 1:19:58 – 1:23:46)**

Mr. Craig stated that the Sunset transaction for the purchase of BVU Optinet might not occur if the matter is not concluded by June 30<sup>th</sup>.

Ms. Patterson reported that she has attended all her meetings and she continues to look into questions from the citizens.

Mr. Humphreys presented the Council with Women in Service for America way-sign on behalf of the Veteran's Park Committee. Mr. Humphreys reported that the Council might receive an issue from the Historic Preservation Review Board regarding a standing-seam roof matter.

(Mr. Howard did not provide a report)

Mayor Lowe stated that she had also attended all meetings.

Mayor Lowe requested a Motion to hear a matter in 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. (VIDEO 1:23:47 – 2:07:17)

**On motion by Mr. Craig, seconded by Mr. Humphreys, to go into Closed Session pursuant to Section 2.2-3711(A)(7) for the purpose of discussing actual or probable litigation involving personnel.**

**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 of Mr. Humphreys, seconded by Mr. Craig, 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>

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>

**M. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 2:07:18 – 2:13:21)**

**1. Abingdon Redevelopment and Housing Authority**

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

**On motion by Mr. Craig, seconded by Ms. Patterson, to appoint Dorothea Denice Frazier to fill the expired term of Dan Smith on the Abingdon Redevelopment and Housing Authority.**

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

<b>Mr. Craig</b>	<b>Aye</b>
<b>Ms. 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. 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.
- Reappointment of Kenneth Shuman, who is eligible to serve another term.

**On motion by Mr. Howard, seconded by Mr. Craig, to reappoint Kenneth Shuman for an additional term to the Economic Development Authority.**

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

<b>Mr. Craig</b>	<b>Aye</b>
<b>Ms. 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>

**4. Sustain Abingdon**

- Reappointment of Tom McMullen, who is eligible to serve another term
- Reappointment of Melissa Kalb, who is eligible to serve another term
- Appointment to fill the unexpired term of Barbara Williams

**On motion by Mr. Humphreys, seconded by Ms. Patterson, to reappoint Tom McMullen and Melissa Kalb for an additional term to the Sustain Abingdon committee.**

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

<b>Mr. Craig</b>	<b>Aye</b>
<b>Ms. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>

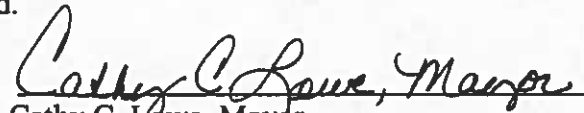
Mayor Lowe

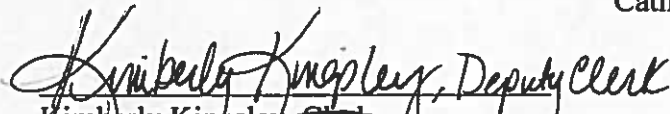
Aye

Mayor Lowe requested a motion pursuant to Code of Virginia, 1950, as amended, §2.2-3711(A)(1) for the purpose of considering applications to reappoint the positions on the Abingdon Redevelopment and Housing Authority, Tourism Advisory Board, Economic Development Authority and Sustain Abingdon.

No motion made, however discussion ensued and it was agreed that the additional appointments to committees be continued until next month.

Mayor Lowe declared the meeting adjourned.

  
Cathy C. Lowe, Mayor

  
Kimberly Kingsley, ~~Clerk~~ Deputy Clerk