

**TOWN OF ABINGDON
ORGANIZATIONAL/REGULAR COUNCIL MEETING
MONDAY, JULY 2, 2018 – 8:30 AM
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

An Organizational/Regular Council meeting of the Abingdon Town Council was held on Monday, July 2, 2018 at 8:30 am in the Council Chamber of the Municipal Building.

A. WELCOME and ROLL CALL – *Kimberly Kingsley, Acting Clerk*

Members of Council Present: Al Bradley
 Donna Quetsch
 Derek Webb
 Cindy Patterson
 Wayne Craig

Administrative/Town Staff: Tony Sullivan, Interim Town Manger
 Kimberly Kingsley, Acting Clerk
 CJ McGlothlin, IT Department
 Chuck Banner, Director of Finance
 Matt Bolick, Dir. of Public Services/Const.
 Floyd Baily, Director of IT
 John McCormick, Chief, AFD
 Jayne Duehring, Director of Tourism
 Tonya Triplett, Community Development
 Coordinator

B. PLEDGE OF ALLEGIANCE – Tony Sullivan, Interim Town Manager led the Pledge of Allegiance.

C. ELECTION OF MAYOR – Kim Kingsley, Acting Clerk declared the floor open for nomination for the position of Mayor. (VIDEO 5:30 – 6:07)

On nomination of Ms. Patterson, seconded by Mr. Bradley, Mr. Craig was nominated to serve as the Mayor of the Council. Hearing no further nominations for Mayor, the Clerk declared the floor closed.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mr. Craig	Aye

D. ELECTION OF VICE-MAYOR – Kim Kingsley, Acting Clerk declared the floor open for nomination for the position of Vice-Mayor. **(VIDEO 6:08 – 6:44)**

On nomination of Mr. Webb, seconded by Mr. Bradley, Ms. Patterson was nominated to serve as the Vice-Mayor of the Council. Hearing no further nominations for Vice-Mayor, the Clerk declared the floor closed.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

At this time, the Clerk turned the meeting over to Mayor Craig.

E. Adoption of revised Code of Ethics – Mayor Craig

Mayor Craig stated that Tony Sullivan, Interim Town Manager, discussed with Council the adoption of the Code of Ethics. Mayor Craig further stated that Mrs. Quetsch was instrumental in implementing the Council to agree to the revisions. Mrs. Quetsch read the Code of Ethics. **(VIDEO 7:36 – 16:03)**

On motion of Ms. Patterson, seconded by Mrs. Quetsch, Council adopted the revised Code of Ethics.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

Council signed the Code of Ethics and at the suggestion of Tony Sullivan, Interim Town Manager, advised staff to post the signed Code on the Town's website. **(VIDEO 2:17:00 - 2:18:27)**

(VIDEO 16:04 - 19:23)

F. Appointment of Town Manager

On motion of Ms. Patterson, seconded by Mrs. Quetsch, Council appointed Tony Sullivan as Interim Town Manager.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

G. Appointment of Town Treasurer

On motion of Ms. Patterson, seconded by Mr. Bradley, Council appointed Chuck Banner as Treasurer.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

H. Appointment of Town Clerk

On motion of Mrs. Quetsch, second by Mr. Webb, Council appointed Kim Kingsley as Clerk.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

I. Appointment of Town Attorney

On motion of Mr. Webb, seconded by Mrs. Quetsch, Council appointed Deborah Icenhour as Town Attorney.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

J. Appointment of Officers (Chief and Assistant) of Fire Department

On motion of Mr. Bradley, seconded by Mr. Webb, Council appointed John McCormick as Fire Chief and CJ McGlothlin as Assistant Fire Chief.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

K. Consideration of Council Appointee Salaries (VIDEO 19:27 – 21:33)

- 1. Interim Town Manager -**
- 2. Director of Finance/Treasurer -**
- 3. Fire Chief –**

On motion of Mr. Webb, seconded by Mr. Bradley, Council approved appointees' salaries of \$645.46 per pay period for Tony Sullivan, Interim Town Manager; \$7,500 annually for Chuck Banner, Treasurer; and \$5,000 annually for John McCormick, Fire Chief.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

(VIDEO 21:36 - 30:43)

L. Appointment of one member of Council to the following boards, commissions and committees:

1. Abingdon Planning Commission

On motion of Mrs. Quetsch, seconded by Ms. Patterson, Council appointed Al Bradley to the Abingdon Planning Commission.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

2. Historic Preservation Review Board

On motion of Mr. Bradley, seconded by Mrs. Quetsch, Council appointed Derek Webb to the Historic Preservation Review Board.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

3. Tree Commission

On motion of Mr. Webb, seconded by Mr. Bradley, Council reappointed Ms. Patterson to the Tree Commission.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

4. Sinking Springs Cemetery Committee

On motion of Ms. Patterson, seconded by Mrs. Quetsch, Council appointed Al Bradley to the Sinking Springs Cemetery Committee.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

5. Mount Rogers Planning District Commission

On motion of Mr. Webb, seconded by Ms. Patterson, Council appointed Donna Quetsch to the Mount Rogers Planning District Commission.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

6. District Three Governmental Cooperative

On motion of Mrs. Quetsch, seconded by Mr. Webb, Council appointed Wayne Craig to the District Three Governmental Cooperative.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

7. Tourism Advisory Commission

On motion of Mrs. Quetsch, seconded by Mr. Webb, Council appointed Cindy Patterson to the Tourism Advisory Commission.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

8. Metro Planning Organization

On motion of Ms. Patterson, seconded by Mrs. Quetsch, Council appointed Al Bradley to the Metro Planning Organization.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

9. Veteran's Memorial Park Board

On motion of Mr. Webb, seconded by Mrs. Quetsch, Council appointed Al Bradley to the Veteran's Memorial Park Board.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

10. Recreation Advisory Commission

On motion of Ms. Patterson, seconded by Mrs. Quetsch, Council appointed Derek Webb to the Recreation Advisory Commission.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye

Mayor Craig Aye

11. Bristol Virginia Utilities Board

On motion of Mr. Bradley, seconded by Ms. Patterson, Council reappointed Wayne Craig to the Bristol Virginia Utilities Board.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

12. Muster Ground Steering Committee

On motion of Ms. Patterson, seconded by Mr. Webb, Council appointed Donna Quetsch to the Muster Ground Steering Committee.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

REGULAR MEETING

B. APPROVAL OF MINUTES (VIDEO 31:22 – 32:41)

On motion of Ms. Patterson, seconded by Mr. Craig, Council approved the June 4, 2018 minutes as presented.

The roll call vote was as follows:

Mr. Bradley	Abstained
	(was not a Councilmember on June 4th)
Mrs. Quetsch	Abstained
	(was not a Councilmember on June 4th)
Mr. Webb	Abstained
	(was not a Councilmember on June 4th)
Ms. Patterson	Aye
Mayor Craig	Aye

C. CLOSED SESSION PURSUANT TO SECTION 2.2-3711(A)(5) OF THE CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING CORRESPONDENCE FROM LEGAL COUNSEL REGARDING PENDING LITIGATION, *KEVIN SANDENAW, Plaintiff vs. CATHY C. LOWE, RICHARD HUMPHREYS, ROBERT HOWARD, DEBORAH C. ICENHOUR and THE TOWN COUNCIL OF ABINGDON, Defendants, Washington County Circuit Court, Case No.: CL17-1825*

Mayor Craig requested that the closed session be postponed until Bob Ward, counsel arrived.

(VIDEO 1:26:56 – 2:14:53)

Mayor Craig stated that Mr. Ward had arrived and would entertain a motion at this time to go into closed session.

On motion by Ms. Patterson, seconded by Mrs. Quetsch, for Council to go into Closed Session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(5) for the purpose of discussing correspondence from legal counsel, Bob Ward, regarding pending litigation, Kevin Sandenaw, Plaintiff vs. Cathy C. Lowe, Richard Humphreys, Robert Howard, Deborah C. Icenhour, and The Town Council of Abingdon, No.: CL17-1825.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

On motion of Ms. Patterson, seconded by Mr. Bradley, the Council reconvened in open session.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

Kim Kingsley, 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. Bradley	I so certify
Mrs. Quetsch	I so certify
Mr. Webb	I so certify
Ms. Patterson	I so certify
Mayor Craig	I so certify

On motion of Mr. Bradley, seconded by Mr. Webb, Council moved that Robert V. Ward of the firm Ward and Rasnic, PC be discharged and relieved of their responsibilities to represent the Council of Abingdon, Virginia in the matter of Cathy C. Lowe, et al and direct the Town Manager to seek legal counsel in this matter.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

D. PUBLIC COMMENTS – (VIDEO 33:14 – 43:33)

- Steve Smith/Stephen Spangler, 1 Food City Circle, Abingdon, VA
- Joe LeVine, 340-350 Green Spring Road, Abingdon, VA
- Joseph Puckett, BVUB, 20993 Cheyenne Trail, Abingdon, VA

E. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES - None

F. SECOND READINGS

1. Consideration of an Ordinance for vacation of unnamed fifteen foot (15') public right-of-way labeled as "15 ft. ROW to water" located between two parcels, namely, 018-6-37 and 018-6-36B, at or near 243 Fugate Street – **Matt Bolick, Director of Public Services/Construction (VIDEO 43:36 – 45:27)**

Matt Bolick advised Council that this is a second reading required and recommended granting the property owners (Hoke) a permanent ten-foot (10') drainage easement.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council vacated the right-of-way as recommended.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

G. RESOLUTIONS

1. Consider of Resolution authorizing the Interim Town Manager to act on behalf of Council with regard to administrative and Human Resource matters pertaining to Council appointees. – *Wayne Craig*
(VIDEO 45:32 – 50:36)

Tony Sullivan, Interim Town Manager, read the Resolution. Mayor Craig stated that the Resolution was a result of Town Council needing daily supervision of appointees; however, the Town Manager could not terminate without the consensus of the Council and be independent as the Charter sets forth.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council adopted a Resolution authorizing the Town Manager to act on behalf of the Council with regard to administrative and Human Resource matters pertaining to Council appointees.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

2. CONSIDERATION OF BIDS - None
3. REPORTS FROM THE INTERIM TOWN MANAGER (VIDEO 50:42 – 1:26:56)
 1. Consideration of date for Council to tour Town Departments – *Tony Sullivan, Interim Town Manager*

After discussion, Council agreed upon September 19, 2018 at 9:00 am for tour of Town Departments.

2. Consideration of continuance of Arthur Campbell Awards – *Tony Sullivan, Interim Town Manager*

After discussion, Ms. Patterson requested that this matter be revisited to allow citizens' input.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council moved to continue this matter to discuss during an upcoming work session.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

3. Consideration of rental agreement regarding the Summers Law Office – ***Tony Sullivan, Interim Town Manager***

Tony Sullivan, Interim Town Manager advised Council that the current tenant has advised that she will be vacating the property. Mr. Sullivan stated that staff had received several inquiries regarding the property and requested guidance. Discussion ensued. Edison Jennings addressed the Council stating that he felt that leasing the property could possibly cause serious traffic issues, specifically related to Plumb Alley.

On motion by Mr. Bradley, seconded by Mrs. Quetsch, Council authorized the Interim Town Manager to advertise the property for lease, negotiate and sign the lease.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

4. Consideration of adoption of Freedom of Information Act fees – ***Tony Sullivan, Interim Town Manger***

Floyd Bailey, Director of IT and additional FOIA officer, presented a proposed fee schedule for adoption. Discussion ensued. Joe LeVine addressed the Council requesting the matter be reviewed in a work session.

On motion by Mr. Webb, seconded by Ms. Patterson, Council tabled this matter to discuss in the next Council meeting.

The roll call vote was as follows:

Mr. Bradley	Aye
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Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

5. Consideration of conducting monthly mid-month work sessions – ***Tony Sullivan, Interim Town Manager***

Tony Sullivan, Interim Town Manager, stated that it was the desire of Council to conduct mid-month work session. Mayor Craig stated that July 26th at 7:00 pm was scheduled and Davenport & Associates would be available for a presentation. Mayor Craig stated that members of the public are invited for a thirty-minute (30) minute comment section at the beginning of the mid-month work sessions where question could be proposed to the Council about any topic.

6. Consideration of dates to review applications for the position of Town Manager – ***Tony Sullivan, Interim Town Manager***

Discussion ensued regarding an available date for a closed session meeting to discuss a personnel matter. The date of July 10th at 2:00 pm was agreed upon.

Council later revisited the dated and rescheduled for July 19th at 2:00 pm
(VIDEO 2:15:03 – 2:16:52)

J. PROCLAMATION - None

K. OLD BUSINESS/MATTERS NOT ON THE AGENDA

1. Consideration of additional non-departmental funds to the Washington County Public Library – ***Mayor*** (VIDEO 2:18:30 – 2:23:54)

Mayor Craig announced the Library felt that the Council did not appropriate funds in manner in which they could conduct business and requested that the Council revisit the Town's budget to consider additional funds. Chuck Banner, Treasurer and Director of Finance, addressed the Council stating that the \$3,000 allotment to the Highlands Literacy Council, which has since termination operation. Mr. Banner advised that \$3,000 allocation could be transferred to the library, and he would locate an additional \$1,500 to fund the request.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council instructed the Town Manager and Treasurer to find an additional \$1,500 in this year's budget to fund the Washington County Public Library.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

(VIDEO 2:23:56 - 2:25:36)

At this time, Tony Sullivan, Interim Town Manager, stated that two upcoming public meetings, namely July 10th meeting regarding the Park Street Project and July 17th VDOT meeting (alternate date of July 24th). Mr. Sullivan requested that a notice be posted after a show of hands indicating three or more Council members may attend these meetings.

(VIDEO 2:25:37 - 2:45:11)

Mr. Sullivan addressed a matter concerning Green Springs Road and some concerns addressed by the Council. Matt Bolick, Director of Public Service/Construction addressed the Council with regard to alternative construction versus the proposed roundabout. Lengthy discussion ensued between Mr. Bolick, Stephen Spangler with Marathon Realty, and Council.

On motion by Ms. Patterson, seconded by Mr. Bradley, changed the design of the intersection of Cummings and Green Spring Road in accordance with either alternate A- B (APPROVED CORRECTION ON AUGUST 6, 2018) or alternate C and authorized the Town Manager to proceed with the designs and construction and execute any documents thereto.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Nay
Mr. Webb	Nay
Ms. Patterson	Aye
Mayor Craig	Aye

L. COUNCIL MEMBER REPORTS (VIDEO 2:48:36 - 2:49:32)

Mayor Craig stated that the closing date has been scheduled between Bristol Virginia Utilities and Sunset Fibers, LLC.

M. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 2:45:15 – 2:48:36)

a. Economic Development Authority

- Appointment to fill the unexpired term of Richard Buddington, who has been appointed as Juvenile and Domestic Relations Judge for 28th Judicial District.

On motion by Ms. Patterson, seconded by Mr. Bradley, Council appointed Don Adams to the Economic Development Authority to fill the unexpired term of Richard Buddington, appointed as Juvenile and Domestic Relations Judge for the 28th Judicial District.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

On motion by Ms. Patterson, seconded by Mr. Webb, Council postponed the additional appointees until the next regularly scheduled meeting.

The roll call vote was as follows:

Mr. Bradley	Aye
Mrs. Quetsch	Aye
Mr. Webb	Aye
Ms. Patterson	Aye
Mayor Craig	Aye

b. Tourism Advisory Committee

- Appointment to fill the unexpired term of Chase Mitchell who is unavailable to fulfill term.

c. Abingdon Housing & Redevelopment Authority

- Appointment to fill the expired term of Al Bradley who is no longer eligible to serve as an appointee to Authority.

d. **Sinking Springs Cemetery Committee**

- Appointment to fill the unexpired term of Al Bradley who is no longer eligible to serve as an appointee to Committee.

Mayor Craig declared the meeting adjourned.



Kim Kingsley, Clerk



MAYOR

