

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 7, 2011 – 7:30 P.M.
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on Monday, February 7, 2011 at 7:30 p.m. in the Council chambers of the Municipal Building.

A. ROLL CALL

Members of Council Present: Edward B. Morgan, Mayor
Mrs. Cathy Lowe, Vice Mayor
Mr. Jason N. Berry
Mr. Richard E. Humphreys
Mr. Robert M. Howard

Administrative/Town Staff: Gregory W. Kelly, Town Manager
Cecile M. Rosenbaum, Town Clerk
Deborah Icenhour, Town Attorney
Mark Godbey, Town Treasurer/Dir. Of Finance
Jim Smith, Dir. Of Wastewater Operations/Town Eng.
Garrett Jackson, Dir. Of Planning
Jim Cowart, Dir. of Econ. Dev/Grants Writer
John Dew, Dir. Of Public Services/Construction
Rob Case, IT Department
Tony Sullivan, Chief of Police
Kevin Worley, Dir. of Parks & Recreation
Myra Cook, Dir. of Tourism
John McCormick, Assistant Fire Chief
Sarita Moore, Pre-Treatment Coordinator

Visitors: Susan Howard, Michael Johnson, Carl Mallory, Carolyn Lee, Mike Rush, Mel Melton, John/MaryAnn Holbrook, Mike Wartella, Izik Crispin

~~~~~

**B. PLEDGE OF ALLEGIANCE**

Tony Sullivan, Chief of Police led the Pledge of Allegiance.

~~~~~

C. APPROVAL OF MINUTES

- January 3, 2011 Work Session Meeting
- January 3, 2011 Regular Meeting

- January 3, 2011 Work Session Meeting

On motion of Mr. Howard, seconded by Mr. Berry, the minutes of the January 3, 2011 work session meeting, the January 3, 2011 regular meeting and the January 27, 2011 work session meeting were approved as presented:

The roll call vote was as follows:

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



D. EMPLOYEE ACKNOWLEDGEMENTS

At this time, Greg Kelly, Town Manager recognized the Town employees who had been chosen as Employees of the Year. Those employees were:

- **Pat Brown** – Office Assistant in the Public Works Department
- **Dave Johnson** - Head Mechanic for the Town Shop
- **Tammy Montgomery** – Cashier in the Finance Department
- **Dan Callahan** – Operations Supervisor at the Wolfe Creek Water Reclamation Facility

Mr. Kelly then recognized the two (2) employees chosen as the Outstanding Employees of the Year and they were:

- **Kim Kingsley** – Legal Assistant for the Town Attorney
- **Jamie Chafin** - Superintendent for the Street Department

Mr. Kelly congratulated each employee for their service and contribution to the Town and indicated that they would be receiving a paid day of vacation in addition to the plaque they were presented. Mr. Kelly further noted that the Outstanding Employees of the Year received a \$500 U.S. Savings Bond.

E. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

1. Public Hearing – First Reading – Ordinance to Repeal, Amend and Reenact Article II., Sewers and Sewage Disposal of the Code of the Town of Abingdon, Virginia.

Sarita Moore, Pretreatment Coordinator provided information about the need for the changes to the existing Sewer Ordinance and reviewed with the Council the highlighted portions that had been changed. Ms. Moore commented that it had been several years since any changes had been made to the Ordinance and it was necessary to include new regulations in the Ordinance to make it current with existing guidelines.

Mayor Morgan declared the public hearing open and asked if anyone wished to speak. Hearing no comments, Mayor Morgan closed the public hearing.

On motion of Mr. Berry, seconded by Mr. Humphreys, the Ordinance to Repeal, Amend and Reenact Article II., Sewers and Sewage Disposal of the Code of the Town of Abingdon, Virginia was approved as presented on first reading, thereby dispensing with the second reading.

The roll call vote was as follows:

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

~~~~~  
2. **First Reading – Ordinance to Establish Chapter 22, Article III, Sections 22-41 through 22-45 The Arthur Campbell Community Service award.**

Garrett Jackson, Director of Planning provided information regarding the Council's desire to establish the Arthur Campbell Community Service Award. Mr. Jackson indicated that Council had discussed the matter at the earlier work session and staff would begin working on the medal that would be awarded to recipients of the honor.

**On motion of Mr. Humphreys, seconded by Mr. Berry, the Council approved the Ordinance to Establish Chapter 22, Article III, Sections 22-41 through 22-45 The Arthur Campbell Community Service award as presented on first reading, thereby dispensing with the second reading.**

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

|                      |            |
|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

~~~~~  
F. SECOND READINGS OF ORDINANCES – None.

~~~~~  
**G. CONSIDERATION OF ANY BIDS**

1. **Consideration of bids for Regenerative Air Street Sweeper Truck.**

John Dew, Director of Public Services and Construction commented on the bids received for a new Regenerative Air Street Sweeper Truck to be used in the Public Works Department. Mr. Dew indicated that he had received five (5) bids for the truck and it was his recommendation that Council award the bid to Mid-Atlantic Waste Company. Mr. Dew indicated that the Town would be handling this purchase through a five (5) year lease option with an annual payment of \$33,879.99 which had been budgeted for in the 2010/2011 budget cycle.

**On motion of Mr. Howard, seconded by Mrs. Lowe, the Council awarded the bid for the Regenerative Air Street Sweeper Truck to Mid-Atlantic Waste Company and further authorized the Town Manager to enter into the financing/leasing option for the purchase as budgeted.**

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

|                      |            |
|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

~~~~~

H. REPORTS FROM THE TOWN MANAGER

1. Consideration of request from People, Inc. with regard to revitalization efforts for Abingdon Terrace Apartment and Abingdon Village Apartments.

Dr. Mike Rush, Director of Housing for People, Inc. appeared before the Council members to request a letter of support for two (2) housing rehabilitation projects, namely Abingdon Village Apartments and Abingdon Terrace Apartments, for which People, Inc. is applying for tax credits. Dr. Rush also asked that the Town Council consider authorizing the Town Manager to abate the real property on the 2 developments for the value of the improvements. Dr. Rush indicated that People, Inc. did have an option to purchase both developments.

Mr. Kelly commented that he was not certain that he had statutory authority to grant the abatement of the taxes. Dr. Rush indicated that he could provide the Code Section that sets forth that authority. Mr. Kelly recommended that the Council grant him the authority to provide the letter of support and the abatement of the real property taxes contingent upon the statutory authority to do so.

Mr. Humphreys inquired about the tax credits and commented that the improvements to these two developments were overdue.

On motion of Mr. Humphreys, seconded by Mrs. Lowe, the Council authorized the Town Manager to provide a letter of support to People, Inc. for the rehabilitation of two (2) housing projects, namely Abingdon Village Apartments and Abingdon Terrace Apartments and further authorized the Town Manager to grant the abatement of the real property taxes, for a period of 2 years, on the value of the improvements contingent upon confirmation of his authority to grant the abatement.

The roll call vote was as follows:

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



2. Consideration of request from GEM Management with regard to revitalization efforts for Washington Court Apartments.

Mel Melton, representative with GEM Management, Inc. appeared before the Council members to request a letter of support for a revitalization project his company is seeking to do for Washington Court Apartments. Mr. Melton indicated that the development currently consists of 39 units occupied by senior citizens. Mr. Melton commented that his company was proposing to provide energy efficient appliances as well as upgrades of windows for the units.

On motion of Mrs. Lowe, seconded by Mr. Humphreys, the Council authorized the Town Manager to provide a letter of support for GEM Management to pursue a revitalization project for Washington Court Apartments.

The roll call vote was as follows:

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



3. Presentation of annual report for Advance Abingdon.

Susan Howard, Director of Advance Abingdon recognized James Agner for his contributions to the events held by Advance Abingdon in the previous year. Ms. Howard reported on the return of the wolves as an upcoming fundraiser for Advance Abingdon as well as a new “3 for 50” campaign to encourage residents and visitors to purchase from local businesses. Michael Johnson member of the Advance Abingdon board indicated that Ms. Howard was actively meeting with the downtown merchants as previously requested by Council.

No action was taken by Council on this matter.



4. Consideration of House Bill # 2367.

Valerie Stanley, Political Coordinator, Communication Workers of America had requested that this item be placed on the agenda for consideration. Ms. Stanley was not present for the meeting.

No action was taken by Council on this matter.



5. Authorization of Town Manager to execute agreement on behalf of the Town of Abingdon and William King Museum relative to the establishment of an arts incubator.

Jim Cowart, Director of Economic Development reported to Council that he had been working with William King regarding a grant they had received for the establishment of an arts incubator. Mr. Cowart indicated that the Arts Center was not able to fulfill the requirements of the grant and asked the Town to consider developing the grant. Mr. Cowart indicated that the initial funding from the grant would be \$310,000 with an anticipated additional amount of \$300,000 from the Tobacco Commission. Mr. Cowart indicated that a Memorandum of Agreement had been prepared between William King Museum and the Town with regard to the transfer of the grant and recommended that Council authorize the Town Manager to execute the grant on behalf of the Town.

On motion by Mr. Berry, seconded by Mrs. Lowe, the Council authorized the Town Manager to execute the agreement between the Town of Abingdon and William King Museum relative to establishment of an arts incubator.

The roll call vote was as follows:

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



6. Consideration of Industrial Development Authority recommendation to advance Wire Tough Cylinders, LLC funding not to exceed \$28,000 to acquire equipment such as: 1) a used forklift; 2) a used overhead bridge crane; and 3) an air compressor.

Jim Cowart, Director of Economic Development provided a background on the efforts to encourage Wire Tough Cylinders to locate in the Town of Abingdon. Mr. Cowart commented that the company had been awarded funding from the Tobacco Commission. Mr. Cowart indicated that he had consulted with the members of the Industrial

Development Authority and they supported Wire Tough Cylinders request for funding to assist with the acquisition of equipment not to exceed \$28,000.

Mrs. Lowe inquired about the proposed site for their business and Mr. Cowart indicated that the company was considering the former Kealey Johnson warehouse on Empire Drive. Mrs. Lowe expressed concern about the traffic congestion problems at Empire Drive and inquired if the IDA was aware of those concerns when they considered the funding request from Wire Tough Cylinders. Mr. Cowart indicated the IDA was not aware of the traffic concerns on Empire Drive.

Mr. Humphreys indicated that he would like to see a financial statement and credit report for Wire Tough Cylinders.

Richard McBeth, resident of 1139 Panorama Drive, Abingdon expressed his concerns about the increased traffic on Empire Drive if this business was to locate there.

Mr. Berry commented that the Town Council members were likewise concerned about the increased traffic and hoped to take steps to work toward a solution for the congestion.

Mr. Kelly indicated that he was in the process of developing a plan to alleviate some of the traffic congestion on Empire Drive and would be able to report more on the matter in the next few weeks.

Mr. Humphreys complimented the efforts of the IDA on working with Wire Tough Cylinders.

Mayor Morgan commented that he was concerned about the traffic issues on Empire Drive and noted that the proposed Kealey Johnson site was zoned for commercial use and should be used as such.

Mrs. Lowe indicated that she felt the funds requested by Wire Tough Cylinders would be better used for improvements to Empire Drive.

At this time Mr. Berry made a motion that the Council approve funding in the amount of \$28,000 for equipment for Wire Tough Cylinders as incentive for their location in the Town of Abingdon contingent upon the company providing a business plan and financial statement and further authorized the Town Manager to continue pursuing a solution to alleviating the traffic congestion issues on Empire Drive.

Mr. Berry's motion died for lack of second.

Mr. Howard indicated that he would like to support Mr. Berry's motion but felt that the road issues on Empire Drive had to be addressed.

Mr. Berry commented that he was disappointed that the Council could not support the IDA's recommendation.

Mrs. Lowe commented that the IDA was not aware of the road problem.

~~~~~

**I. PASSAGE OF RESOLUTIONS – None.**

~~~~~

J. UNFINISHED BUSINESS

~~~~~

**K. MATTERS NOT ON THE AGENDA**

At this time, Mayor Morgan asked Mrs. Icenhour, Town Attorney to comment on a Resolution she had drafted for Council's consideration to encourage the Virginia legislators to consider adding Exit 17 to priority project list under the Governor's proposed transportation bill.

**On motion of Mr. Berry, seconded by Mrs. Lowe, the Council approved the following Resolution as presented:**

**RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA  
TO REQUEST MEMBERS OF THE 2011 VIRGINIA LEGISLATURE  
TO REQUIRE THE ADDITION OF I-81 EXIT 17 TO THE PRIORITY PROJECT LIST  
ENUMERATED UNDER GOVERNOR MCDONNELL'S OMNIBUS  
TRANSPORTATION FUNDING BILL AS A CONDITION FOR ITS SUPPORT**

**WHEREAS**, a 2011 Virginia Legislative bipartisan coalition has introduced Governor McDonnell's Omnibus Transportation Funding Bill as SB 1446 and HB 2527, which is designed to create the "Virginia Transportation Infrastructure Fund" to multiply Virginia transportation dollars; and

**WHEREAS**, the aforementioned Fund will be initially capitalized with One Hundred and Fifty Million Dollars (\$150,000,000.00) from the 2010 budget surplus and Two Hundred and Fifty Million Dollars (\$250,000,000.00) from VDOT audit-identified funds; and

**WHEREAS**, the Fund is estimated to reach a total of One Billion Dollars (\$1,000,000,000.00) during the McDonnell Administration; and

**WHEREAS**, Governor McDonnell has based the need for his Omnibus Transportation Funding Bill on the theory that Virginia citizens in every region of the Commonwealth need new roads to get to work on time, and to safely get home to their families a little earlier; and

**WHEREAS**, Governor McDonnell has further stated that Virginia businesses need new roads in order to expand operations, create good-paying jobs and enable the local economy(ies) to begin moving forward again; and

**WHEREAS**, Governor McDonnell's Bill is intended to inject Four Billion Dollars (\$4,000,000,000.00) into Virginia's transportation network over just the next three (3) years; and

**WHEREAS**, nine-hundred (900) projects have been identified that can begin construction within the next three (3) years if the legislation is approved; and

**WHEREAS**, the study, redesign and reconfiguration of I-81 Exit 17 in Abingdon, the most congested and heavily-traveled interchange in the Town of Abingdon, which also serves as the gateway to all of southwest Virginia counties, is not currently among said prior identified projects; and

**WHEREAS**, on behalf of its residents and the citizens of the counties and towns of greater southwest Virginia, the Council of the Town of Abingdon hereby highly recommends that its legislators condition their support of the Bill upon the addition "I-81 Exit 17 in Abingdon" to the list of projects set forth therein, thereby enabling construction to begin within the next three (3) years to study, redesign and reconfigure the aforementioned I-81 Exit and interchange.

**NOW, THEREFORE BE IT HEREBY RESOLVED** that in consideration of the foregoing, the Council for the Town of Abingdon, Virginia hereby resolves to request its Legislators to condition their support, if at all, of Governor McDonnell's Omnibus Transportation Funding Bill (SB 1446 and HB 2527) upon the addition of "I-81 Exit 17 in Abingdon" to the list of projects contained within said Bill, thereby recognizing the importance and need of this request in facilitating not only safer transportation systems for the residents within far southwest Virginia, but also in enhancing the efficiency of commerce and industry within the multiple-county region served by I-81 Exit 17.

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

|                      |            |
|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

~~~~~

L. COUNCIL MEMBER REPORTS

- Mrs. Lowe – asked that the establishment of a buildings and grounds committee be added to the March agenda for consideration. Mrs. Lowe also commented on the Council’s desire to add additional members to the Tourism Advisory Committee and the Parks and Recreation Advisory Commission.
- Mr. Howard – commented that he would like to see the road issues addressed with regard to Empire Drive and get some additional information from Wire Tough Cylinders before he can consider the issue further as listed in agenda item H6.
- Mr. Berry – commented that he hoped that the Council had not sent a message discouraging businesses from wanting to locate in the Town by not supporting agenda item H6.
- Mr. Humphreys – requested that the establishment of an additional monthly work session be added to the March agenda for consideration. Mr. Humphreys inquired about the timeline for hiring of an employee to work at The Muster Grounds. Mr. Jackson commented that the National Park Service has offered to fund a part of the expenses associated with the position at The Muster Grounds.
- Mayor Morgan – inquired about the status of the Smith Packett property closing.



M. MISCELLANEOUS BUSINESS AND COMMUNICATIONS

1. *Appointment to the Tourism Advisory Committee*

On motion of Mrs. Lowe, seconded by Mr. Berry, the Council appointed Carson Jackson and Marcy Miller to serve on the Tourism Advisory Committee.

The roll call vote was as follows:

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



2. *Appointment to the Industrial Development Authority*

On motion of Mrs. Lowe, seconded Mr. Howard, the Council appointed Izik Crispin to serve on the Industrial Development Authority Board.

The roll call vote was as follows:

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



3. *Appointment to the Recreation Advisory Commission*

On motion of Mrs. Lowe, seconded by Mr. Humphreys, the Council appointed Amy Horsch Smith to serve on the Recreation Advisory Commission.

The roll call vote was as follows:

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



4. *Appointment to the Fairview at Abingdon Board*

On motion of Mr. Berry, seconded by Mrs. Lowe, the Council appointed Rick Humphreys to service on the Fairview at Abingdon Board.

The roll call vote was as follows:

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



Mayor Morgan declared the meeting adjourned.

Edward B. Morgan, Mayor

Cecile M. Rosenbaum, Town Clerk