



**TOWN OF ABINGDON  
COUNCIL WORK SESSION  
MONDAY, NOVEMBER 2, 2015 - 6PM  
ARTHUR CAMPBELL MEETING ROOM – MUNICIPAL BUILDING**

A Work session meeting of the Abingdon Town Council was held on Monday, November 2, 2015 at 6:00 p.m. in the Arthur Campbell meeting room of the Municipal Building.

**A. 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, Asst Town Manager  
Tonya Triplett, Deputy Clerk  
Deborah Icenhour, Town Attorney  
Kim Kingsley, Deputy Treasurer  
Matthew Johnson, Dir. Of Planning  
John Dew, Director of Public Services Construction  
Chuck Banner, Director of Finance  
Floyd Bailey, Director of IT

Visitors: Richard Macbeth, Joe Levine,  
Stevie Steele

The following items were discussed by Council:

1. Alison Whitman, resident of Macedonia Road, Abingdon, reported she had met with Appalachian Power Company to discuss possible routes for new power lines. One of the purposed routes would impact her property, the Virginia Creeper Trail and the Overmountain Victory Trail. Dr. Whitman noted that Appalachian Power stated that route is neither the preferred route nor the least expensive route, but that the Virginia State Corporation Commission requires Appalachian Power to report all possible routes. Ms. Lowe and Ms. Duehring noted they had also attended a meeting with AEP and had encouraged the use of the existing right-of-way. Mr. Kelly commented that Appalachian Power had indicated that they will confirm the route of the new lines in the following months.

Amy Braswell, President of the Abingdon Main Street Board introduced the

new Main Street Director, Jennifer Montgomery.

2. Ms. Rosenbaum and Ms. Triplett provided Council with their Statements of Economic Interests packets and commented on information about new laws that will be effective January 1, 2016. Ms. Rosenbaum noted that the most impactful law includes at \$250 non filing penalty for all town staff, Council members, and town boards and committees that are required to file the forms on a twice annual basis.
3. Ms. Rosenbaum, Assistant Town Manager announced that the required permits for the Wolf Creek Stream Restoration Project at the Muster Grounds had been approved and noted that the project would be moving forward in the spring.
4. John Dew, Director of Public Services and Construction and Stevie Steele of CHA Consulting, Inc. updated Council on the Urban Path project. Mr. Steele reported that the Department of Environmental Quality requires an archeology survey on the Muster Ground property, thus Mr. Steele suggested moving forward with the project and extending it to the Muster Grounds at a later date. Mr. Humphreys reported an archeology survey had been completed by Ken Robinson with Wake Forest and asked Mr. Steele to see if the survey Mr. Robinson did would work for this project. Mr. Steele reported that door hangers were handed out to Hagy Street residents last week. The existing right-of-way, along with property that Mr. John Crigger gave for the project makes the pathway a straight shot down Hagy Street. Mr. Steele suggested closing a small section of Hagy Street, near Preston Street, installing bollards and making improvements on Butt Street and Colonial Road for truck traffic. The path will connect to the Creeper Trail Extension behind the Abingdon Market Pavilion, cross the railroad tracks to a lot that is owned by the town, behind Holston Mountain Artisans and the old jail building. Mayor Morgan suggested moving the trail to one side of the town lot instead of in the middle, making the remaining property more useful. Mr. Steele has a meeting with Jack Frost, Frost Funeral Home to discuss an easement between his property and the railroad track. If Mr. Frost agrees the path would follow the existing sidewalk on Park and Tanner Streets and then on to Main Street. Mr. Steele asked Council to walk the route of the path and to make suggestions.
5. Matthew Johnson, Director of Planning stated the Historic Preservation Review Board voted unanimously to recommend a change in the fee structure for requests of Certificates of Appropriateness Requests. Certificate of Appropriateness Request where tax credit is not sought would include no charge, while those seeking tax credits would require at \$50 fee.
6. Matthew Johnson, Director of Planning reported that bids received for drainage and stabilization for the Fields-Penn House came in much higher than expected. The bid for both drainage and stabilization is \$194,000. However, if the drainage is removed the stabilization bid is \$120,000. Council will need to allocate money for the project; the money that was in last year's budget was paid to Davis Buckley. Mr. Kelly, Town Manger suggested using monies in reserve or lumping it into the mid cycle borrowing.
7. Deb Icenhour, Town Attorney reported that Jim and Judy Moore would like to donate an additional approximately 2.8 acres of land to the Fairview Homestead. This would require advertisement, and a public hearing at the December Council meeting.

8. Deb Icenhour, Town Attorney reported she has the settlement complete for Abingdon Professional Building and the amount of overpayment is less than expected, the total is \$8,284.27.
9. Mrs. Icenhour, Town Attorney reported she has been working on the Taxi Cab Ordinance, and will provide a draft to the Tourism Advisory Committee by November 10 for their review and recommendations.
10. Mrs. Icenhour reported she has the completed leases for Barter Theatre and The Arts Depot and both will be on the regular meeting agenda.

**On motion of Mrs. Lowe seconded by Mr. Howard, the Council went into Closed Session pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia, 1950, as amended, for consultation with attorney regarding possible litigation.**

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

<b>Mrs. Duehring</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**On motion of Mrs. Lowe, seconded by Mrs. Duehring, the Council reconvened in regular session.**

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

<b>Mrs. Duehring</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**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:**

<b>Mrs. Duehring</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>Mrs. Lowe</b>	<b>I so certify</b>
<b>Mayor Morgan</b>	<b>I so certify</b>

Mayor Morgan declared a 5 minute recess for Council and Town staff to reconvene at Barter Theatre Main Stage for the regular 7:30 meeting.

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Edward B. Morgan, Mayor

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Tonya H. Triplett, Deputy Clerk