

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 8, 2015 – 7:30 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on Tuesday, September 8, 2015 at 7:30 p.m. in the Council chambers of the Municipal Building.

A. WELCOME – *Mayor Morgan*

B. ROLL CALL – *Tonya Triplett, Deputy Clerk*

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
Tonya Triplett, Deputy Clerk
Deborah Icenhour, Town Attorney
Chuck Banner, Dir. Of Finance
Matthew Johnson, Dir. Of Planning
John Dew, Dir. Public Services/Construction
Kevin Costello, Dir. Of Tourism

Visitors: Rich Macbeth, Joe LeVine and others

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bob Howard, Council Member

D. APPROVAL OF MINUTES

- August 3, 2015 Work Session Meeting
- August 3, 2015 Regular Meeting
- August 19, 2015 Work Session Meeting

On motion by Mrs. Duehring, seconded by Mrs. Lowe, the Council approved the minutes of the August 3, 2015 work session, August 3, 2015 regular meeting and August 19, 2015 work session minutes as presented.

The roll call vote was as follows:

Mrs. Duehring **Aye**
Mr. Howard **Aye**
Mr. Humphreys **Aye**
Mrs. Lowe **Aye**
Mayor Morgan **Aye**

D. EMPLOYEE RECOGNATIONS

Mr. Kelly recognized the following employees for their years of service to the town:

Scott Thompson, Chief Operator of Wastewater at Wolf Creek Wastewater Reclamation Facility, for ten (10) years of service

Joshua Brummitt, Abingdon Police Officer, for ten (10) years of service

F. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES – None.

G. SECOND READINGS OF ORDINANCES – None.

H. CONSIDERATION OF ANY BIDS – None.

I. REPORTS FROM THE TOWN MANAGER

1. Consideration of authorization of letter of support for Emergency Medical Services.

Greg Kelly, Town Manager asked Council to consider authorization of a letter of support for Emergency Medical Services. The Southwest Virginia EMS Council is applying to renew its designation as a regional emergency medical services council. The goal of this process is to obtain continued authorization to operate and provide the services of a designated regional EMS council.

On motion by Mr. Howard, seconded by Mr. Humphreys, the Council authorized Mr. Kelly, Town Manager to sign a letter of support for Southwest Virginia Emergency Medical Services Council to renew its designation as a regional emergency medical services council.

The roll call vote was as follows:

Mrs. Duehring **Aye**
Mr. Howard **Aye**
Mr. Humphreys **Aye**
Mrs. Lowe **Aye**
Mayor Morgan **Aye**

2. Authorization of Town Manager to execute contract with Axcient for installation of computer backup system.

Floyd Bailey, Director of IT and Chuck Banner, Director of Finance, presented a proposal from Axcient Business Recovery Cloud. Mr. Bailey noted that the company came highly recommended and has won several awards for its ability to backup and store data. Mr. Bailey commented that this system will provide backup services in real time for all town departments.

On motion by Mrs. Lowe, seconded by Mrs. Duehring, the Council authorized Mr. Kelly, Town Manger to enter into a contract and to procure financing for \$78,208.74 with Axcient for the installation of a computer backup system for town computers. The first payment would come from next year's budget and would be paid out over a three year period.

The roll call vote was as follows:

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

3. Consideration of appropriation of funds for Fairview Homestead

Matthew Johnson, Director of Planning reported that the Fairview Homestead board had been actively raising funds for programs at the site for the last several years. Mr. Johnson noted that when funds were raised through car shows and concessions, the deposits were made directly to the General Fund budget and not specified for Fairview. Mr. Johnson asked Council to consider appropriating the amount of \$5,356.50, from Council Contingency to the Fairview Homestead board and designate them as proceeds from fundraising events.

On motion by Mr. Humphreys, seconded by Mrs. Lowe, the Council allocated \$5,356.50 to the Fairview Foundation from Council Contingency, designated as proceeds for fundraising events and asked that town staff review records from prior years and search for any additional funds that might belong to the Fairview Foundation.

The roll call vote was as follows:

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

4. Consideration of appropriation of funds for renovations/repairs on Summers Law Office

Greg Kelly, Town Manager reported that Jason Harris placed a bid of \$37,175 for renovations at Summers Law Office, which includes a heat pump that will be installed by town staff.

On motion by Mr. Humphreys, seconded by Mr. Howard, the Council authorized Mr. Kelly, Town Manger, to enter into a contract with contractor Jason Harris to make the repairs to Summers Law office and to further use the amount of \$37,175 from existing borrowed surplus funds remaining from the Coomes Center project; Council further directed that the renovations/repairs to the Summers Law Office be done according to the best practices of the Department of Interiors guidelines.

The roll call vote was as follows:

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

Mr. Humphreys asked that Matthew Johnson, Director of Planning oversee the project, because if the project is done properly and if there is proper documentation the town could qualify to get .45 or every dollar spent returned to the town.

J. OLD BUSINESS

1. Report on Panorama Drive blight issue

Deb Icenhour, Town Attorney reported on the blight issues at Panorama Drive and noted it has been cured. Mrs. Icenhour also reported that the new code compliance officer has been hired and will begin work on September 21, 2015.

K. MATTERS NOT ON THE AGENDA

1. Vice Mayor Lowe stated she has researched the funds that were given to Veteran's Memorial Park in June. The council discussed giving some organizations extra money in June, 2015 and allocated \$15,000 more than they actually meant to. A check was written to the Veteran's Memorial Park in June for \$15,000 and the budget reflects there is now \$25,000 in that line item. The \$15,000 they have already received should be deducted from the \$25,000 in order to correct the mistake.

On motion by Mrs. Lowe, seconded by Mrs. Duehring the Council approved taking \$15,000, which was given to them in June, from the Veteran's Memorial Park Fund and moving it to back into Council Contingency in order to correct the mistake.

The roll call vote was as follows:

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

2. Deb Icenhour, Town Attorney reported she had received an invoice in the amount of \$1,500 from Norfolk Southern railroad for costs associated with the Town's lease of the property near The Arts Depot and the old passenger station in Depot Square.

On motion by Mrs. Lowe, seconded by Mr. Howard, the Council approved the request for \$1,500 for the annual Norfolk Southern railroad lease and requested this be a line item in the budget next year.

The roll call vote was as follows:

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

Mr. Humphreys requested the Town Attorney research if the railroad tracks are on property owned by Norfolk Southern railroad or on an existing right-of-way and that they pay property tax.

L. APPOINTMENTS TO BOARDS AND COMMITTEES

1. Board of Zoning Appeals

Matthew Johnson, Director of Planning stated the Board of Zoning Appeals members need to be reappointed for five (5) year staggered terms according to town code. Mr. Johnson recommended the following:

Paul Quetsch	1 year
Matt Bundy	2 years
Ramsey White	3 years
Richard Macbeth	4 years
Jan Reeves	5 years (or expiration of PC term, whichever is first)

On motion by Mrs. Lowe, seconded by Mr. Howard, the Council appointed the five members presently serving (listed above) to the Board of Zoning for staggered terms, as recommended by Mr. Johnson, Director of Planning. Mrs. Lowe recommended forwarding the new by- laws to the Circuit Court for consideration.

The roll call vote was as follows:

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

On motion of Mrs. Lowe seconded by Mr. Howard, the Council went into Closed Session pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia, 1950, as amended, for the consideration and discussion of appointments to town committees.

The roll call vote was as follows:

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

On motion of Mrs. Lowe, seconded by Mr. Humphreys, the council reconvened in regular session.

The roll call vote was as follows:

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

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:

Mrs. Duehring	I so certify
Mr. Howard	I so certify
Mr. Humphreys	I so certify
Mrs. Lowe	I so certify
Mayor Morgan	I so certify

2. Planning Commission

On motion of Mrs. Duehring, seconded by Mrs. Lowe, the Council appointed Kenny Shuman to the Planning Commission to fill the unexpired term of Langley Shazor and recommended the Planning Commission review their by-laws and explore the feasibility of adding two alternate positions.

The roll call vote was as follows:

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

3. Historic Properties Review Board

On motion of Mrs. Duehring, seconded by Mrs. Lowe, the Council appointed Michael Weaver, who is an architect, to the Historic Properties Review Board, and recommended the Historic Properties Review Board review their by-laws and explore the feasibility of adding two alternate positions.

The roll call vote was as follows:

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

4. Sustain Abingdon

On motion of Mrs. Duehring, seconded by Mr. Humphreys, the Council appointed Tom McMullen, to the Sustain Abingdon Committee.

The roll call vote was as follows:

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

M. COUNCIL MEMBER REPORTS

- Mr. Humphreys reported Call to Arms at the Muster Grounds will take place September 21-23 and they are expecting 1,500 school kids to attend. He also reported that Old Glade Antique Tractor Association and Fairview provided about 3,000 lbs. of potatoes which were distributed to families in the area.
- Mrs. Lowe inquired about the status of Council appointee evaluations, and taxi cab ordinance.
- Mr. Howard reported that citizens who live on Oxford, Cambridge and Rugby Terrace have concerns about cut through traffic and speeding through their residential neighborhood.

On motion of Mr. Howard, seconded by Mrs. Duehring the Council directed town staff to temporary close the east leg of Rugby Terrace, for up to sixty (60) days and to evaluate the affects of the impact on the other streets in the area, particularly Hutton and Tanner and to conduct an in house traffic study in the area.

The roll call vote was as follows:

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

- Mrs. Duehring complimented Abingdon Main Street, the Tourism Department and all the volunteers for their hard work on a well planned and highly successful BUSKERFEST event.
- Mr. Kelly reported that Alison Rook, former Mayor of Abingdon England and her daughter and son-in-law will be in town next week. Mr. Humphreys has several events planned for them and invited Council to a cocktail party at A Tailor's Lodging on Saturday, September 12. Mayor Morgan directed that town staff plan a dinner for the Abingdon England guests and Mr. Kelly commented that Council had funds in the meeting expenses line to cover the costs of the dinner.
- Mayor Morgan attended the Metropolitan Planning Organization, established to deal with transportation issues in the Southwest VA and Tri-Cities area. He reported construction will begin soon on Exit 14 and requests have been sent for improvements to both Exits 17 & 19. Mayor Morgan commented that he attended a Tobacco Commission meeting regarding the status of the Alliance of Rural Health. Mrs. Lowe noted her concerns about the Town contributions to this project.

Mayor Morgan declared the meeting adjourned.

Edward B. Morgan, Mayor

Tonya H. Triplett, Deputy Clerk