

**TOWN OF ABINGDON
REGULAR MEETING
MONDAY, NOVEMBER 4, 2019 – 6:30 PM
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on Monday, November 4, 2019 at 6:30 pm in the Council Chambers, Municipal Building.

A. WELCOME- *Mayor Craig*

B. ROLL CALL – *Kimberly Kingsley, Clerk*

Members of Council Present:

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

C. PLEDGE OF ALLEGIANCE – *Derek Webb, Councilmember*

D. PUBLIC COMMENTS – Please place your name on the sign-up sheet provided and comments are limited to three (3) minutes per person. **(VIDEO 10:10 – 19:13)**

- Billy E. Fullen
- Samir Patel

E. APPROVAL OF MINUTES (VIDEO 19:26 – 20:09)

- October 1, 2019 regular meeting
- October 16, 2019 work session

On motion by Mr. Bradley, seconded by Mr. Webb, Council approved the October 1, 2019 regular meeting and October 16, 2019 work session minutes as presented.

The roll call vote was as follows:

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

F. PROCLAMATION - None

G. RESOLUTIONS

1. Resolution regarding the Statewide Virginia's Great Valley-Lewis and Clark Eastern Legacy Trail project – ***James Morani, Town Manager (VIDEO 20:15 – 24:15)***

Town Manager Jimmy Morani introduced the Resolution stating that a 2009 grassroots effort to develop and implement a Virginia Great Valley Lewis & Clark Eastern Legacy Trail. Garrett Jackson, Washington County Committee Chair, Virginia's Great Valley-Lewis and Clark Eastern Legacy Trail, presented the history and requested support of the Resolution to be considered at the General Assembly.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council adopted a Resolution regarding the Statewide Virginia's Great Valley-Lewis and Clark Eastern Legacy Trail project.

The roll call vote was as follows:

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

2. Resolution accepting Certain Streets into the Town's Street System and Requesting Maintenance Funds from Virginia Department of Transportation – ***James Morani, Town Manager (VIDEO 24:17 – 26:17)***

Town Manager James Morani advised Council that the final inspection was complete and he recommended to accept the public streets in The Meadows, Cook Street Extended and Robertson Road as constructed in accordance with Virginia Department of Transportation and the Town's standards.

On motion by Mr. Bradley, seconded by Mr. Webb, Council adopted the Resolution accepting certain streets into the Town's Transportation System and requesting maintenance funds from VDOT.

The roll call vote was as follows:

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

H. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES -

1. Motion to approve application for a special use permit, pursuant to Section 15-9, Utilization of the flood Hazard district of the Town of Abingdon Zoning Ordinance, proposed construction in the flood hazard district, currently zone B-2 General Business District, located at 322 East Main Street, Abingdon, Virginia, Tax Map No. 013-1-84.
– **Jason Boswell, Director of Planning (VIDEO 26:16 – 28:59)**

Jason Boswell, Director of Planning communicated that the property owner at 322 East Main Street desires to an addition to his property and after a hydrologic analysis of the impact of an addition to the 1% chance flood elevation under FEMA guidelines as provided by Matt Bundy of Bundy Architecture and Engineering, Inc. Mr. Boswell stated the special use permit was approved by the Planning Commission. Mr. Bradley stated that he was present during this Planning Commission.

Mayor Craig declared the public hearing open for comment. Hearing no comments, Mayor Craig closed the public hearing.

On motion by Mr. Bradley, seconded by Ms. Patterson, Council approved the application for special use permit located at 322 East Main Street as presented.

The roll call vote was as follows:

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

I. SECOND READINGS

1. **Public Hearing** – Pursuant to Code of Virginia, 1950, as amended, Section § 15.2-2204 and The Code for the Town of Abingdon, Appendix B – Zoning Ordinance, Article 25 – Amendments, Administration and Interpretation, to consider an amendment to Appendix B – Zoning Ordinance, Article 17, Section 17-4, *Uses not provided for* - **Cameron Bell, Counsel (VIDEO 29:00 – 30:43)**

Cameron Bell, Counsel stated that this matter has been before the Council on several occasions and it basically deletes Section 17-4, Uses not provided for as it is inconsistent with the Town's ordinance and the Virginia code.

Mayor Craig declared the public hearing open for comment. Hearing no comments, Mayor Craig closed the public hearing.

On motion by Ms. Patterson, seconded by Mr. Bradley, Council approved the amendment to Zoning Ordinance, Article 17, Section 17-4, *Uses not provided for* as presented.

The roll call vote was as follows:

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

J. CONSIDERATION OF BIDS

1. Authorization to award contracts for on-call engineering services – ***Tyler Vencill, Town Engineer (VIDEO 30:44 – 36:17)***

- A. Architectural
- B. Wastewater

Tyler Vencill, Town Engineer presented information regarding a Request for Proposal for architectural and wastewater treatment and sewage collection engineering. Mr. Vencill requested that Council authorize the Town Manager to enter into competitive negotiation with The Lane Group and Thompson and Litton for architectural services and CHA and Mattern and Craig for wastewater treatment and sewage collection engineering services.

Mayor Craig announced that his son is a principle with Mattern & Craig and he would abstain from voting.

On motion by Mr. Webb, seconded by Mrs. Quetsch, authorized the Town Manager to enter into competitive negotiation with The Lane Group for architectural on-call services and execute an agreement for said services.

The roll call vote was as follows:

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

On motion by Mr. Webb, seconded by Ms. Patterson, authorized the Town Manager to enter into competitive negotiation with Thompson & Litton for architectural on-call services and execute an agreement for said services.

The roll call vote was as follows:

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

On motion by Mr. Webb, seconded by Mrs. Quetsch, authorized the Town Manager to enter into competitive negotiation with CHA for wastewater treatment and sewage collection engineering on-call services and execute an agreement for said services.

The roll call vote was as follows:

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

On motion by Mr. Webb, seconded by Ms. Patterson, authorized the Town Manager to enter into competitive negotiation with Mattern & Craig for wastewater treatment and sewage collection engineering on-call services and execute an agreement for said services.

The roll call vote was as follows:

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

K. REPORTS FROM THE TOWN MANAGER / STAFF

1. Confirmation of John Dew, Director of Public Works – *James Morani, Town Manager* (VIDEO 36:25 – 38:39)

Mr. Morani advised Council that subject to the Town's Charter confirmation of a department head and further stated that Mr. Dew was the most qualified applicant with an excellent rapport with the staff. Mr. Dew's employment will begin on November 18.

On motion by Mr. Bradley, seconded by Ms. Patterson, confirmed the Town Manager's appointment of John Dew as the Director of Public Works.

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 Development Agreement Regarding Extension of Green Spring Road – *James Morani, Town Manager* (VIDEO 38:43 – 58:52)

Mr. Morani updated the Council regarding a development agreement regarding extension of Green Spring Road with Marathon Realty regarding possibly funding from Virginia Department of Transportation should the access and construction eventually become a public road. Discussion ensued between Council, Stephen Spangler with Marathon Realty, Town Engineer Tyler Vencill, Cameron Bell, Counsel.

Council member Derek Webb declared that he had a personal interest in this transaction pursuant to Code of Virginia, Section 2.2-3112(A)(1), I disqualify myself from participating as I am employed with K-VA-T Food Stores, Inc., 1 Food City Circle, Abingdon, Virginia.

On motion by Mayor Craig, seconded by Mrs. Quetsch, approved the Development Agreement regarding the Extension of Green Spring Road.

The roll call vote was as follows:

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

3. Update on “Abingdon Sessions” – *James Morani, Town Manager* (VIDEO 58:56 – 1:03:53)

Mr. Morani stated that the agreement has been finalized with the talent procurement and festival coordinator with the artist announcement coming sometime prior to Thanksgiving. Jayne Duehring, Director of Tourism thanked them for the gift to every business in Abingdon and stated that she is working to capitalize on the opportunity.

L. OLD BUSINESS - MATTERS NOT ON THE AGENDA

None

M. COUNCIL MEMBER REPORTS (VIDEO 1:04:10 – 1:10:34)

Mrs. Quetsch stated she attended the grand opening of Food City and attended the first Finance Committee meeting and to become a liaison to the Council. Ms. Patterson announced she attended the Virginia Municipal League educational conference in October and also invited citizens to attend the Veteran’s Day Ceremony. Mr. Bradley conveyed that he will be attending the upcoming Capital Improvement Plan meeting on November 7. Mr. Webb stated that he attended the first Finance Committee and hopes to streamline the budget process. Mayor Craig complimented the staff for arranging transportation and signs/banners regarding the election.

N. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:10:43 – 2:02:28)

On motion by Mr. Webb, seconded by Ms. Patterson, moved that the Abingdon Town Council convene in closed session:

- (1) pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for various committees; and**
- (2) pursuant to §2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for consultation with legal counsel and briefings by staff members or consultations pertaining to actual or probable litigation where such consultation affect the negotiating or litigation posture of the public body, specifically for the purpose of discussing Kelly and Icenhour litigation; and**
- (3) pursuant to §2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.**

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 Mr. Webb, seconded by Ms. Patterson, 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

Mr. Webb moved that the Town Council certify that, in closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion.

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

1. Infrastructure Advisory Committee

- Appointment to replace new appointment with term(s) expiring in September 2023, and eligible for reappointment for an additional term

On motion by Mr. Webb, seconded by Ms. Patterson, to appoint Charlene Truhlik to the Infrastructure Advisory Committee.

The roll call vote was as follows:

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

2. Tree Commission

- Appointment to fill the expired term of Nicolas Leidig who is ineligible to serve an additional term

On motion by Ms. Patterson, seconded by Mr. Webb, to appoint Muhammad Hasham 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

3. Board of Building Code Appeals

- Appointment to fill the expired term of Nick Griffith, who is ineligible to serve an additional term
- Appointment to fill the expired term of Chris Dye, who is ineligible to serve an additional term

On motion by Mr. Webb, seconded by Mrs. Quetsch, to appoint Nathan Berg and Mike Mason to the Board of Building Code Appeals.

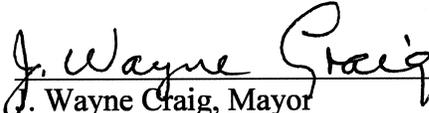
The roll call vote was as follows:

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

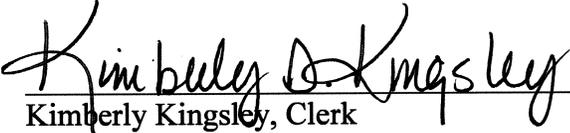
- O. Closed Session pursuant to §2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for consultation with legal counsel and briefings by staff members or consultations pertaining to actual or probable litigation where such consultation affect the negotiating or litigation posture of the public body, specifically for the purpose of discussing Kelly and Icenhour litigation.

Closed Session pursuant to §2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Mayor Craig adjourned the meeting.



J. Wayne Craig, Mayor



Kimberly Kingsley, Clerk