# TOWN OF ABINGDON, VIRGINIA TOWN COUNCIL REGULAR MEETING MONDAY, NOVEMBER 1, 2021 - 6:30 pm TOWN HALL - COUNCIL CHAMBERS 

DRAFT AGENDA
Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council, sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.
A. WELCOME - Mayor Webb
B. ROLL CALL - Kim Kingsley, Clerk
C. PLEDGE OF ALLEGIANCE - Vice Mayor Donna Quetsch
D. PRAYER - Pastor Kevin Campbell, Sinking Spring Presbyterian Church
E. APPROVAL OF AGENDA - Mayor Webb
F. PUBLIC COMMENTS - Please place your name on the sign-up sheet provided and comments are limited to three (3) minutes per person.

## G. APPROVAL OF MINUTES

- October 4, 2021 meeting
- October 21, 2021 mid-month meeting


## H. PROCLAMATIONS

1. Proclamation to honor and recognize the Abingdon High School Golf Team 2021

Class 3 State Champions, winning back-to-back titles.
I. PUBLIC HEARING - Please place your name on the sign-up sheet provided and comments are limited to five (5) minutes per person.

1. Public Hearing - Lease of property between the Town and K-VA-T Food Stores, Inc. $d b a$ Food City to operate concessions located at 78 Cook Street, also known as The Meadows.
2. Public Hearing -
A. Proposed zoning map amendment to rezone Tax Map ID 104A-3-1, parcel consisting of 0.65 acres more or less located at 430 Porterfield Highway, Abingdon VA, from M-1 Limited Industrial District to B-2 General Business District.
B. Proposed zoning map amendment to rezone Tax Map ID 104A-3-2, parcel consisting of 4.24 acres more or less located at 555 Porterfield Highway, Abingdon, VA, from M-1 Limited Industrial District to B-2 General Business District.

> C. Proposed zoning map amendment to rezone Tax Map ID 104A-3-3, parcel consisting of 1.19 acres more or less located at 520 Porterfield Highway, Abingdon, VA, from M-1 Limited Industrial District to B-2 General Business District.

## J. RESOLUTIONS

## K. FIRST READING OF ORDINANCES

1. Ordinance regarding proposed zoning map amendment to rezone Tax Map ID 104A-3-1, parcel consisting of 0.65 acres more or less, Tax Map ID 104A-3-2, parcel consisting of 4.24 acres more or less and Tax Map ID 104A-3-3, parcel consisting of 1.19 acres more or less located in the area of 520 Porterfield Highway. - Mayana Rice, Director of Community Development

## L. SECOND READING OF ORDINANCES

1. An Ordinance of the Council for the Town of Abingdon, Virginia for a proposed amendment to Chapter 66 Ordinance - Taxation, Article 1. - In General, Section 66-3. Collection of delinquent taxes by distress, personal judgment or sale.

## M. CONSIDERATION OF BIDS

1. Consideration of bid for stair replacement for the pedestrian bridge at Norfolk-Southern Railroad on Remsburg Drive - Deck Shaver, Interim Director of Public Works
N. NEW BUSINESS
2. Presentation by Virginia Highlands Festival-Deirdre Cole, Executive Producer and Christine Webb, Representative
3. Historic District Boundary Expansion to match underlying State Historic District boundary. - Byrum Geisler and Betsy White, Historic Preservation Review Board
O. OLD BUSINESS
P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER
4. Presentation regarding compensation study - Stephanie Davis, Local Government Collaboration, LLC

## Q. COUNCIL MEMBER REPORTS

R. CLOSED SESSION
S. APPOINTMENTS TO BOARDS AND COMMITTEES

1. Infrastructure Advisory Committee

- Reappointment of Charlene Truhlik, who is eligible to serve an additional term

2. Planning Commission

- Appointment to fill the vacancy of R. Wayne Austin, who is ineligible to serve an additional term

3. Board of Zoning Appeals

- Appointment to fill the vacancy of R. Wayne Austin, as a representative for the Planning Commission

If Council so desires, closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for position on Infrastructure Advisory Committee, Planning Commission and Board of Zoning Appeals.

## T. ADJOURNMENT

# TOWN OF ABINGDON <br> REGULAR COUNCIL MEETING <br> MONDAY, OCTOBER 4, 2021 - 6:30 PM COUNCIL CHAMBERS - MUNICIPAL BUILDING 

The regular meeting of the Abingdon Town Council was held on Monday, October 4, 2021 at $6: 30 \mathrm{pm}$ in the Council Chamber of the Municipal Building.
A. WELCOME - Mayor Webb
B. ROLL CALL

Members of Council Present: Mike Owens James Anderson Amanda Pillion
Donna Quetsch, Vice Mayor
Derek Webb, Mayor

## C. PLEDGE OF ALLEGIANCE

D. PRAYER - Pastor Jason Bakker, Abingdon Bible Church
E. APPROVAL OF AGENDA (VIDEO 17:11-17:43)

On motion of Mr. Owens, seconded by Mrs. Pillion, accepted the agenda as presented.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

## F. PUBLIC COMMENTS (VIDEO 17:43-25:03)

- Michael Roark
- Edison Jennings


## G. APPROVAL OF MINUTES (VIDEO 25:05-25:48)

- September 7, 2021 meeting
- September 23, 2021 mid-month meeting

On motion of Mr. Anderson, seconded by Mrs. Pillion, approved the September 7, 2021 meeting and the September 23, 2021 mid-month meeting minutes as presented.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

## H. PROCLAMATIONS

1. Recognition of October 3-9, 2021, as Fire Prevention Week "Learn the Sounds of Fire Safety".

Mrs. Quetsch read into record a Proclamation recognizing October 3 - 9, 2021, as Fire Prevention Week "Learn the Sounds of Fire Safety". Mayor Webb and Council presented Chief John McCormick, Assistant Fire Chief Tim Estes, Sr., Deputy Fire Chief Mark McCormick, and Captain Bob Howard with a framed Proclamation. (VIDEO 25:51-31:19)
I. PUBLIC HEARING - Please place your name on the sign-up sheet provided and comments are limited to five (5) minutes per person.

## J. RESOLUTIONS

## K. FIRST READING OF ORDINANCES (VIDEO 31:27-32:20)

1. First Reading -An Ordinance of the Council for the Town of Abingdon, Virginia for a proposed amendment to Chapter 66 Ordinance - Taxation, Article 1. - In General, Section 66-3. Collection of delinquent taxes by distress, personal judgment or sale.
Cameron Bell, Counsel presented the proposed Ordinance stating that this was discussed at the September 23, 2021 mid-month meeting. Mayor Webb questioned "Shall this proposal be rejected?" Hearing no objections, Mayor Webb declared that this matter will move to second reading in November.

## L. SECOND READING OF ORDINANCES

## M. CONSIDERATION OF BIDS

## N. NEW BUSINESS

O. OLD BUSINESS

## P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER (VIDEO 32:34-36:48)

Town Manager James Morani introduced Mayana Rice as the Director of Community Development. Council welcomed her to Abingdon.

Mr. Morani also advised that a public information meeting regarding the proposed Outdoor Recreation Area is scheduled for October 21, 2021 from 5 to 7 pm in the Arthur Campbell Room. Mr. Morani stated that information will be forthcoming regarding comment forms.

Mr. Morani reported that Steve Trotman, Director of Finance will present a quarterly update at the November 1, 2021 meeting.

Mr. Morani stated that Woodward \& Curran will making a proposal to employees at the Wolf Creek Water Reclamation Plant regarding any unused time, hopefully at the October 13 -14, 2021 meeting with Human Resources.

Cameron Bell, Counsel, stated that The Meadows sports complex progress looks good.

## Q. COUNCIL MEMBER REPORTS (VIDEO 36:49-38:03)

Mayor Webb stated that the progress at The Meadows is exciting and is coming along nicely.

## R. CLOSED SESSION (VIDEO 38:05-1:05:27)

1. Closed session permitted by Code of Virginia, Section 2.2-3711(A)(3), a matter involving disposition of publicly held property because discussion in an open meeting would adversely affect our bargaining position.
2. Closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for position on Board of Zoning Appeals, Historic Preservation Review Board, Recreation Advisory Committee and Infrastructure Advisory Committee.
On motion by Mr. Owens, seconded by Mrs. Quetsch, to go into closed session permitted by Code of Virginia, Section 2.2-3711(A)(3), a matter involving disposition of publicly held property because discussion in an open meeting would adversely affect our bargaining position; and pursuant to the Code of Virginia, 1950, Section 2.2-
3711(A)(1) for considering application for appointment to boards, specifically Board of Zoning Appeals, Historic Preservation Review Board, Recreation Advisory Committee and Infrastructure Advisory Committee.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :--- |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

On motion by Mr. Owens, seconded by Mrs. Quetsch, reconvened in open session.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :--- |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

Mr. Owens 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. Owens | I so certify |
| :--- | ---: |
| Mr. Anderson | I so certify |
| Mrs. Pillion | I so certify |
| Mrs. Quetsch | I so certify |
| Mayor Webb | I so certify |

## S. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:05:27-1:09:00) <br> APPOINTMENTS TO BOARDS AND COMMITTEES

1. Board of Zoning Appeals

- Appointment to fill expired term of R. Wayne Austin, who is ineligible to serve an additional term (Also serves as a Planning Commission representative)
- Appointment to fill expired term of Dr. H. Ramsey White, who is ineligible to serve an additional term
On motion by Mr. Anderson, seconded by Mrs. Pillion, appointed Joel
Taylor to fill the expired term of Dr. H. Ramsey White.
The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

Mayor Webb announced that the matter is tabled regarding the expired term of R. Wayne Austin.
2. Historic Preservation Review Board

- Appointment to fill expired term of Michael Weaver, who is ineligible to serve an additional term

On motion by Mr. Owens, seconded by Mrs. Quetsch, appointed Peyton Boyd to fill the expired term of Michael Weaver.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

3. Recreation Advisory Committee

- Reappointment of Don Yates, who is eligible to serve an additional term
- Reappointment of Brock Hawkins, who is eligible to serve an additional term
- Reappointment of Eddie Ramirez, who is eligible to serve an additional term
- Reappointment of Jimmy Woods, who is eligible to serve an additional term

On motion by Mrs. Pillion, seconded by Mr. Owens, reappointed Don
Yates, Brock Hawkins, Eddie Ramirez, and Jimmy Woods to serve an additional term.
The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

4. Infrastructure Advisory Committee

- Reappointment of Janet Woolwine, who is eligible to serve an additional term
- Reappointment of Charlie Fugate, who is eligible to serve an additional term
- Appointment to fill the expired term of Monty Vernon

On motion by Mrs. Quetsch, seconded by Mr. Owens, reappointed Janet Woolwine and Charlie Fugate to serve an additional term and appointed Wayne Craig to fill the expired term of Monty Vernon.

The roll call vote was as follows:

Mr. Owens
Mr. Anderson
Mrs. Pillion
Mrs. Quetsch
Mayor Webb

Aye
Aye
Aye
Aye
Aye

Mayor Webb declared the meeting adjourned.

## Mayor Derek Webb

Kimberly Kingsley, Clerk

## TOWN OF ABINGDON <br> MID-MONTH MEETING <br> THURSDAY, OCTOBER 21, 2021 - 2:30 PM COUNCIL CHAMBERS - MUNICIPAL BUILDING

A mid-month meeting of the Abingdon Town Council was held on Thursday, October 21, 2021 at 2:30 pm in the Council Chambers of the Municipal Building.
A. WELCOME - Mayor Webb
B. ROLL CALL

Members of Council Present: Mike Owens
James Anderson
Amanda Pillion
Donna Quetsch, Vice Mayor
Derek Webb, Mayor
C. PLEDGE OF ALLEGIANCE - Council Member James Anderson
D. APPROVAL OF AGENDA - Mayor Webb (VIDEO )

On motion of Mrs. Pillion, seconded by Mr. Anderson, accepted the agenda as drafted.

The roll call vote was as follows:

| Mr. Owens | Aye |
| :--- | :---: |
| Mr. Anderson | Aye |
| Mrs. Pillion | Aye |
| Mrs. Quetsch | Aye |
| Mayor Webb | Aye |

E. PUBLIC COMMENTS - Please place your name on the sign-up sheet provided and comments are limited to three (3) minutes per person. (VIDEO 7:03-7:36)

- None
F. PUBLIC HEARINGS - Please place your name on the sign-up sheet provided and comments are limited to five (5) minutes per person.
G. PROCLAMATIONS
H. NEW BUSINESS

1. Request by Clifton-Stewart Rentals, LLC for proposed zoning map amendment to rezone Tax Map ID 104A-3-1, parcel consisting of 0.65 acres more or less located at 430 Porterfield Highway, Abingdon VA, from M-1 Limited Industrial District to B-2 General Business District; Tax Map ID 104A-3-2, parcel consisting of 4.24 acres more or less located at 555 Porterfield Highway, Abingdon, VA, from M-1 Limited Industrial District to B-2 General Business District; and Tax Map ID 104A-3-3, parcel consisting of 1.19 acres more or less located at 520 Porterfield Highway, Abingdon, VA, from M-1 Limited Industrial District to B-2 General Business District. - Mayana Rice, Director of Community Development (VIDEO 7:50-19:52)

Ms. Rice provided Council with an update regarding a request from Clifton-Stewart Rentals, LLC to rezone three adjacent parcels on Porterfield Highway from M-1 Limited Industrial District to B-2 General Business District. Ms. Rice advised that the map presented was inaccurate and that the 555 depicted is actually on Russell Road; but clarified that there is actually a 555 on Porterfield Highway. Ms. Rice suggested that the tax parcel identification numbers be used for future discussion. Ms. Rice conveyed that pursuant Virginia Code Section 15.2-2204, the Planning Commission approved. Discussion ensued. This matter is scheduled for public hearing on November 1, 2021.

## I. RESOLUTIONS

## J. FIRST READING OF ORDINANCES

## K. UNFINISHED BUSINESS

## L. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER (VIDEO 20:05-31:13)

1. Discussion regarding Memorandum of Understanding between Enhance Abingdon Foundation, Inc. and Town of Abingdon, Virginia. - James Morani, Town Manager
Mr. Morani stated that the Enhance Abingdon Foundation was formed to provide fundraising for Town owned properties. Mr. Morani stated that a Board of Trustees, include Town residents, two County residents, and a Town employee at a director level. Discussion ensued. It was decided that the bylaws would be forwarded to Council, the Town Attorney would review, and revisit at the November mid-month meeting.
(VIDEO 31:13-35:09) Mr. Morani reminded Council of the public information meeting regarding the Designated Outdoor Refreshment Area at 5:00 pm in the Arthur Campbell Room.

Mr. Morani advised Council of the required training associated with the Conflict of Interest training and advised that information will be forthcoming.

Mr. Morani reminded Council that the Capital Improvement Plan would be revisited and that he would coordinate a date with Stephanie Davis.

Mr. Morani reported that Stephanie Davis will be presenting information on the compensation study at the November 1, 2021 meeting.

## M. COUNCIL MEMBER REPORTS (VIDEO 35:08-38:40)

Mrs. Quetsch recommended that future mid-month meeting (aka work session) be held in the Arthur Campbell Room on the first floor of the Town Municipal Building in an effort to encourage open discussion. Discussion ensued and it was agreed that the mid-month meetings would be held in the Arthur Campbell Room beginning in November 2021. Mayor Webb requested the Clerk to post proper notice.

## N. CLOSED SESSION

Mayor Webb declared the meeting adjourned.

Kimberly Kingsley, Clerk

## ABINGDON TOWN COUNCIL <br> Agenda Item Summary

MEETING DATE: November 1, 2021
AGENDA ITEM: K-1
ITEM TITLE: Approval of proposed zone map amendment by Jimmy Stewart to the Town of Abingdon, Virginia, for Tax Map ID 104A-3-1, parcel consisting of 0.65 acres more or less, Tax Map ID 104A-3-2, parcel consisting of 4.24 acres more or less and Tax Map ID 104A-3-3, parcel consisting of 1.19 acres more or less located in the area of 520 Porterfield Highway from M-1 Limited Manufacturing to B-2 General Business.

SUMMARY: The application to rezone the subject property was received August 30, 2021. The Zoning Map Amendment was noticed as required.

The Planning Commission conducted a public hearing on Monday, September 27, 2021. No public comments were received. The Planning Commission unanimously voted to recommend approval of the Zoning Map Amendment to change from M-1 (Limited Industrial District) to B-2 (General Business District) as presented.

Town Council held a work session on October 21, 2021, at which additional information was provided by staff clarifying the request. Prior to consideration of the Zoning Map Amendment by Town Council, a required public hearing will take place at the November 1, 2021, council meeting.

PRIOR ACTION(S): The Planning Commission conducted a public hearing on Monday, September 27, 2021.

FISCAL IMPACT: None.
STAFF CONTACT(S): Mayana Rice, Director of Community Development
RECOMMENDATION: Move to second reading for final consideration at the December 6, 2021, council meeting.

WHEREAS, § 15.2-2286(7) of the Code of Virginia 1950, as amended, grants the local governing body the authority to amend the regulations or district maps from time to time. Whenever the public necessity, convenience, general welfare, or good zoning practices requires, the governing body may by ordinance amend, supplement, or change the regulations, district boundaries, or classifications of property.

WHEREAS, the Town of Abingdon's current zoning map classification for Parcel numbers 104A-3-1, 104A-3-2, and 104A-3-3 is M-1 Limited Industrial District, the Council for the Town of Abingdon has found it in the best interest to amend its zoning map to its zoning ordinance and designate Parcel numbers 104A-3-1, 104A-3-2, and 104A-3-3 more or less located in the area of 520 Porterfield Highway as B-2 General Business District; and

WHEREAS, § 15.2-2285 of the Code of Virginia 1950, as amended, grants the planning commission the authority, at the direction of the governing body, to prepare a proposed zoning map amendment; and

WHEREAS, the planning commission held a public hearing on the proposed map amendment, after notice as required by §15.2-2204, at the regularly scheduled meeting held on September 27, 2021, and made appropriate changes in the proposed map amendment as a result of the hearing, and upon completion of its work, the commission unanimously voted to recommend that the proposed map amendment be adopted by Town Council and presented the proposed amendment to the governing body together with its recommendation and appropriate explanatory materials.

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that: Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

BE IT FURTHER ORDAINED, that upon the recommendation of the Planning Commission, proper public notice and public hearing, and vote of the Council for the Town of Abingdon that: The Town's ordinances and zoning map be amended to reflect that Parcel numbers 104A-3-1, 104A-3-2, and 104A-3-3 designated M-1 Limited Industrial District, more or less located in the area of 520 Porterfield Highway be designated as B-2 General Business District;

## CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to amend, and find it to be in correct form, as set forth above, this $\qquad$ day of $\qquad$ , 2021.

> Cameron Bell, Counsel

This ordinance was adopted on the $\qquad$ day of $\qquad$ , to take effect on $\qquad$ .

## Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on $\qquad$ , 2021. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

| MEMBERS | ATTENDANCE | VOTE |
| :--- | :--- | :--- |
| Derek Webb, Mayor |  |  |
| Donna Quetsch, Vice Mayor |  |  |
| Amanda Pillion |  |  |
| James Anderson |  |  |
| Mike Owens |  |  |

WITNESS MY HAND and the seal of the Town of Abingdon as of $\qquad$ , 2021.
(SEAL)

Kimberly Kingsley, Clerk

## ABINGDON TOWN COUNCIL <br> Agenda Item Summary

MEETING DATE: November 1, 2021 AGENDA ITEM: L-1
ITEM TITLE: Ordinance of the Council for the Town of Abingdon, Virginia for a proposed amendment to Chapter 66 - Taxation, Article 1. - In General, Section 66-3. Collection of delinquent taxes by distress, personal judgement for sale

SUMMARY: The proposed amendment to Chapter 66 of the Town Code will (1) no longer require that delinquent property taxes be referred to the town attorney for collections, which is permissive in accordance with the Code of Virginia, § 58.1-3940 and (2) pursuant to the Code of Virginia, § 58.1-3924, authorize Town Council to request from the Treasurer information regarding delinquent property taxes and authorize the Town Council or Treasurer to publish a list of said delinquencies in a newspaper of general circulation in the town and/or the Town's website.

As discussed at the September 23 council meeting, the Town is considering contracting services for delinquent collections to TACS, and not using the town attorney. This process, along with the publication of delinquent taxes, are more effective methods to ensure the timely payment of property taxes

PRIOR ACTION(S): First reading at October 4, 2021 council meeting
FISCAL IMPACT: De minimis
STAFF CONTACT(S): James Morani, Town Manager
Tammy Baldwin, Treasurer
RECOMMENDATION: Approve Ordinance Amending Chapter 66

# An Ordinance of the Council for the Town of Abingdon, Virginia to amend 

$$
\text { Part II - Code, Chapter } 2 \text {-Administration, Article IV - Finance, }
$$

## Chapter 66. - Taxation, Article 1. - In General, Section 66 - 3. - Collection of delinquent taxes by distress, personal judgment or sale.

WHEREAS, §15.2-1102 of the Code of Virginia 1950, as amended, established that the governing body of any town may amend and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

WHEREAS, the Town of Abingdon's current Code, Chapter 2 - Administration, Article IV - Finance, Chapter 66. - Taxation, Article 1 - In General, Section 66 - 3. - Collection of delinquent taxes by distress, personal judgment or sale, the Council for the Town of Abingdon has found it in the best interest to amend the body of its ordinance; and

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and
2. The Town of Abingdon's Code - Part II, Chapter 2 - Administration, Article IV. Finance, Chapter 66. - Taxation, Article 1. - In General, Section 66 - 3. - Collection of delinquent taxes by distress, personal judgment or sale that is proposed for amendment currently appears as follows:
Sec. 66-3. - Collection of delinquent taxes by distress, personal judgment or sale.
(a) All properties delinquent for more than three years shall be automatically referred to the town attorney for collection by distress or personal judgment.
(b) If the debt cannot be satisfied by the aforementioned means, the attorney shall be directed to initiate a suit to sell the property when owners are delinquent in excess of $\$ 1,000.00$, including penalties and interest.
(c) On any property apparently abandoned and where taxes are delinquent for three years, the town attorney shall be directed to initiate a suit to sell the property.

BE IT FURTHER ORDAINED, that upon the recommendation of the Council for the Town of Abingdon, Part II - Code, Chapter 2 - Administration, Article IV - Finance, Chapter 66.

- Taxation, Article 1 - In General, Section 66 - 3. - Section $66-3.2$ be amended as follows:


## Sec. 66-3. - Collection of delinquent taxes.

(a) Pursuant to the authority of Code of Virginia, § 58.1-3940, et seq., Town Council may employ or retain an attorney to collect past due taxes by distress, suit, lien, sale or any other available legal means on behalf of the Town.

## Sec. 66 - 3.1. Payment of administrative fees, attorney's fees, and collection agency's fees to cover the costs associated with the collection of delinquent taxes.

Any person liable for local taxes or other local accounts who fails to pay the amount due within 30 days after notice of the delinquency has been sent may, in addition to all penalties and interest, pay a fee to cover the administrative costs associated with the collection in such amount as allowed by Section 58.1-3958 of the Virginia Code, as amended, or such other Virginia statute regulating the amount of such fees or covering the subject of fees in such cases. In addition to the administrative fee, any collection agency's fees or attorney's fees actually contracted for, not to exceed twenty (20) percent of the delinquent bill, may also be added to the delinquent bill.

## Sec. 66-3.2 - Publication of Delinquent Taxes and Taxpayers.

(a) Pursuant to the authority of the Code of Virginia, § 58.1-3924, the Treasurer, upon the request of the Council, shall furnish a copy of any of the six lists mentioned in the Code of Virginia, $\S 58.1-3921$. Pursuant to the authority of the Code of Virginia § 58.1-3922, the lists shall conform to the facts as they existed on June 30 of the year they are submitted to the governing body. Delinquent real estate taxes shall be listed in the name of the owner on the date of assessment.
(b) Pursuant to the authority of the Code of Virginia, § 58.1-3924, the governing body, or the Treasurer may publish:
(1) A list of real estate which is delinquent for the nonpayment of taxes; and
(2) A list of taxes assessed on tangible personal property, machinery and tools and merchants' capital and such other subjects of local taxation which are delinquent, or such part of said lists as are deemed advisable by the Treasurer in a newspaper of general circulation in the town and/or on the town's website.

## CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to amend Part II - Code, Chapter 2 Administration, Article IV - Finance, Chapter 66. - Taxation, Article 1 - In General, Section 66 - 3. - Collection of delinquent taxes by distress, personal judgment or sale, and find it to be in correct form, as set forth above, this $\qquad$ day of $\qquad$ , 2021.

Cameron Bell, Counsel

This ordinance was adopted on the $\qquad$ day of $\qquad$ , to take effect on $\qquad$ .

Derek Webb, Mayor
The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on $\qquad$ , 2021. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

| MEMBERS | ATTENDANCE | VOTE |
| :--- | :--- | :--- |
| Derek Webb, Mayor |  |  |
| Donna Quetsch, Vice Mayor |  |  |
| Amanda Pillion |  |  |
| James Anderson |  |  |
| Mike Owens |  |  |

WITNESS MY HAND and the seal of the Town of Abingdon as of $\qquad$ , 2021.

# ABINGDON TOWN COUNCIL <br> Agenda Item Summary 

MEETING DATE: November 1, 2021
AGENDA ITEM: M-1
ITEM TITLE: Consideration of Bid for Stair Replacement for Pedestrian Bridge at Norfolk-Southern Railroad on Remsburg Drive

SUMMARY: The pedestrian bridge crossing over the Norfolk-Southern Railroad tracks has been closed since November 2019 when a vehicle accident damaged the stairway.

Consulting engineers Thompson \& Litton were contracted by the Town to prepare detailed design plans for the project. Design plans were completed in August 2021 and Town staff advertised an Invitation for Bids in September 2021. Sealed Bid Proposals for construction of the project were received at Town Hall and publicly opened and read on October 21, 2021.

One responsive Bid Proposal for construction of the project was received, that being from Inland Construction, Inc. of Abingdon, Virginia in the amount of $\$ 108,500$. Thompson \& Litton's conceptual cost estimate for the project was a range of $\$ 80,000$ to $\$ 100,000$.

Inland Construction has successfully completed construction of several projects for the Town including the Abingdon Urban Trail and the Brick Sidewalk Replacement Project. Inland Construction has also completed numerous civil/municipal construction projects in the region including at the Town of Damascus, Smyth County, and the City of Galax. Thompson \& Litton and Town staff are confident of Inland Construction's capabilities to complete the project, and recommend for award of the contract to them.

Should Town Council award the contract to Inland Construction, Town staff will issue the Notice of Award and a Notice to Proceed with a construction start date of December 1, 2021. The contract schedule requirement for completion of the project is 120 days.

## PRIOR ACTION(S): None.

FISCAL IMPACT: The Town will expend a total of $\$ 17,487$ for engineering work associated with the project. In April 2020, the Town received payment in the amount of $\$ 45,410$ (appraised value less $\$ 1,000$ deductible) from VACoRP to cover the property damage. Therefore, the total fiscal impact of this project, less insurance reimbursements, will be $\mathbf{\$ 8 0 , 5 7 7}$.

STAFF CONTACT(S): Deck Shaver, Interim Director of Public Works James Morani, Town Manager

RECOMMENDATION: Award the contract for construction of the Stair Replacement for the Pedestrian Bridge over the Norfolk-Southern Railroad to Inland Construction, Inc. in the amount of \$108,500 in accordance with their Bid Proposal dated October 21, 2021, and authorize the Town Manager to execute the contract and all related documents.
Bid Opening Form
Project: STAIR REPLACEMENT FOR PEDESTRIAN BRIDGE N-S RR Date: Thursday, October 21, 2021 at 2:00pm 2:04PM
Place: 133 West Main St Abingdon, VA 24210 (Town Hall)
VA Contractor





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TOWN OF ABINGDON
INFRASTRUCTURE ADVISORY COMMITTEE
CURRENT MEMBERS
APPOINTMENT \& EXPIRATION DATES
2 YEAR TERMS - MAY SERVE ANY NUMBER OF TERMS BUT NOT MORE THAN TWO
TERMS CONSECUTIVELY
Meets every other month
Staff Contact: Deck Shaver, Interim Public Works Director
Phone Number: 276-628-3167
Updated: October 2021

| Name | Address | Appointment Date | Term Expiration Date | Eligible for <br> Another Term |
| :---: | :---: | :---: | :---: | :---: |
| Vice Mayor Donna Quetsch | PO Box 789 <br> Abingdon <br> VA 24212 <br> dquetsch@abingdon- <br> va.gov | July 2020 | Term to coincide with Council term | Yes |
| Janet Woolwine | PO Box 2373 <br> Abingdon VA $24210$ <br> jiwoolwine @ yahoo.com | October 2019 | October 2021 Reappt: <br> October 2023 | No |
| Charlie <br> Fugate | 87 Fairway Drive <br> Abingdon VA <br> 24210 <br> fugatec@foodcity.com | October 2019 | October 2021 Reappt: <br> October 2023 | No |
| Charlene Truhlik | 147 Valley St NE Abingdon VA 24210 charlene@bvu.net | $\begin{aligned} & \text { November } \\ & 2019 \end{aligned}$ | $\begin{array}{\|l} \hline \text { November } \\ 2021 \end{array}$ | Yes |
| Wayne Craig | 204 Glenrochie Drive <br> Abingdon VA <br> 24210 <br> Jwc1060@yahoo.com | October 2021 | October 2023 | Yes |
| Director of Public <br> Works | P O Box 789 <br> Abingdon VA <br> 24212-0789 <br> dshaver@abingdon- <br> va.gov |  | Continual |  |
| James <br> Morani, <br> Town <br> Manager | P O Box 789 <br> Abingdon VA <br> 24212-0789 |  | Continual |  |

TOWN OF ABINGDON

## PLANNING COMMISSION

CURRENT MEMBERS - APPOINTMENT \& EXPIRATION DATES
4-YEAR TERMS
$4^{\text {th }}$ Monday each month, $5: 30 \mathrm{pm}$, Arthur Campbell Room
Staff Contact: Jason Boswell, Director of Planning
Update: August 4, 2020

| Committee Member | Address | Phone \#/ Email | Appointment Date | Term Expiration Date | Eligible for Another Term |
| :---: | :---: | :---: | :---: | :---: | :---: |
| James Anderson <br> Town Council Representative | 254 B Street Abingdon, VA 24210 | (276) 492-3214 <br> janderson @abingdon-$\underline{\text { va.gov }}$ | July 2020 | July 2024 | Yes |
| Chad Pennington (fill unexpired term of Janice Reeves, March 2019/James Anderson) | 307 Winterham Drive <br> Abingdon, VA 24210 | (276) 698-7936 $\frac{\text { Gcpenningson1@gmail.co }}{\mathrm{m}}$ | August 2020 | $\begin{gathered} \text { August } \\ 2024 \end{gathered}$ | Yes |
| Scott N. Wilson <br> (fill unexpired term of Maggie Costello, March 2018) | 430 Baugh Lane <br> Abingdon, VA 24210 | $\begin{gathered} \text { 276-676-3023 } \\ \text { swilson@T-L.com } \end{gathered}$ | March 2018 <br> 1st term | March 2022 | Yes |
| Kenny Shuman <br> (fill the unexpired term of Langley Shazor, March 2018) | 164 W. Valley St. <br> Abingdon, VA 24210 | 276-698-5368 (c) <br> KennyShuman09410@gmail.com | $\begin{gathered} \text { March } 2018 \\ 1^{\text {st }} \text { term } \end{gathered}$ | March 2022 | Yes |
| R. Wayne Austin | 806 Birdie Dr. <br> Abingdon, VA 24210 | $\begin{aligned} & \text { 276-628-4388 } \\ & \text { rwasa@bvu.net } \end{aligned}$ | $\begin{aligned} & \text { November } \\ & 2017 \\ & 2^{\text {nd }} \text { term } \end{aligned}$ | Term <br> Expires: <br> November, 2021 | No |
| Kirk Sproles | $\begin{gathered} \hline \text { P O Box } 456 \\ 211 \text { Glenrochie } \\ \text { Drive } \\ \text { Abingdon, VA } \\ 24212-0456 \end{gathered}$ | 276-608-1161 <br> Tbs-wks@comcast.net | July, 2019 $1^{\text {st }}$ term | July 2023 | Yes |
| Michael Weaver (fill vacancy of Town Manager) | $\begin{gathered} \hline 610 \text { Colonial Road, } \\ \text { SW } \\ \text { Abingdon, VA } \\ 24210 \end{gathered}$ | (276) 698-9522 <br> Dmweaver76@gmail.com | August 2020 | $\begin{gathered} \hline \text { August } \\ 2024 \end{gathered}$ | Yes |

## PUBLIC DOCUMENT SUBJECT TO FREEDOM OF INFORMATION ACT

# APPLICATION EXPIRES DECEMBER 31, 2021 

## Board and Commission Application

The Abingdon Town Council has adopted this application for use by individuals interested in appointment to any of the Town's advisory boards and commissions. To ensure your application will receive full consideration, please answer all questions completely. Questions? Call 276-492-2149

Please return this application either:

- In person ( $3^{\text {rd }}$ floor of the Town Hall), 133 West Main Street, Abingdon, VA;
- By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or
- kkingsley@abingdon-va.gov
***PLEASE PRINT OR TYPE***
Name Kenton Thompson
Date: 07/26/2021
Address 301 Valley Street NE City/State Abingdon, VA_Zip 24210
Do you live inside the Town limits of Abingdon? Yes $\qquad$
Telephone: 276-477-4164
Email Address: (required) kthompsoncpa@gmail.com
Place of Employment: RSM US LLP
Address: 300 S Tryon Street, Suite 1500, Charlotte, NC 28202
Description of job duties:
Senior Director - Valuation Services
Educational background:
B.S.B.A. - University of Central Florida - Major in Accounting, minor in Computer Science;
M. Div. - Asbury Theological Seminary; Industry Certificate in the Business of Craft Brewing - Portland State University

Are you currently serving on a board or commission of the Town of Abingdon? Yes $\square$ No $\square$ If so, which Board(s) or Commission(s)? $\qquad$
When do(es) your present term(s) expire? (mm/yy) $\qquad$
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities? Yes No

If so, name and date(s) of service? $\qquad$
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful? I have been a CPA for over 37 years, a licensed Real Estate Broker for over 20 years. I have extensive experience working with clients
in a wide range of industries, including numerous start-ups in technology, manufacturing, service and retail businesses.
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes $\square$ No $\square$ To the best of my ability, all information on this application is true and correct.
SIGNATURE


## Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. **

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

| Board of Building Code Appeals** $\square$ | Planning Commission */** |
| :--- | :--- |
| Board of Zoning Appeals $\square$ | Recreation Advisory Commission $\square$ |
| Economic Development Authority $\square$ | Sinking Spring Cemetery Committee ${ }^{* *} \square$ |
| Infrastructure Advisory Committee $\square$ | Sustain Abingdon Committee $\square$ |
| Historic Preservation Review Board */** $\square$ | Tourism Advisory Committee ** $\square$ |
| Housing and Redevelopment Authority $\square$ | Tree Commission $\square$ |
| Muster Grounds Steering Committee $\square$ | Virginia Highlands Small Business Incubator |

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# PUBLIC DOCUMENT SUBJECT TO FREEDOM OF INFORMATION ACT 

## APPLICATION EXPIRES DECEMBER 31, 2021

## Board and Commission Application

The Abingdon Town Council has adopted this application for use by individuals interested in appointment to any of the Town's advisory boards and commissions. To ensure your application will receive full consideration, please answer all questions completely. Questions? Call 276-492-2149

Please return this application either:

- In person ( $3^{\text {rd }}$ floor of the Town Hall), 133 West Main Street, Abingdon, VA;
- By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or
- kkingsley@abingdon-va.gov


## ***PLEASE PRINT OR TYPE***

Name Hugh Belcher Date: April 23, 2021

Address 350 East Main Street _City/State_Abingdon_Z_Zip 24210
Do you live inside the Town limits of Abingdon? Yes $\square$ No $\square$
Telephone: 423-677-8072
Email Address: (required) hughbelcher058@gmail.com
Place of Employment: The Girl \& The Raven Coffee Bar and Cafe
Address: 380 East Main Street, Abingdon, VA 24210
Description of job duties: $\qquad$

Educational background:
Appalachian State University class of 1981; Four year Bachelor of Arts in Business Administration with concentration in marketing \& management; Montreat Anderson Junior College two year

Are you currently serving on a board or commission of the Town of Abingdon? Yes $\qquad$ No X If so, which Board(s) or Commission(s)? N/A

When do(es) your present term(s) expire? (mm/yy) N/A
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?
Yes $\square$ No $\square$
If so, name and date(s) of service? $\qquad$ N/A

Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful? My wife and I chose to make Abingdon our permanent residence some 15 years ago and I would love the opportunity to join in the effort to make Abingdon a beautiful, vibrant and economically viable town for the generations to come.


Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. **
Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

| Board of Building Code Appeals ** $\square$ | Planning Commission */** X |  |
| :--- | :--- | :--- |
| Board of Zoning Appeals $\square$ | Recreation Advisory Commission $\square$ |  |
| Economic Development Authority $\square$ |  | Sinking Spring Cemetery Committee ** $\square$ |
| Infrastructure Advisory Committee $\square$ |  | Sustain Abingdon Committee $\square$ |
| Historic Preservation Review Board */** $\square$ | Tourism Advisory Committee ** $\square$ |  |
| Housing and Redevelopment Authority $\square$ | Tree Commission $\square$ |  |
| Muster Grounds Steering Committee $\square$ | Virginia Highlands Small Business Incubator $\square$ |  |

*May be required to attend training and/or obtain certification during term
**Appointment contingent upon residency, qualified voter, or other qualifications as set forth in Ordinance and/or bylaws

## Note: All applicants are subject to background verification.

# TOWN OF ABINGDON BOARD OF ZONING APPEAL 

Staff Contact: Director of Community Development
Phone Number: 276-628-3167
Meeting: $2^{\text {nd }}$ Tuesday each month at 6:00 pm, Arthur Campbell Room
UPDATED: October 27, 2021

| Name | Address | Phone\# | Appointment Date | $\begin{array}{\|l} \hline \text { Term } \\ \text { Expiration } \\ \text { Date } \\ \hline \end{array}$ | Eligible for Another Term |
| :---: | :---: | :---: | :---: | :---: | :---: |
| John P. Kelly | 215 Longview Dr. Abingdon, VA 24211 | $\begin{aligned} & \text { 276-206-0842 } \\ & \text { johnpeterkelly @gmail.com } \end{aligned}$ | September 2016 $1^{\text {st }}$ term September 2019 $2^{\text {nd }}$ term | September 2022 <br> (3-year term) | No |
| R. Wayne Austin, Esq. | $\begin{aligned} & 806 \text { Birdie Drive } \\ & \text { Abingdon VA } \\ & 24210 \end{aligned}$ | $\begin{aligned} & \text { 276-628-7167 } \\ & \text { rwasa@bvu.net } \\ & \hline \end{aligned}$ | September 2019 <br> $1^{\text {st }}$ term | $\begin{aligned} & \text { September, } 2021 \\ & \text { (2-year term) } \end{aligned}$ | Yes |
| Vacancy |  |  |  | (3-year term) | Yes |
| RichardMacbeth | $\begin{aligned} & 1139 \text { Panorama Dr } \\ & \text { Abingdon VA } \\ & 24210 \end{aligned}$ | $\begin{aligned} & \text { 276-492-3088 } \\ & \text { richardmacbeth@gmail.com } \end{aligned}$ | $\begin{aligned} & \text { June, } 2015 \\ & 11^{\text {st }} \text { term } \\ & \text { September } 2019 \\ & 2^{\text {nd }} \text { term } \end{aligned}$ | $\begin{aligned} & \text { September, } 2023 \\ & \text { (4-year term) } \end{aligned}$ | No |
| Heather Howard | $\begin{aligned} & \text { 416 Fairway Dr } \\ & \text { Abingdon, VA } \\ & 24211 \end{aligned}$ | $\begin{aligned} & \text { 276-356-4430 } \\ & \text { hhoward@bvu.net } \end{aligned}$ | $\begin{aligned} & \text { December, } 2017 \\ & 1^{\text {st }} \text { term } \\ & \text { (replaces Jan } \\ & \text { Reeves) } \end{aligned}$ | $\begin{aligned} & \text { September, 2022 } \\ & \text { (5-year term) } \end{aligned}$ | Yes |


[^0]:    *May be required to attend training and/or obtain certification during term
    **Appointment contingent upon residency, qualified voter, or other qualifications as set forth in Ordinance and/or bylaws
    Note: All applicants are subject to background verification.

