

**TOWN OF ABINGDON  
COUNCIL MEETING  
TUESDAY, SEPTEMBER 5, 2023 – 6:30 pm  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

The meeting of the Abingdon Town Council was held on Tuesday, September 5, 2023, at 6:30 pm in the Council Chambers of the Municipal Building.

- A. WELCOME – *Mayor Pillion***
- B. ROLL CALL**

Members of Council Present:

Wayne Austin
Donna Quetsch
Derek Webb
Vice Mayor Anderson
Mayor Pillion

- C. PLEDGE OF ALLEGIANCE**
- D. PRAYER**
- E. APPROVAL OF AGENDA (VIDEO 3:15 - 5:02)**

**On motion of Mr. Austin, seconded by Mrs. Quetsch, modified Section S to add a closed session pursuant to Code of Virginia, Section 2.2-3711(A)(8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provisions of legal advice by such counsel, in addition to Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for positions on Economic Development Authority, Sustain Abingdon and/or Sinking Spring Cemetery Committee, and approved the agenda as amended.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

- F. APPROVAL OF THE MINUTES (VIDEO 5:02 - 5:46)**
  - August 7, 2023

**On motion of Mr. Austin, seconded by Mr. Webb, approved the August 7, 2023, minutes as presented.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Abstained (was not present for meeting)</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

**G. PUBLIC COMMENTS (VIDEO 5:47 - 11:00)**

- Buch Hutchins
- David Wallace

**H. PROCLAMATIONS (VIDEO 11:03 - 14:31)**

**I.**

1. Proclamation on behalf of the Veterans Advisory Boar recognizing September 10 - 16, 2023 as National Suicide Prevention Week

Mr. Austin read the Proclamation into record. Mayor Pillion presented members of the Abingdon Veterans Advisory Board with a framed proclamation.

**J. PUBLIC HEARING**

1. Propose special use permit for two comprehensive sign programs. **(VIDEO 14:42 - 26:00)**

- Located at 238 W. Main St. Abingdon, VA, Tax Map 012-1-127. Five signs will be added to the property illustrating the name of the marketplace and the presence and location of tenants. One sign will go above the main entryway on W. Main St. Another sign will go on the ground level pedestrian entrance on W. Main St. Two signs for tenants will go on the wall facing the Visitor Center closer to Remsburg, and one sign will be located at the entrance from Remsburg.

Assistant Town Manager and Director of Community Development Mayana Rice provided Council with information pertaining to a comprehensive sign at "Abingdon Commons" 238 West Main Street. Mrs. Rice advised the Planning Commission unanimously approved the application with a conditional final light plan be submitted into the Community Development Department before approving of a Sign Permit Application.

Mayor Pillion opened the public hearing. Nathan Burg spoke on behalf of the applicant. Discussion ensued. Hearing no additional comments, Mayor Pillion closed the public hearing.

- Located at 370 E. Main St. Abingdon, VA, Tax Map 013-1-82. Comprehensive sign at the property of 370 E. Main St. advertising the entryway to the shared parking area of

Sweet Bay Brewing Company, a bike shop, an adventure retail store, and The Girl & The Raven. (VIDEO 26:01 - 51:51)

Assistant Town Manager and Director of Community Development Mayana Rice provided the Council with information about a comprehensive sign at "East Village" 370 East Main Street. Mrs. Rice advised the Planning Commission to unanimously approved the application with the following conditions:

- Submit for review to the Community Development Department and applicant record a permanent 15 ft. wide easement that links parcels (prior to the approval of the sign permit) 013-1-82; 014-1-9; 014-1-24; 014-1-25; 014-1-24C; 013-1-143
- Submit for review to the Community Development Department and record a permanent easement located between the existing engineering building and the existing building exiting onto Deadmore Street
- The permanent easement must identify that this area is for vehicular and pedestrian movement (not only on the recorded document but also on the physical site)
- The permanent easement must consist of a pavement, concrete or gravel surface and be maintained in perpetuity by the owners;
- The permanent easement documentation must be signed by all property owners and recorded with each parcel;
- The permanent easement documentation will identify the maintenance plan for easement and the responsible parties for each parcel;
- Submit internal directional signage for traffic flow that includes design, materials, and dimensions to be added to the comprehensive sign package and site plan with the submittal of the Sign Permit Application;
- Remove The Girl & The Raven open sign and the breakfast, lunch, and pastries signs on 380 E. Main Street to eliminate sign clutter on E. Main Street prior to approval of the sign permit;
- Remove the previous signposts located at 370 E. Main Street prior to the approval of the sign permit;
- Submit a parking plan for spaces for all businesses located in the East Village prior to approval of the sign permit;
- The driveway for 370 E. Main Street shall have angled parking which will distinguish this route as a one-way entrance;
- Dumpster(s) either existing or new for all businesses must be fully enclosed and relocated if found obstructing an easement prior to approval of the sign permit;
- A final lighting plan be submitted into the Community Development Department prior to the approval of a sign permit application; and
- An additional easement must be established across parcels 014-1-25 and 014-1-24B

Mayor Pillion opened the public hearing. Nathan Burg spoke on behalf of the applicant. Discussion ensued. Hearing no additional comments, Mayor Pillion closed the public hearing.

## 2. Proposed Zoning Text Amendment (VIDEO 51:52 - 1:09:47)

### Chapter 44. Article 6. Section 6-1-1 – 6-1-5

**Special Limitations for Specific Uses.** The following uses shall be subject to the limitations as specified:

**Recreational Substances, Retail.** Recreational Substances uses (both Retail, Off-Site and Retail, On-Site) shall be subject to the following limitations and requirements:

- a. Must be located at least 2,000 linear feet from the property line of any public or private school (pre-K through Grade 12);
- b. Must be located at least 2,000 linear feet from the property line of an existing Recreational Substances use (both Retail, Off-Site and Retail, On-Site);
- c. Hours of operation shall be limited to 8am to 8pm, Monday through Sunday;
- d. Are not allowed in the Old & Historic District or Entrance Corridor;
- f. May be permitted as a special use in parcels zoned B-2 unless visible from the Entrance Corridor road segments of Main Street and Cummings;
- g. Are permitted by right in M-1 (Limited Industrial) zones; and
- h. This does not apply to grocery stores, gas stations or pharmacies where greater than 75% of sales are non-recreational substances.

**Recreational Substances:** Recreational Substances includes the following:

- Any product made of tobacco including cigarettes, cigars, smokeless tobacco, and pipe tobacco.
- Any noncombustible product containing nicotine or vaping fluid that employs a heating element, power source, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other form.
- Any product, including any raw materials from hemp that are used for or added to a food or beverage product, that contains hemp and has completed all stages of processing needed for the product.
- Kratom, and any product including any raw materials from Kratom that are used for or added to a food or beverage product, that contains Kratom and has completed all stages of processing needed for the product.
- Any pipe, vaporizer, other type of device, wrappings, or accessories associated with the consumption or inhalation of the abovementioned substances and materials.

**Recreational Substances, Retail, Off-Site Use:** Any establishment, facility, or location whose business operation involves (i) the retail sale of Recreational Substances and (ii) includes Recreational Substances as 25% or more of its total inventory or 15% or more of its total display shelf area.

**Recreational Substances, Retail, On-Site Use:** Any establishment, facility, or location whose business operation allows the on-site use of Recreational Substances.

Mayana Rice, Assistant Town Manager and Director of Community Development, conveyed to Council that as Virginia's laws have continued to shift, there has been a proliferation of "weed/hemp/cbd/delta 8/marijuana/cannabis/ vape" shops. She further stated that while the regulation governing these facilities lie in the Code of Virginia allowing for a variety of recreational substances to be sold, so does the regulation governing Zoning. She advised that the Town currently has not specifically permitted a single cannabis shop and the selling, gifting of cannabis on a commercial platform is illegal. However, a variety of stores which have opened under the guise of other types of businesses. She said to ensure that the Town's Entrance Corridor is protected from these uses as well, the proposed Zoning Text Amendment limits their locations. Discussion ensued.

Mayor Pillion opened the public hearing. Discussion ensued. Hearing no comments, Mayor Pillion closed the public hearing.

## J. RESOLUTIONS

1. Resolution approving proposed for two comprehensive sign programs. (VIDEO 1:09:51 - 1:11:17)
  - Located at 238 W. Main St. Abingdon, VA, Tax Map 012-1-127. Five signs will be added to the property illustrating the name of the marketplace and the presence and location of tenants. One sign will go above the main entryway on W. Main St. Another sign will go on the ground level pedestrian entrance on W. Main St. Two signs for tenants will go on the wall facing the Visitor Center closer to Remsburg, and one sign will be located at the entrance from Remsburg.

Councilman Austin requested that the two comprehensive sign programs be considered separately.

**On motion of Mr. Webb, seconded by Mr. Austin, approved the Resolution regarding 238 W. Main Street, subject the Planning Commission requirements.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

- Located at 370 E. Main St. Abingdon, VA, Tax Map 013-1-82. Comprehensive sign at the property of 370 E. Main St. advertising the entryway to the shared parking area of

Sweet Bay Brewing Company, a bike shop, an adventure retail store, and The Girl & The Raven. (VIDEO 1:11:18 - 1:34:28)

Discussion continued regarding additional easement and a solution to address the Park and Deadmore Streets traffic.

**A motion moved by Mr. Webb regarding the approval of the proposed Resolution for 370 E. Main Street, subject to the Planning Commission restrictions. The motion did not receive a second.**

**On motion of Mr. Austin, seconded by Vice Mayor Anderson, to table the matter for additional consideration, as it is a great concept, in hopes of viable alternates.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

2. Resolution supporting the application for Transportation Alternative Funds for the Park Street Improvements, Phase 2 Project – *Michael Surrett, Director of Public Works* (VIDEO 1:34:28 - 1:36:02)

Michael Surrett, Director of Public Works requested the Council approve this Resolution as it was required for the application for Transportation Alternative Funds.

**On motion of Mrs. Quetsch, seconded by Mr. Webb, to adopt the Resolution as presented.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

3. Resolution supporting the application for Highway Safety Improvement Program Funds for Safety Initiative Projects – *Michael Surrett, Director of Public Works* (VIDEO 1:36:03 - 1:36:55)

Michael Surrett, Director of Public Works requested the Council approve this Resolution as it was required for the application for Highway Safety Improvement Program Funds for Safety Initiative Projects, for either crosswalks or road diet projects.

**On motion of Mr. Webb, seconded by Vice Mayor Anderson, to adopt the Resolution as presented.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

**K. FIRST READING OF ORDINANCES (VIDEO 1:36:56 - 1:37:38)**

1. Consideration of proposed zoning test amendment to Chapter 44. Article 6. Section 6-1-1 through 6-1-5 - *Mayana Rice, Asst. Town Manager and Director of Community Development*

**Special Limitations for Specific Uses.** The following uses shall be subject to the limitations as specified:

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- a. Must be located at least 2,000 linear feet from the property line of any public or private school (pre-K through Grade 12);
- b. Must be located at least 2,000 linear feet from the property line of an existing Recreational Substances use (both Retail, Off-Site and Retail, On-Site);
- c. Hours of operation shall be limited to 8am to 8pm, Monday through Sunday;
- d. Are not allowed in the Old & Historic District or Entrance Corridor;
- f. May be permitted as a special use in parcels zoned B-2 unless visible from the Entrance Corridor road segments of Main Street and Cummings;
- g. Are permitted by right in M-1 (Limited Industrial) zones; and
- h. This does not apply to grocery stores, gas stations or pharmacies where greater than 75% of sales are non-recreational substances.

**Recreational Substances:** Recreational Substances includes the following:

- Any product made of tobacco including cigarettes, cigars, smokeless tobacco, and pipe tobacco.
- Any noncombustible product containing nicotine or vaping fluid that employs a heating element, power source, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other form.

- Any product, including any raw materials from hemp that are used for or added to a food or beverage product, that contains hemp and has completed all stages of processing needed for the product.
- Kratom, and any product including any raw materials from Kratom that are used for or added to a food or beverage product, that contains Kratom and has completed all stages of processing needed for the product.
- Any pipe, vaporizer, other type of device, wrappings, or accessories associated with the consumption or inhalation of the abovementioned substances and materials.

**Recreational Substances, Retail, Off-Site Use:** Any establishment, facility, or location whose business operation involves (i) the retail sale of Recreational Substances and (ii) includes Recreational Substances as 25% or more of its total inventory or 15% or more of its total display shelf area.

**Recreational Substances, Retail, On-Site Use:** Any establishment, facility, or location whose business operation allows the on-site use of Recreational Substances.

Mayor Pillion questioned shall the proposal be rejected. The matter was moved to a second reading.

#### **L. SECOND READING OF ORDINANCES (VIDEO 1:37:38 - 1:52:12)**

1. Consideration of proposed amendment to the Town of Abingdon Code of Ordinances, Chapter 58 – Solid Waste – *Mayana Rice, Asst. Town Manager and Director of Community Development*

Mayana Rice, Asst. Town Manager and Director of Community conveyed the purchasers now own the trash container, and if the Town damages it, it is the Town's responsibility to replace or repair it. It also provides specific thresholds for commercial services to require a commercial dumpster. Also, if the business had multiple cans being grandfathered in, those will remain the same. The brush and bulk trash fee will be two key services the Town provides weekly and a part of the solid waste fee. The reference to the bi-annual fee was removed. Mr. Austin conveyed that he felt any fees should be determined by the Town Council as they answer the residents. Discussion ensued.

**On motion of Mr. Austin, seconded by Mrs. Quetsch, adopt as amendments to Section 58-45(a) Collection Charges that previously provided that the fees were to be established by the Town Council that was proposed to be changed that it was to be the Town Manager or designee, be that it referred to the Town Council instead of Town Manager or designee to set those rates in the future.**



Mr. Austin further stated I make this clear, I'm not at all critical about the need for the increase, it was well founded Mr. Cochran does a good job and I commend him for that, and I know it was necessary.

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

**M. CONSIDERATION OF BIDS**

**N. NEW BUSINESS**

**O. OLD BUSINESS**

**P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER  
(VIDEO 1:52:19 - 1:56:11)**

Town Manager Mike Cochran addressed a public comment and will communicate to the Virginia Department of Transportation regarding the debris concern at Exit 17. Mr. Cochran conveyed that Exit 14 (Main and Old Jonesboro Road) traffic flow was handled by the Virginia State Police and the intersection now functions better. Also, the crane has been removed from the Washington County Courthouse construction and he thanked Chief Holbrook and Director of Public Works Michael Surrent for their assistance. Also, the Town's website has been updated to show the status of ongoing projects.

**Q. COUNCIL MEMBER REPORTS (VIDEO 1:56:12 - 1:57:23)**

Mayor Pillion announced a volunteer Washington County Day of Service for October 14th and encouraged everyone to get involved. She said more information would be available soon.

**R. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:57:24 - 2:33:10)**

1. Economic Development Authority
  - Appointment to fill the unexpired term of Nate Burg
2. Sustain Abingdon
  - Appointment to fill the unexpired term of Robin Raines
3. Sinking Spring Cemetery Committee
  - Appointment to fill the unexpired term of Richard Morgan

**On motion of Mr. Austin, seconded by Mrs. Quetsch, to convene in closed session as permitted by Virginia Code Section 2.2-3711(A)(8), for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the**

**provisions of legal advice by such counsel, and pursuant to Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for positions on the Economic Development Authority, Sustain Abingdon and/or Sinking Spring Cemetery Committee.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

**On motion of Mr. Austin, seconded by Mrs. Quetsch to reconvene in open session.**

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

<b>Mr. Austin</b>	<b>Aye</b>
<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

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

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

<b>Mr. Austin</b>	<b>I so certify</b>
<b>Mrs. Quetsch</b>	<b>I so certify</b>
<b>Mr. Webb</b>	<b>I so certify</b>
<b>Vice Mayor Anderson</b>	<b>I so certify</b>
<b>Mayor Pillion</b>	<b>I so certify</b>

**On motion of Mrs. Quetsch, seconded by Vice Mayor Anderson, appointed Allison Mays to the Economic Development Authority, and Jacob King to the Sustain Abingdon committee.**

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

<b>Mr. Austin</b>	<b>Aye</b>
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<b>Mrs. Quetsch</b>	<b>Aye</b>
<b>Mr. Webb</b>	<b>Aye</b>
<b>Vice Mayor Anderson</b>	<b>Aye</b>
<b>Mayor Pillion</b>	<b>Aye</b>

Council requested that position for Sinking Spring Cemetery be readvertised.

**S. CLOSED SESSION** (see Item R)

Mayor Pillion declared the meeting adjourned.

  
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Kimberly Kingsley, Clerk

  
\_\_\_\_\_  
Mayor Amanda Pillion