



City Council  
Archie Hubbard, III, Mayor  
Bill Hartley, Vice Mayor  
Catherine Brillhart, Council Member  
Guy P. Odum, Council Member  
Jim Steele, Council Member



**BRISTOL VIRGINIA CITY COUNCIL**  
**300 Lee Street**  
**Bristol, Virginia 24201**  
**January 12, 2016 6:00 p.m.**

**Call to Order**  
**Moment of Silence**  
**Pledge of Allegiance**

- A. Matters to be Presented by Members of the Public – Non-Agenda Items
- B. Mayor’s Minute and Council Comments

**REGULAR AGENDA:**

- 1. Consider Approval of a Proposed Amendment to the September 23, 2014 Performance Agreement with K-VA-T Food Stores Inc. for Ollie’s Holdings to Allow for Annual Payments Versus Quarterly.
  - a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second
  - d. Council Discussion
  - e. Roll Call
- 2. Consider Authorizing Highlands Community Services Board to Apply for and Accept Loans to Fund the Children’s Campus Construction Project and to Refinance Existing USDA Rural Development Loans.
  - a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second
  - d. Council Discussion
  - e. Roll Call
- 3. Consider a Resolution Granting Final Plat Approval for Plat #02-2015 The Falls Development Lots 14 & 15 and the Re-plat of Lots 12 and 13.
  - a. Staff Report

- b. Public Comments
  - c. Reading of Resolution
  - d. Council Motion and Second
  - e. Council Discussion
  - f. Roll Call
4. Consider a Resolution to Support the Management and Staff of the Southwestern Virginia Training Center in their Efforts to Prevent the Closure of the Facility.
- a. Staff Report
  - b. Public Comments
  - c. Reading of Resolution
  - d. Council Motion and Second
  - e. Council Discussion
  - f. Roll Call

**CONSENT AGENDA: (All of the items below will be voted on as a block)**

- 5.1 Consider Approval of the Minutes: Regular Meeting – December 8, 2015  
Called Meeting – December 11, 2015
- 5.2 Consider Appointments:
- Highlands Community Policy and Management Team - Dr. Richard Carroll, Jr.
- Bristol Convention and Visitors Bureau - Mr. Ken Monyak.
- Bristol Public Library Foundation - Ms. Deborah Wagner.
- New River/Mount Rogers Workforce Investment Area Consortium Board - Ms. Tabitha Crowder, Alternate.
- a. Council Motion and Second
  - b. Roll Call

6. **EXECUTIVE SESSION**

Executive Session pursuant to §2.2-3711.A7, Code of Virginia, 1950, as amended.  
Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

- C. Adjournment

**CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: Tuesday, January 12, 2016

Department: Community Development

Executive Session Item: Yes  No

Staff Contact: Andrew Trivette

**AGENDA ITEM WORDING:**

Consider Approval of a Proposed Amendment to the September 23, 2014 Performance Agreement with K-VA-T Food Stores Inc. for Ollie's Holdings Inc. to Allow for Annual Payments Versus Quarterly

**ITEM BACKGROUND:**

The EDC voted to support this project in January 2013 leading to the execution of a Performance Agreement with K-VA-T Food Stores Inc. The agreement outlined a no-net-loss award in the amount of \$100,000. The payments are standard program payments issued quarterly to K-VA-T. When the agreement was initially drafted, Ollie's Holdings Inc. was party. K-VA-T requested that they be removed and that K-VA-T be the only other party with the City and IDA. The unfortunate consequence has been that Ollie's is not bound to report sales to qualify for the payments. As a result, to date no payments have been made. K-VA-T has been trying to rectify the situation with Ollie's and the product is the request to amend the agreement allowing for annual no-net loss payments. K-VA-T intends this to reduce the reporting burden on Ollie's Holdings Inc., which will inspire better cooperation. Until reporting occurs to satisfy the terms of the performance agreement, the City is not obligated to make payments. Pursuant to the agreement Ollie's/K-VA-T is to invest \$400,000 and maintain 30 employees. Currently they report \$447,844 has been invested and 31 jobs have been created. The proposed amendment was approved by the IDA, and staff seeks approval of the same from City Council. The City Attorney has reviewed the proposal and found it legally sufficient. The CFO concurs that the amendment is acceptable.

**PREVIOUS RELEVANT ACTION:**

January 14, 2013 – EDC Recommendation for No-Net Loss award of \$100,000  
 September 23, 2014 – Performance Agreement executed  
 December 18, 2015 – IDA approved Amendment to Annual Payment Process

**Staff Recommendations:** Staff supports approval of the amendment

**DOCUMENTATION:** Included  Not Required

**Project Description**

Category	Data
Name	Ollie's Bargain Outlet
Location	Euclid Shopping Center
Capital Investment	\$400,000
Annual Sales	\$3,800,000
Job Creation	30-40
Average Salary	\$10-\$12/hr

**(Original) Annual ROI for Project**

Revenue Source	Calculation	Amount Projected
Meals Tax	7% of total sales	None
Personal Property	11% of value @ \$7.00 per \$100	Unknown
Property Tax	\$.94 per \$100 of value	None
Sales Tax	1% of total sales	\$38,000
Retail Tax	\$.20 per \$100 of total sales	\$7,600
<b>Total Local ROI</b>		<b>\$45,600</b>



November 20, 2015

Mr. Andrew Trivette  
Assistant City Manager / Director of Community & Economic Development  
Executive Director of the Industrial Development Authority  
City of Bristol, VA  
300 Lee Street  
Bristol, VA 24201

**RE: No-Net Loss Performance Based Incentive Payment  
Ollie's Bargain Outlet / Euclid Avenue**

Mr. Trivette:

Reference is made to the Performance Agreement dated September 23, 2015 by and among the City of Bristol, Virginia (the "City"), The City of Bristol, Virginia Industrial Development Authority (the "IDA"), and K-VA-T Food Stores, Inc. (K-VA-T). Pursuant to Article 2.1 thereof, the City and IDA has agreed to pay K-VA-T a No Net-Loss Performance Based Incentive Payment (the "Incentive Payment") of One Hundred Thousand Dollars (\$100,000.00) in exchange for K-VA-T's promotion of economic development within the City and other commitments and obligations contained in Article I of the Performance Agreement. Said Incentive Payment is payable quarterly in an amount equal to one-half percent (.5%) of sales reported for that quarter by Ollie's Bargain Outlet.

The purpose of this letter agreement is to propose an amendment to Article 2.1 (A)(a), whereby the language therein will be deleted in its entirety and replaced with the following:

**"CITY/IDA" shall issue payments annually to the APPLICANT in an amount equal to .5% of TENANT's total reported sales receipts for that preceding year."**

Except as set forth herein, all terms and conditions of the Performance Agreement will remain the same.

If the foregoing amendment to Article 2.1 (A)(a) is acceptable, we request a formal document be drafted and executed by the parties to become a binding amendment to the Performance Agreement.

If you have any additional questions or needs regarding this request, please do not hesitate to let me know. Thank you for your time and consideration.

Sincerely,

Stephen D. Spangler  
Director of Real Estate

**PERFORMANCE AGREEMENT  
CITY OF BRISTOL, VIRGINIA**

**AGREEMENT**

This **PERFORMANCE AGREEMENT** made and entered this 23<sup>rd</sup> day of September 2014, by and among The **CITY OF BRISTOL, VIRGINIA (CITY)**, The **CITY OF BRISTOL, VIRGINIA INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**, and **K-VA-T FOOD STORES INC. (APPLICANT)**, a corporation organized under the laws of the State of Virginia.

**RECITALS**

WHEREAS, the APPLICANT intends to install a new retail location for Ollie's Bargain Outlet, a subsidiary of Ollie's Holdings, Inc. (TENANT) in the Euclid Center shopping center located at 1315 Euclid Avenue in Bristol, Virginia; and

WHEREAS, the APPLICANT has requested an economic incentive grant award to assist in offsetting startup costs associated with the prospective tenants occupation of the property; and

WHEREAS, the Economic Development Committee (EDC), met on both Monday January 14, 2013 and Monday June 9, 2014 to discuss the APPLICANT's request; and

WHEREAS, the EDC has indicated its desire that the CITY/IDA grant \$100,000 to the APPLICANT for its use and benefit, provided that the APPLICANT commits to the achievement of certain goals relating to employment and capital investment as described herein; and

WHEREAS, the IDA, the CITY, and the APPLICANT desire to set forth their understanding and agreement as to the use of the grant, the obligations of each party hereto, the conditions under which the grant must be repaid, and the liability of each party hereto in the event of default.

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits and promises of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby covenant and agree as follows:

## ARTICLE I

### APPLICANT'S COMMITMENTS AND OBLIGATIONS

- 1.1 **Funding Match Requirements.** None
- 1.2 **Announcement.** Contemporaneously with the execution of this Agreement the APPLICANT, in coordination with TENANT, will announce the future opening of an Ollie's Bargain Outlet retail location and establish a ribbon cutting date at the aforementioned location within the city limits.
- 1.3 **Lease/Contract Execution and Terms.** Prior to the commencement of the term of this Agreement as provided herein, the APPLICANT shall provide to the Economic Development Director, as an agent for the EDC and CITY, a memorandum of lease by the APPLICANT for a property located wholly within the city limits of Bristol, Virginia. If the property is to be leased, the initial term shall not be less than three (3) years.
- 1.4 **Occupation.** The APPLICANT agrees that TENANT shall occupy a portion of the facility located at 1315 Euclid Avenue in Bristol, Virginia, of not less than 30,000 square feet, pursuant to the intent of this Agreement, prior to the commencement of the term of this Agreement as provided herein.
- 1.5 **Capital Investment.** The APPLICANT confirms there will be an indirect investment of not less than FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) in the occupation, development, outfitting, and operation of the property as a new retail location for TENANT within the term of this Agreement. This amount shall be comprised of expenditures by the TENANT and the APPLICANT, which may include but not be limited to lease payments, development fees, purchase price, utility costs, construction, maintenance, operational stock and employee benefits.
- 1.6 **Employment Requirements.** The TENANT shall achieve employment of and maintain 30 employees, including part time and full time positions, within the term of this Agreement.
- 1.7 **Jobs Report and Audit Requirements.** The APPLICANT shall coordinate with TENANT to provide detailed verification of their combined progress toward satisfaction of the above Capital Investment and Employment Requirements. These reports shall be provided annually to the Director of Economic Development. The first report and each report thereafter shall be due prior to June 1 of each year. An initial report shall be required prior to the commencement of the term of this Agreement as provided herein and shall serve as the baseline for default measurement. The APPLICANT further agrees to cooperate with any other reasonable audit requirements as may be requested by the CITY during the term of this Agreement.

**1.8 Utility Services.** The APPLICANT and/or the TENANT shall utilize all applicable services available from Bristol Virginia Utilities, including but not limited to OptiNet, electric, water, and wastewater services.

## **ARTICLE II GRANTS**

**2.1 No Net-Loss Performance Based Incentive Program.** CITY/IDA agrees to pay to the APPLICANT from its **No Net-Loss Performance Based Incentive Program** the sum of ONE HUNDRED THOUSAND (\$100,000.00) as a maximum payment for the promotion of economic development within the CITY. Said maximum payment shall be made pursuant to the following terms:

**A. No Net-Loss Performance Based Incentive Program:**

- a. CITY/IDA shall issue payments quarterly to the APPLICANT in an amount equal to .5% of TENANT's total reported sales receipts for that quarter.
- b. Each quarterly payment shall be approved and issued by the Industrial Development Authority or CITY, to be determined by the CITY in its sole discretion, as described above until the APPLICANT receives the maximum payment amount.

## **ARTICLE III DEFAULT**

**3.1 Specific Default.** The occurrence of any of the following shall constitute a default by the APPLICANT under this Agreement:

- A. The failure of the APPLICANT to help coordinate the announcement of the near future opening of the TENANT pursuant to Article 1.2 of this Agreement.
- B. The failure of the APPLICANT to provide a memorandum of lease pursuant to Article 1.3 of this Agreement.
- C. The failure of the APPLICANT to ensure occupation of leased space pursuant to Article 1.4 of this Agreement.
- D. The failure of the APPLICANT and TENANT combined to satisfy the capital investment requirement pursuant to Article 1.5 of this Agreement
- E. The failure of the TENANT to satisfy the job creation requirement pursuant to Article 1.6 of this Agreement
- F. The failure of the APPLICANT and TENANT to provide required reports and audits as required pursuant to Article 1.7 of this Agreement.

**3.2 Written Notice.** Before exercising any remedies with respect to a default listed above, the CITY/IDA must give the APPLICANT sixty (60) days written notice thereof. In the event that the APPLICANT satisfies the requirement not theretofore met prior to the expiration of the notice period, such default shall be deemed cured.

**3.3 Remedies to the CITY/IDA.** In the event that the APPLICANT fails to cure any default after giving the APPLICANT sixty (60) days written notice thereof, CITY/IDA at its sole option may require repayment of any grant monies disbursed to the APPLICANT, by the APPLICANT under the terms of this Agreement.

**3.4 Additional Remedies.** Notwithstanding any other provisions contained herein, in the event of a breach of the terms of this Agreement by either party, the other party shall have all remedies available to it at law or in equity.

#### **ARTICLE IV MISCELLANEOUS**

**4.1 Commencement of Term.** The term of this agreement shall be five (5) years from commencement and extended as needed, without action by any party, until the total grant amount is issued pursuant to Article II of this Agreement. The Commencement date shall be date of the initial payment as described in Section 2.1 (A) (a).

**4.2 Notices.** Any notice permitted or provided for under the Agreement shall be in writing, shall be given by mail, and shall be deemed sufficiently given if and when received by the Party to be notified at its address set forth below, or if and when mailed by registered or certified mail, postage prepaid, addressed to such Party at such address. Any Party designated below may, by notice to the others, change its address for receiving such notices.

Addresses for Notices to K-VA-T Food Stores, Inc.  
ATTN: Steve Smith  
K-VA-T Food Stores, Inc.  
1 Food City Circle  
P.O. Box 1158 (24212)  
Abingdon, Virginia 24210

Addresses for Notices to IDA and/or CITY  
ATTN: Andrew Trivette  
Executive Director of Industrial Development Authority  
300 Lee Street  
Bristol, Virginia 24201

**4.3 Survival.** This Agreement, its Schedules and respective covenants and undertakings of the parties shall survive the closing of the transactions contemplated by this Agreement.

**4.4 Governing Law.** This Agreement shall be construed, performed and enforced in accordance with the laws of the Commonwealth of Virginia.

**4.5 Entire Agreement.** This Agreement, any Schedules hereto and all documents delivered at closing constitute the entire agreement among the parties pertaining to its subject matter and supersede all prior and contemporaneous agreements, understandings and representations of the parties in connection with it. No change, termination or attempted waiver of any of the provisions of this Agreement shall be binding upon any party unless in writing and signed. No modification, waiver, termination, rescission, discharge or cancellation of this Agreement shall affect the right of any party thereafter to

enforce any other provision or to exercise any right or remedy in the event of any other default, whether or not similar.

**4.6 Successors or Assigns.** This Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns. The APPLICANT may assign all or a part of its rights and obligations hereunder only upon prior written approval of IDA and/or CITY, which approval shall not be reasonably withheld or delayed.

**4.7 No Third Party Beneficiaries.** Nothing in this Agreement shall entitle any person or entity other than the parties and their respective, successors and assigns permitted herby to claim, cause of action, remedy or right of any kind.

**4.8 Time is of the Essence.** Time is of the essence in the performance of this agreement.

**4.9 Severability.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement, which shall be enforced to the fullest extent allowed by law.

**4.10 Execution.** This Agreement is signed in triplicate, each of which shall constitute an original.

IN WITNESS WHEREOF, this Agreement has been executed as of the date set forth above by the duly authorized representatives of the parties.

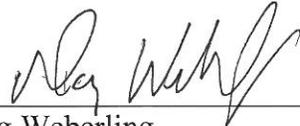
CITY ADMINISTRATION

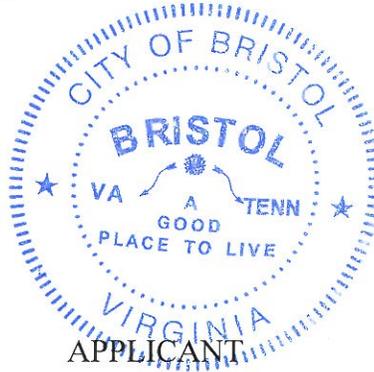
CITY COUNCIL

By   
Tabitha Crowder  
City Manager

By   
Catherine Brillhart  
Mayor

INDUSTRIAL DEVELOPMENT AUTHORITY

By   
Doug Weberling  
Industrial Development Authority Chairman



(SEAL)  
Attest: Pamela Venable,  
CLERK OF THE CITY OF  
BRISTOL, VIRGINIA

By   
Clerk

By   
Steve Smith  
President/CEO  
K-VA-T Food Stores, Inc.

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: January 12, 2016

Department: City Manager's Office

Bulk Item: Yes  No

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider Authorizing Highlands Community Services Board to Apply for and Accept Loans to Fund the Children's Campus Construction Project and to Refinance Existing USDA Rural Development Loans.

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**ITEM BACKGROUND:**

Executive Director of Highlands Community Services, Mr. Jeff Fox, will be present at the meeting to discuss the proposed children's campus and the specific request.

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**PREVIOUS RELEVANT ACTION:**

None

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**Staff Recommendations:**

N/A

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**DOCUMENTATION:**      Included       Not Required

**MOTION:** Council discretion.

**CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: Tuesday, January 12, 2016

Division: Community Development

Bulk Item: Yes  No

Staff Contact: Andrew Trivette

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**AGENDA ITEM WORDING:**

Consider a Resolution Granting Final Plat Approval for Plat #02-2015 The Falls Development Lots 14 & 15 and the Re-plat of Lots 12 and 13.

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**ITEM BACKGROUND:**

The applicant is seeking final plat approval to subdivide part of proposed Phase 2 of the Falls Development. The area to be subdivided is already divided into several lots, however the plans call for the creation of Lots 14 and 15 and a new public roadway to be called Falls Boulevard intersecting the existing Cabela Drive. The platting of these two new lots necessitates a revision to part of the earlier Phase 1 plat involving Lots 12 and 13.

Lots 14 and 15 are proposed to be conveyed from the City of Bristol, VA Industrial Development Authority to Interstate Development and will be occupied by two multi-tenant commercial buildings. The resulting subdivision will be the following new building parcels: Tract 14 (2.15 acres) and Tract 15 (2.46 acres). Tract 12 which was originally platted as 2.10 acres is being adjusted resulting in a 2.06 acre tract. Tract 13 to be retained by the City is re-platted as 2.73 acres. (This tract includes the planned waterfall feature at the Cabela Drive and Lee Highway entrance). Falls Boulevard is proposed on the plat as a 60 foot public right-of-way with a ten foot utility easement on each side. The roadway will end with a temporary "T" turn-around that will be extended once the remaining property to the east is developed.

City Code Section 50-270 requires approval and certification of the plat by City Council.

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**PREVIOUS RELEVANT ACTION:**

January 22, 2013 - Portions of this property and adjoining property were rezoned from M1, M-1C, and R-MH to B-3 (Intermediate Business).

June 2, 2014 - Planning Commission approved the final plat for The Falls – Phase 1 and made a finding that the bond provided by W-L Construction meets the requirements of the subdivision ordinance (Code Section 50-384).

June 10, 2014 - The Council approved the final plat for The Falls – Phase 1.

December 21, 2015 – The Planning Commission approved the preliminary and final plat for Lots 14 and 15 and Re-plat of Lots 12 and 13.

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**Staff Recommendation:**

Staff recommends approval and certification of the final plat for The Falls Lots 14 & 15 and Re-plat of Lots 12 and 13 (with the same finding as was made with the Phase 1 plat that the performance bond from W-L Construction meets the requirements of the subdivision ordinance).

**BRISTOL, VIRGINIA CITY COUNCIL  
STAFF REPORT**



**To:** City Council

**From:** Sally H. Morgan, City Planner

**Date:** January 4, 2016

**RE:** Final Plat Approval for the Falls Development – Lots 14 and 15 and Re-plat of Lots 12 and 13.

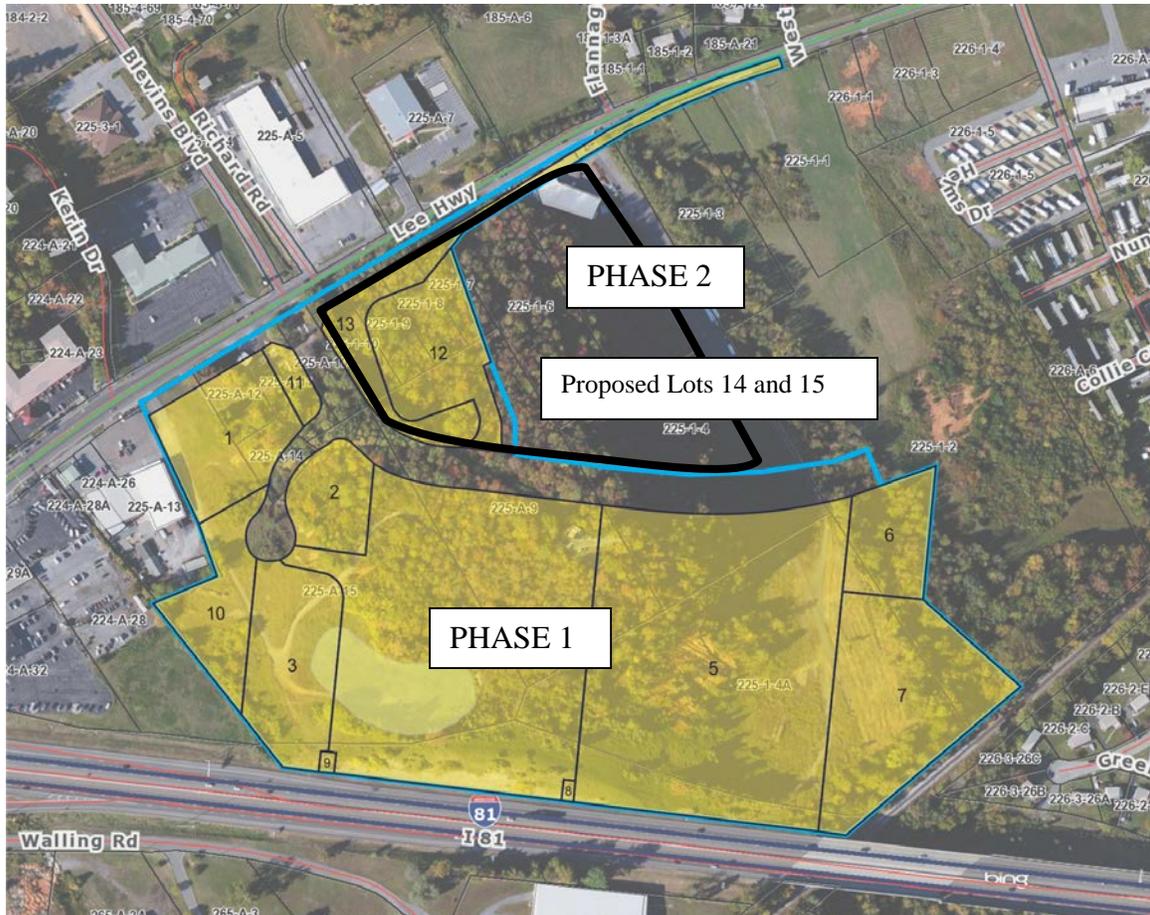
**Attachments:** Resolution and Final Plat – Exhibit A

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<b>1) Applicant/Agent:</b> Interstate Development	<b>2) Property Owners:</b> City of Bristol, VA	<b>3) Property Address</b> Lee Highway and Cabela Drive
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**4) Property Zoning:** B-3, Intermediate Business

**5) Property Mapping:**



**6) Request:**

The applicant is seeking final plat approval to subdivide part of proposed Phase 2 of The Falls. The area to be subdivided is already divided into several lots, however the plans call for the creation of Lots 14 and 15 and a new public roadway to be called Falls Boulevard intersecting the existing Cabela Drive. The platting of these two new lots necessitates a revision to part of the earlier Phase 1 plat involving Lots 12 and 13.

Lots 14 and 15 are proposed to be conveyed from the City of Bristol, VA to Interstate Development and will be occupied by two multi-tenant commercial buildings. The resulting subdivision will be the following new building parcels: Tract 14 (2.15 acres) and Tract 15 (2.46 acres). Tract 12 which was originally platted as 2.10 acres is being adjusted resulting in a 2.06 acre tract. Tract 13 to be retained by the City is re-platted as 2.73 acres. (This tract includes the planned waterfall feature at the Cabela Drive and Lee Highway entrance). Falls Boulevard is proposed on the plat as a 60 foot public right-of-way with a ten foot utility easement on each side. The roadway will end with a temporary “T” turn-around that will be extended once the remaining property to the east is developed.

**7) Staff Recommendation:**

Staff recommends that the City Council approve and certify the final plat.

**8) Ordinance Requirements:**

The subdivision process is regulated by Section 50, Article III, of the City Code. This article is broken into nine (9) divisions which regulate the submission and review of subdivision plats. These regulations stipulate required content for each plat as a condition of approval. The article provides for a process of preliminary approval and then final approval. The intent of the code is to provide the preliminary process as a mechanism for safeguarding the “subdivider from unnecessary loss of time and expense”. The final plat is the final recordable document and serves as the permanent record of the proposed and approved subdivision. The Planning Commission is charged with approval of the preliminary plat and with the recommendation of approval or denial to the City Council for the final plat. Simple subdivisions often are submitted with a request for preliminary and final plat review to proceed concurrently. The Planning Director grants this request at his or her discretion.

**9) Existing Conditions:**

The subject property is close to Exit 5 of Interstate 81 and is proposed to be developed for retail commercial use. A portion of the property along U.S. 11 (Lee Highway) was previously used for business due to the prominent road frontage on a major arterial road. Over the years, several lots were divided and sold to take advantage of the road frontage, however the southern and eastern portion of the property was not developed and has been vacant or in agricultural use. The Norfolk-Southern railroad borders the property on the east side opposite U.S. 11.

The subject property was a portion of the property annexed by the City of Bristol, Virginia in the mid 1970’s. Due to the annexation many of the plat records associated with this property are still housed in the Washington County Clerk’s office and not readily available

to staff. The property is currently located in B-3 Intermediate Business zoning category. At this time, Lots 4 and 5 have been developed with Cabela's and Lowe's, respectively; and Lots 1 and 2 are under construction with Sheetz and Zaxby's.

***10) Previous Relevant Actions:***

January 22, 2013 - Portions of this property and adjoining property were rezoned from M1, M-1C, and R-MH to B-3 (Intermediate Business)

June 2, 2014 - Planning Commission approved the final plat for The Falls – Phase 1 and made a finding that the bond provided by W-L Construction meets the requirements of the subdivision ordinance (Code Section 50-384).

June 10, 2014 - The Council approved the final plat for The Falls – Phase 1.

December 21, 2015 – Planning Commission approved the preliminary and final plat for Lots 14 and 15 and Re-plat of Lots 12 and 13.

***11) Staff Analysis:***

The applicant provided an initial preliminary plat in April 2014, however it has been revised numerous times based on a series of review and comments from both Planning and Engineering Departments, as well as changes in the design from Interstate Development. The most recent comments from the Planning Department on the preliminary plat were provided on November 25 to Interstate Development, however based on further review of the proposed site plan for the development of Lots 14 and 15, there were three additional comments from Engineering provided on December 14, 2015 which are below:

1. Add a 25 foot radius to the right-of-way line at the intersection of the Falls Boulevard and Cabela Drive right-of-ways on both sides of Falls Boulevard.
2. Extend the right-of-way of Falls Boulevard at the east end to 10 feet past the end of pavement and square it off.
3. The private storm pipe along the east property line needs to be contained within the boundary of lot 15. Adjust the property line accordingly. We will also be asking for an additional inlet along the east side of the eastern most driveway of lot 15 at the tangent of the driveway entrance radius.

The preliminary plat addressed these comments, except that Item #3 was addressed through re-alignment of the storm pipe rather than adjusting the property line. The final plat (attached in reduced format) has been reviewed and meets all requirements. The application has been filed correctly and staff finds that the proposed subdivision is in keeping with the City Code and the intent of the Comprehensive Plan.

***12) Authority of the City Council to Act:***

Bristol, Virginia City Code §50-270 states that:

*No such plat of subdivision shall be recorded unless and until it shall have been approved and certified by the city council in accordance with the regulations set forth in this article. No lot shall be sold in any such subdivision before the plat shall have been recorded in the office of the clerk of the circuit court of the city.”*

**13) Conclusion:**

Staff recommends approval and certification of the final plat for The Falls Lots 14 & 15 and Re-plat of Lots 12 and 13 (with the same finding as was made with the Phase 1 plat that the performance bond from W-L Construction meets the requirements of the subdivision ordinance).

**14) Example Motion:**

“I move that the City Council adopt the resolution approving and certifying the final plat of The Falls – Lots 14 and 15 and the Re-plat of Lots 12 and 13 as attached in Exhibit A.”



CITY OF BRISTOL, VIRGINIA  
CITY COUNCIL



**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF BRISTOL, VIRGINIA APPROVING THE  
FINAL PLAT OF THE FALLS – LOTS 14 and 15 AND  
REPLAT OF LOTS 12 and 13.**

**SECTION 1.** The City Council finds that:

**WHEREAS**, the subdivision plat for The Falls – Lots 14 and 15 and the Re-plat of Lots 12 and 13 has been properly submitted to the City and reviewed by City staff, and

**WHEREAS**, the Planning Commission met on December 21, 2015 and approved both the preliminary plat and the final plat, and

**WHEREAS**, Section 50-270 requires that a plat of subdivision be approved and certified by City Council before it can be recorded.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF BRISTOL, VIRGINIA:**

**Section 1.** The Council approves and certifies the final plat for The Falls – Lots 14 and 15 and the Re-plat of Lots 12 and 13 as attached in Exhibit A.

**PASSED AND ADOPTED** by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on January 12, 2016.

Mayor Archie H. Hubbard, III \_\_\_\_\_  
Vice-Mayor Bill Hartley \_\_\_\_\_  
Council Member Catherine Brillhart \_\_\_\_\_  
Council Member Guy Odum \_\_\_\_\_  
Council Member Jim Steele \_\_\_\_\_

(SEAL)  
Attest: Pam Venable  
CLERK OF THE CITY OF  
BRISTOL, VIRGINIA

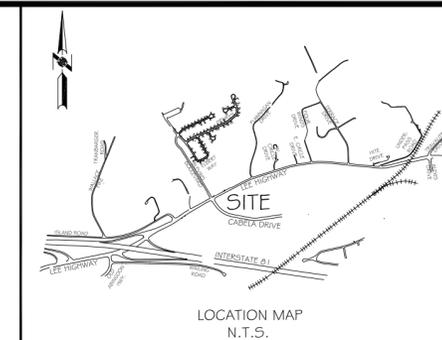
CITY COUNCIL

By \_\_\_\_\_  
Clerk

By \_\_\_\_\_  
Mayor

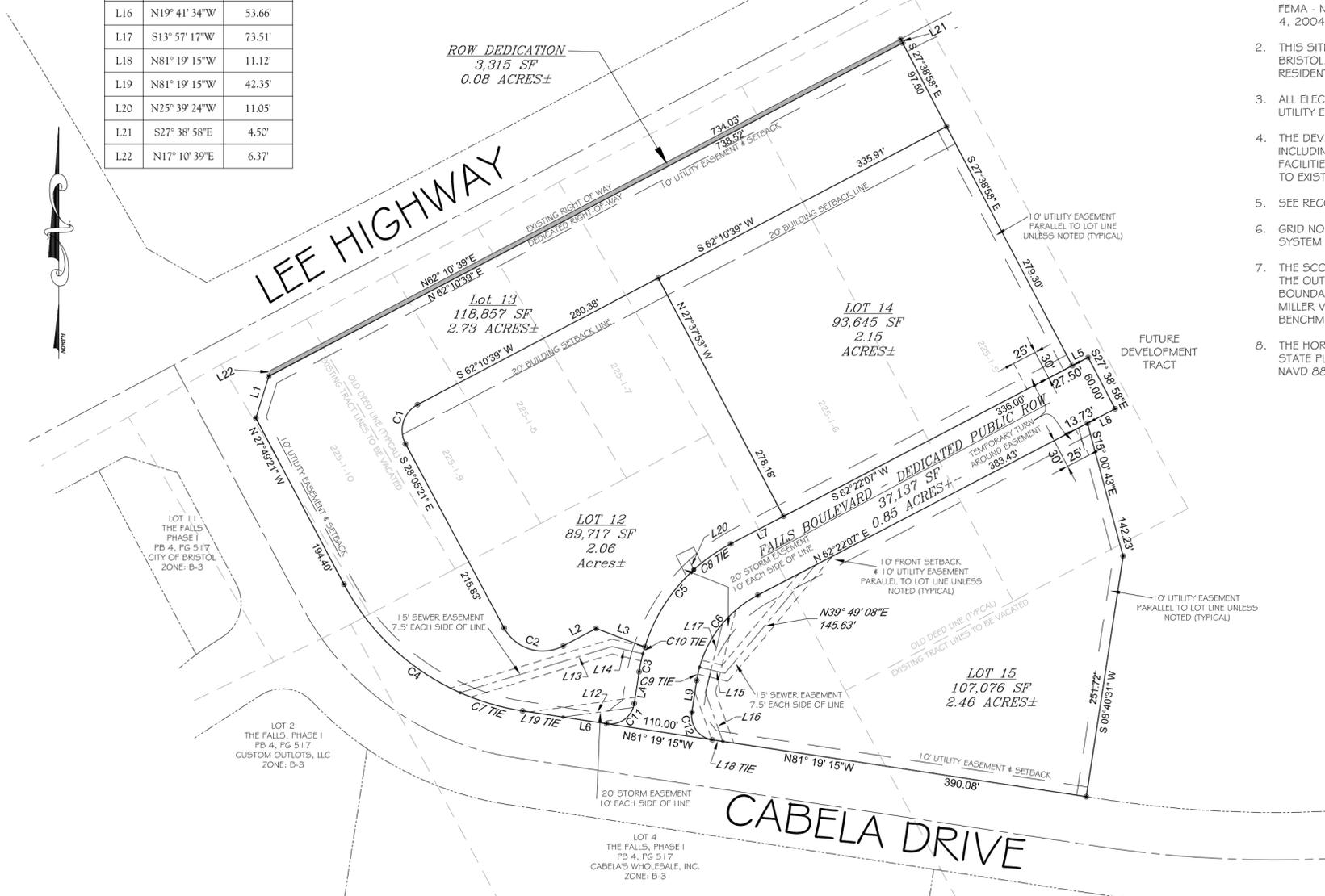
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N17° 10' 42"E	45.25'
L2	N61° 54' 39"E	38.34'
L3	S69° 10' 47"E	53.80'
L4	S08° 40' 45"W	33.21'
L5	S62° 22' 07"W	18.50'
L6	N81° 19' 15"W	87.68'
L7	N62° 22' 07"E	61.20'
L8	N62° 22' 07"E	32.28'
L9	N08° 40' 45"E	33.21'
L12	N82° 08' 20"E	72.99'
L13	N73° 02' 35"E	163.68'
L14	S76° 38' 12"E	32.58'
L15	S76° 38' 12"E	26.99'
L16	N19° 41' 34"W	53.66'
L17	S13° 57' 17"W	73.51'
L18	N81° 19' 15"W	11.12'
L19	N81° 19' 15"W	42.35'
L20	N25° 39' 24"W	11.05'
L21	S27° 38' 58"E	4.50'
L22	N17° 10' 39"E	6.37'

CURVE TABLE						
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	
C1	47.26'	30.00'	90°15'36"	S17° 02' 51"W	42.52'	
C2	70.69'	45.00'	90°00'19"	S73° 05' 31"E	63.64'	
C3	26.33'	180.00'	08°22'52"	N12° 52' 10"E	26.31'	
C4	234.36'	251.00'	53°29'54"	N54° 34' 18"W	225.94'	
C5	142.34'	180.00'	45°18'31"	S39° 42' 52"W	138.66'	
C6	112.45'	120.00'	53°41'23"	N35° 31' 26"E	108.38'	
C7	67.17'	251.00'	15°19'54"	N73° 39' 27"W	66.97'	
C8	46.77'	180.00'	14°53'17"	S54° 55' 29"W	46.64'	
C9	14.01'	120.00'	06°41'18"	N12° 01' 24"E	14.00'	
C10	7.42'	120.00'	02°21'39"	N15° 52' 47"E	7.42'	
C11	39.27'	25.00'	90°00'00"	S53° 40' 45"W	35.36'	
C12	39.27'	25.00'	90°00'00"	N36° 19' 15"W	35.36'	



NOTES:

1. THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN FLOOD ZONE "X" OR LIE WITHIN THE FLOODPLAIN AND FLOODWAY AREAS OF BEAVER CREEK, ZONE "AE". THIS INFORMATION IS ACCORDING TO FEMA - NFIP COMMUNITY PANEL 5100220004D, DATED FEBRUARY 4, 2004.
2. THIS SITE IS ZONED B-3 INTERMEDIATE BUSINESS, PER THE CITY OF BRISTOL, VA. SETBACKS: FRONT: 10', SIDE: 10' (IF ADJOINING RESIDENTIAL DISTRICT) & REAR: 20'.
3. ALL ELECTRICAL, TELEPHONE AND CABLE LINES WILL BE INSTALLED IN UTILITY EASEMENTS.
4. THE DEVELOPER WILL PROVIDE ADEQUATE INFRASTRUCTURE INCLUDING STORM SEWERS, SANITARY SEWERS, AND WATER FACILITIES WITHIN THE SUBDIVISION. CONNECTIONS WILL BE MADE TO EXISTING PUBLIC UTILITIES.
5. SEE RECORDED DOCUMENTS FOR ACCESS AND UTILITY EASEMENTS.
6. GRID NORTH IS BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM SOUTH.
7. THE SCOPE OF THE BOUNDARY RETRACEMENT WAS TO ESTABLISH THE OUTER PERIMETER AS SHOWN HEREON. THE EXISTING BOUNDARY WAS LOCATED AND BASED ON A SURVEY BY JEFFERY MILLER VA #02404, DATED: 1-23-2013 AS SHOWN ON MAP OF BENCHMARK ASSOCIATES, INC.
8. THE HORIZONTAL DATUM IS REFERENCED TO SPC 83-VIRGINIA STATE PLANE SOUTH CONTROL NETWORK. THE VERTICAL DATUM IS NAVD 88.



LEGEND	
	IRON ROD FOUND
	RIGHT OF WAY MONUMENT
	IRON ROD SET
	NON-MONUMENTED POINT

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

CERTIFICATE OF APPROVAL

THE SUBDIVISION KNOW AS THE FALLS - PHASE II IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD.

DATE \_\_\_\_\_ HEALTH DEPT. \_\_\_\_\_  
 DATE \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_  
 DATE \_\_\_\_\_ UTILITY BOARD \_\_\_\_\_  
 DATE \_\_\_\_\_ PLANNING COMMISSION \_\_\_\_\_  
 DATE \_\_\_\_\_ CITY CLERK \_\_\_\_\_  
 DATE \_\_\_\_\_ CLERK OF CIRCUIT COURT \_\_\_\_\_

CERTIFICATE OF OWNERSHIP AND DEDICATION

THE PLATTING AND DEDICATION OF THE FALLS - PHASE II SUBDIVISION IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IN ANY.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_  
 DATE \_\_\_\_\_ OWNER \_\_\_\_\_  
 STATE OF \_\_\_\_\_ CITY OR COUNTY OF \_\_\_\_\_  
 THIS PLAT WAS ACKNOWLEDGED BY THE OWNERS BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015. (NOTARY). MY COMMISSION EXPIRES \_\_\_\_\_.

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE SUBDIVISION ORDINANCE OF BRISTOL, VIRGINIA AND THAT THE MONUMENTS HAVE NOT BEEN PLACED HEREON.

DATE \_\_\_\_\_ SURVEYOR JONATHAN L. LYONS  
 LS # 002578 SCALE 1" = 100'  
 TAX MAP # 225 SUBDIVISION # A  
 BLOCK # \_\_\_\_\_ SHEET 1 OF 1

SOURCE OF TITLE

THE CITY OF BRISTOL, VIRGINIA  
 DEED BOOK 574, PAGE 570  
 DEED BOOK 575, PAGE 661  
 DEED BOOK 576, PAGE 626  
 DEED BOOK 575, PAGE 094  
 DEED BOOK 575, PAGE 716  
 DEED BOOK 586, PAGE 405

Final Plat of

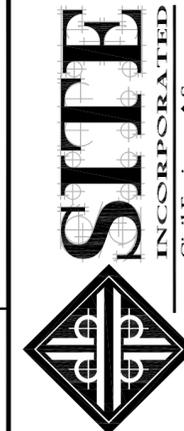
**The Falls, Phase II - Zoned B-3**  
 Lots 14 & 15 and the replat of Phase I, Lots 12 & 13  
 Owner: Industrial Development Authority of the City of Bristol, VA  
 300 Lee Street, Bristol, VA 24201

DRAWN BY: joe DATE: 12/29/15  
 CHECKED BY: j FILE: 1877 final plat

REVISIONS

NO.	DATE	COMMENTS

**PLAT**  
 SHEET 1 OF 1



SITTE INCORPORATED  
 Civil Engineers & Surveyors  
 10215 Technology Drive, Suite 304  
 Knoxville, TN 37932  
 Phone: (605) 777-4160  
 Fax: (605) 777-4189

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: January 12, 2016

Department: City Manager's Office

Bulk Item: Yes  No

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider a Resolution to Support the Management and Staff of the Southwestern Virginia Training Center in their Efforts to Prevent the Closure of the Facility.

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**ITEM BACKGROUND:**

Parent Advocacy and Advisory Council (PAAC) representative, Ms. Dianne Webb, presented to Council at the December 8, 2015 meeting. The PAAC is requesting that Council approve this Resolution supporting the Southwestern Virginia Training Center.

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**PREVIOUS RELEVANT ACTION:**

N/A

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**Staff Recommendations:**

N/A

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**DOCUMENTATION:**      Included                       Not Required

**MOTION:** Council discretion



**A RESOLUTION OF THE CITY COUNCIL OF BRISTOL, VIRGINIA  
SUPPORTING THE SOUTHWESTERN VIRGINIA TRAINING CENTER**

**WHEREAS**, the Southwestern Virginia Training Center was established in 1975 and has provided quality care throughout the years; and

**WHEREAS**, most residents have profound and/or other serious intellectual disabilities, often accompanied by severe medical or behavioral problems and need full time assistance to perform the basic functions of living; and

**WHEREAS**, family members of residents are deeply concerned about the safety of their loved ones should they be forced to leave the center; and

**WHEREAS**, The City of Bristol, Virginia, will be impacted with the moving of the residents into the community; and

**WHEREAS**, the closure of this facility would be detrimental to our community with the responsibility of helping the families from Bristol find the care that is the same as or better than the care that is currently offered at Southwestern Virginia Training Center;

**NOW, THEREFORE, BE IT RESOLVED** the City Council of Bristol, Virginia, supports the management and staff of the Southwestern Virginia Training Center in their efforts to prevent the closure of this facility which brings much-needed services to an often-overlooked segment of our population.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF THE CITY OF BRISTOL, VIRGINIA ON THIS TWELTH DAY OF JANUARY IN THE YEAR TWO THOUSAND SIXTEEN.

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Archie Hubbard, III, Mayor  
City of Bristol, Virginia

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: 01/12/16

Department: City Manager

Bulk Item: Yes  No

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider Approval of the Minutes: Regular Meeting – December 8, 2015  
Called Meeting – December 11, 2015

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**ITEM BACKGROUND:**

N/A

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**PREVIOUS RELEVANT ACTION:**

N/A

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**Staff Recommendations:**

No action required.

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**DOCUMENTATION:** Included  Not Required

**MOTION:** I move for approval of items on the consent agenda.

DECEMBER 8, 2015

THE REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON DECEMBER 8, 2015, AT 6:00 P.M. IN COUNCIL CHAMBERS, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR ARCHIE HUBBARD, III PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR WILLIAM HARTLEY, CATHERINE BRILLHART, GUY ODUM, AND JIM STEELE. CITY MANAGER, TABITHA CROWDER, AND CITY ATTORNEY, PETE CURCIO WERE ALSO PRESENT.

Mayor Hubbard called for a moment of silence followed by the pledge of allegiance to the flag.

A. Workshop Regarding the City of Bristol, Virginia Financial Audit for the Year Ended June 30, 2015.

Representatives from Blackburn, Childers & Steagall, PLC, Ms. Siena Rambo and Mr. Chad Kisner, gave a presentation of the City's Financial Audit for the year ended June 30, 2015.

Ms. Rambo began by stating that the audit was an unmodified opinion, or clean opinion. She pointed out that new to the report this year was the adoption and implementation of governmental standards GASB 68 related to pensions. She also pointed out that the report included discretely presented component units which were BVU Authority, Bristol Virginia School Board, and the Industrial Development Authority.

She advised that the Management's Discussion and Analysis section of the audit provided a very good overview and comparison of the financial highlights from this year and last year, an overview of the financial statements, capital asset and debt highlights, and factors impacting the 2016 budget.

She pointed out that the financial statements of the audit included the City's General Fund, the Community Development Block Grant Fund, and the Solid Waste Disposal Fund.

She gave an overview of the Financial Summary for the General Fund and Solid Waste Landfill in comparison to the previous year. She also gave an overview of the Debt Summary.

She pointed out that there was a decrease in TAN's issued. She also pointed out the positive net change in fund balance, the positive unassigned fund balance, as well as the significant improvement in the Solid Waste fund.

She pointed out that there was one (1) finding this fiscal year which was related to the deficit in the Solid Waste Disposal Fund.

B. Matters to be Presented by Members of the Public – Non-Agenda Items

Parent Advocacy and Advisory Council (PAAC) representative, Ms. Dianne Webb, gave an overview of the services provided by the Southwest Virginia Training Center located in Hillsville, Virginia. Ms. Webb reported that the center provides residential care for developmentally and intellectually disabled adults. She stated that the center was ordered to be closed in June 2018 by former governor, Mr. Bob McDonnell. She reported that six (6) residents of Bristol, Virginia and three (3) residents of Bristol, Tennessee are currently served by the facility in Hillsville. She advised that the PAAC would ask Governor Terry McAuliffe to keep the facility in Hillsville open. Ms. Webb requested a Resolution of support from City Council.

Mayor Hubbard asked for information to be left with the City Manager, Ms. Tabitha Crowder. He advised that the information would be reviewed by City Council Members and the Resolution would potentially be placed on the agenda for the January 12, 2016, Council meeting.

Bristol Chamber of Commerce President, Ms. Beth Rhinehart, thanked City Council for the support of Bristol's downtown Christmas parade. Ms. Rhinehart thanked Police Chief John Austin and the entire Bristol, Virginia police department for keeping citizens safe during the event.

Mr. Michael Pollard reported that he witnessed a City bus make a left turn while the traffic signal was red at the intersection of Lee Highway, Moore Street, Oakview Avenue and Martin Luther King Jr. Blvd. He commented favorably about renovations made to Council Chambers.

DECEMBER 8, 2015

Ms. Nancy Marney, urged the citizens of Bristol, Virginia to show caring and appreciation to the City workers that keep us the residents safe, more specifically the employees of the Police Department, Fire Department, and Public Works Department.

Mr. Brad Smith and Ms. Shelly Shaffer, representatives of Quaker Steak & Lube, addressed complaints about the noise level at the establishment and assured City Council that Quaker Steak & Lube management had made adjustments in the scheduling of bands and the positioning of the stage in an effort to be a good neighbor moving forward.

C. Mayor's Minute and Council Comments

Delegate Israel O'Quinn presented a copy of Resolution No. 507, celebrating the life of Margaret "Peggy" K. Brown, to the family of Peggy Brown and to the Bristol, Virginia Fire Department.

Delegate O'Quinn read the following Resolution:

**HOUSE RESOLUTION NO. 507**

Offered August 17, 2015

Prefiled August 11, 2015

Patron-- O'Quinn

**WHEREAS**, Margaret K. Brown, a beloved member of the Bristol community who dedicated her life to the service of others, died on February 26, 2015; and

**WHEREAS**, Margaret "Peggy" K. Brown of Bristol, Tennessee, helped safeguard the lives and property of Bristol residents as a member of the Bristol Virginia Fire Department for 35 years; and

**WHEREAS**, serving the community with pride and distinction, Peggy Brown honored the sacrifices of military, law-enforcement, and emergency response personnel; and

**WHEREAS**, a tireless volunteer, Peggy Brown also worked to strengthen and enhance the Bristol community as a board member of the local Red Cross and United Way; and

**WHEREAS**, Peggy Brown was best known for her commitment to the Santa Pals organization, which helps provide Christmas presents for less fortunate children; and

**WHEREAS**, as secretary and treasurer of Santa Pals for more than a decade, Peggy Brown played a crucial role in the success of the all-volunteer organization, to which she leaves a legacy of compassion and professionalism; and

**WHEREAS**, Peggy Brown will be fondly remembered and greatly missed by numerous family members, friends, and fellow residents of Bristol; now, therefore, be it

**RESOLVED**, That the House of Delegates hereby note with great sadness the loss of Margaret K. Brown, a devoted and beloved servant to the Bristol community; and, be it

**RESOLVED FURTHER**, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Margaret K. Brown as an expression of the House of Delegates' respect for her memory.

Mr. Doug Cooper was recognized for twenty-eight (28) years of service with the Bristol, Virginia Police Department. Police Chief, John Austin stated that Officer Cooper served the City as patrolman, detective, and in domestic violence.

Fraternal Order of Police President, Darryl Milligan, presented a plaque of recognition on behalf of the FOP.

Mayor Hubbard announced that the regular City Council meeting for December 22, 2015, was cancelled.

D. Presentation of the City of Bristol, Virginia Financial Audit for the Year Ended June 30, 2015.

Ms. Siena Rambo, representative of Blackburn, Childers, and Steagall,

DECEMBER 8, 2015

presented the City of Bristol, Virginia financial audit for the year ended June 30, 2015.

Ms. Rambo began by stating that the audit was an unmodified opinion, or clean opinion. She pointed out that new to the report this year was adoption and implementation of governmental standards GASB 68 related to pensions. She also pointed out that the report included discretely presented component units which were BVU Authority, Bristol Virginia School Board, and the Industrial Development Authority.

She advised that the Management's Discussion and Analysis section of the audit provided a very good overview and comparison of the financial highlights from this year and last year, an overview of the financial statements, capital asset and debt highlights, and factors impacting the 2016 budget.

She pointed out that the financial statements of the audit included the City's General Fund, the Community Development Block Grant Fund, and the Solid Waste Disposal Fund. She stated that the financial statements also included the discretely presented component units for the School Board, BVU Authority, and the Industrial Development Authority.

She gave an overview of the Financial Summary for the General Fund and Solid Waste Landfill in comparison to the previous year. She also gave an overview of the Debt Summary.

She pointed out that there was a decrease in TAN's issued. She also pointed out the positive net change in fund balance, the positive unassigned fund balance, and the significant improvement in the Solid Waste fund.

She pointed out that there was one (1) finding this fiscal year which related to the deficit in the Solid Waste Disposal Fund.

Chief Financial Officer, Ms. Kim Orfield, advised that the Audit would be available on the City's website December 9, 2015.

City Manager, Ms. Tabitha Crowder, advised that the Audit reflected the two (2) financial goals of the City, building toward a reserve and having a structurally sound budget. She added that the department heads were fiscally responsible this year.

1. Ordinance

2<sup>nd</sup> Reading

Consider Second Reading and Adoption of an Ordinance Granting Exemption from Bristol, Virginia Property Tax Relative to the Morrison School Located at 200 North Pinecrest Lane Bristol, Virginia.

Mayor Hubbard entertained a motion to consider the second reading of an Ordinance granting exemption from Bristol, Virginia property Tax Relative to the Morrison School Located at 200 North Pinecrest Lane Bristol, Virginia by caption only.

Council Member Odum made the motion for the second reading of an Ordinance granting exemption from Bristol, Virginia property Tax Relative to the Morrison School Located at 200 North Pinecrest Lane Bristol, Virginia by caption only. Motion was seconded by Council Member Brillhart and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

City Attorney, Pete Curcio, read the following Ordinance:

**ORDINANCE FOR EXEMPTION FROM REAL PROPERTY TAXATION  
FOR MORRISON SCHOOL**

**WHEREAS**, the Morrison School has requested that the City Council for the City of Bristol Virginia grant an exemption from taxation of its real property located at 200 North Pinecrest Lane in the City of Bristol pursuant to § 58.1-3651 of the 1950 *Code of Virginia*, as amended; and

DECEMBER 8, 2015

**WHEREAS**, the Morrison School is a tax exempt organization pursuant to § 501(c)(3) of the Internal Revenue Code and its intended use for the aforementioned real property is for educational purposes; and

**WHEREAS**, a public hearing was held after publication of notice as required by § 58.1-3651(B) of the 1950 *Code of Virginia*, as amended; and

**WHEREAS**, the City Council has considered all questions pertinent to the request, pursuant to § 58.1-3651(B), and after an investigation by the Commissioner of Revenue has determined that the Morrison School meets the statutory requirements of said *Code* provision.

**NOW THEREFORE BE IT ORDAINED** by the City Council for the City of Bristol Virginia that the Morrison School is hereby granted an exemption from payment of real property taxes to the City of Bristol Virginia. Said exemption shall remain in effect only so long as the Morrison School continues to use its real property at 200 North Pinecrest Lane for educational purposes as a nonprofit organization.

First Reading: October 27, 2015

Second Reading: December 8, 2015

Adopted: December 8, 2015

Mayor Hubbard entertained a motion to adopt an Ordinance granting exemption from Bristol, Virginia property Tax Relative to the Morrison School Located at 200 North Pinecrest Lane Bristol, Virginia.

Council Member Brillhart made the motion to adopt an Ordinance granting exemption from Bristol, Virginia property Tax Relative to the Morrison School Located at 200 North Pinecrest Lane Bristol, Virginia. Motion was seconded by Council Member Steele and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

2. Ordinance

2<sup>nd</sup> Reading

Consider First Reading of an Ordinance to Authorize the Conveyance by Quitclaim Deed of Property in the City of Bristol, Virginia to Boys & Girls Club of Bristol, Inc.

Mayor Hubbard entertained a motion for the second reading of an Ordinance to authorize the conveyance by Quitclaim Deed of property in the City of Bristol, Virginia to the Boys & Girls Club of Bristol, Inc. by caption only.

Council Member Brillhart made the motion for the second reading of an Ordinance to authorize the conveyance by Quitclaim Deed of property in the City of Bristol, Virginia to the Boys & Girls Club of Bristol, Inc. by caption only. Motion was seconded by Vice Mayor Hartley and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

City Attorney, Pete Curcio, read the following Ordinance:

**ORDINANCE TO AUTHORIZE THE CONVEYANCE BY QUITCLAIM DEED OF PROPERTY IN THE CITY OF BRISTOL, VIRGINIA TO BOYS & GIRLS CLUB OF BRISTOL, INC.**

**WHEREAS**, the City appears to have superior rights and title in interest to all other persons in a certain tract or parcel of land situate in the City of Bristol, Virginia more particularly described as follows:

**BEGINNING** at a magnetic nail set in the easterly right-of-way of Piedmont Avenue where it intersects with Rebecca Street (now closed), said point being the midpoint of Rebecca Street (now closed); thence with Piedmont Avenue the following calls and distances: N 13 48 W 27.19 feet, being the western most point of Rebecca Street (now closed) as it intersects with Piedmont Avenue; thence continuing with Piedmont Avenue N 13 48

DECEMBER 8, 2015

00 W 109.63 feet to an iron pin set; thence with Piedmont Avenue N 00 14 58 W 393.82 feet to an iron pin set at the intersection of Piedmont Avenue and Quarry Street; thence N 33 01 19 E 9.32 feet to an iron pin set at the intersection of Piedmont Avenue and Quarry Street; thence with Quarry Street S 56 59 18 E 299.85 feet to a magnetic nail set in the western most point of Rebecca Street (now closed) as it intersects with Quarry Street; thence with Quarry Street S 56 59 18 E 20 feet to a magnetic nail set, being the midpoint of Rebecca Street (now closed) as it intersects with Quarry Street; thence S 33 33 14 W 265.63 feet to a magnetic nail found; thence continuing with the center line of Rebecca Street (now closed) S 33 33 14 W 65.97 feet to a magnetic nail found; thence continuing with the midpoint of Rebecca Street (now closed) S 33 33 14 W 100.69 feet to the point of BEGINNING, and

**WHEREAS**, buildings and other structures owned and used by the Boys & Girls Club of Bristol, Inc. encroach on a portion of the above-described property owned by the City; and

**WHEREAS**, the Boys & Girls Club of Bristol, Inc. utilizes a portion of the above-described property as a playground for its many programs serving the youth of Bristol and the title rights to said portion is not fully ascertainable, but it appears that the City's rights are superior to all third parties; and

**WHEREAS**, said property is not needed by the City for any public purpose and in fact may pose liability to the City under the present circumstances; and

**WHEREAS**, as a result, the City has determined that the public interest will be served by authorizing the Mayor to transfer by Quitclaim Deed said property to the Boys & Girls Club of Bristol, Inc. for future use and does further direct the Mayor and the City Attorney to take all further actions necessary to carry out the stated purpose of this ordinance, and

**WHEREAS**, said transfer requires advertising same in the newspaper for two successive weeks and further requires that a Public Hearing be held prior to transfer and

**WHEREAS**, having advertised the same once a week for two successive weeks and posted at the front door of the Courthouse for two successive weeks at the same time, and

**WHEREAS**, a Public Hearing was held on November 10, 2015.

**NOW THEREFORE, BE IT ORDAINED** by the City Council for the City of Bristol, Virginia, pursuant to Sections 2.04 and 14.01 of the *Charter of the City of Bristol* that the Mayor is hereby authorized to transfer by Quitclaim Deed the subject property to Boys & Girls Club of Bristol, Inc. in accordance with this ordinance.

First Reading: November 10, 2015

Second Reading: December 8, 2015

Adopted: December 8, 2015

Mayor Hubbard entertained a motion for the adoption of an Ordinance to authorize the conveyance by Quitclaim Deed of property in the City of Bristol, Virginia to the Boys & Girls Club of Bristol, Inc.

Council Member Odum made the motion for the adoption of an Ordinance to authorize the conveyance by Quitclaim Deed of property in the City of Bristol, Virginia to the Boys & Girls Club of Bristol, Inc. Motion was seconded by Council Member Steele and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

3. Consider a Request to Authorize Staff to Apply for a FEMA AFG 95/5 Grant.

City Manager, Ms. Tabitha Crowder, reported that the Fire Department was requesting approval to apply for a FEMA Assistance to Firefighters Grant to purchase a new ladder truck. She advised that the City would be responsible for a five percent (5%) match of funds. Ms. Crowder added that the estimated cost of a new ladder truck was eight hundred fifty thousand dollars (\$850,000). She pointed out that the City's cost would be

DECEMBER 8, 2015

approximately forty-two thousand, five hundred dollars (\$42,500). She added that the existing ladder truck would be sold to offset the five percent (5%) match and the projected difference would be added to next year's budget.

Mayor Hubbard entertained a motion to authorize staff to apply for a FEMA AFG 95/5 Grant.

Council Member Odum made the motion to authorize staff to apply for a FEMA AFG 95/5 Grant. Motion was seconded by Council Member Brillhart and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

4. Consider Implementation of a Downtown Parking Permit Program.

Mayor Hubbard entertained a motion to table item number four (4) for further study.

Vice Mayor Hartley made the motion to table item number four (4) for further study. Motion was seconded by Council Member Odum and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

5. Consider Approval of the Minutes: Regular Meeting – October 13, 2015  
Regular Meeting – October 27, 2015  
Called Meeting – November 2, 2015  
Regular Meeting – November 10, 2015

Mayor Hubbard entertained a motion to approve the minutes from the Regular Meeting of October 13, 2015, the Regular Meeting of October 27, 2015, the Called Meeting of November 2, 2015, and the Regular Meeting of November 10, 2015.

Council Member Brillhart made the motion to approve the minutes from the Regular Meeting of October 13, 2015, the Regular Meeting of October 27, 2015, the Called Meeting of November 2, 2015, and the Regular Meeting of November 10, 2015. Motion was seconded by Council Member Odum and carried by the following votes:

AYES: Brillhart, Hartley, Odum, Steele, and Hubbard

E. Adjournment

There being no further business, the meeting was adjourned.

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City Clerk

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Mayor

DECEMBER 11, 2015

A JOINT CALLED MEETING OF THE BRISTOL VIRGINIA CITY COUNCIL AND THE BRISTOL, TENNESSEE CITY COUNCIL WAS HELD ON DECEMBER 11, 2015, AT 12:00 NOON AT THE BRISTOL CHAMBER OF COMMERCE OFFICE LOCATED AT 20 VOLUNTEER PARKWAY, BRISTOL, TENNESSEE WITH MAYOR ARCHIE HUBBARD, III, PRESIDING. VICE MAYOR WILLIAM HARTLEY AND COUNCIL MEMBERS CATHERINE BRILLHART, GUY ODUM, AND JIM STEELE WERE PRESENT. ALSO PRESENT WERE CITY MANAGER, TABITHA CROWDER, ASSISTANT CITY MANAGER, ANDREW TRIVETTE, CITY ATTORNEY, PETE CURCIO, AND CHIEF FINANCIAL OFFICER, KIM ORFIELD.

ALSO PRESENT WERE BRISTOL, TENNESSEE MAYOR LEA POWERS, VICE MAYOR CHAD KEENE, COUNCIL MEMBER MARGARET FEIERABEND, AND CITY MANAGER, BILL SORAH.

1. Call to Order

Mayor Hubbard called the meeting to order for the purpose a presentation by the Bristol Convention and Visitors Bureau.

2. Presentation by the Bristol Convention and Visitors Bureau

Executive Director, Bristol Convention & Visitor's Bureau, Mr. Matt Bolas reported that a combination of public and private resources funded the Bristol Convention & Visitors Bureau (CVB). He added that the CVB used resources efficiently for the benefit of the cities, tourism, and Bristol community.

He reported that the Bristol CVB utilized multi-layered marketing and promotional tools including publications, advertisements, websites, online ads and video promotions, social media, press tours, and tour group recruitment. He reported that the CVB marketing efforts had reached nine million nine hundred thousand 9,900,000 people between June and December 2015.

He reported that the 2015-2016 Bristol TN/VA (combined) lodging taxes were projected to be one million, seven hundred sixty-five thousand dollars (\$1,765,000). He also reported that the CVB marketing return on investment (ROI) was four million, three hundred fourteen thousand, seven hundred sixty-three dollars (\$4,314,763). He added that the Bristol CVB generates twelve dollars (\$12) for every one dollar (\$1) invested in the organization.

3. Discussion

Mayor Hubbard asked about duplication of advertising efforts. Mr. Bolas explained that while other organizations in Bristol pay for their respective marketing efforts, organizations partner with the CVB to share costs as much as possible. He added that they make every effort to avoid duplication.

A discussion ensued about grant funding, the metrics used to determine the ROI for marketing efforts, and the need to broaden the marketing focus.

There was no action taken by Council.

4. Adjournment

There being no further business, the meeting was adjourned.

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City Clerk

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Mayor

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: January 12, 2016

Department: City Manager

Bulk Item: Yes  No

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider Appointments:

Highlands Community Policy and Management Team - Dr. Richard Carroll, Jr.

Bristol Convention and Visitors Bureau - Mr. Ken Monyak.

Bristol Public Library Foundation - Ms. Deborah Wagner.

New River/Mount Rogers Workforce Investment Area Consortium Board - Ms. Tabitha Crowder, Alternate

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**ITEM BACKGROUND:**

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**PREVIOUS RELEVANT ACTION:**

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**Staff Recommendations:** Appointment of individuals as stated above.

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**DOCUMENTATION:** Included  Not Required

**MOTION:** I move for approval of items on the consent agenda.



Comprehensive Services Act  
For Youth and Families  
Bristol City & Washington County

Highlands Community  
Policy & Management  
Team

Kathy Johnson,  
Bristol DSS, Chair

Shawn Miller,  
Highlands CSB,  
Vice-chair

Jo Hutton,  
Bristol Youth Services,  
Secretary

Patricia Davis  
28<sup>th</sup> District CSU

Randall Blevins  
Wash. Co. DSS

Rex Gearhart,  
Bristol Public Schools

Archie Hubbard  
Govt. Rep. – Bristol

Vacant,  
Private Provider Rep.

Dr. Christopher Qualls  
Govt. Rep. – Wash. Co.

Gloria Surber  
Parent Representative

Patricia Vanhoy  
Health Department

Andre Richmond  
Director, CSA Services

December 16, 2015

Mrs. Tabitha Crowder  
City Manager  
Bristol VA City Hall  
300 Lee Street  
Bristol, VA 24201

Dear Mrs. Crowder,

The Highlands Community Policy and Management Team (CPMT) board has a vacancy in the position of Private Provider Representative, as a result of the Children's Advocacy Center's (CAC) merger with Highlands Community Services Board (HCS). The City's previous appointee, Mrs. Barbara Pittman, was employed by the CAC and this merger changed her employer to HCS; thereby nullifying her qualification as a Private Provider. The CPMT is required to have this position filled per mandate of article § 2.2-5205 of the Code of Virginia. This position is appointed by the City Council to a two-year term, every 4 years. This request for a new appointment would be for the remainder of fiscal year 2016 through fiscal year 2017. We respectfully ask that this matter be placed on an upcoming agenda for consideration.

Dr. Rick Carroll is the CPMT's recommended appointee for the Private Provider Representative's term (ending June 30, 2017). Dr. Carroll is a resident of the City of Bristol and is an Independent Mental Health provider for the City of Bristol and Washington County Virginia. His professional address is below:

Dr. Rick Carroll, Ph.D., LPC, ACS  
139 Acorn Lane  
Bristol, VA 24266

Please do not hesitate to contact me at (276) 645-4710 or [arichmond@highlandscsb.org](mailto:arichmond@highlandscsb.org) should you have any questions or concerns.

Thank you for your assistance with this matter.

Andre Richmond, Program Director  
CSA Services: Washington County & Bristol  
102 Oakview Avenue  
Bristol, VA 24201