



City Council  
Bill Hartley, Mayor  
Jim Steele, Vice Mayor  
Doug Fleenor, Council Member  
Archie Hubbard, Council Member  
Kevin Mumpower, Council Member



**BRISTOL VIRGINIA CITY  
COUNCIL  
300 Lee Street  
Bristol, Virginia 24201**

**August 23, 2016**

**6:00 p.m.  
Call to Order  
Moment of Silence  
Pledge of Allegiance**

A. Mayor's Minute and Council Comments.

**REGULAR AGENDA:**

1. Presentation of Treasurer's Tax Collection Report.
2. Consider a Request to Publish a Delinquent Personal Property Tax List.
3. Consider Second Reading and Adoption of an Ordinance to Repeal and Reenact the Appendix to Chapter 70 of the City Code.
4. Consider a Resolution in Support of Early Childhood Education.

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

- 5.1 Consider Approval of the Minutes: Regular Meeting – July 12, 2016  
Regular Meeting – July 26, 2016
  - 5.2 Consider a Street Closure Request for the 16<sup>th</sup> Annual Bristol Rhythm and Roots Reunion Festival – September 16-18, 2016.
- B. Matters to be Presented by Members of the Public – Non-Agenda Items.

C. Adjournment.

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

Meeting Date: 08/23/16

Department: Treasurer

Bulk Item: Yes  No

Staff Contact: Angel Harris

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**AGENDA ITEM WORDING:**

Presentation of the Treasurer's Tax Collection Report

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**ITEM BACKGROUND:**

N/A

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**PREVIOUS RELEVANT ACTION:**

**Staff Recommendations:**

N/A

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**DOCUMENTATION:**      Included       Not Required

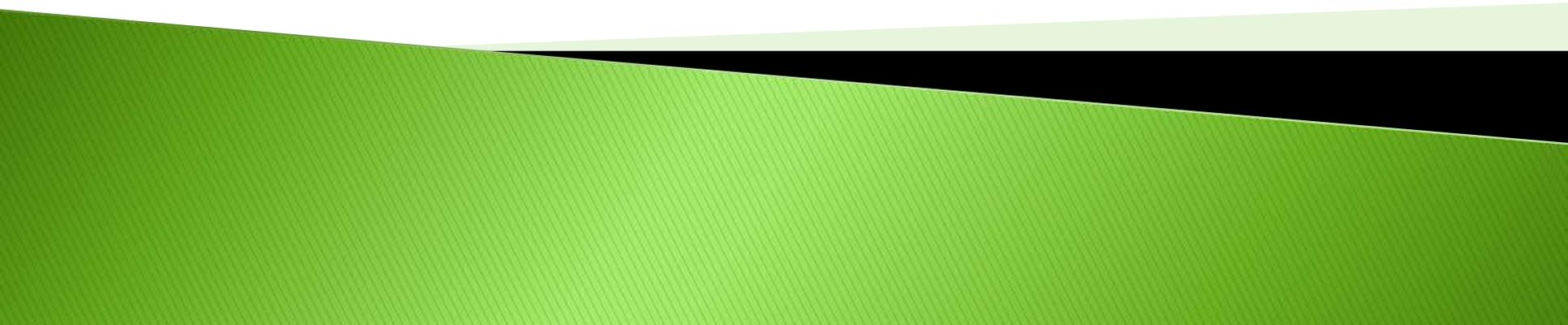
**MOTION:** None Required

# TREASURER'S TAX COLLECTION REPORT

JULY 1, 2015 to JUNE 30, 2016

Presented by ANGEL HARRIS, TREASURER

August 23, 2016



# DELINQUENT COLLECTIONS BUDGET vs. COLLECTIONS

**FY 2015–2016**

**Delinquent Real Estate Tax**

<b>BUDGET</b>	<b>\$400,000</b>
<b>COLLECTIONS</b>	<b>\$721,642</b>

# DELINQUENT COLLECTIONS BUDGET vs. COLLECTIONS

FY 2015–2016

Delinquent Personal Property Tax

BUDGET	\$240,000
COLLECTIONS	\$106,289
	(133,711)

# DELINQUENT COLLECTIONS BUDGET vs. COLLECTIONS

**FY 2015–2016**

**Delinquent Penalty, Interest and  
Administrative fees**

<b>BUDGET</b>	<b>\$350,000</b>
<b>COLLECTIONS</b>	<b>\$389,325</b>

# DELINQUENT TAX SUMMARY

**DELINQUENT REAL ESTATE 1996-2015  
= 99.06% COLLECTED**

**DELINQUENT PERSONAL PROPERTY 2011-2015  
= 95.83% COLLECTED**

# DELINQUENT TAX SUMMARY

*Balance due:*

\$1,040,389 REAL ESTATE 1996–2015

\$ 700,034 PERSONAL PROPERTY 2011–2015

▶ **\$1,740,423**

(\$142,269 more than last year)

# 2016 REAL ESTATE COLLECTION RATES

\$6,613,277 due June 5, 2016

AS OF JUNE 30, 2016 the uncollected  
balance was

\$634,288

**89.63% COLLECTED**

**10.37% of the taxpayers did not pay**

# TAXING AUTHORITY CONSULTING SERVICES FY2015-2016

Collecting 2012 and prior years:

- ▶ Collected:  
\$231,257
- ▶ % of balances turned over to TACS:  
88.09% Real Estate  
58.63% Personal Property

# JUDICIAL TAX SALE

15 parcels were auctioned in FY15–16.

TACS is has an estimated 87 parcels in the judicial tax sale litigation process.

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

Meeting Date: August 23, 2016

Department: Treasurer

Bulk Item: Yes  No

Staff Contact: Angel Harris

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**AGENDA ITEM WORDING:**

Consider a Request to Publish Delinquent Personal Property Tax List.

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**ITEM BACKGROUND:**

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**PREVIOUS RELEVANT ACTION:**

Ordinance No. 14.18 adopted 10-14-14

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**Staff Recommendations:**

I am recommending the publication of ALL delinquent taxpayer's names, who owe 2015 and prior years personal property tax, in the newspaper.

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**DOCUMENTATION:** Included  Not Required

**MOTION:** I move to approve the request to publish the delinquent personal property tax list.

# State Code: CODE 58.1–3924 & 78–10

- ▶ Authorizes the governing body to publish the names of the delinquent taxpayers.
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# CONSIDERATION:

- ▶ This is a formal request for Council to utilize a collection tool prescribed in the code of Virginia as a means to close the gap on uncollected taxes for cars, motorcycles, campers, motor homes, trailers, business fixtures, machinery and tools. I am recommending the publication of ALL delinquent taxpayers names, who owe 2015 and prior years personal property tax, in the newspaper.
  - ▶ I have received 649 undeliverable delinquent tax bills. This will serve as a public notice for the delinquent taxpayers who have moved and did not change their address with:
    - The Division of Motor Vehicles
    - The United States Postal Service
    - The Commissioner of the Revenue
- 

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

Meeting Date: August 23, 2016

Department: City Manager

Bulk Item: Yes      No X

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider Second Reading and Adoption of an Ordinance to Repeal and Reenact the Appendix to Chapter 70 of the City Code.

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**ITEM BACKGROUND:**

The proposed budget incorporates changes in the solid waste operations as well as fee increases. The ordinance to implement those changes was tabled on July 12, 2006 to allow a work group to provide recommendations on streamlining the ordinance. The work group has developed the proposed Appendix to Chapter 70 as a first step which would allow the proposed funding revisions to be implemented. The existing code is included with the proposed appendix for comparison. The proposed monthly residential collection fee is \$18, and grass clippings would continue to be collected.

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**PREVIOUS RELEVANT ACTION:**

Public hearing on the budget was held on May 24, 2016. First reading of an ordinance to Repeal and Reenact the Appendix to Chapter 70 of the City Code was held on August 9, 2016.

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**Staff Recommendations:**

Staff recommends approval.

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**DOCUMENTATION:**      Included X Not Required     

**MOTION:** I move to approve the Second Reading and Adoption of an Ordinance to Repeal and Reenact the Appendix to Chapter 70 of the City Code.

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# **PROPOSED ORDINANCE**

**AN ORDINANCE TO REPEAL AND REENACT *THE APPENDIX TO CHAPTER 70 OF THE CITY CODE***

**BE IT ORDAINED** by the City Council for the City of Bristol Virginia that the Appendix to Chapter 70 of the City Code should be and hereby is repealed and reenacted to read as follows:

APPENDIX TO CHAPTER 70—SOLID WASTE FEES

**(1) Collection Fees for City Services.**

- (a) *Single and two-family attached and detached residences, condominiums, townhouses, and any other residential unit where electric service is individually metered.* Each residence and residential unit will be assessed a collection fee. The city will provide a refuse receptacle for each residence. Waste will be collected once a week. Fees will remain in place and waste shall be collected while utilities are turned on, regardless if the residence or residential unit is occupied or vacant.

Monthly Fees Payable with Utility Bill

\$18.00

- (b) *Nonresidential establishments and non-individually electric metered multiple residential units where service is provided with not more than four 95 gallon and/or 300 gallon, or any combination thereof, automated collection containers, provided by the City. Only locations which are accessible to automated collection vehicles will be served.*

Charge, Payable Quarterly

1. 95 gallon containers: \$80.00 first container, \$35.00 each additional container.
2. 300 gallon containers: \$160.00 first container, \$85.00 each additional container.

Rates are based on one collection a week. If service is requested for more than one collection a week, additional collections shall be billed at half the rate.

- (c) *Eleemosynary Institutions.* The city will provide 95 gallon and/or 300 gallon automated collection containers. Only locations which are accessible to automated collection vehicles will be served. It shall be the responsibility of the institution to apply for and provide the necessary information to qualify for this category.

Charge, Payable Quarterly

1. 95 gallon containers: \$65.00 first container, \$20.00 each additional container.
2. 300 gallon containers: \$100.00 first container, \$55.00 each additional container.

Rates are based on one collection a week. If service is requested for more than one collection a week, additional collections shall be billed at half the rate.

- (d) *Bulk wood, brush or bulk waste collection for city-served nonresidential, multi-family locations and eleemosynary institutions.* Upon request, the city may provide special collection services to city-served establishments. A deposit in the amount of a single service load plus a one ton disposal fee is required prior to any collection.

### Charge, Special Collections and Disposal

\$35.00 per collection service plus disposal fees at gate rate (one ton minimum). Service requiring more than a single load shall be considered as separate services for each load, and charged accordingly.

- (e) *Excess brush or waste collection for city-served single and two-family attached and detached residence, condominiums, townhouses and any other residential unit where electric service is individually metered.* The city retains the right to refuse to collect waste from residences where the volume exceeds the limits established in this chapter. Upon the request of the owner or resident, the city may provide special collection services to the residence. A deposit in the amount of a single service load is required prior to any collection.

### Charge, Special Collections and Disposal

\$150.00 per collection for excessive brush, demolition, construction waste requiring the service of a grapple truck or rear loader.

Service requiring more than a single load shall be considered as separate services for each load, and charged accordingly.

## **(2) Disposal Fees.**

- (a) Municipal solid waste ....\$30.00\* per ton.
- (b) Inert (rock, brick, concrete, asphalt) waste ....\$30.00 per ton.
- (c) Construction and demolition waste ....\$30.00\* per ton.
- (d) Brush ....\$35.00\* per ton.
- (e) Minimum fee for (a) - (d) except as noted in (j) ....\$15.00
- (f) Leaves, grass, and yard waste \$35.00\* per ton.
- (g) Bulk waste tire processing fee; tires not to exceed 24.5-inch wheel size (rimless only) ....\$115.00\* per ton.
- (h) Tires not to exceed 24.5-inch wheel size (rimless only) brought in by other than Bristol, Virginia private residents ....\$6.50 each
- (i) Surcharge for each tire on rim, or encrusted with mud or rocks (e.g. waste stream tires) ....\$6.50
- (j) Waste tires, shredded ....\$30.90\* per ton.
- (k) Bristol, Virginia private residents; all types of permitted waste

- 1. Up to 500 lbs. ....\$3.00
- 2. 500 to 1,000 lbs. ....\$5.00
- 3. Over 1,000 lbs. ....\$30.00 per ton

Tires not to exceed 16-inch wheel size (rimless only) delivered by private residents in lots of less than five ....\$3.00\* each.

\* - Some waste streams are subject to additional fees.

**(3) Commercial Refuse Container Permit Fees.**

- (a) 1 to 5.99 cubic yards ....\$50.00 annually
- (b) 6 to 7.99 cubic yards ....\$100.00 annually
- (c) 8 cubic yards or larger ....\$200.00 annually
- (d) Temporary use containers
  - 1. 1 to 5.99 cubic yards ....\$15.00 quarterly
  - 2. 6 to 7.99 cubic yards ....\$30.00 quarterly
  - 3. 8 cubic yards or larger ....\$60.00 quarterly

The public good requiring it, an emergency is declared and this ordinance shall become effective upon its date of adoption.

FIRST READING August 9, 2016

SECOND READING \_\_\_\_\_

ADOPTION \_\_\_\_\_

# EXISTING CODE

APPENDIX TO CHAPTER 70—SOLID WASTE FEES

(1) *Collections fees.*

- (a) *City served.* Nonresidential establishments and non-individually electric metered multiple unit residential establishments where service is provided via not more than four 95 or 300 gallon, or any combination thereof, city provided automated collection containers. Only locations which are accessible to automated collection vehicles will be served. Collections shall be limited to two per week.

**Charge, Payable Quarterly**

95 gallon containers: each pick up - \$75.00 first container, \$25.00 each additional

300 gallon containers: each pick up - \$150.00 first container, \$75.00 each additional

- (b) *Single- and two-family attached and detached residence, condominiums, townhouses and any other residential unit where electric service is individually metered.*

**Fee Payable with Utility Bill**

\$15.00/Month

- (c) *Eleemosynary institutions:* (It shall be the responsibility of the institution to apply for and provide the necessary information to qualify for this category.)

**Charge, Payable Quarterly**

95 gallon containers: \$65.00 first container, \$15.00 each additional, \$45.00 twice weekly collections

300 gallon containers: \$100.00 first container, \$50.00 each additional, \$75.00 twice weekly collections

- (d) *Bulk wood, brush or bulk waste collection for nonresidential or multi-family locations.*  
\$35.00 per service plus disposal fees at gate rate, one ton minimum (service requiring more than a single load shall be considered as separate services for each load). A deposit in the amount of a single load plus one ton disposal fee is required prior to any collection activity.

(2) *Disposal fees.*

- (a) Municipal solid waste (per ton) .....\$25.00  
(b) Reserved.  
(c) Debris and demolition waste (per ton) .....\$25.00  
(d) Combustible wood waste (per ton) .....\$55.10  
(e) Minimum fee for (a)—(d) except as noted in (j) .....\$12.00  
(f) Leaves, grass, yard waste (per ton) .....\$30.90  
(g) Bulk waste tire processing fee; tires not to exceed 24.5-inch wheel size (rimless only)(per ton) .....\$115.00

- (h) Individual tires brought in by other than Bristol, Virginia private residents (each) .....\$6.50
- (i) Surcharge for tires encrusted with mud or rock or on rims (each), waste stream tires .....\$6.50
- (j) Waste tires, shredded (per ton) .....\$30.90
- (k) Bristol, Virginia private residents; all types of permitted waste
  - Up to 500 lbs. ....\$3.00
  - 500 to 1,000 lbs. ....\$5.00
  - Over 1,000 lbs. (per ton) .....\$30.90Waste tires, individually, up to 16" wheel size, delivered by private citizens in lots of less than five (each) .....\$2.00

(3) *Commercial refuse container permit fees.*

- (a) 1 to 5.99 cubic yards .....\$45.00  
annually
- (b) 6 to 7.99 cubic yards .....\$90.00  
annually
- (c) 8 cubic yards or larger .....\$180.00  
annually
- (d) Temporary use containers
  - a. 1 to 5.99 cubic yards .....\$11.25  
quarterly
  - b. 6 to 7.99 cubic yards .....\$22.50  
quarterly
  - c. 8 cubic yards or larger .....\$45.00  
quarterly

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

Meeting Date: August 23, 2016

Department: City Manager

Bulk Item: Yes  No

Staff Contact: Tabitha Crowder

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**AGENDA ITEM WORDING:**

Consider a Resolution in Support of Early Childhood Education.

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**ITEM BACKGROUND:**

In an effort to increase local government's role in early childhood education, VML has created a Stairway to Success recognition program. The program encourages participating localities to create activities that enhance the early childhood experience. Localities must also adopt a resolution in support of early childhood education.

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**PREVIOUS RELEVANT ACTION:**

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**Staff Recommendations:**

Staff recommends approval.

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**DOCUMENTATION:**      Included       Not Required

**MOTION:** I move to adopt a Resolution in support of early childhood education.

## **Resolution in Support of Early Childhood Education**

WHEREAS, children's experience in their earliest years have a large effect on their entire lives; and

WHEREAS, early childhood education can particularly help children who are born with risk factors, whether economic, psychological, or physical; and

WHEREAS, children who have access to high quality early childhood education programs are better prepared for kindergarten and for success in school; and

WHEREAS, school readiness has economic and social benefits not only for the children who attend these programs but for all Virginians; and

WHEREAS, children who are kindergarten ready are more likely to make the most of their educational experience; and

WHEREAS, a successful kindergarten experience is the start to a successful completion of high school and preparation for a successful career.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Bristol, Virginia recognizes the importance of early childhood education to children's future success in school and in life; and

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Bristol, Virginia commends the teachers, volunteers, parents, community leaders and students involved in early childhood education for their contributions.

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Bill Hartley, Mayor

### **Clerk's Certificate**

I, the undersigned, certify that I am Clerk of the City Council for the City of Bristol, Virginia and that the foregoing is a true copy of the resolution duly adopted at the regularly held City Council meeting on the 23<sup>th</sup> day of August, 2016, at which a quorum was present and voted.

Date: August 23, 2016

[SEAL]

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(Clerk)

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

Meeting Date: August 23, 2016

Department: Clerk of Council

Bulk Item: Yes  No

Staff Contact: Pam Venable

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**AGENDA ITEM WORDING:**

Consider Approval of the Minutes:

Regular Meeting – July 12, 2016  
Regular Meeting – July 26, 2016

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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.

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THE REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JULY 12, 2016, AT 6:00 P.M. IN COUNCIL CHAMBERS, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR WILLIAM HARTLEY PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR JIM STEELE, J. DOUGLAS FLEENOR, ARCHIE HUBBARD, III, AND KEVIN MUMPOWER. CITY MANAGER, TABITHA CROWDER, AND CITY ATTORNEY, PETE CURCIO WERE ALSO PRESENT.

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

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

Ms. Gloria Oster spoke in favor of reappointing Mr. Tom Bowers and Mr. Carl Williams to the Library Board.

Ms. Amy Kimani spoke in favor of reappointing Mr. Tom Bowers and Mr. Carl Williams to the Library Board.

Council Member Fleenor inquired about equal funding from Bristol, Virginia and Bristol, Tennessee for the Library.

Council Member Mumpower inquired about the length of time that had passed since the agreement between Bristol Tennessee and Bristol, Virginia had been reviewed. He also inquired about the length of time that had passed since the strategic plan had been updated.

Council Member Fleenor and Council Member Mumpower inquired about the service of Mr. Bowers and Mr. Williams on the Library Board during the time of unethical activity by the former Library Foundation Board Executive Director. Ms. Kimani explained that the Library Board and the Library Foundation were two separate organizations.

Ms. Nancy Marney pointed out that the Library used to receive funding from the State. She commented on funds from the parking lot near the Library going to the Library.

Mr. Michael Pollard congratulated Mayor Hartley and welcomed Council Members Fleenor and Mumpower. He voiced concerns about the inconsistent enforcement of City regulations related to building permits, fireworks being used before and after a holiday, and penalties/fees for not mowing lawns.

Ms. Catherine Jewell commented on the funding for the Library. She spoke on the state of the City and provided documentation for Council Members to review.

Ms. Nancy Marney commented on the uniqueness of Bristol and cautioned against comparing Bristol to other Virginia localities.

B. Mayor's Minute and Council Comments

Mayor Hartley advised that the financial advisors, Davenport and Company, would be at the next meeting. He also advised that there would be procedures and policies implemented for the City to adhere to. He mentioned that in the future, work sessions would be incorporated within the Council Meetings and that the meetings would be more accessible, adding that the meetings would be available for viewing on YouTube.

Assistant City Manager, Mr. Andrew Trivette, reported that the intent was to post recordings on the Tuesday following the meeting.

Council Member Mumpower commented on the lack of City policies.

Council Member Fleenor encouraged citizens to come see the Davenport & Company financial presentation.

Vice Mayor Steele thanked former Mayor, Archie Hubbard, for his service as Mayor. He also thanked the individuals and businesses for donating items which he delivered to the flood victims in West Virginia.

1. Ordinance

2<sup>nd</sup> Reading

Consider Second Reading and Adoption of an Ordinance to Repeal and Reenact §§70-1, 70-26, 70-30, 70-31, 70-35, 70-37, 70-39, 70-41, 70-42, 70-44, 70-46 and the Appendix and Adopt §§70-29, 70-32, 70-33, and 70-47 to Chapter 70 of the City Code

Assistant City Manager, Mr. Andrew Trivette reported that no changes had been made to the Ordinance since the first reading.

Mr. Michael Pollard spoke in opposition of the Ordinance.

Ms. Catherine Jewell asked that the item be tabled, reviewed, and revised.

Council Member Fleenor asked if she would be willing to volunteer her time to help rewrite the Ordinance.

Council Member Mumpower commented on the negative aspects of the Ordinance.

Assistant City Manager, Mr. Andrew Trivette, pointed out that the Ordinance impacted the adopted City budget.

Mayor Hartley entertained a motion for the second reading of an Ordinance to Repeal and Reenact §§70-1, 70-26, 70-30, 70-31, 70-35, 70-37, 70-39, 70-41, 70-42, 70-44, 70-46 and the Appendix and Adopt §§70-29, 70-32, 70-33, and 70-47 to Chapter 70 of the City Code by caption only.

Council Member Fleenor made the motion to table the Ordinance to Repeal and Reenact §§70-1, 70-26, 70-30, 70-31, 70-35, 70-37, 70-39, 70-41, 70-42, 70-44, 70-46 and the Appendix and Adopt §§70-29, 70-32, 70-33, and 70-47 to Chapter 70 of the City Code. Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

2. Public Hearing Regarding an Ordinance to Grant Exemption from Bristol, Virginia Real Property Tax Relative to The Cross of Christ Worship Center, for Property at 304 and 310 Spurgeon Lane, Bristol, Virginia

Commissioner of the Revenue, Mr. Terry Frye, reported that property used for religious purposes was eligible for tax exemption as set forth in the Virginia Constitution.

Mayor Hartley declared the public hearing open for discussion.

Hearing no comments, Mayor Hartley declared the public hearing closed.

3. Ordinance

1<sup>st</sup> Reading

Consider First Reading of an Ordinance to Grant Exemption from Bristol, Virginia Real Property Tax Relative to The Cross of Christ Worship Center, for Property at 304 and 310 Spurgeon Lane, Bristol, Virginia

Mayor Hartley entertained a motion for the first reading of an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center, for Property at 304 and 310 Spurgeon Lane, Bristol, Virginia.

Council Member Fleenor made the motion for the first reading of an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center, for Property at 304 and 310 Spurgeon Lane, Bristol, Virginia. Motion was seconded by Council Member Mumpower and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

City Attorney, Pete Curcio read the following Ordinance:

**ORDINANCE FOR EXEMPTION FROM REAL PROPERTY TAXATION  
FOR THE CROSS OF CHRIST WORSHIP CENTER**

**WHEREAS**, The Cross of Christ Worship Center has requested that the City Council for the City of Bristol Virginia grant an exemption from taxation of its real property located at 304 and 310 Spurgeon Lane (Tax Map #14 1 11B) in the City of Bristol pursuant to § 58.1-3651 of the 1950 *Code of Virginia*, as amended; and

**WHEREAS**, The Cross of Christ Worship Center 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 in furtherance of charitable 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 Cross of Christ Worship Center 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 Cross of Christ Worship Center 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 Cross of Christ Worship Center continues to use its real property at 304 and 310 Spurgeon Lane (Tax Map #14 1 11B) for charitable purposes as a nonprofit organization.

First Reading: July 12, 2016

Second Reading: \_\_\_\_\_

Adopted: \_\_\_\_\_

4. Consider Designation of the Clerk of Council, Pam Venable, and Police Lieutenant, Clay Robinette, as FOIA Officers for the City of Bristol

Assistant City Manager, Mr. Andrew Trivette, reported that Virginia statute required localities with a population over two hundred fifty (250) to designate a Freedom of Information Act (FOIA) Officer. He added that the officers would participate in annual FOIA training.

A discussion ensued about the Freedom of Information Act, the responsibilities of the designated officers, and any fees charged for providing the requested information.

Mayor Hartley entertained a motion to consider designating Clerk of Council, Pam Venable and Police Lieutenant, Clay Robinette, as FOIA Officers for the City of Bristol.

Council Member Hubbard made the motion to designate Clerk of Council, Pam Venable and Police Lieutenant, Clay Robinette, as FOIA Officers for the City of Bristol. Motion was seconded by Vice Mayor Steele and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

5. Matters to be Presented by Boards and Commissions Applicants

The following individuals gave a brief presentation on why they desired to serve on the various Boards and Commissions:

Industrial Development Authority:

Deborah Wagner  
Diana Oxendine  
Paul Conco  
Bill Lester

Bristol, Virginia Planning Commission:

Kevin Corbett  
Diana Oxendine  
Jordan C. Pennington

Public Library:

Carl Williams

	Tom Bowers Paul Conco
<u>Virginia Highlands Community College:</u>	Catherine Brillhart
<u>Highlands Community Services:</u>	David Trotter
<u>Highlands Community Policy and Management:</u>	David Trotter Melissa Harrison
<u>Southwest Virginia Health Authority:</u>	Catherine Brillhart
<u>Transportation Safety:</u>	Neal Osborne

#### 6. Executive Session

Mayor Hartley entertained a motion to enter into Executive Session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Appointments)

Council Member Mumpower made the motion to table entering into Executive Session.

Hearing no second to the motion, Mayor Hartley entertained a motion to enter into Executive Session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Appointments)

Council Member Hubbard made the motion to enter into Executive Session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Appointments) Motion was seconded by Vice Mayor Steele and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

Following the Executive Session, by roll call vote, Council Members certified that only business matters lawfully exempted from open meeting requirements and specified in the motion to convene the Executive Session were discussed.

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

#### 7. Citizen Appointments to Boards and Commissions

Mayor Hartley entertained a motion for the following citizen appointments:

Virginia Highlands Community College – Catherine Brillhart

Transportation Safety – Justin Fleenor  
Neal Osborne

Southwest Virginia Health Authority – Catherine Brillhart

Public Library – Thomas Bowers  
Paul Conco  
Carl Williams

Bristol, Virginia Planning Commission – Kevin Corbett  
Jordan Pennington

Industrial Development Authority – William Lester  
Diana Oxendine

Highlands Community Services – David Trotter

Highlands Community Policy and Management – Melissa Harrison

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Youth Services Advisory Board – Julia Davis  
 John Iskra  
 Janine Myatt  
 Charlie Roe  
 Kim Peters Warren

Council Member Hubbard made the motion to accept the appointments as presented. Motion was seconded by Council Member Fleenor and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

8. Consider a Street Closure Request for the Day in the Park Event – August 6, 2016

Mayor Hartley entertained a motion to approve the street closure request for the Day in the Park Event scheduled for August 6, 2016.

Council Member Fleenor made the motion to approve the street closure request for the Day in the Park Event scheduled for August 6, 2016. Motion was seconded by Council Member Mumpower and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, Steele, and Hartley

9. Adjournment

There being no further business, the meeting was adjourned.

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City Clerk

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Mayor

THE REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JULY 26, 2016, AT 6:00 P.M. IN COUNCIL CHAMBERS, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR WILLIAM HARTLEY PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR JIM STEELE, J. DOUGLAS FLEENOR, AND ARCHIE HUBBARD, III. CITY MANAGER, TABITHA CROWDER, AND CITY ATTORNEY, PETE CURCIO WERE ALSO PRESENT.

COUNCIL MEMBER KEVIN MUMPOWER WAS ABSENT

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

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

Ms. Diana Oxendine pointed out items on the City's website that needed to be updated; Council Members not always being responsive to citizens; Division of Motor Vehicle office in Bristol closing; and possible uses of the V.I. College.

Mr. Michael Pollard extended well wishes to Mr. Andrew Trivette in his new position. He also commented on working on the City's Solid Waste Ordinance with several others stating that this showed openness and transparency in the City.

Mr. Gene Kistner, owner of Sleep Cheap Mattress Outlet, voiced his concerns related to signage and the issues he has encountered in replacing an old sign on newly acquired property.

B. Mayor's Minute and Council Comments

Mayor Hartley announced that Black Wolf Harley-Davidson would be holding a First Responder Appreciation Event at 10:30 am on Saturday, July 30, 2016. He also commended the Public Works Department for having trees and debris cleared before the storm passed during the Bristol Hotel Ceremony.

Council Member Fleenor commented on not having prayer during the Council Meeting. He also commented on vacant positions being funded by and approved by Council Members.

1. Ordinance

2<sup>nd</sup> Reading

Consider Second Reading and Adoption of an Ordinance to Grant Exemption from Bristol, Virginia Real Property Tax Relative to The Cross of Christ Worship Center, for Property at 304 and 310 Spurgeon Lane, Bristol, Virginia

City Manager, Ms. Tabitha Crowder, explained that this Ordinance had been presented at the previous Council Meeting, and that no changes had been made to the Ordinance.

Mayor Hartley entertained a motion for the second reading of an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center for property at 304 and 310 Spurgeon Lane, Bristol, Virginia by caption only.

Council Member Hubbard made the motion for the second reading of an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center for property at 304 and 310 Spurgeon Lane, Bristol, Virginia by caption only. Motion was seconded by Vice Mayor Steele and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

City Attorney, Pete Curcio, read the following Ordinance by caption only:

**ORDINANCE FOR EXEMPTION FROM REAL PROPERTY TAXATION  
FOR THE CROSS OF CHRIST WORSHIP CENTER**

**WHEREAS**, The Cross of Christ Worship Center has requested that the City Council for the City of Bristol Virginia grant an exemption from taxation of its real property located at 304 and 310 Spurgeon Lane (Tax Map #14 1 11B) in the City of Bristol pursuant to § 58.1-3651 of the 1950 *Code of Virginia*, as amended; and

**WHEREAS**, The Cross of Christ Worship Center 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 in furtherance of charitable 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 Cross of Christ Worship Center 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 Cross of Christ Worship Center 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 Cross of Christ Worship Center continues to use its real property at 304 and 310 Spurgeon Lane (Tax Map #14 1 11B) for charitable purposes as a nonprofit organization.

First Reading: July 12, 2016

Second Reading: July 26, 2016

Adopted: July 26, 2016

Mayor Hartley entertained a motion to adopt an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center for property at 304 and 310 Spurgeon Lane, Bristol, Virginia.

Council Member Hubbard made the motion to adopt an Ordinance granting exemption from Bristol, Virginia real property tax relative to The Cross of Christ Worship Center for property at 304 and 310 Spurgeon Lane, Bristol, Virginia. Motion was seconded by Vice Mayor Steele and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

2. Consider a Resolution to Approve and Certify the Final Plat for Plat #03-2016 for the Euclid Avenue Shopping Center Subdivision Including the Granting of a Variance to City Code Section 50-358 (d)

City Planner, Ms. Sally Morgan, reported that the Euclid Avenue Shopping Center was currently divided into two (2) tracts. She advised that the owners desired to divide the property into five (5) tracts in an effort to develop the property. She stated that the Bristol Virginia Planning Commission had approved the final plat.

City Attorney, Pete Curcio, read the following Resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF BRISTOL, VIRGINIA APPROVING THE FINAL PLAT OF THE  
EUCLID SHOPPING CENTER SUBDIVISION**

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

**WHEREAS**, the subdivision plat for the Euclid Shopping Center Subdivision has been properly submitted to the City and reviewed by City staff, and

**WHEREAS**, the Planning Commission met on July 18, 2016 and approved the preliminary plat, and also in a separate subsequent action, the Planning Commission approved the final plat, along with approval of a variance to City Code Section 50-358 (d) 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 Euclid Shopping Center Subdivision as attached in Exhibit A, and acknowledges and confirms the Planning Commission's approval of a variance to City Code Section 50-358 (d).

Mayor Hartley entertained a motion to adopt a Resolution to approve and certify the final plat for plat #03-2016 for the Euclid Avenue Shopping Center subdivision including the granting of a variance to City Code Section 50-358 (d).

Council Member Fleenor made the motion to adopt a Resolution to approve and certify the final plat for plat #03-2016 for the Euclid Avenue Shopping Center subdivision including the granting of a variance to City Code Section 50-358 (d). Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

3. Matters to be Presented by Boards and Commissions Applicants

The following individuals gave a brief presentation on why they desire to serve on the various Boards and Commissions:

Industrial Development Authority:

Kelly Robinson  
James Heaney

4. Executive Session

Mayor Hartley entertained a motion to enter into Executive Session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Appointments)

Council Member Fleenor made the motion to enter into Executive Session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Appointments) Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

Following the Executive Session, by roll call vote, Council Members certified that only business matters lawfully exempted from open meeting requirements and specified in the motion to convene the Executive Session were discussed.

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

5. Citizen Appointments to Boards and Commissions

Mayor Hartley entertained a motion for the following citizen appointments:

Youth Services Advisory Board – Mark Connor

Industrial Development Authority – Kelly Robinson

Mount Rogers Planning District Commission – Fred Bowman

Council Member Hubbard made the motion to accept the appointments as presented. Motion was seconded by Council Member Fleenor and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

6.1 Consider a Street Closure Request for Food City Race Night – August 18, 2016

6.2 Consider Approval of the Minutes: Regular Meeting – June 14, 2016  
 Regular Meeting – June 28, 2016  
 Inaugural Meeting – July 1, 2016

Mayor Hartley entertained a motion to approve the street closure request contingent upon receipt of all necessary documentation; and the Minutes from the Inaugural Meeting of July 1, 2016.

Council Member Hubbard made the motion to approve the street closure request contingent upon receipt of all necessary documentation; and the Minutes from the Inaugural Meeting of July 1, 2016. Motion was seconded by Vice Mayor Steele and carried by the following votes:

AYES: Fleenor, Hubbard, Steele, and Hartley

ABSENT: Mumpower

Mayor Hartley entertained a motion to approve the Minutes from the Regular Meeting of June 14, 2016, and the Regular Meeting of June 28, 2016.

Vice Mayor Steele made the motion to approve the Minutes from the Regular Meeting of June 14, 2016, and the Regular Meeting of June 28, 2016. Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Hubbard, Steele, and Hartley

ABSTAIN: Fleenor

ABSENT: Mumpower

C. 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: August 23, 2016

Department: Development and Planning

Bulk Item: Yes     No X

Staff Contact: Jay Detrick

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**AGENDA ITEM WORDING:**

Consider a Street Closure Request for the 16<sup>th</sup> Annual Bristol Rhythm & Roots Reunion Festival – September 16-18, 2016.

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**ITEM BACKGROUND:**

A request has been made to close all, or a portion of, the following streets for the 16<sup>th</sup> Annual Rhythm & Roots Reunion Festival beginning on Thursday September 15, 2016: State Street, Lee Street, Moore Street, Piedmont Avenue, Stoneman Family Drive, Carter Family Way, Martin Luther King, Jr. Boulevard, Cumberland Street, Winston’s Alley and Goode Street.

The event is scheduled to begin on Friday September 16 and conclude on Sunday September 18, 2016. Street closures, however, will begin on Thursday September 15 to allow for stage setup on Piedmont Avenue. The rest of the streets will be closed beginning on Friday September 16. The streets will remain closed throughout the event and will reopen after all clean-up activities are complete on Sunday September 18.

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**PREVIOUS RELEVANT ACTION:**

This event has been held in previous years and the closure request approved by the City Council.

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**Staff Recommendations:**

Staff recommends the street closure be approved as requested.

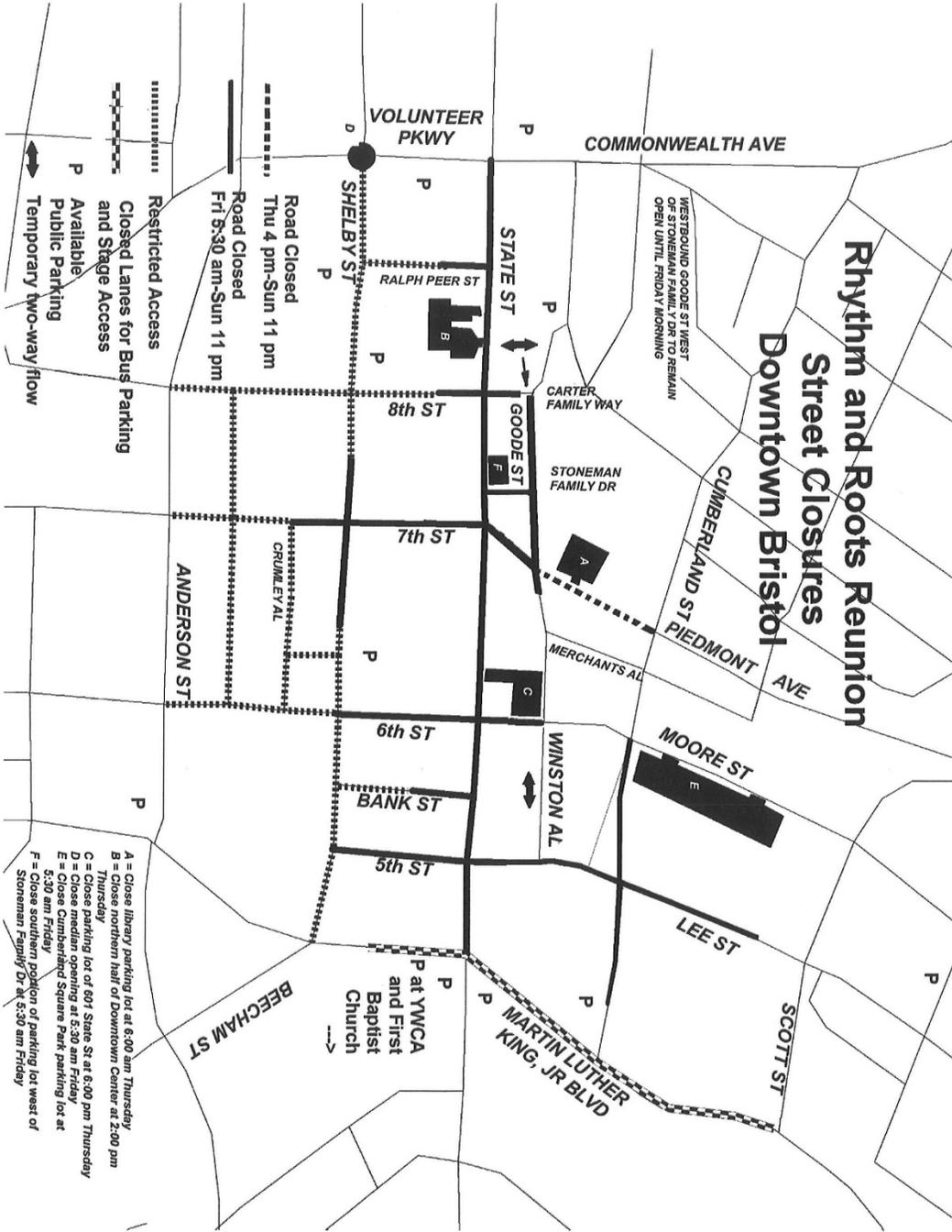
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**DOCUMENTATION:**      Included   X        Not Required     

**MOTION:** I move to approve items on the consent agenda.

# Rhythm and Roots Reunion Downtown Bristol



- A = Close library parking lot at 6:00 am Thursday
- B = Close northern half of Downtown Center at 2:00 pm Thursday
- C = Close parking lot of 601 State St at 6:00 pm Thursday
- D = Close pre-dawn opening at 5:30 am Friday
- E = Close Cumberland Square Park parking lot at 5:30 am Friday
- F = Close southern portion of parking lot west of Stoneman Family Dr at 5:30 am Friday