



City Council
Kevin Mumpower, Mayor
Kevin Wingard, Vice Mayor
Doug Fleenor, Council Member
Bill Hartley, Council Member
Archie Hubbard III, Council Member



BRISTOL, VIRGINIA CITY COUNCIL
300 Lee Street, Bristol, Virginia 24201
April 10, 2018

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

- A. Mayor's Minute and Council Comments.
- B. City Manager's Comments.

REGULAR AGENDA

- 1. Consider Resolution for the Sale of City Owned Property
 - a. Staff Report
 - b. Public Comment
 - c. Reading of Resolution
 - d. Council Motion and Second
 - e. Council Discussion
 - f. Roll Call

- 2. Consider the Second Reading of an Ordinance 66-123 (Retirement Health Insurance Benefit Program-Conditions) to Remove Item (f).
 - a. Staff Report
 - b. Public Comment
 - c. Motion and Second to Read Ordinance 66-123 (Caption Only)
 - d. Council Discussion
 - e. Roll Call
 - f. Reading of Ordinance 66-123 (Caption Only)
 - g. Motion and Second to Adopt the Amended Ordinance 66-123
 - h. Council Discussion
 - i. Roll Call

3. Consider Public Hearing Regarding First Reading of an Ordinance to Vacate All of a Certain Right-of-Way in the City of Bristol, Virginia.
 - a. Open Hearing
 - b. Staff Comment
 - c. Public Comment
 - d. Close Hearing

4. Consider the First Reading of an Ordinance to Vacate All of a Certain Right-of-Way in the City of Bristol, Virginia.
 - a. Council Motion and Second for First Reading of Ordinance
 - b. Council Comment
 - c. Roll Call
 - d. First Reading of Ordinance

5. Consider a Motion to Allow the City Manager to Enter Into the Retainer Agreement with Sanford Heisler Sharp, LLP and Kaufman & Canoles, P.C.
 - a. Staff Report
 - b. Public Comment
 - c. Council Motion and Second
 - d. Council Discussion
 - e. Roll Call

6. Consider Amendment to Sessions Hotel Agreement.
 - a. Staff Report
 - b. Public Comment
 - c. Council Motion and Second
 - d. Council Discussion
 - e. Roll Call

CONSENT AGENDA

- 7.1 Consider Appropriating \$550,995 to the FY18 Budget per the Items Listed Below:

Capital Projects Fund

Appropriate bond proceeds available and set aside for the Falls Development

Expenditure	4-009-95720-8112	Other Improvements & Construction	\$550,000
Revenue	3-009-41010-0001	Local Bond Issue	\$550,000

Police Department

Appropriate donations to Operating Supplies & Materials

Expenditure	4-001-31010-6014	Operating Supplies & Materials	\$300
Revenue	3-001-18040-0001	Donations & Gifts-Police Department	\$300

Police Department

Appropriate refund to Education and Training

Expenditure	4-001-31010-5540	Education and Training	\$695
Revenue	3-001-19010-0009	Recovered Cost Police Department	\$695

7.2 Consider Purchase Requisitions: Total Amount: \$500,000.00

Solid Waste Disposal Fund – Disposal Division

Bristol Groundwater Monitoring & Associated Services Total Amount
Total Amount: \$25,000.00

Capital – Falls Expenditures – Bond Proceeds

BVU – Lighting and Utility Extensions for Falls Blvd & Cabela Dr. Extension
Total Amount: \$110,000.00

Utility Improvements Supporting Falls Development
Total Amount: \$55,000.00

Falls Development – Falls Blvd. Total Amount: \$310,000.00

7.3 Consider Budget Transfers of \$25,000.00 from Fund 001 General Fund to Fund 001 General Fund Per the Item Listed Below:

Economic Development

Appropriate the transfer of budgeted funds for McGill and Assoc.:

4-001-081190-3140	Professional Services	\$25,000
4-001-081010-1155	Salaries and Wages	\$25,000

7.4 Consider Approval of Minutes: Regular Meeting – March 13, 2018

Called Meeting – March 15, 2018
Called Meeting – March 17, 2018
Called Meeting - March 22, 2018

- C. Matters to be presented by Members of the Public – Non-Agenda Items.
- D. Adjournment.

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

Meeting Date: April 10, 2018
Department: City Manager
Staff Contact: Randall C. Eads

AGENDA ITEM WORDING: Item #1

Consider resolution on procedures for the sale of city-owned property.

ITEM BACKGROUND:

Council received a list of city owned properties to be listed for sale at the February 27, 2018 meeting. The purpose of the resolution is to clarify the procedure when an offer is received.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATIONS:

Approve the resolution on the procedure for the sale of city-owned property.

DOCUMENTATION: Included X Not Required_____

MOTION: I move to approve the resolution on procedures for the sale of city-owned property.



CITY OF BRISTOL, VIRGINIA

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FAX: (276) 821-6278
WEBSITE: www.bristolva.org



RESOLUTION For the Sale of City Owned Property

WHEREAS, the City of Bristol is the lawful owner of numerous parcels of property located within the city limits of the City of Bristol and within Washington County, Virginia; and

WHEREAS, the City Council for the City of Bristol, Virginia has expressed an interest in selling property owned by the City; and

WHEREAS, the City Manager solicited a Request for Proposal from real estate brokers and auctioneers and the City Council previously allowed the City Manager to enter into a contract with Evans & Evans Real Estate and Counts Auction to sell City owned property; and

WHEREAS, it is Council's desire to liquidate property in the most efficient and profitable manner at the advice of the City's agents; and

NOW THEREFORE BE IT RESOLVED that the City Council does hereby resolve to allow Evans & Evans Real Estate, Counts Auction and the City Manager to negotiate sale prices, and contracts for the sale of City owned land based on recent market surveys or appraisals; and

BE IT FURTHER RESOLVED that the City Manager will present all contracts to City Council for approval prior to the City Manager executing the sales contract; and

BE IT FURTHER RESOLVED, pursuant to Article VII, Section 9 of the Constitution and § 15.2-1800 of the Code of Virginia (1950 as amended), has the authority to dispose of real estate owned by the City after the holding of a public hearing.

SEAL)

Attest: Amy Thompson,
CLERK OF THE CITY OF
BRISTOL, VIRGINIA

By _____
Clerk

By _____
Mayor

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

Meeting Date: April 10, 2018
Department: City Manager/City Attorney
Staff Contact: Randall C. Eads

AGENDA ITEM WORDING: Item #2

Consider the Second Reading of an Ordinance to Amend to Section 66-123 (Retirement Health Insurance Benefit Program-Conditions) to Remove Item (f) of the Ordinance

ITEM BACKGROUND:

The City of Bristol established the Section 66-123 Retirement Health Insurance Benefit Program in 2001. Item (f) states; for eligible retirees who are insured under the city or school board health insurance policy, the city shall pay this benefit directly on their premium bill. For those eligible retirees insured with another company, the city shall pay their benefit to them as a monthly check.

By removing item (f), administration can determine which payment billing will be most efficient. Billing options may include direct billing of retirees. This will be effective for premiums effective on July 1, 2018.

PREVIOUS RELEVANT ACTION: Public Hearing and First Reading of Ordinance to Amend to Section 66-123 (Retirement Health Insurance Benefit Program-Conditions) to Remove Item (f) of the Ordinance on March 27, 2018.

STAFF RECOMMENDATIONS:

Remove item (f) of the Ordinance

DOCUMENTATION: Included X Not Required_____

MOTION: I move to approve the resolution to remove item (f) of the Ordinance for premiums effective on July 1, 2018.

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

Meeting Date: **April 10, 2018**
Department: Engineering
Staff Contact: **John Puckett**

AGENDA ITEM WORDING: Item #3

Public Hearing Regarding an Ordinance to Vacate all of a certain Public Right-of-way in the City of Bristol.

ITEM BACKGROUND:

Code § 15.2-2006 requires that the vacating of a public right-of-way requires advertising of such request and a public hearing. The City Council shall then consider the request to vacate the right-of-way by ordinance.

Attached you will find an ordinance to vacate a public right-of-way along with an aerial photograph of its location. This request is being made by Mr. Sam Keith, the owner of the property at 108 2nd St. All the adjoining property owners have signed the petition to vacate the Right-of-Way.

This request has followed the procedure to vacate right-of-way. A petition has been filed and the public hearing advertised on March 26 and April 2, 2018. The request has been circulated to other departments and BVU with no comments in opposition. Staff recommends approval of this vacation. Attached are copies of the petition, an aerial photograph showing the location of the request and a copy of the ordinance for first reading.

PREVIOUS RELEVANT ACTION:

None

STAFF RECOMMENDATIONS:

Staff recommends that the City Council vacate the public right-of-way as shown on the attached aerial photograph.

DOCUMENTATION: Included X Not Required _____

MOTION:

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

Meeting Date: April 10, 2018
Department: Engineering
Staff Contact: John Puckett

AGENDA ITEM WORDING: Item # 4

Consider First Reading of an Ordinance to Vacate all of a certain Public Right-of-way in the City of Bristol.

ITEM BACKGROUND:

Code § 15.2-2006 requires that the vacating of a public right-of-way be done by approval of the City Council by ordinance.

Attached you will find an ordinance to vacate a public right-of-way along with an aerial photograph of its location. This request is being made by Mr. Sam Keith, the owner of the property at 108 2nd St. All the adjoining property owners have signed the petition to vacate the Right-of-Way.

This request has followed the procedure to vacate right-of-way. A petition has been filed and the public hearing advertised on March 26 and April 2, 2018. The request has been circulated to other departments and BVU with no comments in opposition. Staff recommends approval of this vacation. Attached are copies of the petition, an aerial photograph showing the location of the request and a copy of the ordinance for first reading.

PREVIOUS RELEVANT ACTION:

None

STAFF RECOMMENDATIONS:

Staff recommends that the City Council vacate the public right-of-way as shown on the attached aerial photograph.

DOCUMENTATION: Included X Not Required

MOTION:

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

Meeting Date: April 10, 2018
Department: City Attorney
Staff Contact: Randall C. Eads

AGENDA ITEM WORDING: Item #5

Consider a motion to allow the City Manager to enter into the retainer agreement with Sanford Heisler Sharp, LLP and Kaufman & Canoles, P.C.

ITEM BACKGROUND:

Virginia has been particularly hard hit by the opioid crisis, and localities have dedicated a significant amount of public resources and money to manage the problems resulting from the opioid crisis. The above referenced attorneys are proposing to prosecute claims against the companies they have identified as having contributed to and benefited from the opioid epidemic in Virginia. Should the lawsuit be successful, the City of Bristol will receive 75% of monetary recovery received.

PREVIOUS RELEVANT ACTION:

None.

STAFF RECOMMENDATIONS:

Approve.

DOCUMENTATION: Included X Not Required_____

MOTION: I move to allow the City Manager to enter into a retainer agreement with Sanford Heisler Sharp, LLP and Kaufman & Canoles, P.C. _____

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

Meeting Date: April 10, 2018
Department: City Manager
Staff Contact: Randall C. Eads

AGENDA ITEM WORDING:

Consider Bank requested revision of the Amended and Restated Performance Agreement Related to CBH Bristol, LLC. (Sessions Hotel Project)

ITEM BACKGROUND:

In May of last year both City Council and IDA approved the Amended and Restated Performance agreement between the City and CBH Bristol, LLC. During Community Trust Banks due diligence period they determined that the actual amounts listed on the Deed of Trust needed to be updated to reflect the revised loan modification numbers that resulted from the SBA funding process. The first mortgage amount of \$8 million needs to be changed to \$8.7 million and the second mortgage amount of \$3.5 million needs to be changed to \$4.02 million. Both of these numbers are highlighted on page 4 in the attached agreement. **These changes are considered “clerical” and do not affect any other part of this Agreement and in no way change the City’s position or the default provisions afforded by the performance agreement.** Due diligence periods usually uncover flaws or progression variances and amendments such as this, allow both parties to create a stronger, more accurate document. Further details will be provided during the Council meeting.

PREVIOUS RELEVANT ACTION:

City Council and IDA approved the Amended and Restated Performance Agreement Related to CBH Bristol, LLC. May 5th, 2017.

STAFF RECOMMENDATIONS:

Approval of the requested revision of the Amended and Restated Performance Agreement Related to CBH Bristol, LLC. (Sessions Hotel Project)

DOCUMENTATION: Included x Not Required

MOTION: I move to approve the revision of the Amended and Restated Performance Agreement

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

MEETING DATE: 04/10/18
DEPARTMENT: Finance
STAFF CONTACT: Tamrya Spradlin

AGENDA ITEM WORDING: Item # 7.1

Consider Appropriating \$550,995 to the FY18 Budget per the Items Listed Below:

Capital Projects Fund

Appropriate bond proceeds available and set aside for the Falls Development			
Expenditure	4-009-95720-8112	Other Improvements & Construction	\$550,000
Revenue	3-009-41010-0001	Local Bond Issue	\$550,000

Police Department

Appropriate donations to Operating Supplies & Materials			
Expenditure	4-001-31010-6014	Operating Supplies & Materials	\$300
Revenue	3-001-18040-0001	Donations & Gifts-Police Department	\$300

Police Department

Appropriate refund to Education and Training			
Expenditure	4-001-31010-5540	Education and Training	\$695
Revenue	3-001-19010-0009	Recovered Cost Police Department	\$695

ITEM BACKGROUND:

On June 27, 2017, the Bristol Virginia City Council adopted the FY18 Budget. The above items are additions that need to be appropriated to the FY18 Budget.

PREVIOUS RELEVANT ACTION:

June 27, 2017, the adoption of the FY18 Budget

STAFF RECOMMENDATIONS:

Staff recommends that Council approve the supplemental appropriation as listed.

DOCUMENTATION: Included X Not Required

MOTION:

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

Meeting Date: April 10, 2017
Department: Engineering
Staff Contact: Wallace McCulloch

AGENDA ITEM WORDING: Item #7.2

Consider Purchase Requisitions – Capital - Falls Expenditures – Bond Proceeds - \$475,000.00

BVU – Lighting and Utility Extensions for Falls Blvd & Cabela Dr. Extension
Total Amount: \$110,000.00

Utility Improvements Supporting Falls Development
Total Amount: \$55,000.00

Falls Development – Falls Blvd. Total Amount: \$310,000.00

ITEM BACKGROUND:

Bond proceeds have been set aside for the Falls Development.
The items are presented to City Council for payment approval.

PREVIOUS RELEVANT ACTION:

N/A

STAFF RECOMMENDATIONS:

Approval.

DOCUMENTATION: Included X Not Required _____

MOTION: I move to approve all items on the consent agenda as presented.

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

Meeting Date: April 10, 2017
Department: Finance
Staff Contact: Tamrya Spradlin

AGENDA ITEM WORDING: Item #7.2

Consider Purchase Requisitions – Total Amount: \$25,000.00

ITEM BACKGROUND:

The items are presented to City Council for payment approval.

PREVIOUS RELEVANT ACTION:

N/A

STAFF RECOMMENDATIONS:

Approval.

DOCUMENTATION: Included X Not Required_____

MOTION: I move to approve all items on the consent agenda as presented.

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

Meeting Date: April 10, 2018
Department: Finance
Staff Contact: Tamrya Spradlin

AGENDA ITEM WORDING: Item #7.3

Consider budget transfer of \$25,000 from Fund 001 General Fund to Fund 001 General Fund per the item listed below:

Economic Development

Appropriate the transfer of budgeted funds for McGill and Assoc.:			
Increase	4-001-081190-3140	Professional Services	\$25,000
Decrease	4-001-081010-1155	Salaries and Wages	\$25,000

ITEM BACKGROUND:

On June 27, 2017, the Bristol Virginia City Council adopted the FY18 Budget. The above item is a transfer within the General Fund, between departments, that requires Council approval.

PREVIOUS RELEVANT ACTION:

June 27, 2017, the adoption of the FY18 Budget

STAFF RECOMMENDATIONS:

Staff recommends that Council approve the budget transfers as listed.

DOCUMENTATION: Included X Not Required

MOTION:

