
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 You Tube.

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

2nd 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

1st 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

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

Mayor