

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