

THE REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON NOVEMBER 8, 2016, AT 6:00 P.M. IN THE BRISTOL VIRGINIA SCHOOL BOARD OFFICE, 220 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR WILLIAM HARTLEY PRESIDING. COUNCIL MEMBERS PRESENT WERE ARCHIE HUBBARD, III, AND KEVIN MUMPOWER. CITY MANAGER, TABITHA CROWDER, AND CITY ATTORNEY, PETE CURCIO WERE ALSO PRESENT.

COUNCIL MEMBER J. DOUGLAS FLEENOR WAS ABSENT.

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

A. Mayor's Minute and Council Comments

Mayor Hartley thanked the candidates who applied for the City Council position. He advised that the appointment to the vacant position would take place during a Called Meeting on November 16, 2016.

Mayor Hartley read the following Mayoral Proclamation recognizing Adoption Day:

A PROCLAMATION TO RECOGNIZE NOVEMBER 19, 2016 AS ADOPTION DAY IN BRISTOL, VIRGINIA

WHEREAS, the City of Bristol, Virginia recognizes the importance of providing safe, loving and permanent homes and families through adoption; and

WHEREAS, there are more than 100,000 children in foster care in the United States awaiting adoption and over 1,500 children in the Commonwealth of Virginia alone awaiting their forever families; and

WHEREAS to help these children find permanent, nurturing families through education and to celebrate those that have found their forever families the Bristol/Washington/Smyth Best Practice Court Team will host the first annual Adoption Day Celebration for the 28th Judicial District on National Adoption Day, Saturday, November 19, 2016;

NOW, THEREFORE, the City Council of the City of Bristol, Virginia does hereby proclaim November 19, 2016, as Adoption Day in the City of Bristol and encourages all citizens to join us in this worthy observance.

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

Ms. Kim Mumpower, a member of The Best Practice 14, thanked City Council for adopting the Proclamation.

1. Ordinance

1st Reading

Consider First Reading of an Ordinance to Repeal, Reenact, and Rename Chapter 22 Community Development Article II Industrial Development Authority § 22-26. Creation and § 22-27. Name

City Attorney, Pete Curcio, explained that this was merely a name change of the Industrial Development Authority to the Economic Development Authority. He advised that the Industrial Development Authority was a creation by Virginia Code, and the Economic Development Committee was created by the Charter. He advised that if the name change was approved, the Economic Development Committee would no longer exist.

Mayor Hartley entertained a motion for the first reading of an Ordinance to repeal, reenact, and rename Chapter 22 Community Development Article II Industrial

Development Authority § 22-26. Creation and § 22-27. Name.

Council Member Hubbard made the motion for the first reading of an Ordinance to repeal, reenact, and rename Chapter 22 Community Development Article II Industrial Development Authority § 22-26. Creation and § 22-27. Name. Motion was seconded by Council Member Mumpower and carried by the following votes:

AYES: Hubbard, Mumpower, and Hartley

ABSENT: Fleenor

City Attorney, Pete Curcio, read the following Ordinance:

**ORDINANCE TO REPEAL, REENACT AND RENAME
Chapter 22 Community Development Article II Industrial Development Authority
§ 22-26. Creation and § 22-27. Name**

WHEREAS, the Industrial Development Authority of the City of Bristol, Virginia was created pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, *Code of Virginia* of 1950, as amended; and

WHEREAS, § 15.2-4903 of *Code of Virginia* authorizes Industrial Development Authorities to be named Economic Development Authorities; and

WHEREAS, the Industrial Development Authority of the City of Bristol, Virginia is the primary entity conducting economic development within the City for purposes of inducing manufacturing, and commercial enterprises and furthering the commerce, safety, health, welfare, convenience or prosperity of the citizens of the City, and accordingly, the Economic Development Authority is a more proper name to describe the endeavors conducted by the Authority.

NOW THEREFORE BE IT ORDAINED by the City Council for the City of Bristol, Virginia that **Chapter 22 Community Development, Article II**, is hereby repealed, re-enacted and renamed as follows:

The title shall be **Article II Economic Development Authority**.

§ 22-26 Creation. There is hereby created a political subdivision of the Commonwealth with such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act (*Code of Virginia* § 15.2-4903 *et seq.* as amended, repealed, re-enacted or recodified from time to time), including such powers as may be set forth from time to time in such Act.

§ 27. Name. The name of the political subdivision of the Commonwealth created by this article shall be the Economic Development Authority of the City of Bristol, Virginia.

First Reading: November 8, 2016

Second Reading: _____

Adopted: _____

2. Public Hearing Regarding an Ordinance to Request a Charter Change to the Charter for the City of Bristol, Virginia

City Attorney, Pete Curcio, explained that the Charter created the Economic Development Committee, and as such, would have to be removed from the Charter through the process of holding a public hearing and adopting a Charter change.

Mayor Hartley declared the Public Hearing open for discussion.

Mr. Don Ashley, Chairman of the Industrial Development Authority, advised that this change had been discussed during the last Industrial Development Authority meeting and that it was unanimously decided that this change would be in the best interest of the City and recommended that the request be presented to City Council for approval.

Mr. Michael Pollard inquired about the responsibilities of the Economic Development Committee.

Council Member Mumpower advised that the expectations would be high for the Economic Development Authority and that they would be expected to come to City Council to give updates on their progress.

Mayor Hartley reiterated that the EDA would be expected to come to City Council to give updates on their progress.

Council Member Mumpower stated that Interstate Development would be required to provide updates and be held accountable.

Mayor Hartley declared the Public Hearing closed.

3. Ordinance

1st Reading

Consider First Reading of an Ordinance to Request a Charter Change to the Charter for the City of Bristol, Virginia

Mayor Hartley entertained a motion for the first reading of an Ordinance to request a Charter change to the Charter for the City of Bristol, Virginia.

Council Member Hubbard made the motion for the first reading of an Ordinance to request a Charter change to the Charter for the City of Bristol, Virginia. Motion was seconded by Council Member Mumpower and carried by the following votes:

AYES: Hubbard, Mumpower, and Hartley

ABSENT: Fleenor

City Attorney, Pete Curcio, read the following Ordinance:

AN ORDINANCE TO REQUEST A CHARTER CHANGE TO THE CHARTER FOR THE CITY OF BRISTOL, VIRGINIA

WHEREAS, the City Council for the City of Bristol, Virginia has held a public hearing on the hereinafter set out Charter change pursuant to advertisement, all as provided for in § 15.2-202 of the 1950 Code of Virginia, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council for the City of Bristol, Virginia that the General Assembly should be and hereby is requested to amend the Charter for the City of Bristol, Virginia at its session in 2017 as set out below:

§ 8.07 Economic Development Committee shall be repealed and re-enacted as follows:

§ 8.07 Economic Development Authority. The Economic Development Committee of Bristol, Virginia is hereby dissolved. The Economic Development Authority of the City of Bristol, Virginia shall have all the powers to induce manufacturing, industrial and commercial enterprises to locate or remain in the City of Bristol, Virginia as authorized by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, *Code of Virginia* of 1950, as amended, and shall specifically have all powers as were previously vested in the Economic Development Committee for the City.

First Reading: November 8, 2016

Second Reading: _____

Adopted: _____

LET THE RECORDS REFLECT THAT COUNCIL MEMBER FLEENOR ARRIVED AT 6:29 P.M.

4. Locality Comparison Concerning Parks and Recreation Operations

City Manager, Ms. Tabitha Crowder, advised that the locality comparison being presented was for the Parks and Recreation Operations.

Mr. Danny Hill, Parks and Recreation Superintendent, Mr. Casey Barnes, General

Manager of Clear Creek Golf Course, and Mr. Michael Maine, Operations Manager, gave a presentation on the Parks and Recreation Programing and Operations Divisions, and the Clear Creek Golf Club. They gave an overview of the city-owned parks and the golf course, the programs provided, and the revenue each of the programs generated. They pointed out that additional funding was received through federal and state grants, private grants, donations, recovered costs, sponsorships, and the City’s general fund.

They pointed out that, in comparison to other localities, the Parks and Recreation Programing fees appeared somewhat similar; however, many of the functions that were provided by the City’s Parks and Recreation were unique. They also pointed out that the Parks and Recreation Operations Division maintained a campground while other localities did not; and that compared to other localities, the City maintained a significant number of park areas with less staff. With regards to the Golf Course, they pointed out that the majority of courses were funded with larger dollar amounts from their localities general fund; the City’s golf club offered more programs than other courses, and had more rounds of golf per year. They also pointed out that the fees were similar to other courses and that the number of staff was similar to other courses.

Mayor Hartley entertained a motion to approve Consent Agenda items 5.1 through 5.3 collectively.

- 5.1 Consider a Street Closure Request for Christmas Tree Lighting – November 28, 2016.
- 5.2 Consider a Street Closure Request for Christmas Parade – December 1, 2016.
- 5.3 Consider Appropriating \$3,000,000 to the FY17 Budget for The Falls Interior Roadways and Amending the Capital Improvement Plan to Include the Project.

General Fund		\$3,000,000
Appropriation of 2016B General Obligation Bond proceeds.		
Expense	4-001-99000-9210	Transfer to Capital Project Fund \$2,915,478
Expense	4-001-94030-9134	Other Debt Service Costs \$ 84,522
Revenue	3-001-41010-0007	Bond Proceeds-Exit 5 \$3,000,000

Capital Project-Exit 5-The Falls Interior Roads		\$2,915,478
Appropriate funding for the construction of the interior roads at The Falls Development.		
Expense	4-009-95720-8112	Other Improvements or Construction \$2,915,478
Revenue	3-009-41020-0001	Transfer from Gen Fund \$2,915,478

Mr. Michael Pollard inquired about the cost associated with street closures.

Council Member Hubbard advised that a rough estimate for each street closure was four hundred dollars (\$400). He pointed out that most of the street closures were for non-profit organizations.

Mayor Hartley entertained a motion to approve Consent Agenda items 5.1 through 5.3 collectively.

Council Member Hubbard made the motion to approve Consent Agenda items 5.1 through 5.3 collectively. Motion was seconded by Council Member Mumpower and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, and Hartley

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. (Personnel)

Council Member Mumpower 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. (Personnel) Motion

was seconded by Council Member Fleenor and carried by the following votes:

AYES: Fleenor, Hubbard, Mumpower, 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, and Hartley

Mayor Hartley announced that, following the interviews held on November 7, 2016, for the vacant Council seat, the decision had been narrowed down to two (2) candidates. He advised that the two (2) candidates would be asked to attend a Called Meeting on November 16, 2016, for a second interview. The two (2) candidates were Mr. Jim Arnold and Mr. Kevin Wingard.

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

Mr. Bart Long expressed concerns about the tax increases being put on property owners. He pointed out that real estate base was crucial to the City.

Ms. Dianna Oxendine asked for clarification of the questions presented to prospective candidates for the vacant Council Member position related to independent audits.

Council Member Fleenor and Council Member Mumpower explained that with the amount of debt the City had incurred related to The Falls Project, they thought it would be in the best interest of the City to have an unbiased audit of the project to be certain that policies and procedures were followed.

Ms. Nancy Marney commended the Council Members on the process of interviewing the prospective candidates to fill the vacant Council seat.

Mr. Michael Pollard stated that there were many great ideas that came from the interview process of the prospective candidates for the vacant Council seat.

C. Adjournment

There being no further business, the meeting was adjourned.

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City Clerk

Mayor