

THE REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON MARCH 27, 2018, AT 6:00 P.M. AT 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, DOUGLAS FLEENOR, WILLIAM HARTLEY, AND ARCHIE HUBBARD, III. INTERIM CITY MANAGER/CITY ATTORNEY, RANDALL EADS AND CHIEF FINANCIAL OFFICER, TAMRYA SPRADLIN WERE ALSO PRESENT.

Mayor Mumpower called for a moment of silence followed by the Pledge of Allegiance to the flag.

A. Mayor’s Minute and Council Comments.

Mayor Mumpower called the meeting to order and reported that City Council will be starting the budget cycle. Mayor Mumpower asked the City Manager for his comments.

Council Member Fleenor commented and recognized Good Friday and Easter Sunday.

B. City Manager’s Comments.

City Manager, Mr. Randall Eads, reported that he and the finance department are in the process of finalizing the budget and should be ready for presentation on April 10, 2018. Mr. Eads, however, reported that the finance department may need to push that presentation back one week to April 17, 2019 because there are delays on receiving some revenues from other state agencies and other entities that may impact the budget.

**REGULAR AGENDA**

1. Consider Proclamation Recognizing April as Child Abuse Prevention Month.

There was no public comment.

City Manager, Mr. Randall Eads, read the following proclamation:

**WHEREAS**, The Bristol Virginia City Council recognizes that nearly 7,000 children in Virginia were determined to be abused and neglected in 2017; and

**WHEREAS** child abuse and neglect has been demonstrated to impact a victim’s physical, mental and emotional health in ways that can have lifelong consequences; and

**WHEREAS** Effective child abuse prevention programs succeed because of partnerships among citizens, agencies, schools, religious organizations, law enforcement agencies, and the business community; and

**WHEREAS** Child abuse prevention is a community responsibility and finding solutions depends on involvement among all residents of the City of Bristol.

**NOW, THEREFORE, BE IT RESOLVED** that The Bristol Virginia City Council proclaims April as Child Abuse Prevention Month in the City of Bristol and urges all citizens to work together to reduce child abuse and neglect and insure the health and safety of its youngest citizens.

Mayor Mumpower asked for a motion to approve the proclamation.

Council Member Hubbard made a motion to approve the proclamation recognizing April as Child Abuse Prevention Month. Motion was seconded by Vice Mayor Wingard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

2. Consider Public Hearing Regarding First Reading of an Ordinance 66-123 (Retirement Health Insurance Benefit Program-Conditions) to Remove Item (f).

Mayor Mumpower opened the Public Hearing

City Manager, Mr. Randall Eads, reported 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.

66-123. - Conditions.

- (a) No eligible retiree shall be paid more than the actual monthly cost of their health insurance.
- (b) This benefit shall end on the date of an eligible retiree's qualification for Medicare eligibility or his or her death, whichever shall first occur.
- (c) A midterm employee who retires and receives this benefit will not be entitled to the higher \$200.00 per month coverage thereafter nor shall a long term employee who retires and receives this benefit be entitled to the higher \$300.00 benefit thereafter.
- (d) Only work experience for the city, the school board, or the constitutional office shall count toward the 25, 30, or 35 years of service.
- (e) There will be no benefit paid to any employee who leaves service with less than 25 years of service.
- (f) 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.
- (g) This benefit is in addition to any other health insurance credit an eligible retiree may receive from VRS or any other source.
- (h) This benefit shall not be paid to any eligible retiree unless the retiree provides to the city proof of payment of their health insurance premium on at least an annual basis and more frequently if directed by the city manager.

(Ord. No. 01.14, 9-11-01; Ord. No. 03.03, 3-25-03; Ord. No. 16.01, 4-12-16)

No comments were made by the public. Mayor Mumpower closed the Public Hearing.

3. Consider the First Reading of an Ordinance 66-123 (Retirement Health Insurance Benefit Program – Conditions) to Remove Item (f).

Mayor Mumpower asked for a motion for First Reading of the Ordinance 66-123

Vice Mayor Wingard made a motion for the First Reading of an Ordinance 66-123 (Retirement Health Insurance Benefit Program – Conditions) to Remove Item (f). Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

City Manager, Mr. Randall C. Eads, read the Ordinance 66-123 (Retirement Health Insurance Benefit Program – Conditions) to Remove Item (f):

Amended Ordinance 66-123.  
Conditions.

- (a) No eligible retiree shall be paid more than the actual monthly cost of their health insurance.
- (b) This benefit shall end on the date of an eligible retiree's qualification for Medicare eligibility or his or her death, whichever shall first occur.
- (c) A midterm employee who retires and receives this benefit will not be entitled to the higher \$200.00 per month coverage thereafter nor shall a long term employee who retires and receives this benefit be entitled to the higher \$300.00 benefit thereafter.
- (d) Only work experience for the city, the school board, or the constitutional office shall count toward the 25, 30, or 35 years of service.

- (e) There will be no benefit paid to any employee who leaves service with less than 25 years of service.
  - (f) This benefit is in addition to any other health insurance credit an eligible retiree may receive from VRS or any other source.
  - (g) This benefit shall not be paid to any eligible retiree unless the retiree provides to the city proof of payment of their health insurance premium on at least an annual basis and more frequently if directed by the city manager.
4. Consider a Resolution of Endorsement and Support of Four City of Bristol Application for 100% Funded VDOT Smart Scale Projects.

Public Works Engineer, Mr. Wallace McCulloch, gave a presentation of the top ten intersection crash rankings at Mayor Mumpower's request. He also gave a report of the crash improvements after widening Lee Highway. A copy of the rankings have been recorded and attached as part of the minutes for the March 27, 2018 City Council meeting.

Mr. McCulloch asks the pleasure of the Council to approve a resolution of endorsement and support for the city sponsored Virginia Smart Scale Project applications.

Michael Pollard asked if replacing the light signals are state funded as well as the roundabouts. Mr. McCulloch replied that VDOT asked for the placements of roundabouts instead of replacing light signals at intersections as it proves safer for pedestrians and vehicle traffic.

City Manager, Mr. Randall Eads, read the Resolution of Endorsement and Support of Four City of Bristol Application for 100% Funded VDOT Smart Scale Projects:

**WHEREAS**, Virginia's Smart Scale program established a prioritization and scoring process for the Commonwealth Transportation Board to objectively evaluate projects for funding; and,

**WHEREAS**, Smart Scale is an application based process available for Cities, Counties, Towns and public transportation agencies to apply for project funding; and,

**WHEREAS**, The City of Bristol, Virginia intends to submit the following projects for Virginia Smart Scale funding consideration:

**Project 1:** Lee Highway Widening Phase 3A. Widen Lee Highway (US 11) to four lanes with a grass median and a 10 foot shared use path from 300 feet west of Old Airport Road to 380 feet west of the Walmart entrance.

**Project 2:** Lee Highway Widening Phase 3B. Widen Lee Highway (US 11) to four lanes with a grass median and a 10 foot shared use path from 380 feet west of the Walmart entrance to Alexis Drive.

**Project 3:** Lee Highway/Moore St./Euclid Ave. Roundabout. Install a single lane roundabout with truck apron and sidewalks at the Lee Highway/Moore St./Euclid Ave intersection.

**Project 4:** Martin Luther King Blvd./Moore St./Oakview Ave. Roundabout. Install a single lane roundabout with truck apron and sidewalks at the Martin Luther King Blvd./Moore St./Oakview Ave. intersection.

**NOW, THEREFORE, BE IT RESOLVED** that the proposed Smart Scale projects listed above are endorsed and fully supported by the City Council of the City of Bristol, Virginia.

Council Member Fleenor commented on the unnecessary VDOT improvements in the City should be used for areas of the city in need of funds.

Council Member Hartley asked the City Engineer if the Smart Scale Scores are prioritized for the City of Bristol, Virginia.

Mayor Mumpower commented on the lack of consideration of the approval from Council as to what improvements are being made.

Council Member Hubbard made a motion to approve the resolution to endorse the Smart Scale Projects. Motion was seconded by Vice Mayor Wingard and carried by the following votes:

AYES: Hartley, Hubbard, and Wingard  
 NAYES: Fleenor and Mumpower

5. Consider Subordination Agreement with 629 State Street, LLC.

Community Development and Planning Director, Mr. Bart Poe, reported the owners of Quaker Steak and Lube dba 629 State Street LLC are seeking approval of a subordinate agreement on the refinancing of property located at 629 State Street. This subordination is requested as to allow the property owners the ability to apply for financing for a consolidation loan for 2 Quaker Steak and Lube Locations. The owners have successfully completed two such agreements with the city previously, one for Oakmont location and one for Quaker Steak and Lube located downtown. Quaker Steak and Lube has already exceeded the 2 primary requirements of the performance agreement and has merely to remain open for a time to fulfill all requirements. Originally QSL was required to invest \$700,000 and has exceeded this requirement with a Capital Investment of more than \$1.6 million. The original performance agreement also had a requirement of 55 employees which QSL has exceeded with a high of 107 employees. **Subordination Agreements such as this are common vehicles that provide the company the means to acquire competitive rate financing and in no way remove the default provisions afforded by the performance agreements.** The 2 companies have combined to generate over \$1,000,000 in tax revenue to the city and this consolidation will build on the success of this valuable local business. Further details will be provided during the Council meeting. Mr. Poe stated the City Council and IDA approved to incent the building at 629 State when performance agreement requirements were met. City Council and IDA approved 2 similar subordination agreements related to this company. Mr. Poe asks the pleasure of the council to approve the Subordination Agreement and to make a motion to abolish the agreement as the company exceeded their expectations from the Performance Agreement. Mr. Poe stated that abolishing the subordination agreement would not affect the clawback or the performance agreement.

Michael Pollard commented on the lack of details of the Subordination Agreement with 629 State Street, LLC.

Council Member Fleenor made a motion to approve the Subordination Agreement. Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

5a. Council Member Hubbard made a motion to abolish the Subordination Agreement with 629 State Street, LLC due to the fact they had met all the incentive requirements of their agreement with the City. Motion was seconded by Vice Mayor Wingard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

6. Consider Approval to Consider Health Insurance Rates.

City Manager, Mr. Randall Eads, reported the City needs to move forward with the health insurance rates and recommended that Council approve of Option 3 that the city only pays the required minimum increase on both the \$500.00 and \$1,000.00 premium plan which would be a cost to the City of \$28, 992.00.

Vice Mayor Wingard confirmed with the city manager there is a \$6.00 increase for the employee and \$56.00 increase for the single +1 for the 500 plan.

Council Member Fleenor commented that approving the plan would be premature before knowing what the state will fund.

Michael Pollard commented on the lack of details provided for the public.

Mayor Mumpower asked for a motion

Council Member Hartley made a motion that the city offer the 500 and 1000 plan with the breakdown of the employer and employee contributions included in the budget presentation. Motion was seconded by Council Member Hubbard. The motion failed by the following votes:

AYES: Hartley and Hubbard

NAYES: Fleenor, Wingard and Mumpower

7. Consider Mt. Rogers Planning Commission Appointment

City Manager, Mr. Randall Eads, asks the pleasure of the council to appoint Steve Gobble to the Mt. Rogers Planning Commission.

There was no public comment.

Mayor Mumpower asked for a motion

Council Member Fleenor made a motion to approve the appointment of Steve Gobble to the Mt. Rogers Planning Commission. Motion was seconded by Vice Mayor Wingard and carried by the following votes:

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

8. Discussion on Virginia State Fire Board Fire Study.

Robbie Austin gave a presentation of the recommendation for the City of Bristol Fire and Emergency Medical Services Study. A copy of the report has been attached and recorded in the minutes for March 27, 2018.

Vice Mayor Wingard asked the ratio of the paid employees and the volunteer employees. The answer given was 25% Volunteer and 75% paid and that it was getting harder to find volunteers every year.

Mayor Mumpower commented on the infrastructure and location gaps between the three fire stations located within the City. He was expecting to get that information from the report. Mr. Austin said that information wasn't in the scope of the services they offer.

9. Discussion of Preliminary Findings of the Regional Jail Analysis.

City Manager, Mr. Eads, reported that he had a discussion with the Southwest Virginia Regional Jail and based on his findings he reported that jail overcrowding takes precedence across the country and not just within the City's locality. He reported the majority of the inmates consists of drug related offenses addicted to opioids. Mr. Eads suggested drafting a policy.

Pre-trial services

Home electronic monitoring to utilize to the City's benefit.

Community work program.

Mental Health Treatment.

Rough cost comparisons between what we are doing now verses going to a Regional jail were presented and analyzed. At this stage it appeared to council that it was still more expensive going to a regional jail, but there were too many factors to consider before a final decision could be reached. Further study involving the City Manager's plan of action needs to be explored as well. No action was taken.

10. Discussion about Parking Ordinance with the City of Bristol, Virginia.

City Manager, Mr. Randall Eads, reported that there have been complaints during the past several weeks regarding a vehicle that is parked in a subdivision and may be violating city codes. 86-823 and 86-832. Mr. Eads reported he reviewed what the city is permitted to do under Title 46.2 of the Motor Vehicle Code Section of the Commonwealth of Virginia. He reported that part of the City's Ordinance does not contain some of the language within the code section from the Commonwealth of Virginia which deals with commercial vehicle parking for a period of time for more than two hours. The State Ordinance states that a commercial vehicle is not allowed to park in a commercial district for more than two hours. However, the city ordinance does not contain that language, therefore the vehicle parked in the subdivision is not violating any codes.

Mr. Eads recommended legislative intervention to change the policy to allow the city to have a more restrictive parking ordinance. He advised the next session will occur in January 2019 and he will be discussing the issue with our delegate and senator and he will also research more provisions within the motor vehicle code.

Council Member Hubbard advised that the current ordinance should be redrafted to match state code.

11. Discussion of Procedures for the Sale of Real Property.

Mr. Eads reported that the city sent out an RFP to hire a real estate auctioneer to

deal with the sale of real property that the City owns in the City of Bristol. Mr. Eads reported that the properties have been identified the City owned and are potential for auctioning or sold by a real estate agency. Mr. Eads reported that he received an unsolicited offer on a property and asked the council to approve hiring a real estate professional for advice on how to proceed with the sale.

Council Member Hubbard advised that each sold property should have contingencies required for development and/or improvement to increase the revenue to the City.

Council Member Hartley suggested that each individual should have a time frame for improvement or development after the sale of the property.

Vice Mayor Wingard advised council to draft a policy to follow regarding the sale of real property and have an appointee make the final decision for the property auctions and sales.

Council Member Fleenor commented that local government should not have be involved in the sale of real property.

Council members concluded that the City Manager should draft a resolution with the contingencies presented or other ideas for further consideration.

**CONSENT AGENDA**

12.1 Consider Purchase Requisitions: Inmate Housing - Total Amount – \$71,817.34

12.2 Consider Appropriating \$1,004 to the FY18 Budget

**Parks & Recreation-Operations**

Appropriate reimbursements to Materials – Building & Property			
Expenditure	4-001-71010-6007	Materials – Building & Property	\$1,004
Revenue	3-001-19010-0004	Parks & Recreation-Operation	\$1,004

12.3 Consider Budget Transfers of \$104, 432 to the FY18 Budget per the Items Listed Below:

**Transfers**

Appropriate the transfer of budgeted funds:

4-001-099000-9204	Transfer to IDA	\$47,853
4-001-091020-5890	Contingency Fund	\$47,853

**Treasurer**

Appropriate the transfer of budgeted funds to cover postage:

4-001-012070-5210	Postage	\$6,000
4-001-091020-5890	Contingency Fund	\$6,000

**Fire Department**

Appropriate the transfer of budgeted funds to cover EMT1 Tuition:

4-001-032010-6014	Operating Supplies and Materials	\$3,650
4-001-091020-5890	Contingency Fund	\$3,650

Appropriate the transfer of budgeted funds to cover Fire/EHR training:

4-001-032010-6014	Operating Supplies and Materials	\$9,027
4-001-091020-5890	Contingency Fund	\$9,027

**Economic Development**

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

**Chamber of Commerce**

Appropriate the transfer of budgeted funds to correct original appropriation:

4-001-081080-5699	Contributions Civic/Com.Org	\$6,500
4-001-081060-5699	Chamber of Commerce	\$6,500

**Audit**

Appropriate the transfer of budgeted funds to cover projected overruns:

4-001-012110-3140	Professional Services	\$6,402
4-001-012090-2210	VRS Retirement	\$4,600
4-001-12090-2310	Hospitalization Insurance	\$1,802

12.4 Consider a Multi-Street Closure for the 2018 American Cancer Society Half and Half Marathon.

12.5 Consider a Multi-Street Closure for the Bill Gatton Honda Run for Phil 5k on8 May 26, 2018.

12.6 Consider Approval of Minutes: Called Meeting – February 08, 2018  
Regular Meeting – February 13, 2018  
Regular Meeting – February 27, 2018

Council Member Fleenor asked to pull the Economic Development item out of the Consent Agenda for later consideration.

Vice Mayor Wingard made a motion to remove the Economic Development item from the Consent Agenda. Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

Mayor Mumpower then asked for a motion to approve the remaining Consent Agenda.

Council Member Hartley made a motion to approve all items on the Consent Agenda with the exception of the Economic Development expense under agenda item #7.3 Motion was seconded by Council Member Hubbard and carried by the following votes:

AYES: Fleenor, Hartley, Hubbard, Wingard and Mumpower

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

Michael Pollard commented on the lack of notes provided in the agenda public packet. Mr. Pollard spoke of an issue about city employees landscaping on the developers property at The Falls. City Engineer, Wallace McCulloch, replied that some of the property is owned by the City and therefore maintained by the City.

Jullie Kelley acknowledged Easter Sunday.

D. Adjournment.

There being no further business, the meeting was adjourned.

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City Clerk

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Mayor