

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON AUGUST 14TH, 2018 AT 6:00PM AT 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, DOUGLAS FLEENOR, WILLIAM HARTLEY, AND NEAL OSBORNE. CITY MANAGER/INTERIM 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. Mayor Mumpower commented on the closing of Bristol Compressors and thanked the community organizations that supported the job fairs for employees. He also encouraged the community to support Race Night events and commended the Fire Department for their first medical transport with the new ambulance.

Mr. Fleenor asked for information about the salary of the Chief Financial Officer and about the potential lease of Clear Creek.

City Manager Randall Eads asked that all Council members sign the Code of Ethics which was approved at the July 10 City Council meeting and commented about Code Awareness Week happening in the City.

Scott Campbell, non-resident property owner, read from a book about auditing theory about goodwill in business.

REGULAR AGENDA

1. Consider a Public Hearing and Approval of a Non-Exclusive License to Lease City Owned Property at 501 Scott Street.

Mayor Mumpower opened the public hearing. City Manager Randall Eads said that the Sunset equipment in question is located at the Police Department and costs the City approximately \$800 a month in electricity for the equipment. Mr. Eads recommended that the City consider a lease for a period of time less than ten years and for about \$1500 a month. Mayor Mumpower closed the public hearing.

Mr. Osborne made a motion to approve the lease with the \$1500 a month rate recommended by the City Manager. Mr. Wingard recommended that the lease be tabled until funds are received from BVU from the sale of Optinet. Mr. Osborne agreed to withdraw his motion. Mr. Wingard made a motion to table the agreement which was seconded by Mr. Hartley. Mayor Mumpower requested that a transition plan be considered in any lease agreement.

YES: Hartley, Osborne, Wingard, and Mumpower.

ABSTAIN: Fleenor

2. Consider a Public Hearing and First Reading of an Ordinance to Adopt Rules and Procedures for City Council.

Mayor Mumpower opened the public hearing. City Manager Randall Eads commented that the ordinance presented is required in the City Charter and has been discussed and reviewed at two previous public meetings.

Michael Pollard, 101 Ashley Drive, commented that he gave some recommendations for changes to the City Clerk and City Manager.

Mayor Mumpower closed the public hearing. Mr. Wingard made a motion to approve the ordinance which was seconded by Mr. Osborne. Mr. Hartley asked what comments could be incorporated before second reading without delaying the passage of the ordinance. Mr. Fleenor asked about punishment for Council members that do not follow the rules and procedures established by the ordinance. Mr. Wingard, Mr. Hartley, and Mr. Osborne all expressed their

support for the establishment of council rules and procedures. Mr. Fleenor made a motion that the ordinance be revised to include a provision about the mayor removing a member from a meeting. Mr. Wingard declined to amend his original motion and the mayor asked for a roll call.

YES: Hartley, Osborne, Wingard, Mumpower.

NO: Fleenor.

City Manager Randall Eads read the ordinance by caption only.

3. Provide Update on Investigation into Planning Commission Requested by Council on 7/24/18.

City Manager Randall Eads shared the results of his investigation into the Planning Commission actions on the subdivision request for the Clarence Dishman property. Seven objections were provided by Mr. Campbell's attorney about the Planning Commission's actions. Mr. Eads provided each those objections and a response to each and concluded that the Planning Commission's actions on the Dishman subdivision were legal and proper.

4. Consider Granting Final Plat Approval for Plat #12-2018 for Clarence Dishman Property Subdivision.

City Planner Sally Morgan gave a brief overview of the final plat and proposed subdivision. Scott Campbell said that he objected to the City not giving formal notice to adjoining property owners. Ms. Brandie Lester, attorney for Mr. Scott Campbell, commented that the proposed entrance to the subdivision does not make sense.

Mr. Wingard made a motion to approve the final plat approval which was seconded by Mr. Osborne. Mr. Wingard commented that the action before Council tonight was only to allow a property owner to draw a line on his property which had taken a lot of staff time and meeting time. Mr. Mumpower asked for a roll call on Mr. Wingard's motion.

YES: Hartley, Osborne, Wingard, and Mumpower.

ABSTAIN: Fleenor.

5. Consider Final Plat Approval #09-2018- Wildflower Ridge Subdivision- Phase 1A.

City Planner Sally Morgan said that the Wildflower Ridge subdivision has been in the works for an extended period of time and gave an overview of the proposed development.

Mr. Wingard made a motion to approve the final plat which was seconded by Mr. Osborne. City Manager Randall Eads read the following resolution which was not included on the agenda but should be included as part of the final plat approval process:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA
APPROVING THE FINAL PLAT #09-2018 FOR THE WILDFLOWER RIDGE
SUBDIVISION - PHASE 1A

The City Council finds that:

WHEREAS, the subdivision plat for Phase IA of the Wildflower Ridge subdivision has been properly submitted to the City and reviewed by City staff, and

WHEREAS, the Planning Commission approved the preliminary plat on May 15, 2017 and approved the final plat on June 18, 2018 with two conditions which have subsequently been met;

WHEREAS, Section 50-270 requires that the plat of a 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:

The Council approves and certifies the final plat (Plat #09-2018) for the Wildflower Ridge Subdivision- Phase IA as attached in Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on August 14, 2018.

Mayor Mumpower asked for a roll call on the motion made by Mr. Wingard and seconded by Mr. Osborne which was carried by the following votes:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

City Manager Randall Eads then read the resolution that was included under item #5 as below:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA
APPROVING THE FINAL PLAT #12-2018 FOR THE CLARENCE DISHMAN
SUBDIVISION

The City Council finds that:

WHEREAS, the subdivision plat for the Clarence Dishman subdivision has been properly submitted to the City and reviewed by City staff, and

WHEREAS, the Planning Commission met on July 16, 2018 and approved the preliminary plat and the final plat, and

WHEREAS, Section 50-270 requires that the plat of a 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:

The Council approves and certifies the final plat (Plat #12-2018) for the Clarence Dishman subdivision as attached in Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on August 14, 2018.

6. Consider Amendment to the Performance Agreement between the City of Bristol and The Euclid Avenue Center, LLC.

City Manager Randall Eads said that the original development proposed for Euclid Avenue included one building divided into three units. An updated development plan includes two buildings which are still divided into three units. The Euclid Avenue Center, LLC, requested an amendment to the performance agreement to reflect the change in building plans.

Mr. Wingard made a motion to approve the amendment to the performance agreement which was seconded by Mr. Osborne. Mr. Hartley clarified that the amendment makes no material changes to the performance agreement or its terms. Mayor Mumpower asked for a roll call on the motion made by Mr. Wingard and seconded by Mr. Hartley:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

7. Closed Session. Pursuant to §2.2-3711.A7, Code of Virginia, 1950, as amended. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected (proprietary). -AND- Pursuant to §2.2-3711.A1, Code of Virginia 1950, as amended. 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).

Mr. Hartley made a motion to go into closed session for the reasons stated which was seconded by Mr. Wingard. The motion was carried by the following votes:

YES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

7.1 Certify Closed Session

Mayor Mumpower asked for a roll call to certify closed session.

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

8. Consider appointment to the Tri-Cities Airport Commission.

Mr. Fleenor made a motion to nominate Mr. Dan Marciano to the Tri-Cities Airport Commission. The motion was seconded by Mr. Wingard and carried by the following votes:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

9. Discussion on Outside Agency Funding.

Mr. Wingard said he asked this item to be added to the agenda in preparation for the next budget cycle. Mr. Wingard gave a history of the funding for Discover Bristol and said that the \$50,000 they received in the current year is not enough. Mr. Wingard proposed by that 10% of the annual lodging taxes be set aside for advertising the City, split between the agencies that promote tourism, with 8% going to Discover Bristol and the remaining 2% going to Believe in Bristol or any other agency that promotes tourism, through a change to the City's charter.

Mr. Fleenor said he thought this discussion should be held until the next budget cycle began. Mr. Hartley said he agreed that it was too large of a cut to the funding for tourism efforts. Mr. Osborne said he agreed with a policy that incentivizes tourism efforts. Mayor Mumpower said he hoped that these agencies would look at ways to improve revenues in the winter months.

CONSENT AGENDA

10.1 Consider Approval of Minutes.

- March 27, 2018- AMENDED
- June 5, 2018 Called Meeting
- June 12, 2018 Regular Meeting
- June 26, 2018 Regular Meeting
- July 2, 2018 Called Meeting
- July 5, 2018 Called Meeting
- July 10, 2018 Regular Meeting

10.2 Consideration of closing Oakview Avenue from Harmeling Street to Buckner Street for the annual Household of Faith Block Party.

10.3 Consideration of a street closure for the Tennessee/Virginia Strongman Challenge, Piedmont Avenue.

10.4 Consider supplemental appropriation of \$195,259 to the FY19 Budget per the Items Listed Below:

City Manager/Finance

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-012010-5530	Travel Expense	\$683
Expenditure	4-001-012090-5530	Travel Expense	\$683
Revenue	3-001-010110-0001	Beginning Fund Balance	\$1,366

Bristol Virginia Health Department

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-012140-5420	Lease of Building	\$23,982
Revenue	3-001-010110-0001	Beginning Fund Balance	\$23,982

Police Department

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-031010-8101	Other Equipment	\$59,686
Expenditure	4-001-031010-6014	Operating Supplies & Materials	\$2,009
Revenue	3-001-010110-0001	Beginning Fund Balance	\$61,695

Fire Department - Grants

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-032030-5850	Fire Programs Fund	\$74,235
Revenue	3-001-010110-0001	Beginning Fund Balance	\$74,235

Sheriff Grants

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-033030-5860	Dare Program	\$600
Revenue	3-001-010110-0001-	Beginning Fund Balance	\$600

Hazardous Materials Emergency Response Services

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-035050-6014	Operating Supplies & Materials	\$18,657
Revenue	3-001-010110-0001-	Beginning Fund Balance	\$18,657

Street & Engineering Division

Appropriate funds received from outside sources that were unexpended as of 06/30/2018.

Expenditure	4-001-041010-7002	Stormwater Management	\$14,724
Revenue	3-001-010110-0001-	Beginning Fund Balance	\$14,724

10.5 Consider supplemental appropriation of \$155,748 to the FY19 Budget per the Item Listed Below.

City Treasurer

Appropriate recovered costs to travel expenditure.

Expenditure	4-001-012070-5530	Travel Expense	\$144
Revenue	3-001-019010-0033	Recovered Costs-Treasurer	\$144

Judicial Alternative Sentencing Program

Appropriate fees charged to participants to supply accounts.

Expenditure	4-001-021035-6015	Supplies - Drug Court Fees	\$11,900
Revenue	3-001-016010-0007	Drug Court Fees	\$11,900
Expenditure	4-001-021035-6016	Supplies- Work Release Fees	\$54,000
Revenue	3-001-016010-0013	Work Release Fees	\$54,000

Victim Witness Program

Appropriate the increase in the actual grant amount awarded.

Expenditure	4-001-021060-1139	Salaries & Wages - Regular	\$707
Expenditure	4-001-021060-2100	FICA	\$54
Expenditure	4-001-021060-2210	VRS Retirement	\$223
Expenditure	4-001-021060-2400	VRS Life Insurance	\$20
Expenditure	4-001-021060-2450	VRS Disability Insurance	\$5
Expenditure	4-001-021060-2600	Unemployment	\$12
Expenditure	4-001-021060-2710	Worker's Compensation	\$2
Expenditure	4-001-021060-5210	Postage	\$25
Expenditure	4-001-021060-6001	Printing & Office Supplies	\$100
Expenditure	4-001-021060-6014	Operating Supplies & Materials	\$144
Revenue	3-001-024020-0015	Victim Witness Program	\$323
Revenue	3-001-033020-0015	Victim Witness Program	\$969

Street & Engineering Division

Appropriate monies received to recovered costs and the specific line item.

Expenditure	4-001-041010-3310	Maintenance of Building & Prop	\$29,319
Revenue	3-001-019010-0001	Recovered Costs - Street Dept	\$29,319
Expenditure	4-001-041010-3310	Materials-Building & Property	\$1,043
Revenue	3-001-019010-0001	Recovered Costs- Street Dept	\$1,043

Capital Projects Fund - Transit Department

Appropriate purchase of a van originally budgeted in 17-18 that was not received by June 30, 2018. Local monies not expended in the prior year will be re-appropriated.

Expenditure	4-009-091010-8105	Vehicular Equipment	\$58,050
Revenue	3-009-024010-0010	Mass Transit- Capital Expense	\$9,288
Revenue	3-009-033010-0002	FTA-Capital funds	\$46,440
Revenue	3-009-010110-0001	Beginning Fund Balance	\$2,322

10.6 Consider Purchase Requisitions—Total Amount: \$117,557.64

Sheriff's Office; Inmate Housing June 2018
\$44,573.29

Fire Department; Monitors/defibrillators
\$72,984.35

Mr. Hartley made a motion that item 10.1 be pulled from the consent agenda. The motion was seconded by Mr. Wingard and carried by the following votes:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

Mr. Hartley made a motion that the consent agenda be approved which was seconded by Mr. Osborne and carried by the following votes:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

Mr. Hartley made a motion that the minutes from March 27, 2018 as amended, June 25, 2018 called meeting, June 12 regular meeting with the closed meeting certification votes. The motion was seconded by Mr. Wingard and carried by the following votes:

AYES: Fleenor, Hartley, Wingard, Mumpower.

Mr. Hartley made a motion that the June 26, 2018 regular meeting be approved with the closed meeting certification votes included. Mr. Wingard seconded the motion which was carried by the following votes:

AYES: Hartley, Wingard, Mumpower.

Mr. Hartley made a motion that the minutes for the July 2, 2018 and July 5, 2018 called meetings be approved. Mr. Fleenor seconded the motion, which was carried by the following votes:

AYES: Fleenor, Hartley, Osborne, Wingard, and Mumpower.

Mr. Hartley made a motion that the July 10, 2018 meeting minutes be approved with the revision that Mr. Hartley would take the Birthplace of Country Music and Discover Bristol board appointments from Mayor Mumpower, who would take the People, Inc. board appointment. Mr. Osborne seconded the motion, which was carried by the following votes:

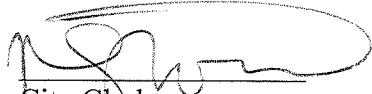
AYES: Hartley, Osborne, Wingard, Mumpower.

There being no other business, the meeting was adjourned.

August 14, 2018

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City Clerk



Mayor