

July 9, 2019

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JULY 9, 2019 AT 6:00PM, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR NEAL OSBORNE PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR BILL HARTLEY, ANTHONY FARNUM, KEVIN MUMPOWER, AND KEVIN WINGARD. CITY MANAGER/CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT.

Mayor Osborne asked for a moment of silence, followed by the pledge of allegiance. Mayor Osborne said he felt the joint meetings with the IDA and the School Board had been productive. He also thanked K.D. Moore for his work bringing Planet Fitness to The Falls. Mr. Wingard thanked the Fire Department for their response to an emergency situation at his home. City Manager Randall Eads also thanked the Fire Department for a separate incident.

Liza Conway spoke about the conditions of animals tied up outside on Massachusetts Avenue and asked Council to consider revising relevant city code. Mr. Farnum thanked her for speaking.

REGULAR AGENDA

1. Consider first reading of an Ordinance to Add Section 14-11 to the City Code, pertaining to unlawful feeding of waterfowl in the City of Bristol, Virginia.

Animal Control Officer Slagle gave a presentation on the impact of waterfowl on city parks. Tim Slagle spoke about the condition of recreational fields as a result of waterfowl populations. Mr. Farnum made a motion for first reading of the ordinance which was seconded by Mr. Wingard. Mr. Mumpower asked about a fence at the softball field. Mayor Osborne asked for a roll call on the motion which passed by the following votes:

AYES: Farnum, Mumpower, Wingard, Hartley, Osborne.

City Manager Randall Eads read the ordinance.

AN ORDINANCE TO ADD SECTION 14-11 TO THE CITY CODE PERTAINING TO UNLAWFUL FEEDING OF WATERFOWL IN THE CITY OF BRISTOL, VIRGINIA
SECTION AMENDED: § 14-11
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA:

That Section 14-11 is hereby added to the Code of the City of Bristol, Virginia, and ordained to read as follows:

Sec. 14-11. – Unlawful feeding of waterfowl.

(a) Pursuant to Code of Virginia § 29.1-527.1, the feeding of migratory and nonmigratory waterfowl is hereby prohibited in the City; provided, however, that no violation shall be deemed to occur unless signs giving notice of the prohibition set forth in this section are posted in a conspicuous location surrounding the area and a law enforcement officer has provided a prior warning that continued feeding of wildlife will result in a violation of this section. (b) For the purpose of this section: (1) "Migratory and nonmigratory waterfowl" shall be those species defined by the Virginia Department of Game and Inland Fisheries as any and all waterfowl in the Anatidae family including native, nonnative, and domestic ducks and geese, and any crossbreeds or hybrids of these birds. (2) "Feed" shall mean to give, place, expose, deposit or scatter any edible material. (c) Any person violating the provisions of this section shall be subject to a civil fine of \$50.

2. Consider second reading and adoption of an Ordinance to add new City Code Section 50-177 (Overnight Recreational Development Standards); revise existing Section 50-109 (b) AND Section 50-123 (b); and add Definitions to Section 50-28.

City Planner Sally Morgan said that revisions had been made based on Council feedback which were supported by the Planning Commission. Mr. Farnum made a motion for second reading of the ordinance by caption only. Vice-mayor Hartley seconded the motion. The motion carried by the following votes:

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AYES: Farnum, Mumpower, Hartley, Osborne.
ABSTAIN: Wingard.

City Manager Randall Eads read the ordinance by caption only.

TITLE: CREATING REGULATIONS ADDRESSING OVERNIGHT RECREATIONAL DEVELOPMENT; AN ORDINANCE AMENDING ARTICLE II ZONING OF THE CITY CODE FOR BRISTOL VIRGINIA; CREATING A NEW SECTION 50-177: OVERNIGHT RECREATIONAL DEVELOPMENT STANDARDS UNDER DIVISION 10 -- SUPPLEMENTAL REGULATIONS IN ADDITION TO ADDING DEFINITIONS UNDER SECTION 50-28 AND REVISING AND ADDING OVERNIGHT RECREATIONAL DEVELOPMENT AS A PERMITTED USE IN SECTION 50-109 AND 50-123.

Mr. Farnum made a motion for adoption of the ordinance. Vice-mayor Hartley seconded the motion. The motion carried by the following votes:

AYES: Farnum, Mumpower, Hartley, Osborne.
ABSTAIN: Wingard.

3. Consider second reading and adoption of an Ordinance to Amend Chapter 70 of the City Code, relating to collections.

City Manager Randall Eads said that Council had identified items to update in the ordinance that were not included in the copy provided for second reading. City Manager Randall Eads said that it would be best to table the item until a final review could be completed. Mr. Farnum made a motion to table the item until the next meeting which was seconded by Mr. Mumpower. The motion carried by the following votes:

AYES: Farnum, Mumpower, Wingard, Hartley, Osborne.

4. Consider a supplemental appropriation of \$100,000 to the Bristol Virginia Public Schools Capital Project FY20 Budget.

City Manager Randall Eads said the supplemental appropriation was the second payment to BVPS that was approved by Council on May 14, 2019. Vice-Mayor Hartley made a motion to appropriate \$100,000 to the Bristol Virginia Public Schools Capital Project Fund. Council members discussed capital funding and maintenance procedures at length. Chief Financial Officer Tamrya Spradlin said that the appropriation would be made from unassigned fund balance. Mayor Osborne asked Nancy Marney if she wanted to speak. Nancy Marney spoke about accountability. Mayor Osborne asked for a roll call on the motion made by Vice-Mayor Hartley which carried by the following votes:

AYES: Farnum, Mumpower, Wingard, Hartley, Osborne.

5. Consider closed session 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 (appointments).

Mayor Osborne asked for a motion to go into closed session which was made by Mr. Farnum. Mr. Mumpower seconded the motion, which carried by the following votes:

AYES: Farnum, Mumpower, Wingard, Hartley, Osborne.

Following closed session, Mayor Osborne asked for a roll call vote to certify the closed session.

AYES: Farnum, Hartley, Mumpower, Wingard, Osborne.

6. Consider appointments to boards and commissions.

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Mayor Osborne said that Council discussed the following appointments, and that they would like to keep the application period open for the IDA, Planning Commission, and other boards that had vacant seats until August 9th.

Bristol Redevelopment and Housing Authority- Denise Franklin and Mark Cofer
Transportation Safety Committee- Danny Hunt
Bristol Public Library Board- Don Ashley
Highlands Policy and Management- Dr. Rick Carroll

Vice-Mayor Hartley made a motion to make the appointments listed by Mayor Osborne, which was seconded by Mr. Farnum. The motion carried by the following votes:

AYES: Farnum, Hartley, Mumpower, Wingard, Osborne.

CONSENT AGENDA

7.1 Consider a Street Closure Request for the annual Day in the Park event.

7.2 Consider a supplemental appropriation of \$848,823 to the FY20 Budget per the Items Listed Below.

Fire Department

Appropriate an expenditure for items received on June 28, 2019 originally appropriated to FY19. \$82,907 of state funding was received 06/25/2019 for this expenditure. Local monies of \$20,916 were budgeted in FY19 as the local match for this expenditure.

Expenditure	4-001-32010-8110	Other Equipment – Grant Funded	\$103,823
Revenue	3-001-10110-0001	Beginning Fund Balance	\$103,823

Capital Projects Fund

Appropriate funds related to capital projects that were not completed in FY19 and will be completed in FY20. 41050 is for the fuel tank replacement. 95725 is Lee Highway Road Project.

Expenditure	4-009-41050-8112	Other Improvements	\$180,000
Revenue	3-009-41010-0001	Local Bond Issues (2016)	\$180,000
Expenditure	4-009-95725-8112	Other Improv & Construction	\$565,000
Revenue	3-009-41010-0001	Local Bond Issues (2016)	\$282,500
Revenue	3-009-24030-0076	VDOT Lee Hwy Road Project	\$282,500

7.3 Consider purchase requisition totaling \$145,710.92 per the items below:

Sheriff's Office; Inmate Housing	\$81,000.00
Police Department; 911 Call Equipment	\$27,655.92
Solid Waste; 95 gallon carts	\$37,055.00

Vice-Mayor Hartley made a motion to approve the consent agenda, which was seconded by Mr. Farnum. The motion carried by the following votes:

AYES: Farnum, Hartley, Mumpower, Wingard, Osborne.

There being no other business, the meeting was adjourned.

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City Clerk

Mayor