

August 13, 2019

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON AUGUST 13, 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 mentioned upcoming events in the City. Vice Mayor Hartley congratulated Pam Davis for her appointment to the state board of education and BRHA director Lisa Porter for her appointment to the state housing board. City Manager Randall Eads said that the helicopter in Cumberland Square Park would be getting some repairs done by Bell Helicopter.

Larry Gardner thanked city staff for their help addressing issues in his neighborhood. Victor Smith spoke about an issue with grass collection on Chester Hill Road. Michael Pollard spoke about Planning Commission term end dates. Jackie Nophlin spoke about diversity in the student population of a new school.

REGULAR AGENDA

1. Consider public hearing of an Ordinance to Repeal Section 1 of the Appendix to Chapter 34 of the City Code of Ordinances, relating to ambulance fees.

Mayor Osborne opened the public hearing. City Manager Randall Eads said that the current appendix is outdated and only applies to private ambulance services. Mayor Osborne closed the public hearing with no comments made.

2. Consider second reading and adoption of an Ordinance to Add Section 14-11 to the City Code, pertaining to unlawful feeding of waterfowl in the City of Bristol, Virginia.

City Manager Randall Eads said that the ordinance would allow for a \$50 fine for feeding waterfowl in the city limits. Vice Mayor Hartley made a motion for second reading of the ordinance by caption only which was seconded by Mr. Farnum. The motion carried by the following votes:

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

City Manager Randall Eads read the ordinance by caption only:

Ordinance 19-8

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.

Vice Mayor Hartley made a motion for adoption of the ordinance which was seconded by Mr.

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Farnum. The motion carried by the following votes:

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

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

City Manager Randall Eads spoke about some of the changes that had been made to the ordinance since the first reading. Mr. Wingard asked for clarification on the grass clippings that Mr. Smith spoke about. Vice Mayor Hartley made a motion for second reading of the ordinance by caption only which was seconded by Mr. Farnum. Mr. Wingard said he didn't agree with how debris should be put into the right of way. The motion for second reading by caption only passed by the following votes:

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

Mr. Wingard made a motion to adopt the ordinance. Mr. Mumpower seconded the motion, which carried by the following votes:

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

4. Consider approval of assignment agreement with Tennessee Valley Authority and amendments to Landfill Gas Contract with Ingenco.

City Manager Randall Eads said this item was presented at the June 12 meeting, but that an increased percentage of revenue had been included in the landfill gas contract amendment that was presented. Mr. Farnum made a motion to approve the agreements which was seconded by Mr. Hartley. Mr. Mumpower said that he has a lot of concerns about this agreement. The motion carried by the following votes:

AYES: Farnum, Wingard, Hartley, Osborne.

NO: Mumpower.

5. Consider a supplemental appropriation of \$199,413 to the FY20 Budget for Carryover items as listed below. These funds were received in FY19 and/or were unexpended at 06/30/2019.

Chief Financial Officer Tamrya Spradlin gave an overview of the items requested for carryover. Vice Mayor Hartley made a motion to approve the supplemental appropriation which was seconded by Mr. Farnum. Mr. Wingard asked for clarification on some of the items. The motion to approve carried by the following votes:

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

6. 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).

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

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

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

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

7. Consider appointments to boards and commissions.

Mayor Osborne asked for a motion on the following appointments:

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Bristol Public Library: Danny Peterson

IDA: Jan Huffman

Planning Commission: Ric Watts, Breanne Forbes Hubbard (reappointment), Jordan Pennington (reappointment)

Vice Mayor Wingard made a motion to appoint the individuals as stated, which was seconded by Mr. Farnum. The motion carried by the following votes:

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

8. Discussion of financing options for property acquisition.

Vice Mayor Wingard made a motion to table the item which was seconded by Mr. Mumpower. The motion carried by the following votes:

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

CONSENT AGENDA

9.1 Consider approval of meeting minutes.

June 25, 2019 Regular Meeting

July 1, 2019 Organizational Meeting

July 1, 2019 Called Meeting with BVPS

July 9, 2019 Called Meeting with IDA

July 9, 2019 Regular Meeting

9.2 Consider a supplemental appropriation of \$779,801 to the FY20 Budget per the Items Listed Below.

Commonwealth's Attorney

Appropriate additional Commonwealth Attorney position funded by the Virginia Compensation Board.

Expenditure	4-001-22010-1136	Salaries & Wages-Regular	\$56,697
Expenditure	4-001-22010-2100	FICA	\$4,337
Expenditure	4-001-22010-2210	VRS	\$1,367
Revenue	3-001-23010-0001	Commonwealth's Attorney	\$62,401

Police Department

Appropriate Virginia PSAP grant funding for Text-to-911 award received for this fiscal year.

Expenditure	4-001-31020-5881	PSAP Grant Text to 911	\$50,000
Revenue	3-001-24020-0086	PSAP Grant Text to 911	\$50,000

Fire Department

Appropriate donations received.

Expenditure	4-001-32010-6014	Operating Supplies & Materials	\$200
Revenue	3-001-18040-0002	Donations & Gifts-Fire Dept	\$200

Emergency Preparedness

Appropriate donations received.

Expenditure	4-001-35030-6014	Operating Supplies & Materials	\$3,000
Revenue	3-001-18040-0002	Donations & Gifts-Fire Dept	\$3,000

Economic Development

Appropriate ARC funding for a grant related to American Merchant. These grant funds were originally budgeted in FY19.

Expenditure	4-001-81025-5702	American Merchant-ARC Funds	\$158,700
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Revenue 3-001-33020-0031 ARC Funds-American Merchant \$158,700

Capital Projects Fund

Appropriate funds related to capital projects that were not completed in FY19 and will be completed in FY20. 95720 is the Exit 5 Project and is funded with FY17 bond proceeds. 95755 is Lee Highway Phase 2 and is 100% VDOT funded. 95810 is the Piedmont Avenue and State St. Pedestrian Signals and is 100% VDOT funded.

Expenditure	4-009-95720-8112	Other Improvements & Const	\$80,000
Revenue	3-009-41010-0001	Local Bond Issues (2016)	\$80,000
Expenditure	4-009-95755-8112	Other Improvements & Const	\$350,000
Revenue	3-009-24030-0101	VDOT Lee Hwy Widening Phase 2	\$350,000
Expenditure	4-009-95810-8112	Other Improvements & Const	\$75,500
Revenue	3-009-24030-0104	Piedmont Ave & State Street	\$75,500

9.3 Consider budget transfers for specific items listed below:

From Municipal Council to Commonwealth's Attorney

Approve the transfer of budgeted monies from Council health/dental insurance to Commonwealth's Attorney for potential salary increases. There was a decrease in Council insurance after the budget was approved, so these funds are available.

Decrease	4-001-11010-2310	Health/Dental Insurance	\$13,776
Increase	4-001-22010-1136	Salaries & Wages-Regular	\$13,776

9.4 Consider purchase requisitions totaling \$259,461.12.

Police Department; Vehicles	\$209,861.40
Fire Department; Panasonic Toughbooks	\$31,639.72
Public Works, Streets; Engineering Inspections	\$17,960.00

9.5 Review of 2019 property demolitions.

9.6 Consider street closure for the annual Summer's End 5K Race.

9.7 Consider street closure request for the King University Welcome to Bristol Party.

9.8 Consider street closure request for Rhythm and Roots Reunion Festival.

Vice Mayor Hartley made a motion to approve the consent agenda with the exception of the July 1 called meeting minutes. Mr. Farnum seconded the motion which carried by the following votes:

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

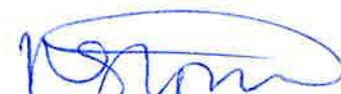
Mr. Farnum made a motion to approve the minutes from the July 1 called meeting which was seconded by Mr. Hartley. The motion carried by the following votes:

AYES: Farnum, Hartley, Wingard, Osborne.

ABSTAIN: Mumpower.

There being no other business, the meeting was adjourned.

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City Clerk


Mayor