



City Council
Neal Osborne, Mayor
Becky Nave, Vice-Mayor
Anthony Farnum, Council Member
Jake Holmes, Council Member
Michael Pollard, Council Member



CITY COUNCIL
300 Lee Street, Bristol, Virginia 24201
January 24, 2023

6:00 PM

Call to Order

Moment of Silence

Pledge of Allegiance

- A. Mayor's Minute and Council Comments
- B. City Manager's Comments
- C. Matters to be Presented by Members of the Public- Non-Agenda Items.
- D. Adoption of agenda.

REGULAR AGENDA

- 1. [Presentation from Emory & Henry College.](#)
- 2. [Presentation from District Three Governmental Cooperative on Aging Services.](#)
- 3. [Consider a Request by District Three Governmental Cooperative to Change the Funding Split of the Federal Transit Administration's Section 5307 Urbanized Area Formula Funds Appropriations for Fiscal Years 2019-2020 and 2023-2024.](#)
- 4. [Naming of the Department of Social Services Building.](#)
- 5. [Public Hearing on Budget Amendment for Fiscal Year 2022-2023.](#)
- 6. [Adoption of Budget Amendment for the Fiscal Year 2022/2023.](#)
- E. Ordinances First Reading
 - E1. [An Ordinance to Approve the Sale of Two Parcels of City-Owned Land Located on Spyglass Court. Ordinance 23-1](#)
 - E2. [An Ordinance Pertaining to Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones.](#)

CONSENT AGENDA

- 1. [Approval of Minutes of the November 15, 2022, Called Meeting of City Council.](#)
- 2. [Approval of Minutes of the November 22, 2022, City Council Meeting.](#)
- 3. [Approval of Minutes of the December 6, 2022, Called Meeting of City Council.](#)
- F. Adjournment

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Presentation from Emory & Henry College.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Presentation from District Three Governmental Cooperative on Aging Services.

ITEM BACKGROUND:

Rhiannon Powers, Executive Director of District Three Governmental Cooperative, will present on District Three's aging services for the city of Bristol.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

CITY COUNCIL AGENDA ITEM SUMMARY

Meeting Date: January 24, 2023

Department: Transit

Staff Contact: Melanie Fleenor, Transportation Planner

AGENDA ITEM WORDING:

Consider a Request by District Three Governmental Cooperative to Change the Funding Split of the Federal Transit Administration's Section 5307 Urbanized Area Formula Funds Appropriations for Fiscal Years 2019-2020 and 2023-2024.

ITEM BACKGROUND:

The Urbanized Area Formula Funding program, commonly referred to as Section 5307, makes federal resources available to urbanized areas for transportation planning as well as transit capital and operating assistance in the urbanized area. An urbanized area is an incorporated area with a population of 50,000 or more that is designated as such by the U.S. Census Bureau. Bristol Tennessee-Virginia has been designated as an urbanized area since the 1980 census. With each census, the urbanized area is redefined based on changes in population characteristics. Currently, the Bristol Tennessee-Virginia urbanized area includes the cities of Bristol Tennessee and Bristol Virginia, a portion of Sullivan County, Tennessee, a portion of Washington County, Virginia and the town of Abingdon, Virginia. Section 5307 funding is made available each year to eligible recipients. The funding formula is based on population and population density. Funds are available the year appropriated plus five years. Matching funds are required of 5307 funding. The federal share cannot exceed 80% for capital expenditures or 50% for operating assistance. The Bristol Tennessee urbanized area and the Bristol Virginia urbanized area receive separate apportionments. Bristol Virginia Transit provides public transportation service in the City of Bristol Virginia. District Three Governmental Cooperative, perhaps better known as Mountain Lynx Transit, provides public transportation service to Washington County and the Town of Abingdon. Mountain Lynx Transit also provides public transportation service to areas outside of the designated Bristol Tennessee-Virginia urbanized area. They receive other funding sources, including federal formula grants for rural areas, or Section 5311, to support service in those areas. The greater Abingdon area and the US Route 11/I-81 corridor between Abingdon and Bristol became urbanized as a result of the 2010 census and was designated as such around 2013. In 2017, Mountain Lynx Transit was made aware that they were mistakenly using rural funding, or 5311, to serve an area that had become designated as urbanized. At that time, they had no 5307 funding available. They were allowed to continue to use 5311 funding for a time and were able to transfer some of their buses to create an urban fleet. Since FY17-18, the City of Bristol Virginia and District Three Governmental Cooperative have been splitting the Bristol Virginia 5307 apportionment to enable both organizations to provide public transportation service in the urbanized area. Each year we jointly submit a "split letter" to the Federal Transit Administration advising them of how we have agreed to split the funding allocated to our region. Historically, the split has been 69% of the annual 5307 funding to the City of Bristol Virginia and 31% of the annual 5307 funding to District Three. This split amount was originally based on the populations of the City of Bristol Virginia and the town of Abingdon Virginia and did not include the portions of Washington County Virginia that were designated as urbanized area. Mountain Lynx Transit has five daily routes and two weekly routes which fall exclusively within the urbanized area.

These routes serve the town of Abingdon and its periphery as well as the US Route 11/I-81 corridor to the Bristol City Limits. Those seven routes are paid for exclusively with 5307 funding. David Richardson, the Deputy Director of Transportation for District Three, recently reached out to City staff regarding some capital needs to build up their fleet of vehicles for use on the aforementioned seven routes. They have requested that the Section 5307 funding allocated to the Bristol Virginia urbanized area for FY24 be split with 69% going to District Three and 31% going to the City of Bristol Virginia. They have also requested that the 5307 funding be divided more evenly between the City and District Three in future fiscal years. The City of Bristol Virginia is currently utilizing Fiscal Year 2018-2019 5307 funding for capital expenditures. Section 5307 funding lapses if not used within a specific time period. If we do not obligate all of our FY18-19 funding before September of this year, we lose the ability to use that money in the future. In order to ensure that the FY19-20 5307 funding allocated to Bristol Virginia is kept within our urbanized area, staff recommends that we also revise the previously agreed upon funding split for FY19-20 to give District Three the larger portion, or 69%. This will enable District Three to address immediate capital needs, and the City of Bristol Virginia will still maintain a sufficient amount of funding from the FY19-20 apportionment.

PREVIOUS RELEVANT ACTION:

None

STAFF RECOMMENDATION:

Staff recommends that the 5307 funding for Fiscal Years 2019-2020 and 2023-2024 be split between the City of Bristol, Virginia and District Three Governmental Cooperative with 31% to the City of Bristol, Virginia and 69% to District Three Governmental Cooperative.

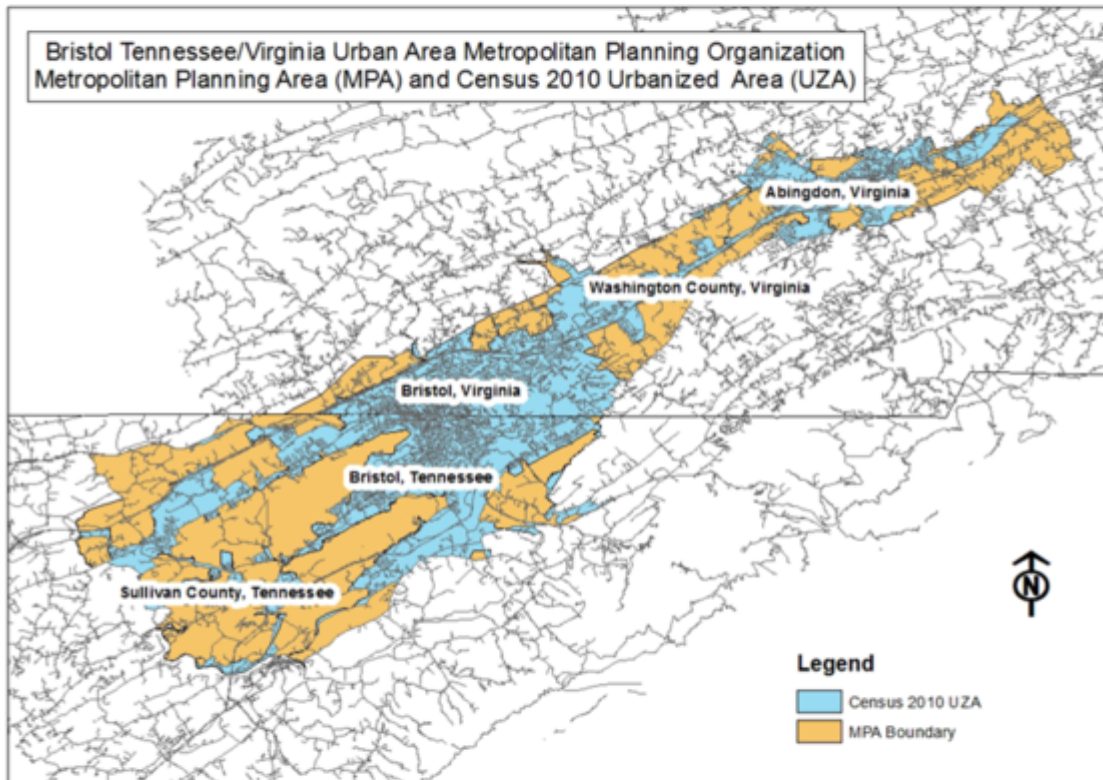
DOCUMENTATION:

[MPO MPA and Urbanized Area.png](#)

[Supplemental Information - Census Data and Past Year Allocations.png](#)

[Signed FY19-FY20 Split Letter.pdf](#)

**Bristol Tennessee/Virginia Urban Area Metropolitan Planning Organization
Metropolitan Planning Area (MPA) and Census 2010 Urbanized Area (UZA)**



2020 Census Data

NAME	POPULATION	LAND AREA – SQ MILES
Bristol, TN–VA	33,669	32.12
City of Bristol VA	17,219	13.2
Other urbanized area in VA	16,450	18.92

5307 Funding Amounts

Fiscal Year	City of Bristol VA Allocation	District Three Allocation	Total Urbanized Area Funding – Bristol Virginia
FY17	\$282,509	\$126,924	\$409,433
FY18	\$288,550	\$129,594	\$418,144
FY19	\$292,660	\$131,434	\$424,094
FY20	\$298,958	\$136,154	\$435,112
FY21	\$300,337	\$135,129	\$435,466
FY22	\$387,918	\$174,533	\$562,451



Office of the
City Manager

City of Bristol, Virginia

300 Lee Street, Bristol, Virginia 24201 (276) 645-7333
FAX: (276) 821-6278
Website: www.bristolva.org



March 15th, 2019

Ms. Michele DeAngelis
Transportation Program Specialist
U.S. Department of Transportation
Federal Transit Administration, Region III
1760 Market Street, Suite 500
Philadelphia, PA 191003-4124
215-656-7246

RE: City of Bristol/District Three Governmental Cooperative Section 5307 Funding Split, FY2019-20

Dear Ms. DeAngelis:

For Fiscal Year 2019-FY20, the Section 5307 funding allocated in our region will be split between the City of Bristol, VA and District Three Governmental Cooperative which serves Abingdon, VA and Washington County, VA. The split will be as follows:

City of Bristol Virginia	69%
District Three Governmental Cooperative	31%

If there are any further questions regarding this funding split or the methodology used to arrive at the amounts listed above, please do not hesitate to contact either of us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randall Eads".

Randall Eads

City Manager, City of Bristol Virginia

A handwritten signature in blue ink, appearing to read "D. Richardson".

David Richardson, Transit Director
District Three Governmental Cooperative

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Naming of the Department of Social Services Building.

ITEM BACKGROUND:

A proposal has been made to name the new Department of Social Services Building after the late Dr. W.A. Johnson, who passed away on July 6, 2022. Dr. Johnson served as the pastor of the Lee Street Baptist Church and was a long time member of the Board of Directors for the Department of Social Services.

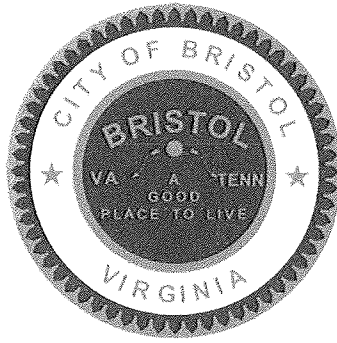
PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

The City's policy for naming city property is attached for Council's review.

DOCUMENTATION:

[Naming Policy.pdf](#)



A POLICY FOR THE NAMING OF CITY OWNED PROPERTIES, FACILITIES, STREETS, AND STRUCTURES

City of Bristol, Virginia

I. INTRODUCTION:

In an effort to formalize a cohesive naming policy and make that policy more understandable, the City of Bristol has established a series of guidelines and an application to assist the general public, City employees, and local government members.

II. PURPOSE:

This Policy establishes a process and criteria for the consideration of requests by City of Bristol resident(s), business owner(s) or property owner(s) for the naming or renaming of City facilities.

III. POLICY:

The City of Bristol has a comprehensive program to safeguard City owned properties, facilities, and structures while satisfying the economic, recreation, and transportation needs of the community. It is important that suitable names be chosen for City Owned properties or facilities. School facilities will not be governed by this policy. The following guidelines shall serve as policy on this matter.

1. Requests to name or rename City owned properties, facilities, and structures shall be made in writing to the Department of Community Development and Planning, whereupon a Naming Request Application shall be transferred to the individual, organization, and/or corporation.
2. The person(s) who submitted the request shall provide background information into the rationale behind the request, including biographical information (if to be named after a person). Any letters from appropriate organizations and individuals, which provide evidence of substantial local support for the proposal, shall be submitted at that time.
3. All suggestions for the naming of City owned properties, facilities, streets & structures shall be submitted to the Director of the Department of Community Development and Planning (or their designee) for cursory review and distribution. Furthermore, the Director of Community Development and Planning shall forward all applications to the Director of the Department responsible for management/operation of that particular area, for initial acceptance or rejection, with a recommendation being transmitted to the City Council for approval.
4. As a general policy, City owned properties, facilities, streets, and structures shall be named in accordance with geographical, cultural, historical, or ecological features indigenous to the site or to the immediate vicinity of the site. Facilities may be named for an individual or corporation under the following conditions:

- *General Criteria.* Names of persons, groups, or organizations having a longstanding affiliation with the City of not less than thirty (30) or more years of significant community service, involvement, or contributions beyond the ordinary interest level for naming official City buildings and not less than twenty (20) years for the naming of other City properties provided said applicant shall have:
 - a. Enhanced the quality of life and well-being of City residents;
 - b. Contributed to the preservation of the City's history or culture;
 - c. Made exemplary or meritorious contributions to the City or its residents; or
 - d. Contributed to the acquisition, development, or conveyance of land, buildings, structures, or other amenities to the City or community.
 - *Deceased Persons.* To be considered for a naming opportunity, the individual must have been deceased for at least three (3) years. Such individuals may include:
 - a. Historic persons.
 - b. National and/or local heroes. Those who have given outstanding service to mankind or who have worked over and above any ordinary interest level. A resident of Bristol who has attained local, state, or national recognition for parks and recreation work or work in the areas of public safety or public health, as appropriate to the facility, would be highly acceptable.
 - *Living Persons.* Facilities may be named after living persons only after a study has been completed relative to the individual's background and qualifications pursuant to the criteria set forth above.
 - *Groups and Organizations.* Facilities may be named after groups or organizations pursuant to the criteria set forth above.
5. Recreational facilities or designated areas within a park (i.e., trails, bridges, etc.) may be named for a corporation, organization, or an individual(s), living or deceased, who:
 - Has made a significant contribution to the protection and/or enrichment of a natural, cultural, educational, or horticultural resources of the City of Bristol, or
 - Has substantially contributed to the advancement of commensurate types of recreational opportunities within the City of Bristol, or
 - Has made a significant contribution to the betterment of a specific park, consistent with currently accepted best management practices and standards for the individual property in question.
 - Facilities may be named after living persons only after a study has been completed relative to the individual's background and qualifications pursuant to the criteria set forth above.
 6. In support of this policy, nominations for naming of City owned properties, facilities, streets & structures shall be evaluated on the basis of the above criteria and upon appropriate documentation.
 7. All costs associated with the naming, including the cost of any recording necessary and the cost of signage shall be paid by the person(s), organization, and/or corporation submitting the request. This cost may be waived by the City Council.
 8. As a general policy, a named facility will retain that name as long as it exists. However, if a name is designated for a facility associated with a specific activity and that activity is subsequently changed, the name may be applied to a similarly used facility, if possible, and if not, to another facility
 9. Bristol City Council shall have the right to make decisions that support the best interests of the City of Bristol, and shall either approve or reject the recommendation.

ADDENDUM: A



**NAMING OF CITY OWNED PROPERTIES, FACILITIES, STREETS
& STRUCTURES
APPLICATION FORM**

1. Applicants General Information

Name: _____ Date: _____

Address: _____ State: _____

Zip Code: _____ Telephone: _____

Does the Applicant Represent an Organization? ☐ Yes ☐ No

If Yes, Name of Organization: _____

2. Facility Information

Name of City of Bristol Facility:

3. Renaming Opportunity (Street)

☐ Yes ☐ No Current Name: _____

No. of Residents on Street: _____ Percentage In Favor: _____

Petition Submitted: ☐ Yes ☐ No

4. Exact Location (if necessary):

◆◆◆◆◆◆◆◆◆◆

7. **City of Bristol Comments:**

Reviewed By: _____

Director, Department of Community Planning & Development

☐ Recommended ☐ Not Recommended

Date: _____

Comments: _____

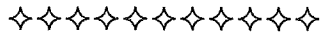
Reviewed By: _____

☐ Parks & Recreation or ☐ Building Maintenance or ☐ Other: _____

☐ Recommended ☐ Not Recommended

Date: _____

Comments:



City Council Review Date: _____

Naming Opportunity Status:

☐ Approved ☐ Disapproved ☐ Tabled

Additional Comments:

Courtesy Copies Sent To:

- ☐ City Attorney's Office
- ☐ City Manager's Office
- ☐ Other



**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Public Hearing on Budget Amendment for Fiscal Year 2022-2023.

ITEM BACKGROUND:

Pursuant to Section 15.2-2507 of the Code of Virginia, a locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year. Any such amendment that exceeds one percent of the total expenditures shown in the current adopted budget must be accomplished by a publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality. On January 15, 2023, notice of the amendment and public hearing, along with a general synopsis of the proposed budget amendment, was published in the Bristol Herald Courier.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[full page_notice budget amendment_1.15.23.pdf](#)

[screenshot budget amendment_1.15.23.png](#)

Firearms AUCTION

Friday, Jan. 20 6:00 PM

We are proud to offer at auction this firearms collection. We will be selling the firearms on Friday evening, Jan. 20 at the
Ron Ramsey Ag Center.
140 Spurgeon Lane, Blountville, TN 37617
Doors will open at 4:30 PM
Over 125 guns

- Norinco MAK-90 Sporter AK-47 7.62 x 39 rifle
- Norinco SKS 7.62 x 39 rifle (no clip)
- SKS 7.62 x 39 rifle
- German Mauser Chileno Model 1895 7 mm x 57 rifle
- Marlin US M-1 .30 carbine rifle
- Alpine M-1 .30 carbine rifle
- Alpine M-1 .30 carbine rifle
- Ruger American Ranch rifle .300 blackout with Nikon 3 x 9 scope
- Marlin 1895m levr action rifle .450 Marlin with Redfield 3 x 9 scope
- Marlin 336 lever action .30-30 rifle with Weaver V-7 scope
- Marlin 1985 lever action .45-70 rifle
- Remington Model 788 bolt action .30-30 rifle with Weaver K-4 scope
- Sears and Roebuck Model 101 single shot 16 gauge shotgun
- Stevens Model 940e single shot 16 gauge shotgun
- Winchester Model 1897 pump 12 gauge shotgun
- Remington 870 Express Magnum pump 12 gauge shotgun
- Weatherby Vanguard bolt action .300 Weatherby Magnum with Simmon 2.5 x 10 scope
- Weatherby Vanguard bolt action .270 Winchester with Weaver 3 x 9 scope
- Savage Model 112 bolt action .22-250 with bull barrel with Tasco 4 x 16 scope and bi-pod
- Remington Model 700 BDL .223 with bull barrel with Weaver K-12 scope and bi-pod
- Remington Model 1100 semi-auto 16 gauge shotgun
- Mossberg Maverick Model 88 pump 12 gauge shotgun
- Ithaca Lefever double barrel 12 gauge shotgun
- Westernfield (Montgomery Ward) pump 12 gauge shotgun
- Winchester Defender pump 12 gauge shotgun
- CVA black powder .50 caliber muzzleloader
- Custom made Kentucky Rifle .50 caliber muzzleloader
- Thompson Center .45 caliber muzzleloader
- Knight Black Knight .50 caliber muzzleloader with Tasco 3 x 9 scope
- Remington Model 581 bolt action .22 rifle with BSA 4x scope
- Winchester Model 190 semi-auto .22 rifle
- Savage Model 64 semi-auto .22 rifle with Tasco 4x scope (no clip)
- Savage Model 93 bolt action .22 magnum rifle Tasco 3 x 9 scope
- Remington Model 597 semi-auto .22 magnum rifle with BSA 2.5 x 10 scope
- Rossi pump .22 rifle
- Stevens Model 22-410 over and under .22 caliber rifle over .410 shotgun
- Winchester Model 100 semi-auto .380 rifle with Redfield @ X & scope
- Hi-Point Model 995 semi-auto 9mm rifle
- CMMG Model 4SA AR-15 semi-auto .223 cal. rifle
- Ruger Model AR556 AR-15 semi-auto .223 cal. rifle
- Heckler and Koch German made semi-auto .45ACP caliber rifle with two clips
- Glock Model 23 .40 caliber semi-auto pistol
- Colt Anaconda (older model) .44 magnum revolver
- Browning High Power 9mm semi-auto pistol
- SPESCO .22 caliber single action revolver
- Browning B9R .380 caliber semi-auto pistol
- Reck PB .25 caliber semi-auto pistol
- Cobra .380 caliber semi-auto pistol with two clips
- US Arms .44 magnum single action revolver
- Ruger Super Blackhawk .357 magnum single action revolver
- Ruger Blackhawk .357 mag single action revolver
- Savage .32 auto semi-auto pistol
- Barrel - Winchester Model 1400 12 gauge
- Remington Model 41 .22 caliber bolt action rifle
- Ruger Model 77 MKII .308 caliber bolt action rifle with Leupold 2.5 x 8 scope
- Ruger Model 10-22 stainless semi-auto rifle with Tasco 3 x 9 scope
- BAR .270 caliber Belgium semi-auto rifle with Zeiss Conquest 3 x 9 x 40 scope
- Browning .270 Win. bolt action rifle with Bausch and Lomb 3 x 9 scope
- Browning BLR 7mm-08 lever action rifle with Leupold Van X II 2 x 7 scope
- Springfield military rifle K1946 bolt action rifle with Tasco 6 x 24 scope
- Remington Model 7 .260 Remington stainless bolt action rifle with Leupold Van X II 3 x 9 scope
- Remington Model 700 BDL .270 caliber lever action rifle with Nikon Monarch 3 x 12 scope
- Savage Model 99 .330 Savage lever action rifle
- Remington Field Master 121 .22 long rifle pump rifle
- Benelli Super Black Eagle camo 12 gauge semi-auto shotgun
- Benelli Super Black Eagle II semi-auto shotgun
- Remington Model 700 .308 cal. (heavy barrel) bolt action rifle with Leupold Van X III 8.5 x 25 scope
- Remington Model 700 ADL 6mm Rem. bolt action rifle with Weaver V7 2.5 x 7 scope
- Savage Model 219 .22 Homest single shot rifle with Weaver V7 2.5 x 7 scope
- Savage Model 10 6.5 Creedmore bolt action rifle with heavy barrel
- Kimber 22 Hunter .22 long rifle bolt action rifle with Redfield 4 x 12 scope
- Kimber 84L .270 caliber stainless bolt action rifle with Nikon BDC 3 x 9 scope
- Savage Model 2 .243 caliber bolt action rifle with Nikon 2.5 x 10 scope
- Browning Auto 5 Sweet 16 16 ga. semi-auto shotgun
- Winchester 88 .308 caliber lever action rifle
- Savage 110 .30-06 bolt action rifle with Tasco 3 x 9 scope
- Remington Model 710 bolt action rifle with Bushnell 3 x 9 scope
- Stevens Model 580 .410 bolt action shotgun
- Stevens 94 F 16 gauge single shot shotgun
- Iver Johnson 12 gauge single shot shotgun
- Glenfield Model 60 .22LR semi-auto rifle
- Winchester Model 80 .22LR semi-auto rifle
- Glenfield Model 20 .22 LR bolt action rifle
- Harrington and Richardson Model 88 12 gauge single shot shotgun
- Thompson Renegade .50 cal. muzzleloader
- Gamo Shadow Sport .177 cal. pellet rifle
- Smith and Wesson .32 Long Colt (pre-1957) revolver
- Smith and Wesson .38 Special (pre-1957) revolver
- Smith and Wesson .38 Special (pre-1957) Pachmyr grip revolver
- Smith and Wesson Model 10-5 .38 Special revolver
- Smith and Wesson Model 30-1 .32 S&W revolver
- Ruger Security 6 .357 magnum revolver
- Smith and Wesson Model 686 .357 magnum stainless revolver with Simmons 2x scope
- Smith and Wesson Model 629-1 .44 magnum stainless revolver
- Smith and Wesson Model 648 .22 magnum revolver with box
- Smith and Wesson Model 16-4 .32 H&R magnum blued revolver with box
- Smith and Wesson Model 657-4 .41 magnum stainless revolver with box, speedloader
- Ruger Single Six .32 H&R magnum revolver
- Ruger 22/45 Lite .22LR semi-auto pistol with extra clip
- Ruger New Bearcat .22LR stainless revolver with box
- Ruger Super Blackhawk black stainless .454 casull/.45 Colt with box, Ruger scope mounts
- Kimber Ultra Carry II .45 ACP stainless semi-auto pistol
- Bersa SA Model 97 .380 ACP semi-auto pistol
- Llama (Stoeger) .380 ACP semi-auto pistol
- Bond Arms Snake Slayer .45 Colt/.410 3 inch pistol
- North American Arms Model NAA 225 .22 short pistol with box
- North American Arms Model NAA 17M .17 HMR pistol with box
- Contender G2 .30-30 cal. 14 inch barrel pistol with sling and Weaver 2.5 x 8 scope
- Contender barrel .44 magnum 12 ich with factory muzzle break
- Contender barrel .45 Colt/.410 3 inch 14 inch with vent rib
- Ruger New Model Single Six Bisley Revolver .32 H&R magnum. From Ruger's vault. Never fired.
- Colt Frontier Scout .22 cal. single action revolver in box
- J.P. Sausser and Sohn Western Six Shooter .22 cal. single action revolver in box
- Ruger 50th Anniversary Single Six .22 and .22 mag. single action revolver in box
- Winchester Model 94AE Trapper .45 Long Colt lever action rifle
- Winchester Model 94 Trapper .32 Special lever action rifle
- Winchester Model 9422 .22 caliber lever action rifle
- Marlin 1895G .45-70 caliber lever action rifle
- Remington Spartan 16 gauge double barrel shotgun
- Mossberg Shockwave 12 gauge pump shotgun
- Mossberg 500 Home Defender 12 gauge pump shotgun
- Stevens Model 320 20 gauge pump shotgun
- Remington Model T 7mm-08 bolt action rifle
- Ruger Mini-14 Ranch Rifle .223 caliber semi-auto rifle with Nikon Tactical 3 x 9 x 40 scope
- Ruger 1022 "Back The Blue" (45 made per state) .22 caliber semi-auto rifle
- Remington Model 141 Gamemaster .30 Rem. caliber pump rifle
- Thompson Center Venture .30-06 bolt action rifle with Bushnell 3 x 9 x 40 scope
- Assorted Ammo
- Collectible Knives
- Terry Redlin framed prints

Buyers Premium: A 10% buyers premium will be added to the final bid price at closing.
Terms: All purchases will be paid for the day of the sale.
Virginia purchases will be going through Jon's Gunshop.

Ronald Ramsey
Owner, Broker,
Auctioneer #1936
Firm #246036

423-323-8700

**Ron Ramsey**
& Associates

Allen Ramsey
Auctioneer #2314
Eddie Ramsey
Auctioneer #4522
Forrest Ramsey
Auctioneer #6124

Realtors™ and Auctioneers
For pictures please check our website: www.ronramseyauctions.com
Announcements made day of sale take precedence over all others.



OPEN HOUSE SUNDAY JANUARY 15, 2023 2PM - 4PM



1960 CAROLINA AVE, BRISTOL, TN
COME CHECK OUT THIS 3 BEDROOM 2.5 BATH HOME WITH 1.5 ACRES. THIS LOVELY HOME IS LOCATED IN THE COUNTY AND PARTLY WOODED. REFRESHMENTS WILL BE SERVED AND A DRAWING FOR A GIFT CARD.
\$274,500

THE ADDINGTON AGENCY
LORI CROSS HOBSON, Listing Agent 423-646-2696
121 BLUFF CITY HWY BRISTOL, TN 37620
423-646-2696 / 423-845-5800

LEGAL ADS

Legal Notices

Legal Notices

Auditing Services:

Mount Rogers Community Services is soliciting proposals for the annual audit of all accounts for the year ending June 30, 2023. Proposals will be accepted until 5pm, Tuesday, January 31, 2023. The audit is to be conducted in accordance with generally accepted auditing standards, standards for financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and under the provisions of OMB Circular A-133, Audits of State and Local Governments. To obtain a copy of the specifications, contact the Chief Financial Officer at 276-223-3200 or at 770 West Ridge Road, Wytheville, Virginia 24382. <https://www.mountrogers.org/wp-content/uploads/RFP-2022005.pdf>



NOTICE OF PUBLIC HEARING

Pursuant to the requirements of §15.2-2507 of the Code of Virginia, 1950, as amended, the Bristol, Virginia City Council will hold a public hearing on Tuesday, January 24, 2023, at 6:00 p.m. in City Council Chambers, 300 Lee Street, and/or at such other times as to which such hearing may be continued, to consider amending the Fiscal Year 2022/2023 budget as summarized below. This amendment will now increase the budget for Fiscal Year 2022-23 by \$39,124,810 and appropriate \$23,422,080 in the budget to the Solid Waste Disposal Fund and \$15,702,730 to the General Fund. The new overall adopted budget with these increases will be \$183,975,846.

CITY OF BRISTOL, VIRGINIA

Proposals, Requests For

Proposals, Requests For

T&B Contractors is soliciting qualified M/W/DBE subcontractors and vendors to bid on the Marion, VA Wastewater Treatment Plant Improvements Phase 7. The Project consist of the repair of Blowers, replace pumps and other equipment. Upgrade existing aeration equipment, and replacing new PVC media Davis-Bacon Act and American Iron and Steel provisions apply Plans to prepare bid can be obtained by calling T & B Contractors at (423)968-5967 or E-Mail ksmith_1@tbcontractors.net. Bids will be received until 2:00 pm on Tuesday, January 24, 2023

TRUSTEE'S SALE OF 23147 SIMCOX DR, BRISTOL, VA 24202

In execution of a certain Deed of Trust dated September 17, 2018, in the original principal amount of \$310,606.00 recorded in the Clerk's Office, Circuit Court for Washington County, Virginia as Instrument No. 180004601 . The undersigned Substitute Trustee will offer for sale at public auction in the front of the Circuit Court building for Washington County, 189 East Main Street, Abingdon, Virginia on February 13, 2023, at 12:00 PM, the property described in said Deed of Trust, located at the above address, and more particularly described as follows: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE IN THE WILSON MAGISTERIAL DISTRICT OF WASHINGTON COUNTY, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT, CORNER TO PROPERTY OF JENNIFER LYNN SIMCOX (DEED BOOK 1072, PAGE 131), IN THE NORTHERLY RIGHT OF WAY LINE OF A 40 FOOT PRIVATE ACCESS DRIVE (SIMCOX DRIVE), WHICH POINT IS 1,150 FEET ALONG SUCH SAID 40 FOOT RIGHT OF WAY LINE FROM STATE ROUTE 648 (SINKING CREEK ROAD); THENCE CONTINUING WITH SAID 40 FOOT PRIVATE ACCESS RIGHT OF WAY LINE, N 49 45 W190.76 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY LINE OF THE PRIVATE DRIVE AND CONTINUING THE FOLLOWING CALLS AND DISTANCES: N 40 44 11 W 22.07 FEET TO AN IRON PIN; N 16 35 47 W 38.43 FEET TO AN IRON PIN; N 06 09 49 W 112.57 FEET TO AN IRON PIN; N 03 15 07 W 101.12 FEET TO AN IRON PIN; N 07 30 00 W 102.00 FEET TO AN IRON PIN; N 48 48 01 W 48.67 FEET TO AN IRON PIN; N 48 44 10 W 110.14 FEET TO AN IRON ROD AND CAP SET, AND S 35 29 51 W 247.52 FEET TO AN IRON ROD AND CAP SET IN THE RIGHT OF WAY LINE OF THE PRIVATE DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE OF PRIVATE DRIVE, N 49 45 00 W 224.57 FEET TO AN IRON PIN, A COMMON CORNER TO PROPERTY OF THE MARY E. JONES REVOCABLE LIVING TRUST (DEED BOOK 1034, PAGE 604); THENCE ALONG THE DIVISIONAL LINE BETWEEN THE PROPERTY HEREIN DESCRIBED AND PROPERTY OF THE MARY E. JONES REVOCABLE LIVING TRUST, N 42 52 59 E 399.41 FEET TO AN IRON PIN IN THE PROPERTY OF WILEY PARKER (DEED BOOK 1022, PAGE 71); THENCE ALONG THE DIVISIONAL LINE OF THE PROPERTY HEREIN DESCRIBED AND PROPERTY OF PARKER THE FOLLOWING CALLS AND DISTANCES; S 49 15 25 E 807.95 FEET TO AN IRON PIN AND S 49 59 00 E 150.00 FEET TO AN ANGLE IRON IN THE LINE OF PROPERTY OF PAUL SNIDER; THENCE ALONG THE DIVISIONAL LINE OF THE PROPERTY HEREIN DESCRIBED AND PROPERTY OF SNIDER, S 39 21 00 W 190.50 FEET TO ON IRON PIN, COMMON CORNER TO THE PROPERTY HEREIN DESCRIBED AND PROPERTY OF SIMCOX; THENCE ALONG THE DIVISIONAL LINE BETWEEN THE PROPERTY HEREIN DESCRIBED AND PROPERTY OF SIMCOX, THE FOLLOWING CALLS AND DISTANCES: N 49 45 00 W 150.00 FEET TO AN IRON PIN AND S 39 21 00 W 200.05 FEET TO THE BEGINNING, CONTAINING 6.523 ACRES AND BEING TRACT 1 AS SHOWN ON A REPLAT OF THE SIMCOX PROPERTY PREPARED BY TONY F. HOLBROOK, DATED JUNE 19, 2003 OF RECORD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF WASHINGTON COUNTY, VIRGINIA IN PLAT BOOK 42, PAGE 83, TO WHICH PLAT REFERENCE IS MADE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREIN CONVEYED. THERE IS ALSO GRANTED A NON-EXCLUSIVE RIGHT TO USE A CERTAIN FORTY-FOOT PRIVATE ACCESS WAY (SIMCOX DRIVE) WHICH RUNS ALONG THE SOUTHWESTERN LINE OF THE PROPERTY HEREIN CONVEYED AND PROCEEDS FROM THE PROPERTY ALL THE WAY TO STATE ROUTE 648, WHICH PRIVATE ACCESS WAY IS NOT A PUBLIC ROAD BUT HAS BEEN DEDICATED TO THE BENEFIT AND USE OF THE HEREIN DESCRIBED PROPERTY FOR A SUBSTANTIAL NUMBER OF YEARS. THE GRANT OF THE USE OF THIS PRIVATE RIGHT OF WAY IS FOR INGRESS AND EGRESS. TERMS OF SALE: ALL CASH. A bidder's deposit of ten percent (10%) of the sale price or ten percent (10%) of the original principal balance of the subject Deed of Trust, whichever is lower, in the form of cash or certified funds payable to the Substitute Trustee must be present at the time of the sale. The balance of the purchase price will be due within fifteen (15) days of sale, otherwise Purchaser's deposit may be forfeited to Trustee. Time is of the essence. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled to a return of the deposit paid. The Purchaser may, if provided by the terms of the Trustee's Memorandum of Foreclosure Sale, be entitled to a \$50 cancellation fee from the Substitute Trustee, but shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney. A form copy of the Trustee's memorandum of foreclosure sale and contract to purchase real property is available for viewing at www.bwvsales.com. Additional terms, if any, to be announced at the sale and the Purchaser may be given the option to execute the contract of sale electronically. This is a communication from a debt collector and any information obtained will be used for that purpose. The sale is subject to seller confirmation. Substitute Trustee: Equity Trustees, LLC, 8100 Three Chopt Road, Suite 240, Richmond, VA 23229. For more information contact: BWV Law Group, LLC, attorneys for Equity Trustees, LLC, 6003 Executive Blvd, Suite 101, Rockville, MD 20852, 301-961-6555, website: www.bwvsales.com. VA-356454-1.

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276-466-5443- EHO

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423-956-9066

PETS



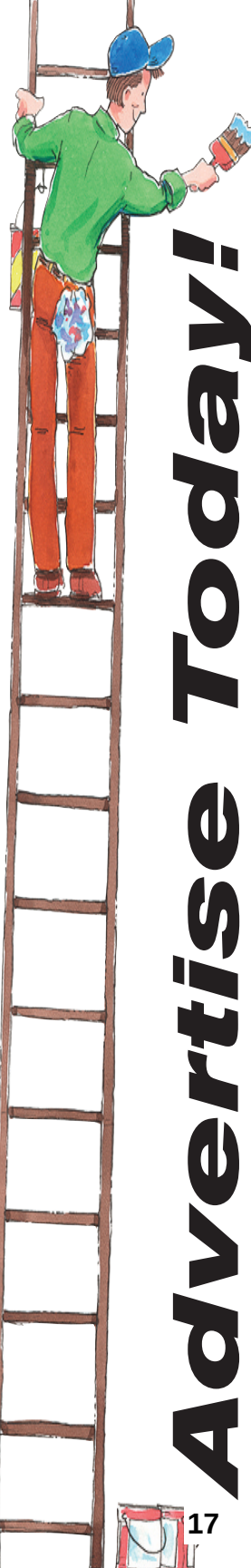
3 Nine
week old Registered Border Collies. Traditional B/W coat, 1 Female, 2 males. Crate trained and exposed to ppl, sounds, leash training. Ready to go. 3 wormings and 1st shots. Text 276-227-1971

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NOTICE OF PUBLIC HEARING

Pursuant to the requirements of §15.2-2507 of the Code of Virginia, 1950, as amended, the Bristol, Virginia City Council will hold a public hearing on Tuesday, January 24, 2023, at 6:00 p.m. in City Council Chambers, 300 Lee Street, and/or at such other times as to which such hearing may be continued, to consider amending the Fiscal Year 2022/2023 budget as summarized below. This amendment will now increase the budget for Fiscal Year 2022-23 by \$39,124,810 and appropriate \$23,422,080 in the budget to the Solid Waste Disposal Fund and \$15,702,730 to the General Fund.

The new overall adopted budget with these increases will be \$183,975,846.

CITY OF BRISTOL, VIRGINIA

**BRISTOL, VIRGINIA CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Budget Amendment/Supplemental Budget Appropriation totaling \$39,124,810

ITEM BACKGROUND:

On May 24, 2022, the Bristol Virginia City Council adopted the FY 2022-23 Budget. The listed items are an amendment to the original budget.

PREVIOUS RELEVANT ACTION:

May 24, 2022 – Adoption of the FY 2022-23 Budget

STAFF RECOMMENDATION:

Staff recommends Council approval of the supplemental appropriation, as listed.

GENERAL FUND \$15,702,730

City Attorney

Appropriate beginning fund balance to pay additional legal fees.

Revenue	3-001-10110-0001	Beginning Fund Balance	\$ 1,000,000
Expenditure	4-001-12030-3140	Professional Services	1,000,000

Transfers

Appropriate beginning fund balance from the General Fund to pay additional professional services incurred by the Solid Waste Disposal Fund.

Revenue	3-001-10110-0001	Beginning Fund Balance	\$14,702,730
Expenditure	4-001-99000-9201	Transfer to Solid Waste	14,702,730

SOLID WASTE DISPOSAL FUND \$23,422,080

Disposal Services

Appropriate funding from the General Fund and from the COVID19 (ARPA) Fund to pay for additional professional services incurred by the Solid Waste Disposal Fund.

Revenue	3-004-20000-0005	Transfer from Other Funds	\$ 8,719,350
Revenue	3-004-20000-0004	Transfer from General Fund	14,702,730
Expenditure	4-004-12010-3140	Professional Services	23,422,080

City of Bristol, Virginia

Budget Amendment - Solid Waste Fund

January 24, 2023

<u>Description</u>	<u>Amount</u>	
Sidewall Odor Mitigation System	11,998,080	¹ Bid Awarded
Landfill Temperature Monitoring	624,000	Bid Awarded
Landfill Large Diameter Wellfield	2,300,000	
Landfill Cover/Shaping	2,000,000	²
Benzene Removal	6,500,000	²
	<u>23,422,080</u>	

¹ Partial funding from \$8,719,350 in ARPA funds

² Possible 2024 projects

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance to Approve the Sale of Two Parcels of City-Owned Land Located on Spyglass Court.
Ordinance 23-1

ITEM BACKGROUND:

The City received an unsolicited offer to purchase two parcels of City-owned land located on Spyglass Court in the Clear Creek Golf Community. A notice that the City would accept offers and a notice of a public hearing to occur on January 10, 2023 regarding the possible sale of the property was published in the Bristol Herald Courier on December 4, 2022, and December 11, 2022. Offers were to be directed to Randall C. Eads, City Manager, at 276-645-7333 prior to January 10, 2023, at 3:00 p.m. Any offer received after that date and time was not considered.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Ordinance_Spyglass Court Property.pdf](#)

[Spyglass Court Property Public Hearing.png](#)

**AN ORDINANCE APPROVING AND
AUTHORIZING THE SALE OF PROPERTY OWNED BY THE
CITY OF BRISTOL, VIRGINIA LOCATED ON SPYGLASS COURT
[Map Parcels: #121-C-1-E1 and #121-C-1-E2]**

WHEREAS, the City of Bristol is the lawful owner of numerous parcels of property located within the city limits of the City of Bristol and within Washington County, Virginia; and

WHEREAS, the City Manager received at least one unsolicited offer to purchase two parcels of land located on Spyglass Court, map parcels #121-C-1-E1 and #121-C-1-E2 (property located in the Clear Creek Golf Community)

WHEREAS, pursuant to Article VII, Section 9 of the Constitution and §15.2-1800 of the Code of Virginia, 1950 as amended, City Council has the authority to dispose of real estate owned by the City after the holding of a public hearing; and

WHEREAS, pursuant to the requirements of §15.2-1800(B) and §15.2-1813 of the Code of Virginia, 1950, as amended, the Bristol, Virginia City Council held a public hearing on Tuesday, January 10, 2023, at 6:00 p.m. in City Council Chambers, 300 Lee Street to consider any additional offers received for the aforementioned property. The public hearing was properly noticed pursuant to the Code of Virginia; and

WHEREAS, no additional offers were received to purchase the aforementioned property.

THE CITY COUNCIL OF BRISTOL, VIRGINIA HEREBY ORDAINS:

1. The aforementioned property is no longer required for a municipal or public purpose and the City Manager recommends the property be sold. City Council hereby directs that the City forgo a competitive sale process for the disposition of the property and negotiate the sale of said property.
2. The real property is located within the boundaries of Bristol, Virginia, on Spyglass Court in the Clear Creek Golf Community (map parcels: #121-C-1-E1 and #121-C-1-E2).
3. The City Manager be, and hereby is, authorized to act on behalf of the City of Bristol, Virginia, to do all things necessary to effectuate the sale of the property including having the authorization to endorse any documents necessary to convey its rights, title, and interest in and to the real property as described.
4. That the City Clerk be, and hereby is, authorized to attest to the execution by the City Manager of the deed and any other documents executed by the City Manager.

First Reading:

Second Reading:

Adopted:

Effective date:

Votes:

- Farnum:
- Holmes:
- Nave:
- Pollard:
- Osborne:

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PASSED AND ADOPTED by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on the ___ day of _____, 2023.

(SEAL)

Attest: William J. Lamie
Clerk of the City of Bristol, Virginia

William J. Lamie, City Clerk

Neal Osborne, Mayor



**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance Pertaining to Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones.

ITEM BACKGROUND:

This ordinance will add Section 86-207 to Chapter 86, Article V, Division 3 to the City Code. This ordinance would allow photo speed monitoring devices to be installed in highway work zones and school crossing zones.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[23-4 Ordinance_Speed Cameras.pdf](#)

Ordinance 23-4

AN ORDINANCE TO ADD SECTION 86-207 TO CHAPTER 86, ARTICLE V, DIVISION 3 OF THE CITY CODE PERTAINING TO CAMERA SPEED MONITORING AND ENFORCEMENT IN HIGHWAY WORK ZONES AND SCHOOL CROSSING ZONES

CHAPTER AMENDED: 86 – TRAFFIC AND VEHICLES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA:

That Section 86-207 is hereby added to the Code of the City of Bristol, Virginia, and ordained to read as follows:

For purposes of this section,

"Highway work zone" has the same meaning ascribed to it in Code of Virginia, § 46.2-878.1.

"Photo speed monitoring device" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

"School crossing zone" has the same meaning ascribed to it in Code of Virginia, § 46.2-873.

(a) The Bristol Virginia Police Department may install and operate photo speed monitoring devices, within the boundaries of City of Bristol VA, in school crossing zones for the purposes of recording violations of Code of Virginia, § 46.2-873 and in highway work zones for the purposes of recording violations of Code of Virginia, § 46.2-878.1.

(b) The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 11 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone, while such zone is active. Such civil penalties shall be \$100.00. Any prosecution under this section shall be instituted and conducted in the same manner as prosecution for traffic infractions.

Civil penalties collected under this section resulting from a summons issued by the Bristol Virginia Police Department shall be paid to City of Bristol.

(c) If a photo speed monitoring device is used, proof of a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law enforcement officer employed by the City authorized to impose penalties pursuant to this section, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation of Code of Virginia, §§ 46.2- 873 or 46.2-878.1.

(d) In the prosecution for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court for the City that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court, under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, is presented, prior to the return date established on the summons issued pursuant to this section, to the general district court for the City adjudicating the alleged violation.

(e) Imposition of a civil penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. However, if a law enforcement officer employed by the City uses a photo speed monitoring device to record a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 and personally issues a summons at the time of the violation, the conviction that results shall be made a part of such driver's driving record and used for insurance purposes in the provision of motor

vehicle insurance coverage.

(f) A summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued by mail pursuant to this section may be executed pursuant to Code of Virginia, § 19.2-76.2. Notwithstanding the provisions of Code of Virginia, § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first class mail a copy thereof to the address of the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the department of motor vehicles. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessee or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided above and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in Code of Virginia, § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed pursuant to and for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section shall provide to the person summoned at least 30 days following the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the Bristol Virginia Police Department does not execute a summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section within 30 days following the date of the violation, all information collected pertaining to the suspected violation shall be purged within 60 days following the date of the violation.

(g) A private vendor may enter into an agreement with the Bristol Virginia Police Department to be compensated for providing a photo speed monitoring device and all related support services, including consulting, operations and administration. However, only a law enforcement officer may swear to or affirm the certificate required by this section. Any such agreement for compensation shall be based on the value of the goods and services provided, not on the number of violations paid or monetary penalties imposed. Any private entity contracting with a law enforcement agency pursuant to this section may enter into an agreement with the department of motor vehicles, in accordance with the provisions of subdivision B 31 of Code of Virginia, § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that committed a violation of Code of Virginia, §§ 46.2-873 or

46.2-878.1. Any such information provided to such private vendor shall be protected in a database.

(h) Information collected by a photo speed monitoring device operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of school crossing zone and highway work zone speeding violations. Information provided to the operator of photo speed monitoring device shall be protected in a database and used only for enforcement against individuals who violate this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other personal information collected by a photo speed monitoring device shall be used exclusively for enforcing school crossing zone and highway work zone speed limits and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of school crossing zone and highway work zone speed limits or to a vehicle owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1, or such information is requested upon order from a court of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. The Bristol Virginia Police Department shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the commissioner of highways or the commissioner of the department of motor vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000.00 per disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination of the agreement between the department of motor vehicles and the private entity.

Conspicuous signs shall be placed within 1,000 feet of any school crossing zone or highway work zone at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation.

First Reading:

Second Reading:

Adopted:

Effective date:

Votes:

Farnum:

Holmes:

Nave:

Pollard:

Osborne:

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PASSED AND ADOPTED by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on the ____ day of _____ 2023.

(SEAL)

Attest: William J. Lamie
Clerk of the City of Bristol, Virginia

William J. Lamie, City Clerk

Neal Osborne, Mayor

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the November 15, 2022, Called Meeting of City Council.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 11.15.22.pdf](#)



MINUTES
Called Meeting of the City Council
Tuesday, November 15, 2022
6:00 PM

Present: Neal Osborne, Bill Hartley, Anthony Farnum, Kevin Wingard

Absent: none

Present by Electronic Means: Becky Nave

Staff Present: Randall C. Eads, City Manager/City Attorney; Janet Jennings, Chief Financial Officer; Jay Detrick, Director of Community Development and Planning. Gene Christian, A/V Specialist; William Lamie, City Clerk.

Call to Order

Mayor Farnum called the meeting to order at 6:01 p.m.

Moment of Silence

Pledge of Allegiance

A. Mayor's Minute and Council Comments

Councilmember Hartley reminded people that there are many activities happening in the City such as the Christmas Tree lighting and the Christmas parade.

B. Adoption of agenda.

Councilmember Osborne requested that council amend the order of tonight's agenda. Specifically, move the Closed Session to immediately following the City Manager's Comments as someone calling in for the Closed Session has a time commitment.

Councilman Osborne moved to adopt the agenda with the change of moving the Closed Session after the City Manager's Comments and prior to Matters to be Presented by Members of the Public, non-agenda items; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

C. City Manager's Comments

City Manager Eads commended David McConnell, Fleet Maintenance Manager, for recognizing that another employee was having a heart attack and immediately seeking help. Mr. Eads stated that David McConnell likely saved a fellow employee's life with his quick actions.

D. Closed Session

D1. Closed Session. Pursuant to Section 2.2-3711.A7, Code of Virginia, 1950, as amended. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Legal: City of Bristol, Virginia v. BVU)

D2. Closed Session. Pursuant to Section 2.2-3711.A8, Code of Virginia, 1950, as amended. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel (October 25, 2022, City Council Agenda Item).

Councilman Osborne moved to enter into Closed Session for the reasons presented; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

Council entered into Closed Session at 6:06 p.m.

Council returned from Closed Session at 8:11 p.m.

By roll call vote council members certify that only business matters lawfully exempted from open meeting requirements as specified in the motion to convene in executive session were discussed.

Ayes: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum

Nays: none

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

Stephanie Rosenwinge, a resident of Bristol, Virginia, addressed Council. Ms. Rosenwinge expressed her opposition to the proposed pro-life zoning ordinance.

Jeff Carico, a resident of Bristol, Virginia, addressed Council. Mr. Carico spoke in favor of the proposed pro-life zoning ordinance.

Isha Youhas, a resident of Bristol, Virginia, addressed Council. Mrs. Youhas stated that she is a licensed attorney and is willing to help City Council with any legal issues or questions it has regarding the pro-life zoning ordinance.

Katherine Elkins, a resident of Bristol, Virginia, addressed Council. Ms. Elkins spoke in favor of the proposed pro-life zoning ordinance.

Sarah Wingard, a resident of Bristol, Virginia, addressed Council. Mrs. Wingard spoke in favor of the proposed pro-life zoning ordinance.

Roy Stanley, a resident of Bristol, Virginia, addressed Council. Mr. Stanley spoke in favor of the proposed pro-life ordinance.

REGULAR AGENDA

1. Approval of a Special Use Permit 02-2022, Multi-family Residential in a B-3 District, Randolph Street

Jay Detrick, Director of Community Development and Planning, gave the staff report. Mr. Detrick stated that Michael Bare has submitted an application for a special use permit to allow multi-family residential in a B-3 General Business District zoning district for property owned by Terry Moore and Patricia Henson. Bristol City Code Section 50-32 lists the permitted uses for this zoning district and multifamily is only allowed with a special use permit. Density and yard requirements for a permit allowing multifamily in a B-3 would be in accordance with the R-3 requirements. This is not a rezoning request. The special use permit allows for a specific use to occur without changing the zoning district. The site is property located between Randolph Street, Winterberry Drive, and Monroe Street. The property consists of 12 vacant lots and one lot with a single-family dwelling. The proposed project is to construct 30 to 35 townhouse units on the property, depending on engineering and utility capacity. The Planning Commission recommended the request for a joint public hearing with the City Council at its September 19, 2022 meeting. The joint public hearing was held at the regular meeting of the City Council on October 11. The Planning Commission recommended the special use permit for approval at its October 17, 2022 meeting by a 5-0 vote. Following the evaluation of the application, staff finds the proposed use would not negatively impact the surrounding area since multi-family is a less intense use than many of the by right uses in a B-3 District. The proposal also addresses a demonstrated need in Bristol for additional housing. Staff, therefore, recommends that the special use permit be granted.

Councilman Osborne moved for approval of special use permit 02-2022 and reading of the resolution by caption only; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

Mr. Detrick read the following resolution by caption only:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA
GRANTING A SPECIAL USE PERMIT (SU #02-2022) FOR TAX MAP PARCELS 23-9-4-1
THROUGH 23-9-4-11 AND 33-3-4-12 THROUGH 13, MULTIFAMILY RESIDENTIAL IN A
B-3 ZONING DISTRICT

2. Approval of First Amendment to Agreement for Purchase and Sale of Real Property.

Brandon Horne, a resident of Bristol, Virginia, addressed Council. Mr. Horne coaches the Bristol Virginia Junior Bearcats and they use the soccer fields on Bonham Road to practice. This property is a valuable asset to the children and he asked that Council find options for fields for the children if this property is sold.

Jackie Nophlin, a resident of Bristol, Virginia, addressed Council. Ms. Nophlin said that she lives in the vicinity of this land on Bonham Road and wants to know what is being considered for development on the property in question.

City Manager Eads gave the staff report. Mr. Eads stated that in 2018, Bristol, Virginia, and KBM Commercial Properties, LLC entered into an agreement for the purchase and sale of real property located at the corner of Old Airport Road and Bonham Road. This property, commonly known as the White Site, contains approximately 10.56 acres of land. This amendment contains

certain restrictions and amendments to the Agreement to allow for the sale of the property. Mr. Eads also reminded Council that approval of this will require a 4-1, supermajority, vote by Council.

Councilman Osborne moved for approval of the First Amendment to the Agreement for purchase; seconded by Hartley.

Councilmember Osborne expressed concerns for the children who currently used the fields for athletics. If this field is sold, we need to focus on an alternative for the children, Osborne said. Councilmember Nave said she is also concerned about selling this property and we need to identify another area for the children.

Mayor Farnum said the sale of this property has been discussed for a long time and he is not sure what the developer has in mind for this property. Therefore, he has concerns over what might be developed there.

Motion Failed: 3 - 2

Voting For: Bill Hartley, Becky Nave, Kevin Wingard

Voting Against: Neal Osborne, Anthony Farnum.

3. Supplemental Budget Appropriation totaling \$965,736.

Janet Jennings, Chief Financial Officer, gave the staff report. Mrs. Jennings said the requested appropriations are as follows:

Fire - Hazardous Materials Emergency - ERS

Appropriate reimbursement from Virginia Department of Emergency Management (VDEM) for Fire Department response on August 7¹¹¹.

Revenue	3-001-24010-0046	Dept. of Emergency Mgmt.	\$9,422
Expenditure	4-001-35050-6014	Operating Supplies	6,192
Expenditure	4-001-35050-1238	Overtime	3,230

Sheriff and Jail

Appropriate Project Lifesaver donation, reimbursements from the State for travel related to extraditions and reimbursements from Highlands Community Service (CITAC) for overtime.

Revenue	3-001-18020-0024	Project Lifesaver	\$1,018
Revenue	3-001-23010-0011	State Travel Reimbursements	1,515
Revenue	3-001-19010-0021	Recovered Costs	3,781
Expenditure	4-001-33030-5862	Project Lifesaver	1,018
Expenditure	4-001-33010-5530	Travel Expense	1,515
Expenditure	4-001-33010-1239	Overtime	3,781

City Attorney

Appropriate beginning balance to pay additional legal fees.

Revenue	3-001-10110-0001	Beginning Fund Balance	\$350,000
Expenditure	4-001-12030-3140	Professional Services	350,000

Transfers

Appropriate funding from General Fund to pay professional services incurred by the Solid Waste Disposal Fund including wastewater sampling (\$74,000), monthly topographic surveys (\$91,000), south leachate cleanout improvement (\$200,000) and

equipment rental and supplies (\$35,000); Solid Waste Disposal Fund appropriation was approved at the October 25th Council meeting.

Revenue	3-001-10110-0001	Beginning Fund Balance	\$400,000
Expenditure	4-001-99000-9201	Transfer to Solid Waste	400,000

Transfers

Appropriate funding from General Fund to pay professional services incurred by the Solid Waste Disposal Fund including landfill temperature monitoring project administration and CQA (\$80,000) and flare performance testing (\$20,000).

Revenue	3-001-10110-0001	Beginning Fund Balance	\$100,000
Expenditure	4-001-99000-9201	Transfer to Solid Waste	100,000

SOLID WASTE DISPOSAL FUND \$100,000

Disposal Services

Appropriate funding from the General Fund to pay for additional professional services incurred by the Solid Waste Fund including landfill temperature monitoring project administration and CQA (\$80,000) and flare performance testing (\$20,000).

Revenue	3-004-20000-0004	Transfer from General Fund	\$100,000
Expenditure	4-004-12010-3140	Professional Services	100,000

Councilman Osborne moved to approve the supplemental appropriation; seconded by Hartley.

Motion Passed: 4-1

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Anthony Farnum.

Voting Against: Kevin Wingard

4. Quarterly Financial Update - Fiscal Year 2022-2023.

Janet Jennings, Chief Financial Officer, gave the financial update.

Councilmember Osborne said there is some good news in the budget such as lodging and meal tax increases.

Councilmember Hartley thanked the CFO for the presentation. Councilmember Hartley reminded people that no revenue is coming in from the landfill.

F. Ordinances Second Reading

F1. Second Reading of An Ordinance to Create a Zoning Map Amendment for Property Located on Veda Drive, Everett Street, Gate City Highway and Andover Drive

Jay Detrick, Director of Community Development and Planning gave the staff report. Mr. Detrick stated that the City of Bristol is requesting a zoning map amendment for multiple properties on Veda Drive, Everett Street, Gate City Highway and Andover Drive. The current zoning for these properties is R-2, Single and Two-Family Residential and O-I, Office-Institutional and the proposed zoning district would be B-3, General Business District. City Council approved the request on first ordinance reading at the October 25, 2022 meeting by a vote of 5-0.

Councilman Osborne moved for a second reading of the ordinance by caption only; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.
Voting Against: none

Mr. Detrick read the following ordinance by caption:

ORDINANCE NO. 22-17

AN ORDINANCE BY THE CITY COUNCIL OF BRISTOL, VIRGINIA APPROVING A REQUEST TO AMEND THE CITY ZONING MAP FROM SINGLE AND TWO-FAMILY RESIDENTIAL (R-2) TO GENERAL BUSINESS DISTRICT (B-3) FOR PROPERTY DESCRIBED AS TAXMAP PARCELS: • 22-2-1-4A, 5, 5A, 6, 6A, 7, 8, 8A, 9 • 22-2-2-2A, 3, 4, 5, 5A, 6, 7, 7A, 8, 8A, 9, 9A, 10 • 22-7-1-10, 11, 12, 13, 14, 15, 16, 17, 18 • 22-7-2-11, 12 • 374-1-B-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 • 413-1-18, 24, 25 • 413-2-6-2, 3 • 413-5-1 • 414-A-1, 2, 3, 4, 5, 6, 7, 7A, 7B, 8, 9, 10, • 414-2-2-13, 14, 15, 16 AND A REQUEST TO AMEND THE CITY ZONING MAP FROM OFFICE AND INSTITUTIONAL (O-I) TO GENERAL BUSINESS DISTRICT (B-3) FOR PROPERTY DESCRIBED AS A PORTION OF TAXMAP PARCEL 414-A-12

Councilman Osborne moved for adoption of the ordinance as presented; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: none

CONSENT AGENDA

1. Notice of Payment to McGuireWoods for Legal Services Rendered through 9/30/22 - \$246,042.75

Councilman Osborne moved for approval of the consent agenda as presented; seconded by Hartley.

Motion Passed: 4-1

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Anthony Farnum.

Voting Against: Kevin Wingard

G. Adjournment

There being no further business, the meeting adjourned at 9:32 p.m

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the November 22, 2022, City Council Meeting.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 11.22.22.pdf](#)



MINUTES

Regular Meeting of the City Council

Tuesday, November 22, 2022

6:00 PM

Present: Neal Osborne, Bill Hartley, Anthony Farnum, Kevin Wingard, Becky Nave

Absent: None

Staff present: Randall C. Eads, City Manager/City Attorney; Janet Jennings, Chief Financial Officer; Gene Christian, A/V Technician; William Lamie, City Clerk.

Call to Order

Mayor Farnum called the meeting to order at 6:01 a.m.

Moment of Silence

Pledge of Allegiance

A. Mayor's Minute and Council Comments

Councilmember Osborne reminded the public that there are many events coming up in the next few weeks, such as the Christmas Tree lighting and Christmas parade.

Councilmember Hartley reminded the public that this coming Saturday is Small Business Saturday.

B. City Manager's Comments

City Manager Eads said he misspoke at the last City Council meeting regarding the vote on the White Site. Mr. Eads said he stated the vote would require a super-majority vote for the item to pass, but it only requires a regular majority vote. Therefore, the motion did pass.

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

Mayor Farnum noted that no one signed up to speak on a non-agenda item.

D. Adoption of agenda.

Councilman Osborne moved for adoption of the agenda as presented; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

REGULAR AGENDA

1. Approval of a Release Deed and Termination of Right of First Refusal for Real Property Owned by Bristol Brewery, LLC, located at 41 Piedmont Avenue.

Randall Eads, City Manager, gave the staff report. Mr. Eads stated that on August 21, 2014, Bristol Brewery, LLC entered into a performance agreement with the City and the Industrial Development Authority (IDA) for property located at 41 Piedmont Avenue. The performance agreement included a Note and lien on the Deed of Trust. Multiple performance expectations were included in the agreement, such as capital investments, employment requirements, job reports and audits, and certain sales tax requirements. One such requirement was that Bristol Brewery, LLC, would operate their business at the location for a period not less than ten years. Also, the agreement stipulated that Bristol Brewery, LLC would give the City and IDA first right of refusal to purchase the property if it was to be sold within ten years of the agreement. Bristol Brewery, LLC has met all of the obligations in the agreement except for operating the business at the location for ten years. In 2019, the City filed a Certificate of Partial Satisfaction for release of the Note after Bristol Brewery, LLC met all of the financial obligations of the agreement. The Deed of Trust, however, remained in force. Bristol Brewery, LLC, wishes to sell its property at 41 Piedmont and is asking for a release of the lien on the Deed of Trust and for termination of right of first refusal. An interested party wishes to purchase the property and operate a restaurant at the location.

Councilman Osborne moved for approval of a Release Deed and Termination of Right of First Refusal for Bristol Brewery, LLC; seconded by Nave.

Councilmember Osborne thanked Ken Monyak for what he did with his brewery as it was a fantastic business.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

2. Approval to Allow SCS Field Services to Bid ITB# SW-23-010 Sidewall Odor Mitigation System that is currently out for Bid.

Randall Eads gave the staff report. Mr. Eads stated that on November 7, 2022, the City issued an ITB for the Sidewall Odor Mitigation System that is required by the Expert Panel Report to mitigate odors associated with the landfill. The City held a pre-bid conference on November 15, 2022, and no potential bidders attended the pre-bid conference.

Virginia Code § 2.2-4373 states “No person who, for compensation, prepares an invitation to bid or request for proposal for or on behalf of a public body shall (i) submit a bid or proposal for that procurement or any portion thereof or (ii) disclose to any bidder or offeror information concerning the procurement that is not available to the public. However, a public body may permit such person to submit a bid or proposal for that procurement or any portion thereof if the public body determines that the exclusion of the person would limit the number of potential qualified bidders or offerors in a manner contrary to the best interests of the public body.”

SCS Engineering prepared the ITB for the Sidewall Odor Mitigation System. Based on the lack of interest in bidding on the project, SCS Engineering has suggested SCS Field Services could bid on the project. However, pursuant to the above-mentioned code section, SCS Field Services is prohibited from bidding on the project unless the City Council “determines that the exclusion of the person would limit the number of potential qualified bidders or offerors in a manner contrary to the best interests of the public body.”

On Friday, November 18, 2022, the City did receive a phone call from a potential bidder but they could not guarantee a bid would be submitted.

Councilman Osborne moved to approve SCS Field Services to submit a bid on ITB #SW-23-010; seconded by Hartley.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

3. Approval of the Electronic Participation Policy for Remote Participation and All Virtual Public Meetings Policy

Randall Eads gave the staff report. Mr. Eads stated this policy is updated to reflect the Code of Virginia's September updates regarding new electronic meeting guidelines.

Councilman Osborne moved to approve the Electronic Participation Policy; seconded by Nave.

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

4. Supplemental Budget Appropriation totaling \$1,199,200

Janet Jennings, Chief Financial Officer, gave the staff report. Mrs. Jennings said the appropriation consists of

GENERAL FUND \$599,600

Transfers

Appropriate funding from the General Fund to pay for additional professional services incurred by the Solid Waste Disposal Fund including landfill gas extraction well leachate monitoring and reporting (\$233,600) and the fiscal year 2022-23 monthly operation and maintenance agreement (\$366,000)

Revenue 3-001-10110-0001 - Beginning Fund Balance \$599,600

Expenditure 4-001-99000-9201- Transfer to Solid Waste 599,600

SOLID WASTE DISPOSAL FUND \$599,600

Disposal Services Appropriate funding from the General Fund to pay for additional professional services incurred by the Solid Waste Disposal Fund including landfill gas extraction well leachate monitoring and reporting (\$233,600) and the fiscal year 2022-23 monthly operation and maintenance agreement (\$366,000).

Revenue 3-004-20000-0004 - Transfer from General Fund \$599,600

Expenditure 4-004-12010-3140 - Professional Services 599,600

Councilman Osborne moved to approve the supplemental budget appropriation of \$1,199,200; seconded by Hartley

Motion Passed: 5-0

Voting For: Bill Hartley, Becky Nave, Neal Osborne, Kevin Wingard, Anthony Farnum.

Voting Against: None

5. Birthplace of Country Music (BCM) Appropriation - \$100,000

Michael Pollard, a resident of Bristol, Virginia addressed Council. Mr. Pollard said this item comes down to a \$500,000 agreement made by a previous Council member. Mr. Pollard said BCM was already given \$50,000 for work on the annex and that Council decided the payments to BCM had been satisfied.

Ed Harlow, a resident of Bristol, Virginia, addressed Council. Mr. Harlow said that Council made a commitment to BCM and we should fulfill that commitment.

Randall Eads gave the staff report. Mr. Eads said that in 2011, the former council agreed to appropriate \$500,000 to BCM over a five-year period. Due to budgetary constraints in 2017, the Council decided against appropriating the last \$100,000.

Councilman Hartley moved to appropriate \$100,000 to The Birthplace of Country Music; seconded by Nave.

Councilmember Hartley said this happened when he was on Council. Hartley said there is a need for these funds and we should honor our commitment to BCM.

Councilmember Nave said we should fulfill our commitment to BCM.

Councilmember Osborne said we should keep our word to BCM and give them the \$100,000.

Mayor Farnum said he loves the museum, but we don't know how much the landfill remediation will cost and there are many other needs in the city.

Motion Passed: 3-2

Voting For: Bill Hartley, Becky Nave, Neal Osborne

Voting Against: Kevin Wingard and Anthony Farnum

E. Adjournment

There being no further business, the meeting adjourned at 6:41 p.m.

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: January 24, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the December 6, 2022, Called Meeting of City Council.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 12.6.22.pdf](#)



MINUTES
Called Meeting of the City Council
Tuesday, December 06, 2022
8:00 AM

Present: Neal Osborne, Bill Hartley, Anthony Farnum, Kevin Wingard

Absent: none

Present by Electronic Means: Becky Nave

Staff Present: Randall C. Eads, City Manager/City Attorney; Jake Chandler, Director of Public Works; Gene Christian, A/V Specialist; William Lamie, City Clerk.

Call to Order

Mayor Farnum called the meeting to order at 8:01 a.m.

A. Adoption of Agenda

Moved by Neal Osborne to approve the agenda as presented; seconded by Bill Hartley.

Motion Passed: 5 - 0

Voting For: Hartley, Nave, Osborne, Wingard, Farnum

Voting Against: None

CALLED MEETING AGENDA

1. Approval of Award to SCS Field Services for Sidewall Odor Mitigation System (Bid #SW-23-010)

City Manager Eads gave the staff report. Mr. Eads stated we have recently spent 3.1 million dollars on unbudgeted landfill projects. We have approximately 54.7 million dollars in projects at the landfill left to complete.

The Invitation for Bids for the Sidewall Odor Mitigation System Project (Bid Number: SW-23-010) was issued on November 7, 2022, with proposals due at 2:00 pm on November, 22 2022. Due to limited interest in the project, the bid due date was extended to 2:00 p.m. on November 29, 2022. One response was received. The bid was considered responsive; therefore, it is recommended by the City Manager, Procurement Specialist, and Public Works Director that bid SW-23-010 be awarded to SCS Field Services. The potential total bid received from SCS Field Services for completion of Phase 1 and Phase 2 of the project is \$11,998,080.00.

Moved by Neal Osborne to approve the award to SCS Field Services for the Sidewall Odor Mitigation System (Bid #SW-23-010); seconded by Bill Hartley.

Councilmember Wingard said we are in unchartered territory, and putting a mandate on something that hasn't been done before doesn't make sense. We need some sort of assurance that this project will work. We need to figure out how we will move forward without bankrupting the city.

City Manager Eads said no one is certain if this sidewall project will work. Mr. Eads stated there is only one clear solution to solve the landfill problem and that is to mine the entire landfill and take the waste somewhere else. The cost associated with this clean closure project would be around \$250,000,000.

Councilmember Wingard said that government has zero business being in the business of making money. This landfill will be the financial nail that buries the city, but, regardless, we have to move forward and keep working to fix the problems at the landfill.

Councilmember Hartley said we are under an extremely tight timeline to complete this sidewall project, and this is a huge amount of money.

City Manager Eads said \$8.7 million of the cost for the project will come from ARPA funds, \$2 million will come from the Virginia Department of Environmental Quality, and the remainder will come from the city's beginning balance.

Councilmember Nave said we need to continue to ask for and work for funding with our state and federal officials.

Councilmember Wingard said the reason we had to close the landfill was because of the odor and lawsuits related to that odor. If the odor stops and we can eliminate the gases escaping from the landfill, the City Council should consider reopening the landfill because of the high costs. The landfill will never be right until it is full and capped, Wingard said.

Councilmember Hartley said he would never vote to reopen the landfill. The landfill has lost \$150 million dollars and we should never consider reopening it.

Motion Passed: 5 - 0

Voting For: Hartley, Nave, Osborne, Wingard, Farnum

Voting Against: None

2. Approval of Award to SCS Field Services for Landfill Gas Operation, Monitoring, and Maintenance (Bid #SW-23-011)

City Manager Eads gave the staff report. The City initially went out to bid for maintenance services in 2019 and we entered into a bid with SCS in January of 2020. The Invitation for Bids for the Bristol Integrated Solid Waste Management Facility Landfill Gas Operation, Monitoring, and Maintenance Services (Bid Number: SW-23-011) was issued on November 17, 2022, with proposals due at 2:00 p.m. on December 1, 2022. One response was received. The bid was considered responsive; therefore, it is recommended by the City Manager, Procurement Specialist, and Public Works Director that bid SW-23-011 be awarded to SCS Field Services. The cost for Task 1 is \$66,000 per month. The cost for Tasks 2 and 3 is dependent upon a time and materials basis according to SCS Field Services' current fee schedule, which was included in their response. City Manager Eads said this will be a three-year contract and the scope of services had increased from the 2019 bid.

Moved by Neal Osborne to approve the award to SCS Field Services for Landfill Gas Operation, Monitoring, and Maintenance; seconded by Bill Hartley.

Motion Passed: 5 - 0

Voting For: Hartley, Nave, Osborne, Wingard, Farnum

Voting Against: None

B. Adjournment

There being no further business, the meeting adjourned at 8:48 a.m.