



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
May 9, 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.

E. REGULAR AGENDA

1. Resolution in support of the Bristol Trainstation Foundation and their plans to raise financial support for capital improvements and programming for the Bristol Train Station
2. Approval of Award to Product Recovery Management, Inc. for Landfill Permit No. 588 Landfill Liquids Treatment System. Bid SW-23-016.
3. Quarterly Financial Update

F. Ordinances First Reading

1. An Ordinance to Vacate all of a certain Public Right-of-Way in the City of Bristol
2. An Ordinance to Amend Chapter 66 to the City Code Pertaining to Personnel [Ordinance 23-7]
3. An Ordinance to Amend Section 7.03 of Chapter 7 of the City Charter pertaining to the Human Resource Department
4. An Ordinance to Amend Section 2-62 and 2-63 of Chapter 2 to the City Code Pertaining to Conduct of Meetings and Order of Business
5. Ordinance 23-9 - First Reading: An ordinance to amend City Code Chapter 78, Article VII, Section 78-202, pertaining to tax on purchased meals; levy and amount
6. Ordinance 23-10 - First Reading: An ordinance to amend City Code Chapter 78, Article VI, Section 78-172, pertaining to transient room rental tax; levy and amount
7. Ordinance 23-11 - First Reading: An ordinance to amend City Code Appendix to Chapter 70, Paragraph (1)(a), pertaining to solid waste fees.
8. Ordinance 23-12 - First Reading: Budget Ordinance for Fiscal Year 2023-2024

G. CONSENT AGENDA

1. [Approval of Minutes of the January 24, 2023, City Council Meeting.](#)
2. [Approval of Minutes of the January 31, 2023, Called Meeting of City Council.](#)
3. [Approval of Minutes of the February 14, 2023, City Council Meeting.](#)
4. [Street Closure Request for the 2023 Sounds of Summer Concert Series](#)
5. [Street Closure request for Quaker Steak and Lube June 3, 2023](#)

H. Adjournment

CITY COUNCIL AGENDA ITEM SUMMARY

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Resolution in support of the Bristol Trainstation Foundation and their plans to raise financial support for capital improvements and programming for the Bristol Train Station

ITEM BACKGROUND:

Rail service came to Bristol in 1856 with the last train providing regular passenger service in 1971. As Council is aware, it was recently announced that passenger rail service will be returning to the twin cities. In preparation for this event, the Bristol Trainstation Foundation is undertaking a campaign to renovate and improve our iconic train station for the benefit of the community and the many visitors who enjoy the many cultural and natural treasures of our region. This resolution formalizes City Council's support for the Bristol Trainstation Foundation and its plans to raise financial support for capital improvements and programming for the Bristol Train Station. This facility has been central to the establishment and growth of both Bristol, Tennessee, and Bristol, Virginia since 1856. The stone and brick passenger station is significant as one of the last surviving examples of outstanding structures built by Norfolk and Western Railway. Since 1999 it has been maintained for public use under the ownership of the Bristol Trainstation Foundation, a non-profit organization.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[2023-05-09, A Resolution Supporting the Bristol Trainstation Foundation.pdf](#)



City of Bristol, Virginia

A Resolution Supporting the Bristol Trainstation Foundation

WHEREAS, rail service first reached Bristol in 1856 and continued successfully through the Civil War until 1971 when the last passenger train completed its journey; and

WHEREAS, during that period the twin cities saw tremendous economic growth due to the railroad and its ability to ship resources such as iron and coal from our communities to other parts of a growing nation; and

WHEREAS, the stone and brick passenger station is significant as one of the last surviving examples of a series of outstanding structures built by Norfolk and Western Railway and has been central to the establishment and growth of the communities of Bristol, Tennessee, and Bristol, Virginia; and

WHEREAS, since 1999 it has been maintained under the ownership of the Bristol Trainstation Foundation, a 501(c)(3) non-profit organization for the benefit of the public; and

WHEREAS, it was recently announced that passenger rail service will be returning to the twin cities; and

WHEREAS, in preparation for this event, the Bristol Trainstation Foundation is undertaking a campaign to renovate and improve our iconic train station for the benefit of the many visitors to the region; and

WHEREAS, the City Council of Bristol, Virginia recommends supporting the Bristol Trainstation Foundation and their plans to raise financial support for capital improvements and programming for the Bristol Train Station which has been vital in the development of our unique heritage.

NOW, THEREFORE, BE IT RESOLVED by the City of Bristol, Virginia, that the City supports the efforts of the Bristol Trainstation Foundation in their campaign to renovate and improve the historic Bristol Train Station for the continued enjoyment of our citizens and those who will come to enjoy the beauty of our mountains and communities rich in natural and cultural treasures.

WHEREUPON, the Mayor declared the Resolution adopted, and affixed a signature on this the 9th day of May 2023.

Mayor Neal Osborne	_____
Vice Mayor Becky Nave	_____
Councilmember Anthony Farnum	_____
Councilmember Jake Holmes	_____
Councilmember Michael Pollard	_____

(SEAL)

Attest: William J. Lamie
CITY COUNCIL CLERK OF THE CITY OF BRISTOL,
VIRGINIA

By _____
William J. Lamie, Clerk

By _____
Neal Osborne, Mayor

CITY COUNCIL AGENDA ITEM SUMMARY

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Approval of Award to Product Recovery Management, Inc. for Landfill Permit No. 588 Landfill Liquids Treatment System. Bid SW-23-016.

ITEM BACKGROUND:

The Invitation for Bids (IFB) for the Landfill Permit No. 588 Landfill Liquids Treatment System (IFB: SW-23-016) was issued on April 19, 2023, with proposals due at 2:00 pm on May 1, 2023. One response was received. It is recommended that IFB SW-23-016 be awarded to Product Recovery Management, Inc. This bid is for interim equipment not to be utilized for more than three months from delivery until a more permanent system can be installed [see RFP SW-23-013 previously awarded to Product Recovery Management, Inc. on April 11, 2023]. The total base bid price is \$267,500.00 with \$86,275.00 of optional equipment. Based upon staff review and the advice of our engineers related to the rental of optional equipment, the total price will be \$331,175. This price includes installation of the equipment except for power feed work.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

Staff recommends City Council approve the award and give the City Manager or his designee the authority to negotiate and enter into a contract with Product Recovery Management, Inc. for IFB: SW-23-016.

DOCUMENTATION:

[Bid Response for SW-23-016.pdf](#)



SECTION 00 43 10

BID BOND

LANDFILL PERMIT NO. 588 LANDFILL LIQUIDS TREATMENT SYSTEM

BRISTOL INTEGRATED SOLID WASTE MANAGEMENT FACILITY

Bids shall be accompanied by a cashier's or bank check or Bid Guarantee Bond in the amount of not less than five percent (5%) of the bid made payable to the City of Bristol, Virginia, Owner, and subject to the conditions provided in the Instruction to Bidders.

BID GUARANTY

The undersigned bidder submits herewith bid guaranty in an amount of not less than five percent (5%) of the total amount of the bid offered and agrees and consents that the bid guaranty shall be forfeited to the City as liquidated damages if the required contract bond is not executed within fifteen (15) days from the date of the notice of award and work has not been started as required. The following documents are attached to and made a condition of this bid and constitute required Bid Security:

_____ Certified Check or Bank Check
X _____ Bid Bond

BID AMOUNT: \$ 300,000.00 Three Hundred thousand and zero cents
BIDDER: Product Recovery Management, Inc.
PERSON PREPARING BID: Robert M. Phillips, Jr.
TELEPHONE NUMBER: 919-957-8890
ADDRESS: 200 20th Street
Butner, NC 27509

Submittal of signed BID Form signifies understanding and acceptance of all stated terms and conditions and acknowledgment of requirement of compliance with all applicable local, state and federal ordinances, laws, rules and regulations whether expressly stated herein or not.



SIGNATURE: Melinda Braddy
PRINTED NAME: Melinda Braddy, Attorney-in-Fact
TITLE: Attorney-in-Fact
COMPANY: Frankenmuth Insurance Company
DATE: May, 1, 2023



FRANKENMUTH INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

Brian Jones, Robert Good, Melinda Braddy

Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

Fifty Million and 00/100 Dollars (\$50,000,000)

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed, this 15th day of December, 2022.



Frankenmuth Insurance Company

By Frederick A. Edmond, Jr.
Frederick A. Edmond, Jr.,
President and Chief Executive Officer

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposed and said the Corporate Seal and his signature as Officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 15th day of December, 2022.

Susan L. Fresorger

(Seal)

Susan L. Fresorger, Notary Public
Saginaw County, State of Michigan
My Commission Expires: April 3, 2028



I, the undersigned, Executive Vice President of Frankenmuth Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 1st day of May, 2023

Andrew H. Knudsen
Andrew H. Knudsen, Executive Vice President,
Chief Operating Officer and Secretary

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO
VP SURETY, 701 U.S. ROUTE ONE, SUITE 1, YARMOUTH, ME 04096

SECTION 00 41 13

BID FORM

LANDFILL PERMIT NO. 588 LANDFILL LIQUIDS TREATMENT SYSTEM

BRISTOL INTEGRATED SOLID WASTE MANAGEMENT FACILITY

Engineer's Project No. 02218208.06

1.0 OWNER AND BIDDER

- 1.1 This Bid is submitted to: City of Bristol, Purchasing Department
- 1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

2.0 ATTACHMENTS TO THIS BID

The following documents are submitted with and made a condition of this Bid:

- List of Proposed Subcontractors; None needed
- List of Proposed Suppliers; All materials provided from PRM stock
- Evidence of authority to do business in the Commonwealth of Virginia; or a written covenant to obtain such authority within the time for acceptance of Bids; Attached
- Contractor's license number as evidence of Virginia Contractor's License or a covenant by Bidder to obtain said license within the time for acceptance of Bids; and, See exception in attached PRM bid, PRM-10038.
- Required Bidder Qualification Statement with supporting data. Attached

3.0 BASIS OF BID—LUMP SUM PRICES

3.1 LUMP SUM PRICE BIDS

A. Lump Sum Price

#	Description	Estimated Quantity	Unit	Subtotal
1	Mobilization/Demobilization	1	Lump Sum	Include in LS cost
2	Tee connection, to replace elbow, from 8" steel piping at 588 wet well	1	EA	Include in LS cost
3	4" - 6" aboveground pipe from wet well to influent frac tanks ¹	103 ²	FT	Include in LS cost
4	4" - 6" aboveground pipe header to influent frac tanks ¹	56 ²	FT	Include in LS cost
5	6" to 4" pipe reducers ¹	8	EA	Include in LS cost
6	4" aboveground pipe header to function as frac tank equalization pipe between the influent frac tanks	55 ²	FT	Include in LS cost
7	4" - 6" aboveground pipe header from influent frac tanks ¹	40 ²	FT	Include in LS cost
8	4" - 6" aboveground pipe from influent frac tanks to air stripper / pump skid area ¹	45 ²	FT	Include in LS cost
9	4" - 6" aboveground pipe from air stripper / pump skid area to effluent frac tanks ¹	85 ²	FT	Include in LS cost
10	4" - 6" aboveground pipe from effluent frac tanks to pipe access dry-well structure ¹	33 ²	FT	Include in LS cost
11	4" aboveground pipe header to function as frac tank equalization pipe between the influent frac tanks	20 ²	FT	Include in LS cost
12	8" Isolation Valve at tee connection at wet well	1	EA	Include in LS cost
13	6" Inline Totalizing and instantaneous electromag flow meter	1	EA	Include in LS cost
14	Flow/level controls at frac tanks	1	EA	Include in LS cost
15	Air stripper unit (≥500 gpm flow capacity)	1	EA	Include in LS cost
16	25 Hp influent pump on skid	1	EA	Include in LS cost
17	30 Hp effluent pump on skid	1	EA	Include in LS cost
18	On-site start-up	1	Lump Sum	Include in LS cost
19	Decontamination	1	Lump Sum	Include in LS cost
20	Health and Safety Planning and Accommodations	1	Lump Sum	Include in LS cost

B. Total Bid Price

Total Base Bid Price (Items #1 through #20)	\$ 267,500.00
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C. Optional Bid Items – Unit Price

#	Description	Estimated Quantity	Unit	Unit Price	Subtotal
21	Filtration System prior to air stripper	1	EA	\$ 10,450	\$ 10,450
22	Vapor-phase GAC treatment system – vessels configured in series	2	EA	\$ 2,700	\$ 5,400
23	Liquid-phase GAC treatment system – vessels configured in series	2	EA	\$ 3,375	\$ 6,750
24	Foam suppression system including chemical, feed and tankage	1	EA	\$ 5,225	\$ 5,225
25	Total containment for frac tanks including containment liner, sump, pipe/hose to wet well and pump/controls	6,000	SF	\$ 58,450	\$ 58,450

D. Total Optional Bid Price

Total Optional Bid Price (Items #21 through #25)	\$ 86,275.00
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4.0 TIME OF COMPLETION

- 4.1 Bidder agrees that the Work will be substantially complete within the durations associated with the Milestone Dates outlined below, as measured after the date when the Contract Times commence to run, and will be completed and ready for final payment within the durations associated with the Milestone Dates outlined below, as measured after the date when the Contract Times commence to run. The overall schedule intention of the City of Bristol is to have the treatment system be supplied, installed and operational by June 30, 2023 in order to meet a regulatory deadline.

Milestone Schedule Governing Contract Times		
#	Description	Times
1	Installation piping, valves, and controls for complete system	Substantial Completion w/in 10 Calendar Days or other mutually acceptable time period
2	Operation and Start-up of system	Substantial Completion w/in 5 Calendar Days or other mutually acceptable time period
3	Final Completion	w/in 3 Calendar Days or other mutually acceptable time period of Achieving #2

- 4.2 Bidder accepts the provisions of the Agreement as to liquidated damages.

5.0 BIDDER'S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA

5.1 BID ACCEPTANCE PERIOD

This Bid will remain subject to acceptance for 30 calendar days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner. At the end of the 30

calendar days, the bid/proposal may be withdrawn at the written request of the bidder/proposer. If the bid/proposal is not withdrawn at that time, it remains in effect until an award is made or the solicitation is cancelled. However, time is of the essence for Bid acceptance by the City of Bristol.

5.2 INSTRUCTIONS TO BIDDERS

Bidder accepts all of the terms and conditions of the Instructions to Bidders.

5.3 RECEIPT OF ADDENDA

Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
N/A	

6.0 BIDDER'S REPRESENTATIONS AND CERTIFICATIONS

6.1 BIDDER'S REPRESENTATIONS

In submitting this Bid, Bidder represents the following:

- A. Bidder has examined and carefully studied the Bidding Documents, including Addenda.
- B. Bidder has visited the Site and/or is sufficiently familiar with the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, if selected as Contractor; and (c) Bidder's (Contractor's) safety precautions and programs.
- E. Based on the information and observations referred to in the preceding paragraph, Bidder agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price,

within the Contract Times, and in accordance with the other terms and conditions of the Contract.

- F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- G. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- I. The submission of this Bid constitutes an incontrovertible representation by Bidder that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.
- J. The Bid/Proposal price shall be an all-inclusive price to deliver the specified goods and/or services FOB Destination to the address specified per the specifications. Invoices must be itemized and will be paid at the unit price in the Bid. The City will not accept or pay for additional line items such as freight, shipping and handling, delivery, downtime, equipment, lost time due to inclement weather or any other charges additional to the unit prices quoted in the Bid/Proposal.
- K. By submitting their bids/proposals, all bidders/proposers certify and warrant that the price offered for FOB destination includes only the actual freight rate costs at the lowest and best rate and is based upon the actual weight of the goods to be shipped. Except as otherwise specified herein, standard commercial packaging, packing and shipping containers shall be used. All shipping containers shall be legibly marked or labeled on the outside with purchase order number, commodity description, and quantity.
- L. The bid price shall be for complete delivery of equipment, ready for use by the City of Bristol Virginia, and shall include all applicable freight and installation charges; extra charges will not be allowed.

6.2 BIDDER'S CERTIFICATIONS

The Bidder certifies the following:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation.
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid.
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding.
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 6.2.D:

1. Corrupt practice means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process.
2. Fraudulent practice means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition.
3. Collusive practice means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels.
4. Coercive practice means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

6.3 BIDDER'S CERTIFICATIONS

The evaluation criteria and associated weighted scoring values are provided below:

1. Achieving treatment of target constituents below desired and regulatory thresholds using high quality equipment and controls. (30 percent value)
2. Lead time to mobilize and begin operation. (35 percent value)
3. Rental Terms and cost. (25 percent value)
4. Ability to accept the City of Bristol Virginia's preferred form of payment. (10 percent value)

Bidder: Product Recovery Management, Inc
 (typed or printed name of organization)

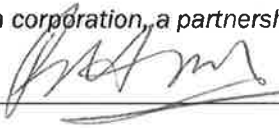
By: 
 (individual's signature)

Name: Robert M. Phillips, Jr
 (typed or printed)

Title: President
 (typed or printed)

Date: 4/28/2023
 (typed or printed)

If Bidder is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.

Attest: 
 (individual's signature)

Name: Robert M. Phillips, Jr
 (typed or printed)

Title: President
 (typed or printed)

Date: 4/28/2023
 (typed or printed)

Address for giving notices:

200 20th Street

Butner, NC 27509

Bidder's Contact:

Name: Dana Browne
 (typed or printed)

Title: Senior Engineer
 (typed or printed)

Phone: 919-436-2314

Email: dana.browne@prmfiltration.com

Address: 200 20th Street

Butner, NC 27509

Bidder's Contractor License No.: (if applicable) NA

END OF SECTION 00 41 13

VENDOR ELIGIBILITY CERTIFICATION

This is to certify that this person/firm/corporation has neither been barred from bidding on contracts by any agency of the Commonwealth of Virginia, nor is this person/firm/corporation a part of any firm/corporation that has been barred from bidding on contracts by any agency of the Commonwealth of Virginia.

Mark T. Phillips

Name of Official

Business Manager

Title

Product Recovery Management, Inc.

Firm or Corporation

Please return this page.

PROOF OF AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

THIS FORM MUST BE SUBMITTED WITH YOUR PROPOSAL/BID. FAILURE TO INCLUDE THIS FORM MAY RESULT IN REJECTION OF YOUR PROPOSAL/BID.

Pursuant to Virginia Code §2.2-4311.2, an Offeror/Bidder organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 of the code of Virginia shall include in its proposal/bid the identification number issued to it by the State Corporation Commission ("SCC"). Any Offeror/ Bidder that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the code of Virginia or as otherwise required by law shall include in its proposal/bid a statement describing why the Offeror/ Bidder is not required to be so authorized. Any Offeror/ Bidder described herein that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the County Administrator as applicable. If this quote for goods or services is accepted by the City of Bristol, Virginia, the undersigned agrees that the requirements of the Code of Virginia Section 2.2-4311.2 have been met.

Please complete the following by checking the appropriate line that applies and providing the requested information.

A. _____ Offeror/ Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such vendor's Identification Number issued to it by the SCC is _____.

B. ☒ Offeror/ Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such vendor's Identification Number issued to it by the SCC is F2021261.

C. _____ Offeror/ Bidder does not have an Identification Number issued to it by the SCC and such vendor is not required to be authorized to transact business in Virginia by the SCC for the following reason(s):

Please attach additional sheets if you need to explain why such Offeror/ Bidder is not required to be authorized to transact business in Virginia.

Product Recovery Management, Inc.
Legal Name of Company (as listed on W-9)

Product Recovery Management, Inc.
Legal Name of Offeror/ Bidder

4/28/2023
Date

Mark T. Phillips
Authorized Signature

Mark T. Phillips, Business Manager
Print or Type Name and Title

Vendor Qualification Information

- I. Prices quoted in the Bid shall include overhead and profit and shall be the full compensation for the Contractor's cost involved in the work.
- J. Failure to submit a Bid on the official City of Bristol Virginia form provided for that purpose shall be a cause for rejection of the Bid. Modification of or additions to any portion of the Invitation for Bid/Request for Bid may be cause for rejection of the Bid; however, the City of Bristol Virginia reserves the right to decide, on a case by case basis, in its sole discretion, whether to reject such a Bid as nonresponsive. As a precondition to its acceptance, the City of Bristol Virginia may, in its sole discretion, request that the bidder/proposer withdraw or modify nonresponsive portions of a Bid which do not affect quality, quantity, price, or delivery. No modification of or addition to the provisions of the contract shall be effective unless reduced to writing and signed by the parties.

2. QUALIFICATIONS OF BIDDERS

The Bidder shall provide a summary of relevant experience with landfill leachate and/or industrial wastewater pre-treatment system equipment supply, construction and implementation, involving air stripper systems, pump systems, pipe and valve installation, and associated control installations. The Bidder shall submit as part of the Bid, information related to previous relevant projects including job location and work summary, contract amount and duration, and contact name and phone number in writing within the Bid. A minimum of three (3) relevant landfill leachate and/or industrial wastewater pre-treatment system equipment supply; construction and implementation projects shall be submitted with the Bid. It is the Bidder's responsibility to submit sufficient documentation to demonstrate relevancy.

Provide information that will identify the overall size and capacity of the Business.

Average number of current full-time employees:	80
Estimate of revenue for the current year:	2022 - \$22,828,414
Estimate of revenue for the previous year:	2021 - \$19,574,775

Provide information regarding the Business's previous contracting experience.

Years of experience with projects like the proposed project: 20			
As a general contractor:	20	As a joint venturer:	
Has Business, or a predecessor in interest, or an affiliate identified in the Bid:			
Been disqualified as a bidder by any local, state, or federal agency within the last 5 years? ☐ Yes ☒ No			
Been barred from contracting by any local, state, or federal agency within the last 5 years? ☐ Yes ☒ No			
Been released from a bid in the past 5 years? ☐ Yes ☒ No			
Defaulted on a project or failed to complete any contract awarded to it? ☐ Yes ☒ No			
Refused to construct or refused to provide materials defined in the contract documents or in a change order? ☐ Yes ☒ No			
Been a party to any currently pending litigation or arbitration? ☐ Yes ☒ No			
Provide full details in a separate attachment if the response to any of these questions is Yes.			

Provide information on key individuals whom Business intends to assign to the Project. Provide resumes for those individuals. Key individuals include the Project Manager, Project Superintendent, Quality Manager, and Safety Manager. Resumes may be provided for Business's key leaders as well.

Name of individual	See attached resumes	
Years of experience as project manager		
Years of experience with this organization		
Number of similar projects as project manager		
Number of similar projects in other positions		
Current Project Assignments		
Name of assignment	Percent of time used for this project	Estimated project completion date

The City of Bristol Virginia may make such reasonable investigations as deemed proper and necessary to evaluate the ability of the bidder/proposer to perform the services/furnish the goods and the bidder/proposer shall furnish to the City of Bristol Virginia all such information and data for this purpose as may be requested. The City of Bristol Virginia reserves the right to inspect bidder's/proposer's physical facilities prior to award to satisfy questions regarding the bidder/proposer's capabilities. The City of Bristol Virginia further reserves the right to reject any Bid if the evidence submitted by, or investigations of, such bidder/proposer fails to satisfy the City of Bristol Virginia that such bidder/proposer is properly qualified to carry out the obligations of the contract and to provide the services and/or furnish the goods contemplated therein.

3. EXAMINATION OF CONDITIONS

It is understood and mutually agreed that by submitting a Bid the Contractor acknowledges his/her careful examination of the Bidding Documents pertaining to the work, the location, accessibility and general character of the site of the work and all existing buildings and structures within and adjacent to the site; and has satisfied himself/herself as to the nature of the work, the condition of existing infrastructure, the conformation of the ground, the character, quality and quantity of the materials to be encountered; the general and local conditions; the construction hazards; and all other matters, including but not limited to, the labor situation which can in any way affect the work under the Contract; and including all safety measures required by the latest edition of the Occupational Safety Health Act and all rules and regulations issued pursuant thereto. It is further mutually agreed that by submitting a Bid, the Contractor acknowledges that he/she has satisfied himself/herself as to the feasibility and meaning of the plans, drawings, specifications, and other Contract Documents for the construction of the work and that he/she accepts all the terms, conditions and stipulations contained therein; and that he/she is prepared to work in cooperation with the Owner and all other Contractors performing work on the site.

4. ADDENDA

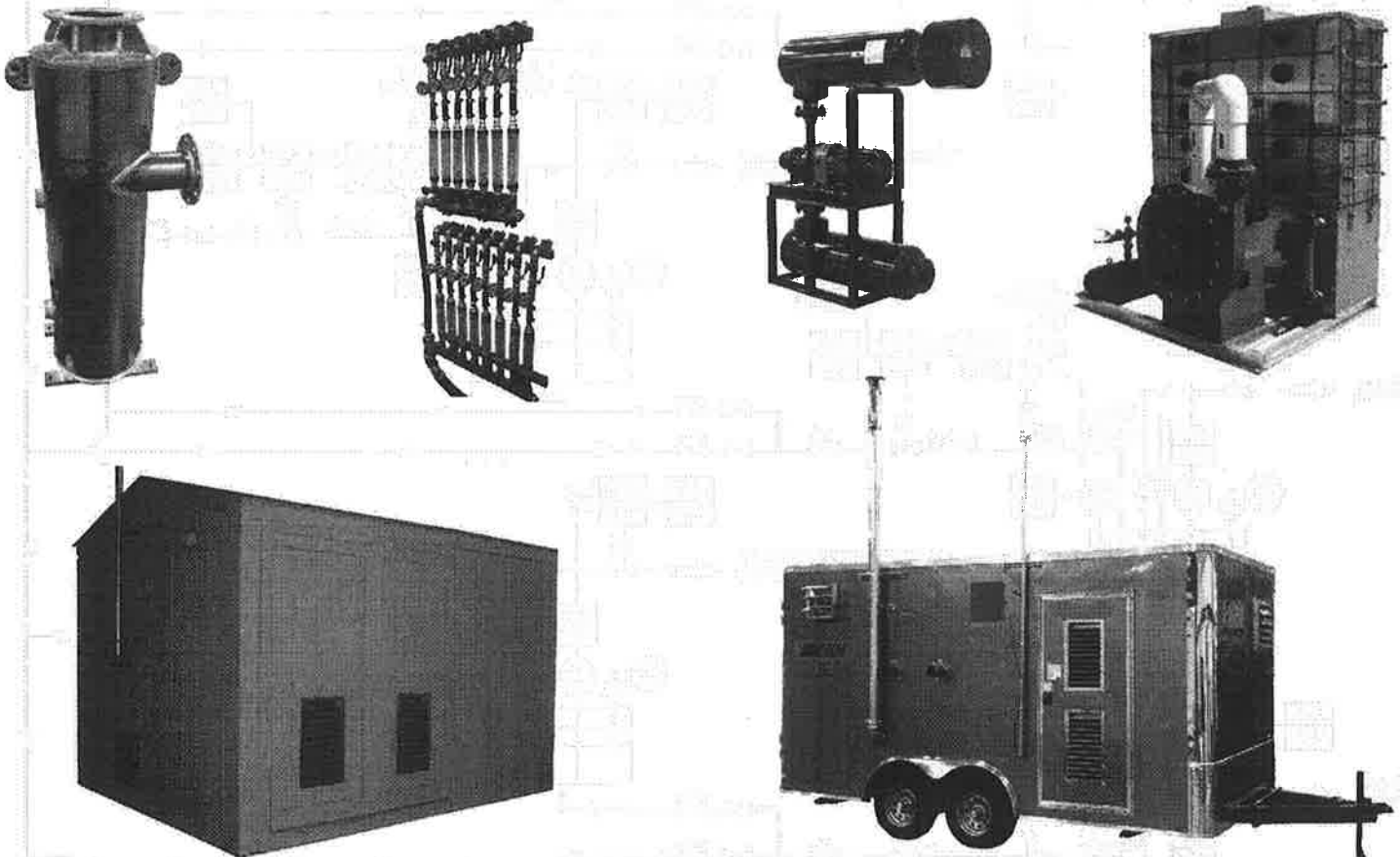
Any Addenda to bidding documents issued during the time of bidding will be available at the City's Procurement and Bid website, and are to be considered covered in the Bid. It is the Contractor's responsibility to ascertain prior to Bid time, which Addenda have been issued and confirm that his/her Bid includes any changes covered by the Addenda.

Proposal For Interim Air Stripper and Installation

Prepared For: Bristol, VA

PRM*Filtration*

Environmental Remediation & Landfill Equipment Solutions



Created by:

Mel Phillips
Product Recovery Management, Inc.

Prepared for:

Joey Lamie
City of Bristol, VA

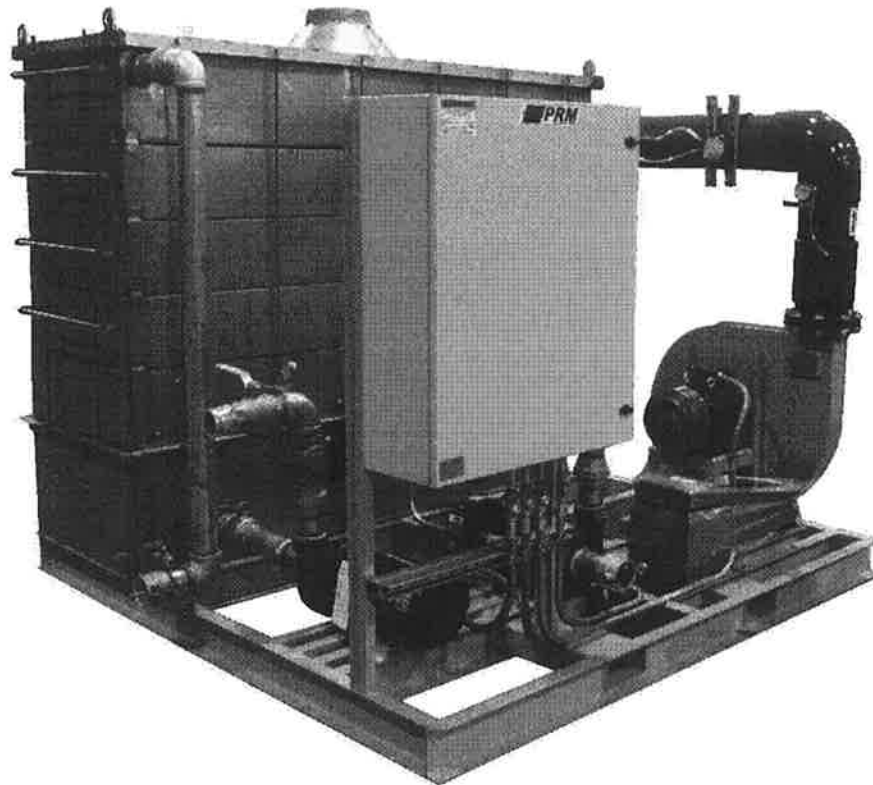
Quote 10038
Due Date: 04 / 13 / 2023

Sales Rep: Mel Phillips
dana.browne@prmfiltration.com | (919) 957-8890

Sold To	Ship To
JoeyLamie Bristol, VA 300 Lee Street Bristol, VA 24201	Bristol, VA Landfill Site

Type of System:

Interim Air Stripper and Installation



(example image, actual system may differ)

Proposed System

PRM proposes to provide and install a temporary air stripping system for your project in accordance with our written design specifications and your bid request. The equipment is itemized in the written proposal below.

AS-1000 3 Tray Skid Mounted Air Stripper

Up to 1000 GPM Air stripping capability, 40 Hp 3800 cfm blower
25 Hp influent feed pump, 30 Hp effluent pump
Fully integrated control panel to monitor level controls and control both pumps.

PRM can optionally provide a bank of bag filters to handle the influent filtration. Client is to specify the requested micron rating. These will need to be changed manually as required during operation. See optional pricing below.



Please note that the air stripper unit must operate at a continuous 400 gpm or higher flow. We recommend that during installation, a recirc loop be plumbed back to one of the frac tanks such that in the case of low flow, water can be recirculated back to the inlet to maintain the 400 gpm minimum.

PRM INSTALLATION SCOPE:

- Mobilize to site and receive, accept and unload the Air Stripper System, Pumping Skids, Controls and other equipment and materials for the interim project.
- Develop Site Safety and Health Program.
- Intercept assumed 8" steel piping at wet well discharge, set tee assembly and isolation valving.
- Run above ground 6" sch 80 PVC piping from the wet well header to the 4 influent frac tanks
- Include all piping connections to the frac tanks
- Provide 6" x 4" Sch 80 PVC manifold to connect the 4 influent frac tanks in parallel. Connections to the Frac tanks will be 4".
- Run 6" sch 80 PVC piping from the frac tank suction manifold to the Air Stripper Feed pump.
- Run 6" sch 80 PVC piping from the discharge of the Air Stripper System to the 2 Effluent Frac tanks, plumbed in parallel. Includes PRM providing a 6" Inline Totalizing Electromagnetic Water Meter with display and 4-20 mA output
- Run 6" Sch 80 PVC piping from an overflow collection point sump pump back to the wet well
- Provide and configure effluent tank discharge pump skid and piping connections to the effluent camlock fitting with hose.
- PRM will provide High level float switches in all Frac tanks that are in series circuits. One Frac tank shall have a Pump On/Off Float Control for Feed Pump Activation
- Provide system startup, including shake down of the system and ensuring proper operation.
- Includes Demobilization at the end of the event, including decon. of the air stripper system.

PRM will staff this work with necessary senior level management and a PRM working Superintendent to direct PRM employees for their scope of work. PRM will support the project with a project manager and all necessary support personnel to complete the project in a timely manner.

PRM has provided a bid bond with the bid and if awarded will provide the performance and payment bonds as required.

EXCLUSIONS:

- Power feed work will be performed by others
- Work at the wet well to intercept piping and provide isolation valving, assumes all work can be done above the pad or below the pad in the crawl spaces and that the existing piping and valving is viable for disassembly and rework.
- Assumes interim equipment to be utilized no more than 3 months from delivery until the permanent system can be completed.
- Foaming control measures are not included in this work however, PRM recommends that we consider having a chem. Feed pump available and configured and we be ready to implement some defoamers if necessary. There will be minimal expense if we plan for this rather than being reactionary. See optional pricing below..
- No off-gas treatment units are included. No liquid phase carbon units are included in base price. See optional pricing.
- Telemetry work or additional control work not included in this scope.
- On-site wages are NOT calculated at a prevailing wage rate.
- PRM does not hold a Builders contractors license in VA. PRM is registered to do business in the State of Virginia. For the scope of work, there are no requirements for builders/contracting license. For this scope of work, PRM is an Equipment Vendor with service Technion's handling connections.

Power at the above referenced facility is: 480V three phase

Please note that a system connected to an open delta electrical system can cause warranty issues. Please see Warranty disclaimer below. Warranty issues are at the discretion of PRM.

End of written proposal. Please see attached warranty disclaimer and security agreement. If your project payment schedule includes progress payments, then a security agreement may not be required. The written security agreement is intended to reserve PRM's right of ownership of the equipment in the event of a default of payment due to bankruptcy or some other unforeseen event. A security agreement is required in order for PRM to file for a UCC for the equipment.

We have quoted prices with terms that we feel best represent the client's needs based on review of the request. PRM can offer flexible alternative payment terms on the project based on customer request with terms up to 270 days. Note that if PRM has provided progress payment terms, these terms are structured to offer the client the best overall value as we have reduced pricing and not included any financing terms for the project. Extended payment terms do incur pricing increases due to the cost of PRM internally financing projects for customers due to the cost of carrying money for these durations.

Upon taking receipt of equipment that has physical signs of damage, it is the responsibility of the client to document that damage on the Bill of Lading at the time of receipt of the equipment. In the event that the Bill of Lading is not properly marked and the damage is visible, PRM has no ability to make a claim against the carrier and thus the recipient would become responsible for all charges of damage repairs. The client must also notify PRM Corporate headquarters in writing within 24 hours with a written description of all damage as well as digital images of the damage. PRM selects the best carriers in the nation to do our transporting however there is always potential for damage, especially on longer journeys. Our carriers all carry freight damage insurance which we can make claims against, but only if we follow the rules and the most critical rule is that the damage must be documented on the Bill of Lading at receipt of the equipment.

Loose Items Integrations - PRM typically manufactures systems complete in our facility where components or subsystems may require detachment for shipping and reassembly onsite. Unless specifically quoted in our written proposal, PRM will package loose equipment separately for that shipment. It is the onsite systems contractor or other subcontractors to un-package and reinstall these components onsite. In the event the client needs or requires for PRM to install the components, there will be a required additional charge to do so. If a clients specification states that PRM is to reassemble those components, it is understood and agreed that PRM is not including pricing to do so in our base pricing unless specifically stated by PRM. PRM ships hundreds of modular systems each year and in >99% of the cases, all of our clients have the site contractors perform the components installations. It typically may not be price competitive for PRM to perform site installation work and in many cases PRM may be banned by state requirements due to contracting licenses.

System Pricing

Ln #	Qty	Description	Unit Price	Subtotal
	1	Mobe, demobe, project management, and all equipment, materials, and installation work detailed above as well as start-up and operator training and break-down and removal of equipment..	\$267,500.00	\$267,500.00
			Subtotal	\$267,500.00
			Total	\$267,500.00

Notes

Shipping is always estimated at the time of the quote. Due to volatile fuel costs during the past decade, PRM reserves the right to adjust shipping prices based on the national average fuel cost at the time of delivery vs. at the time of the quote.

Any purchase authorization must include PRM's signed/completed acceptance form (below) and a signed PRM Security Agreement as furnished by PRM.

Lead time is determined at time of order, but is typically 10-12 weeks from receipt of approved submittals.

Sales and Use Taxes on the quote are assumed to be exempted, per the RFQ.

For optional equipment, PRM has not allotted Project management nor Field Staff labor for connections, startup of those items, demobe management fees. There will be a good bit of work required to accomplish these tasks and PRM can negotiation a fair fee for these services as needed.

Payment Terms and Conditions

Monthly progress billing, N30 days.

Authorized & Accepted By (Signature)	Date	PO # / Project Reference
By signing, you agree to the below Standard Terms and Conditions		

System Options (not required)

Please select any optional items below. Options are not necessarily upgrades, they are listed as alternatives. It is up to the engineer working for you to make the ultimate decision that the option chosen is in your best interest. Options chosen may be an invalidation of strictly following a Request for Proposal or a Specification. You accept this option as an approved alternative to the specification. PRM provides the options typically to enhance the system. The system options below will be in addition to the base system quoted above.

Option Name	Price	QTY	Subtotal
☐ Design for and provide chemical feed pump and controls for defoamer injection prior to the air stripper. Price does not include defoamer product itself as it is impossible to determine the quantity or type of defoamer needed until some testing is done and the system is operational.	\$5,225.00	1	\$5,225.00
☐ Provide bag filtration system as part of the leased equipment capable of handling the flow of 500 gpm. Client to determine bag micron rating to use. This system will require manual changing of the bags as necessary.	\$10,450.00	1	\$10,450.00
☐ (2) VP5000 Vapor-phase Vessels GAC treatment system designed to handle the Air Stripper effluent. Vessels configured in series. These units would be purchased and owned by the city, not part of the lease and could then be utilized for the permanent system. This is a lease price for 3 months for these units. Pricing includes return shipping at end of lease. Client will be required to dispose of spent media and decon vessels.	\$1,800.00	3	\$5,400.00
☐ (4) HP-2000 Carbon Units GAC Liquid phase treatment to handle polishing on the effluent of the air stripper pump. This is a lease price for 4 units for 3 months. Pricing includes return shipping at end of lease. Client will be required to dispose of spent media and decon vessels.	\$2,250.00	3	\$6,750.00
☐ PRM to provide straw bales and heat sealed/sealed impermeable liner to create a 60 x 100 ft containment area. Liner system is a modified GeoSeal 100 system with reinforced seams. We will change out the Base and Bond layers for an upper and lower layer of Film-11, which is non permeable. An additional Geotextile protective course layer is to be included to protect the liner from damage due to the installation of the steel skid and frac tanks. A sump pump will be installed in a low point to provide removal of accumulated water back to the wet well.	\$58,450.00	1	\$58,450.00

Subtotal **\$0.00**

Total \$0.00

Authorized & Accepted By (Signature) By signing, you agree to the below Standard Terms and Conditions	Date	PO # / Project Reference

Warranty

WARRANTY DISCLAIMER

Product Recovery Management (PRM) will warrant all new equipment manufactured by PRM to be free of defects in materials and workmanship for a period of 1 year from the date of manufacture as established by PRM provided the following conditions are met:

1. Equipment must be operated and maintained in accordance with the guidelines established in the O&M manual(s) provided with the equipment or with the individual Equipment O&M manuals.. This includes the site specific manual as provided by PRM as well as the individual component manuals provided.
2. Warranty service shall not be applicable unless a complete logbook of routine maintenance is kept and provided to PRM upon request. For warranty coverage to be ensured,, PRM requires that O&M logs be sent to PRM staff quarterly so PRM can confirm previous maintenance, not after a warranty claim.
3. Warranty service shall not be applicable unless all outstanding invoices which are over terms are paid in full.
4. PRM will not warrant electrical equipment that is operated on an Open Delta electrical system. The only power to be used with PRM supplied equipment will be either a "Y" or a "Closed Delta". Proper engineering design would accommodate the correct electrical provisions in the engineering specification. PRM will not be liable for any changes to the electrical supply and distribution system that are required to bring the electrical system(s) to these standards.
5. For skidded equipment, PRM is not responsible for warranty of equipment that is not provided protection from the elements such as direct sunlight, rain, hail or other weather conditions exerted by nature. It is a generally accepted practice that skids placed outdoors should be provided physical protection from the elements. An example of potential damage is direct sunlight during summer months. Motors may be designed for certain maximum operating temperatures but without physical protection, motor temperatures may exceed recommended temperatures which causes damage such as accelerated grease degradation in motor bearings. This is one of the major cause of motor failures in the elements.
6. PRM shall not be responsible for consequential damage that may occur due to direct or indirect damage caused by a failure of another piece of equipment.
7. Technicians should be duly trained and have a good understanding of electrical, and mechanical systems. Failure to have a properly trained technician work on PRM supplied equipment can result in invalidation of the warranty at the discretion of PRM.
8. PRM typically manufactures equipment/systems to client provided specifications. Failures due to a design problem by the client which can be identified as a design issue that led to the failure may be disclaimed by PRM under our standard warranty.
9. All equipment quoted as pre-wired and pre-plumbed has been done so by trained personnel. PRM has been instrumental in conformity to State and Federal Codes. If local codes vary from Federal and State Codes, it is the client's responsibility to notify PRM of particular requirements in the bid request that may necessitate changes to the proposed system.
10. Delivery must occur within 2 weeks of completion of testing by PRM or storage fees of \$250.00 per week may be charged by PRM due to inconvenience of storage and location requirements. The fee may be larger for systems over \$100,000.00.
11. Electrical work for this quotation is in accordance with the most current version of the National Electrical Code (NEC).
12. This bid may be for equipment only and proposed startup. This quotation does not include pricing for installation, wiring or plumbing unless explicitly stated herein.
13. This quotation is not subject to subcontractor contract. PRM shall act as an equipment vendor.
14. General warranty is for parts. In the event of a component failure that is covered under warranty, PRM will provide the repair components/parts at PRMs discretion under warranty. Shipping of replacement components is to be paid for by the client. It is understood that the client will provide the labor to replace warranted parts. It is understood that all shipping for all warrantable items are to be shipped most cost effective way unless client requests expedited shipping. If expedited shipping is requested, it is understood and agreed that PRM will invoice for all shipping charges which will be paid for by client in a timely manner.
15. PRM is typically engaged in system startups and for many clients O&M activities. PRMs general rate for service technicians is \$95.00 per hour and \$115.00 per hour for engineer level senior technicians. In the event a scheduled event has delays that are no fault of PRMs, PRM shall be able to invoice for overage time which may happen on startups or other service activities. Additional fees such as daily per diem and truck/mileage fees are applicable as well as parts purchased which require reimbursement plus markup. Also it is understood that PRM will be compensated in the event weather or other delaying occurrences occur that may require to procure special vehicles to perform a duty. An example would be to do a startup activity for a project in adverse weather condition where cold weather and snow may require PRM to secure a 4WD truck to do startup. It should be expected by the client that additional fees will be invoiced to cover additional expenses. It should also be considered acceptable for adverse weather to cause additional labor charges for site work as travel delays and slower sitework conditions would be expected to cause slower safe progress. It should also be understood that PRM always considers employee safety first. This means that PRM reserves the right to hold back and delays shipments.
16. For equipment being shipped into NC, FL, HI, PA, MA, MD, NH, NY, VA, WA, WV and WY, the appropriate sales and use tax has been included if shown on the quote and will be paid by PRM to the state taxing authority. For equipment going to all other states, it is the customer's responsibility to pay any required sales and use taxes to their appropriate taxing authority. For bid comparisons, it is important that taxes be added to any bids from out of state to provide funds for payment of the taxes due.

PAYMENT TERMS

Payment terms are established on the pricing page. Service Charges of 1.5% per month will be charged on all overdue invoices. If PRM is required to bring legal action to enforce this agreement, the prevailing party shall be entitled to its reasonable attorney fees.. This agreement shall be governed by and construed in accordance with the laws of the State of North Carolina and venue shall be proper and personal jurisdiction had in state court, Durham County, North Carolina. Above payment terms are contingent upon receipt by PRM of original signed quote as well as the original signed security agreement.

TECHNICAL SUPPORT

In the event of a problem or failure, immediately contact PRM's corporate office and request technical assistance. Please make sure that you have the PRM Project Number available. A technician will assist in determining if the equipment is operating properly and if not, then PRM will guide the onsite technician in proper settings and adjustment. PRM technical phone support is billable at a rate of \$95.00 per hour at the discretion of PRM. Purchase of a system from PRM and initiation of phone support constitutes a legal agreement that PRM can invoice for phone support.

RETURN AUTHORIZATION

If a component failure has occurred, PRM will ship a replacement part to the site or client office for replacement of the failed part by the Client. PRM will not be responsible for labor to replace the failed part. PRM will issue an RMA upon determination that a replacement part is necessary. PRM will invoice for the part and credit will be issued for the part only once the defective part is returned to PRM and PRM makes a determination that the part is defective at no fault of the client and within the warranty period.

STARTUPS

PRM recommends that all systems be ordered and that the client pay PRM to provide a day or two of startup training. In order for PRM to warranty an oxidizer system, it is a requirement that the client receive training from PRM. Only technicians that are duly trained by PRM should operate an oxidizer due to the potential risk and liability of improper operation. In no event shall PRM be liable for any consequential accidents, property damage, personal injury or death occurrences that may happen due to improper operation of an oxidizer.

DELIVERY ACCEPTANCE & CLIENT RESPONSIBILITIES

Buildings and systems that arrive may arrive to the project site tarped or with provisions to protect roofing and such parts. It is the client's responsibility to remove these items upon arrival. All fasteners installed to retain the materials must also be removed. If the client has a contractor doing the site installation work, PRM recommends that they ensure that the contractor handle these items.

SECURITY AGREEMENT

See the security agreement document on the following pages. If this project is a State or Federally funded project where the client has asked PRM to extend payment terms for the project beyond Net 45 days, PRM will require an executed security agreement. This agreement is a simple document that gives PRM ownership/entitlement to the equipment until PRM is paid for the equipment. This document protects PRM in the event a client should default on payment.

SECURITY AGREEMENT

_____, a _____ corporation (the "Debtor"), hereby grants to PRODUCT RECOVERY MANAGEMENT, INC. (the "Secured Party") a security interest in all of Debtor's right, title and interest, now or hereafter acquired until entire debt secured by this agreement is paid in full, in the following Collateral (the "Collateral"):

1. Remediation Equipment. All remediation equipment, supplies, fittings, machinery, and other tangible personal property, in all of its forms and including fixtures, for PROJECT , located in _____, sold to Debtor by the Secured Party together with all parts, instruments, substitutions, replacements, additions, accessories, fittings, operating manuals, plans, specifications, and tools (the "Remediation Equipment"); and
2. Proceeds and Products. All proceeds (including without limitation any rents, royalties, insurance proceeds, replacements, additions, and accessions thereto) and products of the Remediation Equipment.

THIS SECURITY AGREEMENT (the "Agreement") SECURES: (i) the Debtor's payment to the Secured Party for the Remediation Equipment under the purchase order and/or other contracts or agreements providing for Debtor's purchase of the Collateral (the "Contracts"); and (ii) all costs reasonably incurred by Secured Party to enforce this Agreement, and to maintain and preserve the Collateral, including without limitation all taxes, assessments, insurance, reasonable attorneys' fees, legal expenses, and expenses of sale, together with interest thereon, at a rate not greater than 18% per annum, pursuant to the following TERMS:

THE DEBTOR: bears the risk of loss; shall keep the Collateral insured for the full amount secured by this agreement at all times and at Debtor's cost; shall repair and maintain the Collateral at Debtor's cost and shall not use the Collateral or any part of it in a manner resulting or likely to result in waste or unreasonable deterioration of the Collateral; shall pay all taxes and assessments on the Collateral as they become due and shall keep the Collateral otherwise unencumbered; shall keep the Collateral separate and identifiable from other property owned by Debtor or located on the same premises as Collateral; shall not, without prior written consent from Secured Party, sell, lease, or otherwise dispose of any portion of the Collateral; waives the automatic stay under 11 U.S.C. Section 362; and shall promptly execute and deliver all further instruments and documents and take all action reasonably requested by Secured Party from time to time in order to perfect and protect the security interest granted in this Agreement or to enable Secured Party to exercise its rights hereunder.

THE SECURED PARTY may: file one or more financing statements, continuation statements, or amendments relative to the Collateral without the signature of the Debtor, where permitted by law; enter the premises where the Collateral is located and inspect the Collateral, either in person or by its agent, at any reasonable times and at reasonable intervals; and exercise any of the rights hereunder or pay any unpaid taxes or other obligations of the Debtor with regard to the Collateral without waiving or releasing the Debtor from any of its duties or obligations under the Contracts, provided that the Secured Party shall not be obligated to perform any of the Debtor's obligations under the Contracts or to take any action to collect or enforce any claim for payment hereunder, and that

such failure to collect or enforce shall not be deemed a waiver of said rights, a waiver of Debtor's default, or a release of Debtor's obligations.

EVENTS OF DEFAULT. The following shall constitute events of default: Debtor's failure to pay when due any obligation secured by this Agreements under the terms of the Contracts; Debtor's breach of any affirmative covenant or other term hereunder; and/or Debtor's disposition of the Collateral in violation of this Agreement shall constitute an event of default hereunder.

REMEDIES. If an event of default shall occur, Secured Party shall have all the rights and remedies afforded a secured party by law, including all the rights and remedies of a secured party on default under the Uniform Commercial Code (the "Code") (whether or not the Code applies to the affected Collateral), and may also: (a) enter on Debtor's premises to take possession of the Collateral; (b) take immediate possession of the Collateral, wherever found, with or without legal process; (c) require Debtor to assemble the Collateral and make it available to Secured Party at a place designated by Secured Party that is reasonably convenient to both Debtor and Secured Party; and (d) apply the proceeds received from the sale or other disposition of the Collateral on default of Debtor to the payment of reasonable attorneys' fees and legal expenses incurred by Secured Party as a result of Debtor's default, in addition to those purposes provided for by law.

GENERAL PROVISIONS. Time is of the essence. Neither this Agreement nor the Debtor's obligations to the Secured Party are assignable without the prior written consent of Secured Party, although the Secured Party may assign this Agreement on written notice to the Debtor. This Agreement shall not be amended except by written instrument signed by the party to be bound, and the provisions herein are severable. Venue and jurisdiction over any disputes and parties hereto shall be proper in North Carolina. The validity, interpretation, and performance of this Agreement shall be governed by and construed under the laws of the State of North Carolina

DEBTOR: _____, a _____ Corporation

DATED: _____

By _____, its _____

Key Personnel





Mel Phillips
President

LOCATION

- Butner, NC

EDUCATION

- Durham Technical College,
Durham, NC 1991 -
Electrical Trade

PROFESSIONAL REGISTRATIONS & LICENSURE

- NC Electrical License
Number 15721-I

SPECIALIZED TRAINING

- OSHA 29 CFR 1910.120
HAZWOPER 40-Hr Training
2000
- NFPA 472 Training

STARTED AT PRM

- 1987

Mr. Phillips has over 34 years of progressive experience in the electrical, environmental services, construction, industrial/ remedial equipment manufacturing, operation and maintenance and service industries. For the past ten (10) years Mel has served as the president Product Recovery Management (PRM) and PRM Filtration. This experience includes overseeing all aspects of the operation of the business as well as regular consultations with clients, staff, vendors, subcontractors, suppliers, regulatory agencies, etc.

AREAS OF EXPERTISE

- High level business operations
- Estimating complex construction and manufacturing projects
- Providing practical solutions to client challenges
- Integrating manufactured equipment into client processes
- Design of complete environmental remediation systems
- Supervision of construction of systems
- Supervision of system installations
- Coordination of UST removals/abandonments
- Commercial Electrical Contracting
- Supervising Electrical Crews
- Petroleum Service Station Construction
- Controls and SCADA

WORK EXPERIENCE

Product Recovery Management – 1987 to Present

Position: President, 2011 to Present
Director of Env. Services, 1988 to 2011

Phillips Electric Co. – 1987 to 1990

Position: Electrical Foreman

PROJECT EXPERIENCE

Mr. Phillips project experience is highly varied over the past 30+ years and involves thousands of projects including but not limited to the following:

- Soil Vapor Extraction and Air Spargé
- Dual Phase and Multi-Phase Systems
- Groundwater Pump & Treat
- Portable Pilot Units
- Vapor Mitigation and Sub-Slab Depressurization
- Controls and SCADA
- Landfill gas extraction packages
- Flare packages
- Blower Packages
- Gas Flow Instrumentation
- Landfill gas filtration
- Landfill pumps- SRX Pneumatic / Electric
- UL Controls with wireless telemetry
- Air strippers
- Oil/water separators
- Vapor Phase and Liquid Phase Carbon Systems
- Thermal and Electric Oxidizers
- Filtration Packages
- Industrial Chillers
- Ozone Packages
- UV Systems
- Reverse Osmosis Packages
- Hydrogen Peroxide System



Brian Phillips
Vice President

LOCATION

- Butner, NC

EDUCATION

- Northern High School, Durham, NC

SPECIALIZED TRAINING

- NC Unlimited General Contractors License
- OSHA 29 CFR 1910.120 HAZWOPER 40-Hr Training 2000
- Annual OSHA 29 CFR 1910.120 HAZWOPER Refresher
- NFPA 472 Training

STARTED AT PRM

- 1990

Mr. Phillips has over 31 years of progressive experience in the electrical, environmental services, construction, industrial/ remedial equipment manufacturing, operation and maintenance and service industries. For the past ten (10) years Mr. Phillips has served as the Vice President of Product Recovery Management (PRM) and PRM Filtration with a primary focus on project delivery and QA/QC with PRM's manufacturing facility. This experience includes overseeing all aspects of the operation of PRM's manufacturing facility, electrical and controls, health, and safety as well as regular consultations with clients, staff, vendors, subcontractors, suppliers, regulatory agencies, etc.

AREAS OF EXPERTISE

- Project delivery, implementation, and operation
- Providing practical solutions to client challenges
- Integrating manufactured equipment into client processes
- Design of complete environmental remediation systems
- Supervision system construction & installations
- Health and Safety Supervision
- Electrical Installations
- Controls and SCADA

WORK EXPERIENCE

Product Recovery Management – 1990 to Present

Position: Vice President, 2011 to Present
Project Superintendent, 1990 to 2011

PROJECT EXPERIENCE

Mr. Phillips project experience is highly varied over the past 30+ years and involves thousands of projects including but not limited to the following:

- Soil Vapor extraction and Air Sparge
- Dual Phase and Multi-Phase Systems
- Groundwater Pump & Treat
- Portable Pilot Units
- Vapor Mitigation and Sub Slab Depressurization
- Controls and SCADA
- Landfill gas extraction packages
- Flare packages
- Blower Packages
- Gas Flow Instrumentation
- Landfill gas filtration
- Landfill pumps - SRX Pneumatic / Electric
- UL Controls with wireless telemetry
- Air strippers
- Oil water separators
- Vapor Phase and Liquid Phase Carbon Systems
- Thermal and Electric Oxidizers
- Filtration Packages
- Industrial Chillers
- Ozone Packages
- UV Systems
- Reverse Osmosis Packages
- Hydrogen Peroxide System



Dana Browne
Senior Engineer

LOCATION

- Webster, NY

EDUCATION

- B. S. Mechanical Engineering, Virginia Polytechnic Institute, Blacksburg, VA - 1987
- M.S. Mechanical Engineering, 30 hours completed, Virginia Polytechnic Institute, Blacksburg, VA - 1990

LICENSURE & CERTIFICATIONS

- Engineer In Training (EIT)

SPECIALIZED TRAINING

- OSHA 29 CFR 1910.120 HAZWOPER 40-Hr Training
- Annual OSHA 29 CFR 1910.120 HAZWOPER Refresher
- AutoCAD

AFFILIATIONS

- National Eagle Scout Association

YEARS WITH PRM: 24

Mr. Browne, has extensive experience with estimating, design, installation, operation, construction and permitting required for environmental remediation systems over his 29 career.

AREAS OF EXPERTISE

- Supervision of construction, installation, operation and troubleshooting of remedial systems.
- Preparation of competitive bids for projects up to \$2,500,000.
- Remedial system design, specification, and material selection.
- Purchasing and installation of water and wastewater systems and components.
- Permitting for building, zoning, and electrical.
- Heavy equipment and machinery associated with remedial system installations.
- General construction, framing, plumbing, electrical, concrete, and landscaping trades.
- Preparation of mechanical schematics.
- Performance of AS/SVE pilot and pump tests.

WORK EXPERIENCE

- Product Recovery Management, Butner, NC. 1997 - Present
Senior Engineer
- CMS Environmental, Inc., Durham, NC. 1993 - 1997
Staff Engineer, 1993 - 1997
Project Manager, 1992 - 1993
- Litton Polyscientific Industries, Blacksburg, VA. 1989 - 1991
Design Engineer



Chris Phillips, P.E.
Project Manager

LOCATION

- Butner, NC

EDUCATION

- East Carolina University,
Greenville, NC, B.S. in
Mechanical Engineering,
April 2014

LICENSURE & CERTIFICATIONS

- NC Professional Engineer

AFFILIATIONS

- National Society of
Professional Engineers

YEARS WITH PRM: 7

Mr. Phillips, has gained extensive experience in the design, management, fabrication and programming of various industrial process and environmental remediation equipment over the past 7 years. Mr. Phillips serves as a Project Manager and Senior Engineer completing designs and schematics for client submittals and shop fabrication.

AREAS OF EXPERTISE

- Project management & client relations
- Engineering design of industrial and environmental equipment.
- PLC and HMI programming
- Evaluation of remediation technologies
- Equipment design and prototyping
- Selection of remediation components & equipment
- Preparation of comprehensive project submittal packages and drawings for client approval.
- Preparation of detailed shop drawing, component specifications and bills of material for manufacturing team.
- Performs comprehensive evaluation of submittal packages to ensure proposal is practical, accurate and conformance with the client's needs.
- Flair stack designs
- Load calculations, FEA
- Sheet metal fabrication
- Advanced oxidation process

WORK EXPERIENCE

- Product Recovery Management, Butner, NC.
Project Manager - 2014 to Present

PROJECT EXPERIENCE

Mr. Phillips project experience is highly varied over the past 7 years and involves hundreds of projects including but not limited to the following:

- | | |
|---|---|
| ■ Soil Vapor Extraction and Air Sparge | ■ UL Controls with wireless telemetry |
| ■ Dual Phase and Multi-Phase Systems | ■ Air strippers |
| ■ Groundwater Pump & Treat | ■ Oil water separators |
| ■ Portable Pilot Units | ■ Vapor Phase and Liquid Phase Carbon Systems |
| ■ Controls and SCADA | ■ Filtration Packages |
| ■ Landfill gas extraction packages | ■ Industrial Chillers |
| ■ Flare packages | ■ Ozonite Packages |
| ■ Blower Packages | ■ UV Systems |
| ■ Gas Flow Instrumentation | ■ Reverse Osmosis Packages |
| ■ Landfill gas filtration | ■ Hydrogen Peroxide System |
| ■ Landfill pumps - SRX Pneumatic / Electric | |



Luke Kemp
Project Manager

LOCATION

- Butner, NC

EDUCATION

- Pennsylvania State University - BS, Wildlife/Fisheries Science 2005

SPECIALIZED TRAINING

- OSHA 29 CFR 1910.120 HAZWOPER 40-Hr Training
- Annual OSHA 29 CFR 1910.120 HAZWOPER Refresher
- CPR/First Aid
- HAZWOPER Supervisor
- 38 Hour Wetland Delineation course, University of North Carolina, April 2011

AFFILIATIONS

- Society of Wetland Scientists

YEARS WITH PRM: 9

Mr. Kemp, has gained extensive experience in the environmental assessment and remediation industry over the past 14 years. Mr. Kemp's current role as Project manager includes the administration of a portfolio of existing clients which involves daily client relations, proposal preparations, estimating, scheduling, technical assistance, coordination of onsite system startup, service, and repairs as well as management of PRM's manufacturing facility health and safety program.

AREAS OF EXPERTISE

- Project management & client relations
- Health & safety management
- Development of health & safety plans
- Preparation of technical manuals of remediation systems
- Remediation systems & components
- Construction, installation, operation, and maintenance of remedial systems including air sparge, soil vapor extraction, pump and treat, and chemical injection.
- Environmental groundwater, surface water, vapor, soil sampling and data collection.
- Operation of environmental sampling and monitoring instruments.
- Preparation of site assessment reports
- Wetland delineations using Terrasync GPS
- Rapid bio assessment after fish kills
- NPDES & stormwater permitting

WORK EXPERIENCE

- Product Recovery Management, Butner, NC.
Project Manager - 2012 to Present
- AECOM, Raleigh, NC
Staff Scientist - 2010 to 2012
- AECOM, Mechanicsburg, VA
Environmental Technician - 2007 to 2011



Justin Stahl

Lead Service Technician for Southeast Region

LOCATION

- Butner, NC

EDUCATION

- Tri City JATC, Albany, NY,
Sept 2003 - June 2008
Electrical Apprenticeship

LICENSURE & CERTIFICATIONS

- Licensed Master
Electrician

SPECIALIZED TRAINING

- OSHA 29 CFR 1910.120
HAZWOPER 40 Hr Training
- Annual OSHA 29 CFR
1910.120 HAZWOPER
Refresher –
- Current HAZWOPER
Supervisor Certification
- 10 hour OSHA
- HILTI trained
- JLG trained
- CPR certified

SKILLS

- Conduit bending
- Commercial and
Residential electrical
- Large scale solar systems
- Large power distribution
systems
- Control wiring
- Fire alarm systems
- Temperature control
- Telephone data

YEARS WITH PRM: 9

Mr. Stahl, has extensive experience with electrical, field operations & project management/supervision on heavy construction projects over the past 17 years. Licensed master electrician with expertise in large scale power distribution, systems, temperature control, solar system installation, process control in commercial, residential, and industrial settings. Foreman on projects responsible for 10 electricians.

AREAS OF EXPERTISE

- Unlimited Electrical license holder for the company
- Ensuring all service requests are taken care of in a timely manner
- Overseeing remediation and landfill gas system installs, troubleshooting
- large scale control panels
- Experienced in construction and maintenance of landfill gas extraction
- systems with an understanding of CAR standards
- Quality control for systems in-house and for installs
- Installation and commissioning of all types of water treatment equipment
- Start to finish project management on projects of all sizes

WORK EXPERIENCE

- Product Recovery Management | Butner, NC | 2012 - Present
Lead Service Technician for South East Region
- Omni Instrumentation | Clayton, NC | July 2012 - Sept 2012
Lead Electrician
- Ducci Electric | Malta, NY | Feb 2011 - July 2012
Journeyman Electrician
- Tech Electric | Waterford, NY | June 2008 - Feb 2011
Foreman
- Tech Electric | Albany, NY | Aug 2003 - May 2007
Electrician
- Bowl Electric | Albany, NY | Nov 2001 - April 2002
Electrician
- Gomez Electric | Albany, NY | Feb 2001 - Sept 2001
Electrician



PRODUCT RECOVERY MANAGEMENT, INC.

Corporate Headquarters
200 20th Street
Butner, NC 27509
1-888-TREAT-IT (873-2848)

STATEMENT OF QUALIFICATIONS LANDFILL WORK

PRM Landfill Projects

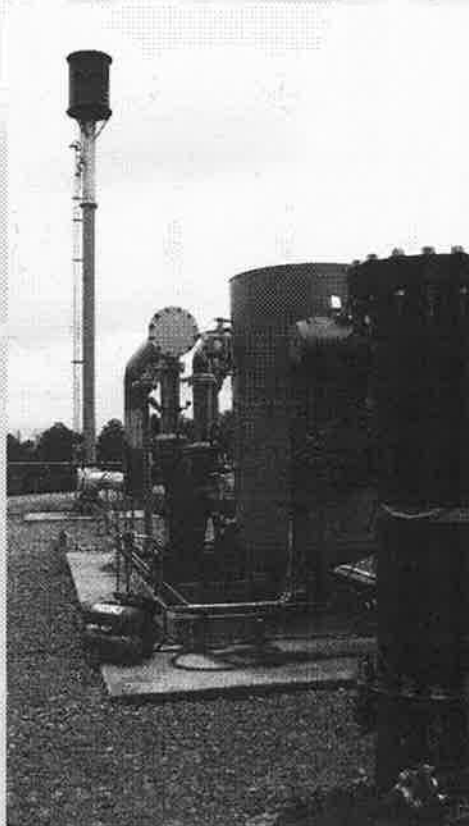


Absolute Quality is our Goal... Genuine Service is our Habit!

Examples of PRM Projects:

Methane Extraction and Condensate Removal System, South Wake Landfill, Apex/Holly Springs, NC

- 60 HP Gas Extraction Blower
- 3500 SCFM Candlestick Flare Designed / Manufactured by PRM.
- Full SCADA Control Panel Package with integrated PLC
- System Piping
- Provides Gas to 6MW Generator plant using 24 packages engines
- PRM provided System Manufacturing, Integration, Installation, and Startup



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PRM Projects



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Ft. McMurray Landfill, Wood Buffalo, Alberta, Canada

- Quad 150 HP Air Injection Blowers
- Dual 40 HP Gas Extraction Blowers
- 8000 SCFM Candlestick Flare Designed / Manufactured by PRM.
- Full SCADA Control Panel Package with Remote Monitoring
- Housed in four Custom Fabricated Connex Containers
- PRM provided System Manufacturing, Integration, Installation, and Startup
- Largest Landfill Carbon Reduction Project in the World
- Largest LFG Tax Credit Project in the world in 2014 Implementation
- Full SCADA monitors over 1000 well points for temperature over wireless mesh network



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PRM Landfill Projects



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Landfill Gas Extraction Package, Haywood County, NC

- 8' x 20' x 6" Channel frame equipment skid, with grating on all open areas
- PRM Model MS120 moisture separator tank, carbon steel.
- Gardner Denver/Lamson Turbotron direct drive centrifugal blower with a 10HP, 480V, 3phase, TEFC motor rated for Class 1, Division II hazardous location.
- Fully piped with T304 SCH 10 piping and valving as specified with Flanges
- 4" Diameter, 20' overall height Candlestick Flare System with 24" diameter 310 SS Windshield
- NEMA 4 weatherproof control panel with ignition monitoring package
- Canopy with 3.5' overhang
- 10HP Variable Frequency Drive with PID control for speed control, drive integrated motor amperage, % load and other valuable motor operational data, includes fan for cooling drive
- Siemens S7 series PLC platform with HMI interface and GRS cellular/data for access
- Flare control system integration
- CH₄, O₂ and CO Analyzer installed in NEMA 4 enclosure with LEL shut down and filter fan



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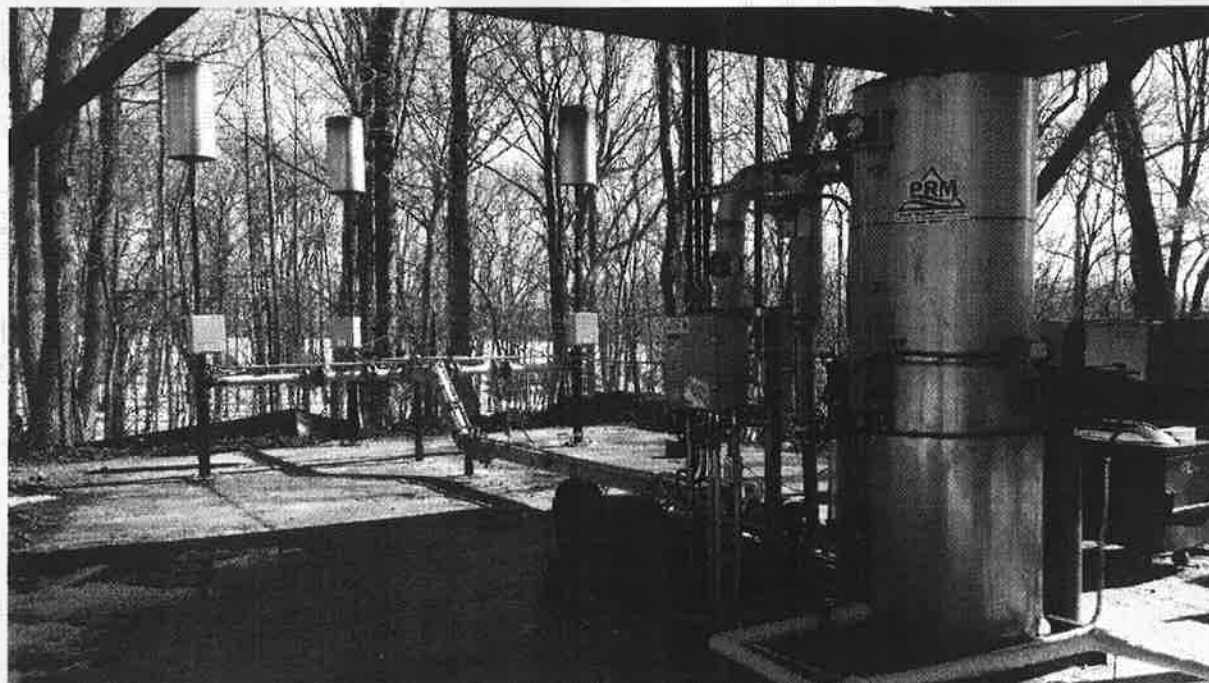
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Landfill Gas Equipment Skid, Maryland



- PRM Model MS-200 Landfill Gas moisture separator tank, stainless steel fabrication , 750 SCFM maximum flow rating
- Ametek Rotron Model CP757 Sealed Regenerative blower with Explosion-Proof motor suitable for Landfill Gas Applications
- 3 CF-10 Spark Flare Systems for Landfill Gas System
- Main System Industrial Control Panel
- NEMA 4 rated main system control panel, Third Party UL Listed
- PRM has developed a SCADA PACKAGE specific to the Landfill Gas Market. This SCADA package allows the operator and users to login through a secure process from any modern web browser using a secure java interface. The system allows for full graphical interfacing with the system, email functionality on alarm and notification faulting and also data extraction through this interface.

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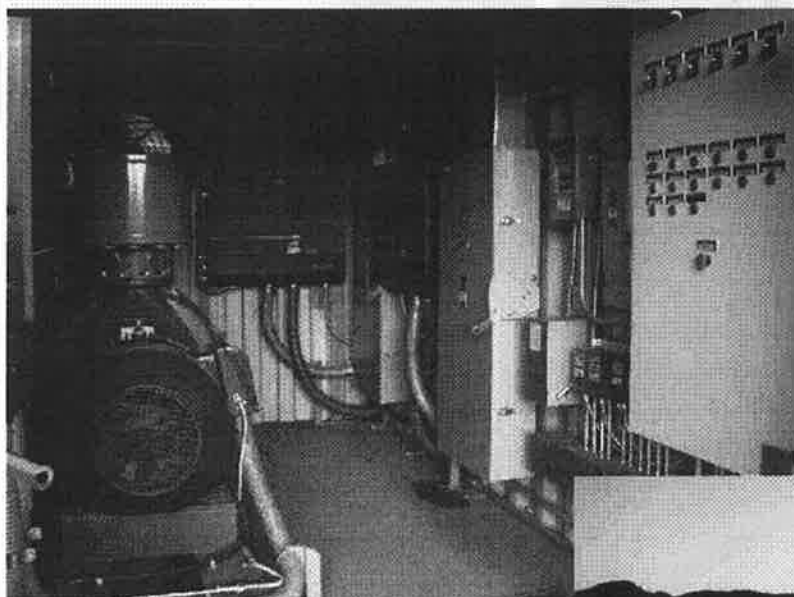
PRM Projects



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Methane Recovery and Air Injection System, Heishitou Landfill, Beijing, China

- Dual 100 HP Air Injection Blowers
- Dual 100 HP Gas Extraction Blowers
- Full SCADA Control Panel Package with Remote Monitoring
- Housed in two Custom Fabricated Connex Containers
- PRM provided System Manufacturing, Integration, Installation, and Startup



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Actual equipment specifications may vary. Please contact Product Recovery Management, Inc. for additional details.

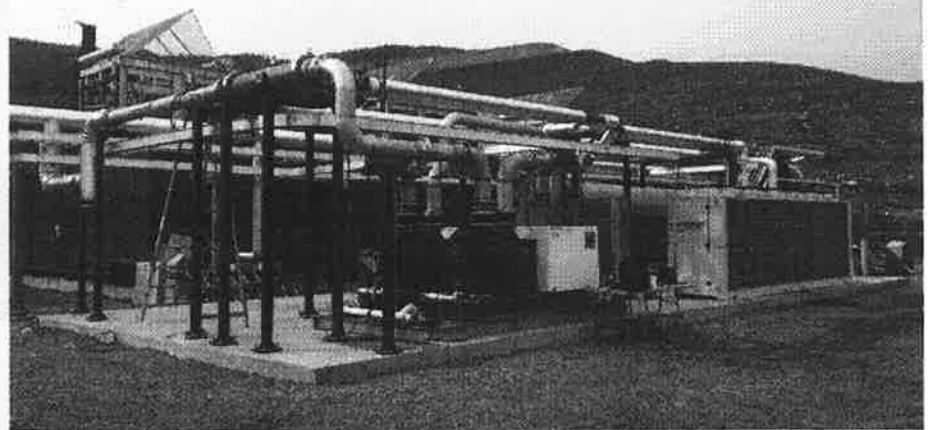
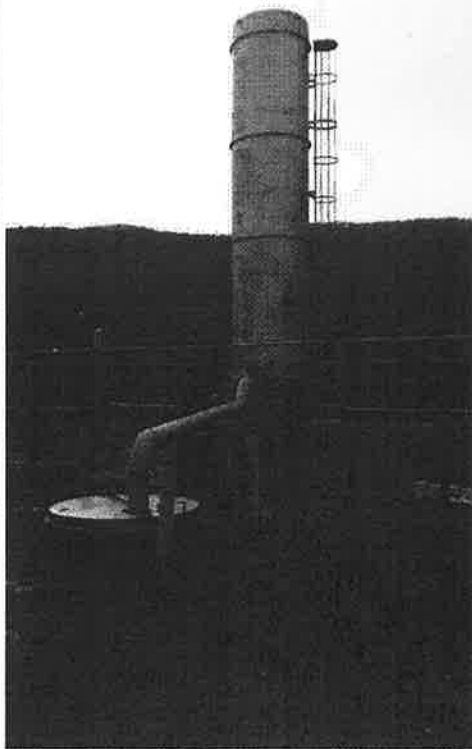
PRM Landfill Projects



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Complete Landfill Gas Extraction Skid with Enclosed Flare System, British Columbia, Canada

- 8' x 20' x 6" Channel frame equipment skid
- PRM Model MS400 moisture separator tank, carbon steel.
- Continental Model 77.03 Multistage Centrifugal Gas Blowers, each with: 60HP, 575V, 3 Phase, Premium Efficiency Explosion proof Motor
- 8'D x 40' tall Enclosed Landfill Gas Flare Designed / Manufactured by PRM to meet regulatory and Landfill Gas Code requirements according to CSA 22.2 and B149.6-11
- Stainless Steel NEMA 4x rated 2 door main system control panel, MET Third Party listed
- 75HP, 575V Variable Frequency Drives with PID loop for speed control, drive integrated motor amperage, % load and other valuable motor operational data.
- System controls are specifically designed for future integration of other control systems onsite.
- All gas is directed through (3) large Generator packages for >5MW of system output to the grid and gas is treated through Siloxane/H₂S Gas Control System



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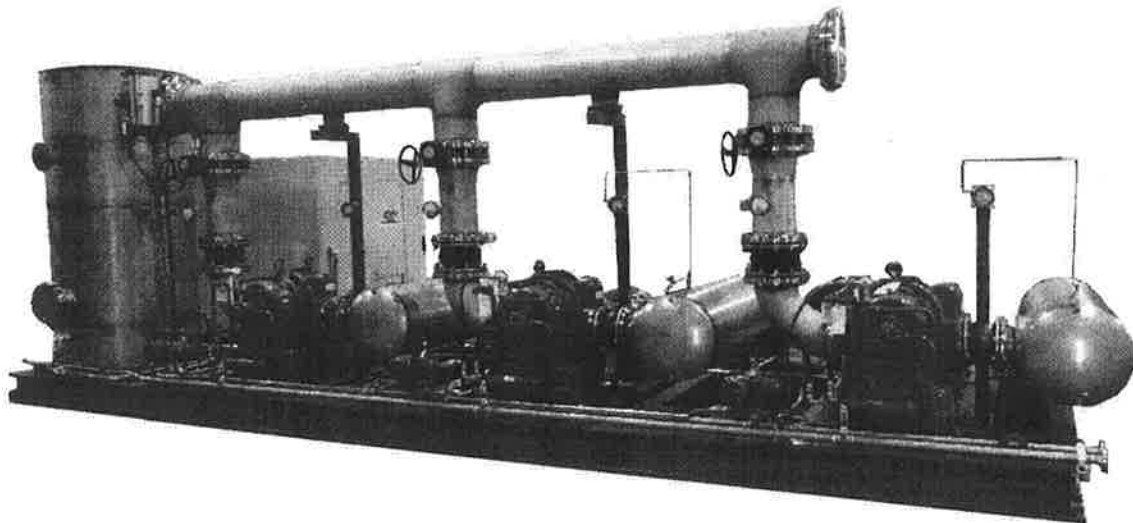
PRM Landfill Projects



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Landfill Gas 2500 SCFM Booster Blower System—Indianapolis, Indiana

- 8' x 20' Channel frame equipment skid
- 2 Landfill Gas Blower Packages, 1250 scfm each, ROOTS 1009 Rotary Lobe PD blowers for Landfill Gas Applications laser aligned to 150 Hp 460V 3 phase TEFC, 1800 RPM motors rated and stamped for Class 1, Division 2 Hazardous Locations ***Note that PRM provides laser alignment on rotary lobe blower packages. This is something that others do not and cannot do in the industry. Providing the perfect motor/blower shaft alignment results in thousands of additional hours of service life.***
- Blower systems are to be a direct-drive system and gives the client the option of operating at varying speeds for energy savings.
- NEMA 4 3rd Party Listed Industrial Control Panel, UL listed for 508 and 698 standards (Z-Purge for Class 1, Division 2 locations)
- Heavy Duty ABB Variable frequency drives with advanced keypad functions for both 150 Hp motors
- All gas is directed through multiple large Generator packages for ~ 8MW of system output to the grid and gas is treated through a Siloxane / H₂S Gas Control System



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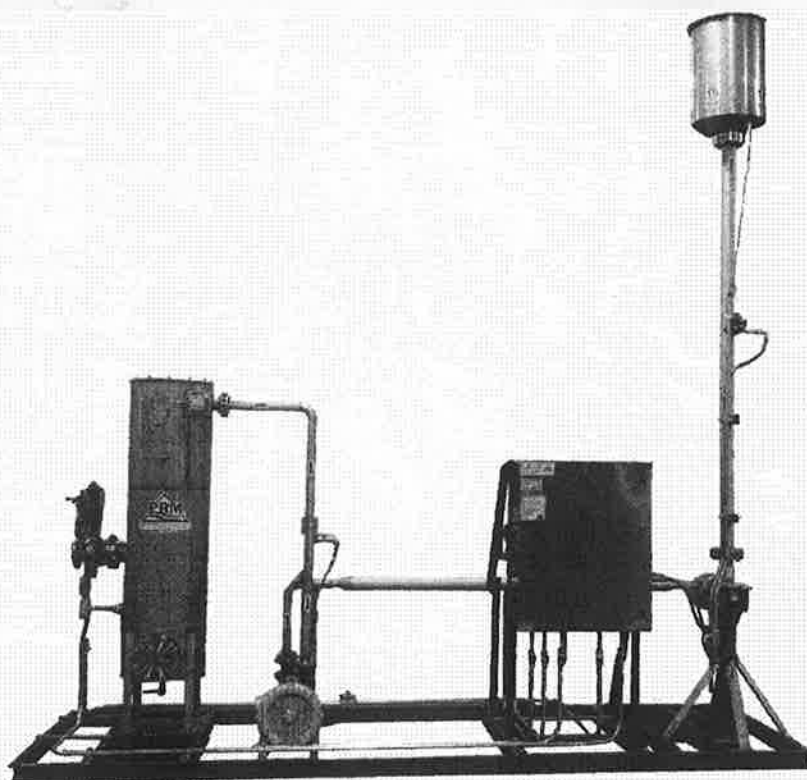
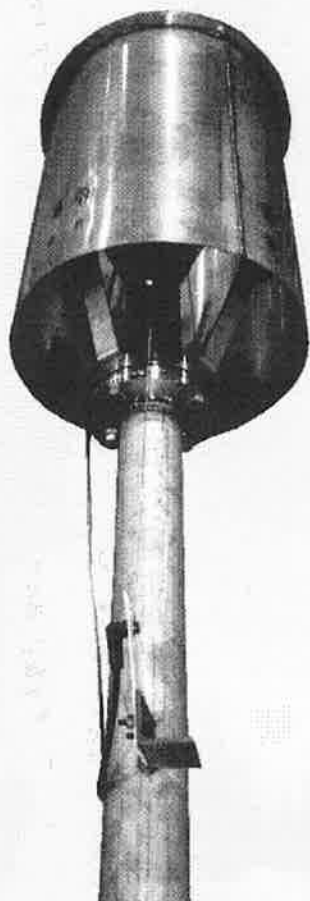
PRM Landfill Projects



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Landfill Gas Extraction and Flare Skid, Georgia

- 15' Stand- alone Candlestick Flare System configuration designed / manufactured by PRM.
- 4 hp Regenerative Blower, 480V 3 phase Explosion Proof, 680cfm Gas Extraction System
- PRM MS-80 Moisture Separator
- 5' X 15' mountable skid, 4" channeled steel
- NEMA 4 Stainless Steel Industrial Control Panel UL listed 508B and 698A certification for Intrinsically safe (IS) Hazardous locations extensions



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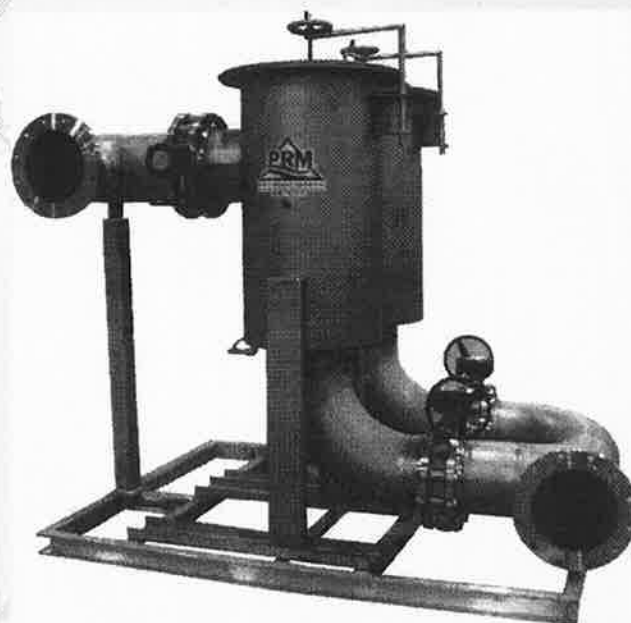
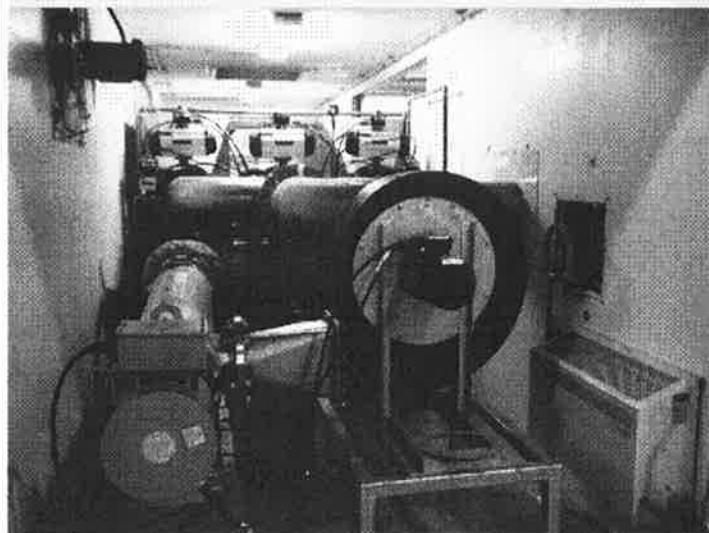
PRM Landfill Projects



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Packaged Siloxane Removal System, Indiana

- 8' x 40' Connex Container with separate control room
 - Explosion Proof Lights, Fan and Heater in Process room with LEL sensor integrated to Siloxane Control package with alarm.
 - 5Hp Compressor Package with controls and dryer in control room
 - HVAC unit in control room with vents on both sides
- 2 customized 304SS Filter housings on aluminum skid approx. 24"dia x 7'H plumbed in parallel with lug style high performance BFV's on inlet side
- 304SS piping throughout to connect filters with seabox



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PRM Landfill Projects



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Perimeter LFG Migration System, North Wake County Landfill, Raleigh NC

- 5' x 20' 4" Channel frame equipment skid,
- PRM Model MS-80 moisture separator tank, carbon steel
- One 5HP, 480V, 3 Phase Ametek-Rottron direct drive regenerative blower rated for 100 scfm
- Two PRM VP-85 200Lb Carbon Canisters with 4mm vapor phase carbon
- NEMA 4x rated Stainless Steel 2 door main system control panel
- Canopy with 3.5' overhang
- Vapor can be ventilated through Vapor Phase Carbon, Landfill Gas Filtration, or to a Flare System



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PRM Landfill Projects



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Other PRM Projects:

Landfill Gas Extraction System and Flare Package, Ft. Benning, Georgia

- Hauk Landfill Gas Blower 1100scfm@52"WC
- 15HP, 480V, TEFC motor
- PRM Model MS200 Moisture Separator (Aluminum)
- LFG Blower and MS Tank mounted on 5'x12' painted carbon steel skid
- NEMA 4 control Panel
- Flare dimensions are 8"D x 25'H with 30" windshield, 8" flame arrestor mounted at base of flare

Siloxane Removal System, Houston, Texas

- 8' x 20' Seabox Container with (2) Siloxane filter boxes fabricated of Aluminum.
- (6) Solenoid driven Air operated 6" or 8" actuated valves rated for Landfill gas
- 2HP process blower for system heater with air inlet screen for high flow
- System voltage 480V 3phase
- Total process flow of up to 1500CFM.
- 250scfm gas fired Afterburner/ Oxidizer for off-gas destruction
- NEMA 4 3rd Party Listed Industrial control panel

Landfill Leachate Management System, Hillsborough County, Florida

- Condensate sump components, 13 Hp, 230V, 3 phase.
- Water Level Transmitter for leak detection riser, 0-5 psi, 20 ft teflon cable.
- Tear drop level control floats each w/ 15 ft cable.
- 2" totalizing flowmeters installation in the Leachate Sump tie in
- SIRCO automatic sampler with NEMA 4, insulated, powder coated cabinet with sample container overflow protection
- NRTL 3rd party certified 32" x 48" x 12" stainless steel locking deadfront control panel

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**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023

Department: Finance

Staff Contact: Janet Jennings, Chief Financial Officer

AGENDA ITEM WORDING:

Quarterly Financial Update

ITEM BACKGROUND:

This financial update will review the results for the first nine months of the 2022-2023 fiscal year.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

No Action Required

DOCUMENTATION:

CITY COUNCIL AGENDA ITEM SUMMARY

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance to Vacate all of a certain Public Right-of-Way in the City of Bristol

ITEM BACKGROUND:

Code 15.2-2006 requires that the vacating of a public right-of-way requires advertising of such request and a public hearing. The City Council shall then consider the request to vacate the right-of-way by ordinance. Attached you will find an ordinance to vacate a public right-of-way along with a drawing of its location. This request is being made by Roger Williams, Wanda Williams, and Rodney Williams which owns the adjoining properties to the East and West of this segment of the unopened and unimproved alley. This request has followed the procedure to vacate right-of-way. A petition has been filed and the public hearing advertised on April 25th and May 2nd, 2023. The request has been circulated to other departments and BVU. Attached are copies of the Petition, Declaration of Understanding and a drawing showing the location of the request and a copy of the ordinance for first reading.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

The Staff recommends that the City Council vacate the public right-of-way as shown on the attached drawing. There are no existing or proposed utilities on this segment of the unopened and unimproved alley, therefore it is recommended that no utility easements will be retained by the City.

DOCUMENTATION:

[Ordinance Vacate ROW - Unopened_Unimproved_Alley Segment at 1400 Block Glenway Avenue.pdf](#)

[Unopened_Unimproved_Alley Segment at 1400 Block Glenway Avenue Vacate ROW Exhibit Map 221018.pdf](#)

[Vacate ROW Declaration of Understanding signed.pdf](#)

[Petition to Vacate ROW signed.pdf](#)

Newspaper Notice 230425.pdf

Newspaper Notice 230502.pdf

Ordinance: 23-13

**ORDINANCE TO VACATE A PORTION OF AN
UNOPENED / UNIMPROVED PUBLIC RIGHT-OF-WAY**

WHEREAS, the City of Bristol, Virginia desires to vacate a portion of an unopened/unimproved right-of-way in the City of Bristol, Virginia, more particularly described as follows:

Being the entire width of a portion of an unopened alley intersecting Glenway Avenue which lies between Tax Parcel No. 15-3-4 and Tax Parcel No. 15-2-58-4, being only that portion of the unopened alley adjacent to Tax Parcel No. 15-2-58-4.

WHEREAS, the vacating of said right-of-way has been advertised, and a public hearing held, all in compliance with § 15.2-2006 of the 1950 *Code of Virginia*, as amended.

NOW THEREFORE BE IT ORDAINED, by the City Council for the City of Bristol, Virginia that the right-of-way in the City of Bristol, Virginia described above should be, and hereby is vacated; and

BE IT FURTHER ORDAINED, that the Clerk of the City shall cause a certified copy of this ordinance be recorded among the land records in the office of the Circuit Court for the City of Bristol as required by law.

First Reading:

Second Reading:

Adopted:

Effective Date:

Votes:

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

**

*

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



PORTION OF ALLEY RIGHT-OF-WAY
TO BE VACATED

ROGER L. WILLIAMS AND
WANDA J. WILLIAMS
OWNERS

ROGER L. WILLIAMS AND
RODNEY G. WILLIAMS
OWNERS

UNOPENED ALLEY

SKETCH SHOWING PROPOSED
RIGHT-OF-WAY VACATION OF
PORTION OF UNOPENED ALLEY

AJOINING PROPERTY OWNERS
ROGER WILLIAMS, RODNEY WILLIAMS, AND
WANDA J. WILLIAMS

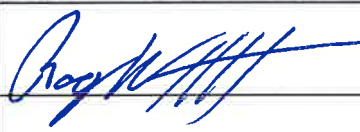
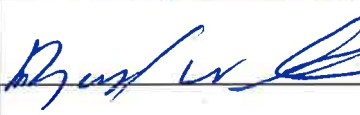
1400 GLENWAY AVENUE

Property Legal Description

Being the entire width of a portion of an unopened alley intersecting Glenway Avenue which lies between Tax Parcel No. 15-3-4 and Tax Parcel No. 15-2-58-4, being only that portion of the unopened alley adjacent to Tax Parcel No. 15-2-58-4.

Vacate Right-of-Way – Declaration of Understanding

Declaration:	The Petitioner(s) herein named hereby waive, renounce, relinquish, absolve, and discharge the City of Bristol, Virginia from any claims for damages of any nature and kind whatsoever that such petitioner or petitioners may have or claim or demand, now on in the future, by reason of the vacating, closing, discontinuing and abandoning of public right(s)-of-way or any part or portion thereof; and shall indemnify and hold harmless the City of Bristol, Virginia from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the portion of right(s)-of-way being vacated herein as a result of the exercise by the City of Bristol, Virginia of its rights within any remaining public right(s)-of-way not vacated.
Legal Property Description	Being the entire width of a portion of an unopened alley intersecting Glenway Avenue which lies between Tax Parcel No. 15-3-4 and Tax Parcel No. 15-2-58-4, being only that portion of the unopened alley adjacent to Tax Parcel No. 15-2-58-4.

Printed Name	Signature	Address	Comment	Date
Roger Williams		13304 College Dr. Meadowview, VA		03-23-23
Wanda Williams		13304 College Dr. Meadowview, VA		03-23-23
Rodney Williams		15524 Woodstone Circle Bristol, VA 24201		03-23-23

Petition to Vacate Right-of-Way

Action petitioned for	We the undersigned abutting property owners, hereby petition the Bristol Virginia City Council to take whatever action is necessary to vacate and abandon the public right-of-way located and described as follows;
Property Description	Being the entire width of a portion of an unopened alley intersecting Glenway Avenue which lies between Tax Parcel No. 15-3-4 and Tax Parcel No. 15-2-58-4, being only that portion of the unopened alley adjacent to Tax Parcel No. 15-2-58-4.

Printed Name	Signature	Address	Comment	Date
Roger Williams		13304 College Dr., Meadowview, VA		03-23-23
Wanda Williams		13304 College Dr., Meadowview, VA		03-23-23
Rodney Williams		15524 Woodstone Circle Bristol, VA		03-23-23

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Yard and Estate Sales

NOTICE OF SALE OF PERSONAL PROPERTY
A public auction will be conducted at the Rosedale Self-Storage, 557 Redbud Highway, Rosedale, VA 24280, on Friday, April 28, 2023 @ 10:00am. The personal property will be offered for sale to the highest bidder for cash, due in full at the time of sale. For further info, contact TTW Properties at (276)328-3800.

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Car - Any condition, running or not. Porsche, Jaguar, Mercedes, Rolls Royce, Ferrari, and much more. Fast & easy transaction. Cash on the spot. If you have any of these or any other old foreign cars just sitting, please call me at 703-864-2531.

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Conveniently located, Energy efficient heat pump,

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LEGAL ADS

Legal Notices

LEGAL ADS

Legal Notices



NOTICE - PETITION TO VACATE RIGHT-OF-WAY

Petition to vacate unimproved right-of-way described as follows:
Being the entire width of a portion of an unopened alley intersecting Glenway Avenue which lies between Tax Parcel No. 15-3-4 and Tax Parcel No. 15-2-58-4, being only that portion of the unopened alley adjacent to Tax Parcel No. 15-2-58-4.
This will be considered at the Bristol, Virginia Council Meeting, City Hall, on Tuesday, May 9th, 2023 at 6:00 p.m.
Persons affected may appear and present views.
For additional information please contact Chuck Brewster at 276-821-6248 or cbrewster@bristolva.org

Washington County, Virginia Notice of Public Hearing

The Virginia Department of Transportation and the Board of Supervisors of Washington County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Washington County Government Center Building, 1 Government Center Place, Abingdon, VA 24210 at 6:30 p.m. or as soon thereafter as possible on May 9th, 2023. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2023/24 through 2028/29 in Washington County and on the Secondary System Construction Budget for Fiscal Year 2023/24. Copies of the proposed Plan and Budget may be reviewed by contacting the Abingdon Residency Office of the Virginia Department of Transportation at (276) 676-5582 or at the Washington County offices located at 1 Government Center Place, Abingdon, VA 24210.

All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds.

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 676-5582. Persons wishing to speak at this public hearing should contact the Washington County Board of Supervisors at (276) 525-1300.

Proposals, Requests For

Proposals, Requests For

Request for Proposals

Bristol Tennessee City Schools, 615 Martin Luther King Jr. Blvd., Bristol, TN will receive proposals for BID #23-2249 Purchase of Water Coolers, Bottle Fillers, and Accessories until 2:00 pm on May 9, 2023. Proposals are also being accepted for RFP #23-2250 Mental Health Services Provider until 2:00 pm on May 9, 2023.

Detailed specifications for these may be obtained from the Business Office of Bristol Tennessee City Schools at the above address Monday-Friday from 7:30 am until 4:00 pm and are available for download on the Business page of the school system's website at: www.btcsc.org/departments/business.

REAL ESTATE FOR SALE

Condos, Townhomes

CONDO FOR SALE- 605 Redstone Dr.
Unit 2, Bristol TN. 3Bdrm, 1.5 bath, 1470 sqft +/- \$169,900. Call 423-967-4637

REAL ESTATE FOR RENT

Apartments Unfurnished

Abingdon, VA - Russell Rd.
2BR, 1.5BA. \$750 + deposit.
No pets. Call (276) 623-1485

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1 Lg Apt/Living Rm, nicely furnished, Upstairs, Nice, Clean, Quiet, No Pets. Ref & Dep Req'd. Rent \$550/mo
Call 423-573-3269 or 423-340-6147

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AVAILABLE 3 BR 2 Bath House for rent Walker Mtn Rd. Bristol, Va. New Paint, Carpet, & Appliances No Pets \$1400 per month \$800 Deposit includes water & yard mowing Lease,References, Employment Verification 423-737-5600



Bageerha, 3 1/2 yr old female. Housetrained, good w/cats and older children, no dogs. Loves her humans attention. Spayed, uptodate on vaccinations and FIV negative. Microchipped when adopted. April SpringFling Adoption Fee \$20.23

The Bridge Home No Kill Animal Rescue
423-239-5237,
bridgehomerescue@gmail.com
2061 Highway 75, Blountville, TN 37617



Gus, 18 mos old male Chiweenie. A very happy, loving fellow who enjoys the outdoors so a fenced yard is required. He gets along great with all people and dogs. He weighs in at about 12 pounds and is neutered and current on vaccinations. Contact Teresa with For Pete's Sake Rescue. 276-791-0475



Annie, 6 year old female Anatolian. Kind and gentle and needs to be in a home with someone familiar with her breed. She is good with other dogs but not recommended with children. SPAYED and current on vaccinations. Text Ada with For Pete's Sake Rescue at 276-494-6718.

PETS

Dogs

AKC LABRADOR PUPPIES
Ready week of 5/13, all black. \$1200 ea
Health guarantee, vet checked & computer chipped.
chipslabs.com. 276-988-5725

American English Golden Retrievers, 2 males- 3 mo old; 3 females- 7 wks old, vet chkd, 1st shots, microchipped, ready to go now. \$1600 ea 540-239-6248

German Shepherd babies, Beautiful and feisty, 1 white, 2 black and tan. 1st shot and wormed. Full blooded. No papers \$500.00 Call 276-930-3133

Golden Retrievers (English Cream) AKC/OFA Genetic clear, male & female. Ready to go! Vet ck, shots, wormed. Will meet. \$1500. Call 540-392-9707

Cats

A 1 1/2 year old female short hair tortoiseshell feline looking for a loving forever home. Indoors only. Good with other cats or not as long as plenty of human companionship. Affectionate. Completely vetted, spayed and FIV negative. \$50 donation of your choice to a shelter or rescue. 423-502-7373 references and serious inquiries only please.

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Boat Motor - Want to buy motor,4-stroke,tiller handle,electric start. 423-764-6765

Saw- Saw-Saw, electric, like new. \$30. 423-764-6765

Boat Motor-Montgomery Ward motor, 12HP, pull start. \$50. 423-764-6765

NIB - 1927 Bristol Sessions Deluxe CD Set. \$150 or trade. No text please. Info: 423-383-1688

TV STAND- w/3 shelves Good Cond. \$50 Call 423-878-4608 lv msg

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This institution is an Equal Housing
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Fishing Boat for Sale, 14 ft. Loweline V-Hull Alum., '00 25hp Johnson Tiller Rope Start, Electric Trolling Motor, and Trailer with New Tires. Some Accessories Included. Motor Maintenance is Current. Boat/ Motor/Trailer \$3,995.00

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9am - 6pm Tuesday - Saturdays,
Sundays 1pm - 6pm.

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20 to 24 ft.
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Wanted to buy cars & trucks for parts. Running, wrecked or junk! 423-335-0941

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JOB SUMMARY:
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ESSENTIAL JOB FUNCTIONS:
Responsible for the insertion of advertising pieces into a newspaper. Other duties include the operation of all mailroom equipment including insert machines, stackers, strappers, dock work, and operating the packaging equipment in production workflow used in the packaging operation.

Educational Requirements:
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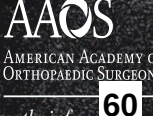
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**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance to Amend Chapter 66 to the City Code Pertaining to Personnel [Ordinance 23-7]

ITEM BACKGROUND:

Chapter 66 of the City Code of Bristol, Virginia establishes the rules and regulations governing personnel matters in the City. Chapter 66 of the Code has been updated by ordinance from time to time as necessary over the years, but still remains largely as it did in 1966. The intention of this ordinance is to create an active and functional Personnel Policy Handbook that can be amended as needed with Council's approval in a timely manner without the necessity of adopting an ordinance approving the amendment. The Personnel Policy Handbook would be adopted by reference as if it were fully incorporated within the Code. Prior to the end of each fiscal year, the City Manager or his/her designee will present the Personnel Policy Handbook to City Council for review and approval.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Ordinance 23-7 Personnel_fnl.pdf](#)

Ordinance: 23-7

An Ordinance to Repeal Sections 66-26, 66-27, 66-28, 66-29, 66-30, 66-42, 66-43, 66-44, 66-45, 66-51, 66-52, 66-53, 66-54, 66-55, 66-56, 66-57, 66-82, 66-83, 66-84, 66-85, Article IV – Employee Incentive Bonus Program, 66-106, 66-107, 66-108, 66-109, 66-110, 66-111, 66-112, 66-113, Article V – Retirement Health Insurance Benefit Program, 66-121, 66-122, and 66-123, and to add Sections 66-24 and 66-25 to Division 1 of Article II of Chapter 66 to the City Code pertaining to Personnel.

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

That Sections 66-24 and 66-25 are hereby added to Division 1 of Article II of Chapter 66 to the Code of the City of Bristol, Virginia.

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

That Sections 66-26, 66-27, 66-28, 66-29, 66-30, 66-42, 66-43, 66-44, 66-45, 66-51, 66-52, 66-53, 66-54, 66-55, 66-56, 66-57, 66-82, 66-83, 66-84, 66-85, Article IV – Employee Incentive Bonus Program, 66-106, 66-107, 66-108, 66-109, 66-110, 66-111, 66-112, 66-113, Article V – Retirement Health Insurance Benefit Program, 66-121, 66-122, and 66-123, of the Code of the City of Bristol, Virginia are hereby repealed.

The adopted Code of the City of Bristol, Virginia shall read as follows:

Chapter 66 PERSONNEL¹

¹Charter reference(s)—City manager, ch. 5; personnel department, § 7.03.

Cross reference(s)—Administration, ch. 2.

State law reference(s)—~~Privacy Protection Act of 1976, Code of Virginia, § 2.1-377 et seq.; establishment of grievance procedure, personnel system and uniform pay plan for local employees, Code of Virginia, § 15.1-7.1 15.2-1506; provision of grievance procedure; training programs, when state grievance procedure applies to locality, Code of Virginia, 15.2-1507 § 15.1-7.2; insurance for local employees and retired employees, Code of Virginia, § 15.1-7.3; bonuses for local employees, Code of Virginia, § 15.1-7.4; preferences for veterans in local government employment, Code of Virginia, § 15.1-7.5; joint local government employees, Code of Virginia, §§ 15.1-20.3, 15.1-20.4; use of tobacco products by government employees, Code of Virginia, § 15.1-29.18; Virginia Retirement System, Code of Virginia, § 51.1-100 et seq.; group insurance program, Code of Virginia, § 51.1-500 et seq.; deferred compensation, Code of Virginia, § 51.1-600 et seq.; federal social security, Code of Virginia, § 51.1-700 et seq.; local retirement systems, Code of Virginia, § 51.1-800 et seq.; employees and employers defined for purposes of workers' compensation, Code of Virginia, § 65.2-101.~~

ARTICLE I. IN GENERAL

Secs. 66-1—66-2523. Reserved.

ARTICLE II. STANDARDS FOR EMPLOYEES

DIVISION 1. GENERALLY

Sec. 66-24 . _Personnel Handbook

The City of Bristol, Virginia Personnel Policy Handbook is hereby adopted by reference, as if it were fully incorporated herein, as the Personnel Policy Handbook of the City of Bristol, Virginia.

Sec. 66-25. Approval of Personnel Policy Handbook.

Each year, on or before the last day of June, the City Manager or his or her designee shall present to the City Council the Personnel Policy Handbook for consideration and adoption. Upon adoption by the City Council, the Personnel Policy Handbook shall become effective on the following July 1, and supersede the previous Personnel Policy Handbook.

~~Sec. 66-26. Working hours.~~

~~The number of working hours a week for full-time employment of city officers and employees shall not be less than 40, exclusive of the lunch hour. The schedule of the working hours shall be established by the city manager and approved by the city council with due regard for the maintenance of service.~~

~~(Code 1966, § 2-6)~~

~~Sec. 66-27. Employment outside of service.~~

~~No employee of the city shall engage in any other employment or in any private business or in the conduct of a profession during the hours which he is employed, or outside such hours in a manner or to an extent that affects or is likely to affect his usefulness as a city employee. Work outside the working hours is not allowed without written approval from the city manager. The city manager may withdraw approval at any time.~~

~~(Code 1966, § 2-9; Ord. No. 11.05, 8-9-11)~~

Sec. 66-28. Eligibility for participation in retirement and insurance programs.

After the termination of the probationary period as provided in section 66-45, regular full-time employees shall be entitled to participate in the various retirement and insurance programs, except that eligibility for health insurance shall commence on the first of the month next preceeding the termination of the probationary period. In no event shall the period for health insurance eligibility exceed 90 days.

(Code 1966, § 2-16; Ord. No. 13.11, 8-13-13)

Sec. 66-29. Longevity salary supplement.

The longevity salary supplement shall be subject to the following criteria:

- (1) ~~Eligibility.~~ Nonelected employees of the city, employees of the department of social services, the registrar of voters and the constitutional offices of the commonwealth's attorney, sheriff's department, circuit court clerk, commissioner of the revenue and the city treasurer including the heads of such departments and the constitutional officers themselves, who have 25 or more years of continuous, uninterrupted service regardless of whether the employee has transferred from one department to another, from a city to a commonwealth department or office or from a commonwealth department or office to a city department or office.
- (2) ~~Amount of supplement.~~ All eligible employees set forth in subsection (1) of this section upon achieving 25 years of service shall receive an annual salary supplement of \$500.00 and all of such employees upon achieving 30 years of service shall receive an annual salary supplement of \$1,000.00, payable as hereinafter set forth, upon the anniversary date of his initial employment.
- (3) ~~Payment.~~ The supplements provided for in this section shall be added to annual salaries and payable in equal installments as applicable to each eligible employee's pay schedule.
- (4) ~~Distinction from other compensation increases.~~ The salary supplements set forth in this section are intended as recognition of dedicated service and shall not be construed to supersede or replace any step, merit, incentive, cost-of-living or other type of compensation increase which the city council may from time to time authorize, nor shall any subsequent adjustment or revision of wage scales or classification be construed to affect the supplements set forth in this section.
- (5) ~~Amendment or repeal of section.~~ This policy may be from time to time amended or repealed in whole or in part if deemed necessary by the city council.
- (6) ~~Eligibility of department heads and constitutional officers.~~ Heads of departments and constitutional officers shall be eligible for receipt of this supplement effective July 1, 1989, and to the extent that any such covered person shall not have been heretofore paid, who was eligible as of July 1, 1989, or has become eligible as of the effective date of Ordinance No. 89-16, said pay supplement shall be retroactive to July 1, 1989, or the date thereafter said affected person shall become eligible for the supplement.

(Code 1966, § 2-18.2)

Sec. ~~66-30. Dental assistance.~~

~~A program of dental assistance known as the City of Bristol, Virginia Employee Dental Assistance Plan (the plan) be, and hereby is established subject to the following provisions:~~

- ~~(1) The plan shall consist of the plan documents, an employee handbook and a table of premium contribution schedules.~~
- ~~(2) All premium contributions by the employer and eligible persons covered by the plan shall be paid into a dental assistance plan trust fund to be created by an affirmative vote of city council which shall be an interest bearing account, separate from any other account of or administered by the city and said trust fund shall be administered along with all other elements of the plan by two trustees who shall be the city manager and the city clerk and comptroller.~~
- ~~(3) All persons eligible for coverage under the plan shall be provided with an employee handbook and table of premium contribution schedules and shall, upon request, be provided with a copy of the plan in its entirety.~~
- ~~(4) The city council shall have the specific right reserved to amend or to repeal the plan in whole or in part if the city council deems it to be in the best interest of the city to do so. Upon repeal or termination of the plan, any funds remaining in the trust fund subsequent to the settlement of outstanding claims and reasonable administrative costs shall be disbursed in accordance with the provisions of the plan.~~

(Ord. No. 89.12, 5-23-89)

Sec. 66-31. Grievance procedure.

- (a) *Grievance procedure.* Access to procedure: Because many employee concerns or complaints can be resolved through communication between the employee and the supervisor, employees are encouraged to take their concerns informally to their supervisors as soon as possible. This informal process does not, however, extend the time frames outlined in this procedure.
 - (1) *Coverage.* All non-introductory classified city employees shall have access to the grievance procedure, with the exceptions as listed in subsection (a)(2) below.
 - (2) *Exclusions.* The following categories of employees do not have access to the grievance procedure:
 - a. ~~Probationary~~ Introductory employees;
 - b. Appointees of elected groups or individuals;
 - c. Department heads;
 - d. Constitutional officers and employees of their offices;

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- e. Law enforcement officers electing to pursue a grievance under Chapter 10.1 of Title 2.1.
 - (3) *Resignation.* An employee who has voluntarily resigned shall not have access to this grievance procedure after the effective date of the resignation. However, any grievance initiated by an employee prior to separation from service may, at the employee's option, continue to be processed through the grievance procedure.
 - (4) *Grievance initiated after removal.* An employee who has been removed shall not have access to the grievance procedure, except to grieve a termination resulting from formal discipline, unsatisfactory job performance, or a disciplinary action which occurred less than 30 days before the removal.
- (b) *Definition of grievance.*
- (1) *Grievable issues.* A grievance shall be a complaint or dispute by an employee relating to his employment, including but not necessarily limited to:
 - a. Disciplinary actions, including dismissals (whether resulting from formal discipline or unsatisfactory job performance), demotions and suspensions.
 - b. The application of personnel policies, procedures, rules, regulations, ordinances and statutes.
 - c. Acts of retaliation as a result of utilization of the grievance procedure or of participation in the grievance of another employee.
 - d. Acts of retaliation as the result of complying with state or federal law, reporting a violation of any such law to a governmental authority, or seeking to change a law before Congress or the General Assembly.
 - (2) *Nongrievable issues.* Management reserves the exclusive right to manage the affairs and operation of city government. Accordingly, the following complaints are not grievable.
 - a. Establishment and revision of wages, salaries, position classifications or general benefits.
 - b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be part of the job content.
 - c. The measurement and assessment of work activity through a performance evaluation, except where the employee can show that the evaluation was arbitrary or capricious.
 - d. The contents of established personnel policies, procedures, rules, regulations, ordinances and statutes.
 - e. Failure to be promoted, except where the employee can show that established promotional policies or procedures were not followed or applied fairly.
 - f. The hiring, transfer, assignment and retention of employees, provided such actions do not constitute disciplinary actions.
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- g. The relief of employees from duties in emergencies.
 - h. Termination, layoff, demotion or suspension from duties because of lack of work, reduction in the work force or job abolition.

(3) *Determining grievability of issues.*

- a. If, during the first step procedures, management response indicates that a given issue is not grievable, the employee may appeal to the circuit court. To request a circuit court hearing, the employee must submit a written request to the city manager within five days of receipt of the grievability decision. The city manager shall forward copies of the grievance record and any exhibits furnished by either party to the circuit court having jurisdiction in the locality in which the grievance arose within ten work days after receiving the request from the employee.

Both the employee and the city may call upon appropriate witnesses and be represented by legal counsel before the court. Such representative may examine, cross-examine, question and present evidence on behalf of the employee or the agency before the court.

- (4) *Circuit court authority.* The city manager will forward the grievance record within ten workdays to the circuit court. Within 30 calendar days of receiving the grievance record, the court sitting without a jury should hear the appeal on the record and such additional evidence as may be necessary to resolve the issue of grievability. The court may receive other evidence at its discretion. The employee may have legal representation or represent himself at the hearing.

Because the appearance of witnesses is within the discretion of the court, the parties must notify the court that they are requesting permission to have witnesses testify at the hearing.

The court may affirm or reverse the decision of the city or, appropriate circumstances, choose a modified remedy.

The decision of the court is final and binding. The city manager shall be responsible for ensuring that the court's decision is implemented.

The city manager will be responsible for distribution of copies of the court's decision to the department head, and the employee within five work days of its receipt from the court.

- (c) *Management review.* Employees may pursue grievable issues through the grievance procedure, as provided, and supervisors are encouraged to assist in this process.

(1) *First step.*

- a. The employee shall identify the grievance orally to the immediate supervisor in an informal face-to-face meeting within 30 calendar days after the event or action which is the basis for the grievance.

The immediate supervisor is the individual who is responsible for evaluating the performance of the grievant.

- b. The immediate supervisor shall give an oral response to the employee within five work days following the meeting. Prior to providing any response to the grievant, the immediate supervisor will provide through his/her chain of command, the city manager the details of the grievance. At this point in the procedure, the city manager will issue a decision on the issues' grievability.
- c. If resolution is not reached at this point, the employee may initiate the grievance in writing within five work days of the oral response.
 - 1. If the grievance deals with a disciplinary action (including dismissal, demotion, or suspension), the employee has the option of submitting a written grievance to the immediate supervisor or, if the immediate supervisor did not take the disciplinary action, to the individual who took the discipline.
 - 2. In all other grievances, a written grievance should be submitted to the immediate supervisor.
 - 3. The nature of the grievance and the specific relief requested should be clearly stated.
- d. The respondent at the first step shall give the employee a written response to his/her grievance within five work days of receipt of employee's written grievance.

(2) *Second step.*

- a. If the employee does not accept the response from the first-step respondent, the employee may submit in writing the desire to have the grievance advanced to the next step. The employee must submit a written request to second step respondent (generally the next direct management level) within five work days of receipt of the first-step respondent's reply.
- b. The second step respondent shall meet with the employee within five work days of receipt of the written request to proceed to next step. The only persons to be present at this meeting are the employee and the second-step respondent. Appropriate witnesses may be called and may remain in the room only while giving their own testimony.
- c. The second-step respondent shall provide the employee a written response within five work days following the meeting as described in subsection (c)(2)b. above.

(3) *Third step.*

- a. If the employee does not accept the response from the second-step respondent the employee may submit in writing the desire to advance the grievance to the third step respondent within five work days of receipt of the second-step respondent's reply.
 - b. The third-step respondent shall be the city manager.
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- c. The third-step respondent shall meet with the employee within five work days following receipt of employee's written request to proceed to third step. The only persons present at this meeting are the employee and the third-step respondent. Appropriate witnesses may be called and may remain in the room only while giving their testimony.
 - d. The third-step respondent shall give the employee a written response within ten work days following the meeting.
- (4) *Fourth step.*
- a. If the employee does not accept the response from the third step respondent, the employee may submit in writing, a request that the grievance be advanced to a hearing before an impartial panel as set out hereafter.
 - b. Panel composition: Except in cases grieving termination of employment, a panel shall consist of three members: one member appointed by the grievant, one appointed by the city manager, and third member appointed by the other two members. In the event that agreement cannot be reached as to the final panel member, the chief judge of the circuit court of the jurisdiction wherein the dispute arose shall select the third panel member. In the case of termination of employment, the city will appoint a hearing officer from the state maintained list as the third panel member. The city will bear all cost of the hearing officer. The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants, of a child, sibling, niece, nephew and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or co-employee of the attorney shall serve as a panel member.
 - c. Panel selection: The grievant shall file a request in writing with the city manager within ten work days of the step 3 decision. Within five work days after such filing, the grievant and city manager shall submit the name of one member to serve on the panel. Within five work days thereafter, the two panel members so appointed shall appoint a third member. In the event that agreement cannot be reached for selection of a such a third member, the two members shall request the judge of the circuit court of the city to appoint a third member. In the case of termination of employment, the city will appoint a hearing officer from the state maintained list as the third panel member.
 - d. Panel hearing date: The full panel shall set the date, time and place for the hearing which shall be held within 15 work days following the selection of the third member. The panel shall select its own chairperson who shall notify each of the participants of the hearing date.
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- e. Case presentation: The grievant and city manager may be represented by legal counsel or other representatives of their choice at the panel hearing. Such representatives may examine, cross-examine, question or present evidence in their behalf.
 - f. Panel decision: The panel shall render its decision in writing within 15 work days following the conclusion of the hearing. Copies thereof shall be distributed to the grievant, grievant's department head, city manager, and city attorney. The majority decision of the panel shall be final and binding.
- (5) *Management rights retained.* Nothing in this procedure is intended to circumscribe or modify the existing management right of the city government to do the following:
- a. Direct the work of its employees as well as establish and revise wages, salaries, position classification and general employee benefits;
 - b. Hire, promote, transfer, assign and retain employees within the agency;
 - c. Maintain the efficiency of governmental operation;
 - d. Relieve employees from duties of the agency in emergencies; and
 - e. Determine the methods, means and personnel by which operations are to be carried on.

None of these rights may be exercised in an arbitrary or capricious manner, nor shall any supervisor, department head, or other management official make a reprisal against any employee by reason of having invoked the grievance procedure.

Failure by the grievant to comply with all substantial procedural requirements of the grievance procedure without just cause will terminate the right to further appeal.

Failure of the respondent to comply with all substantial procedural requirements of the grievance procedure without just cause will, at the option of the grievant, advance the grievant to the next step in the grievance process. Failure of the respondent, without just cause, to comply with all substantial procedural requirements of the final step of the grievance procedure shall result in a decision in favor of the grievant.

The time periods established throughout this grievance procedure are deemed to constitute substantial procedural requirements. However, such time periods may be extended by mutual agreement between the grievant and the appropriate supervisors, department heads and city manager to whom the time period is applicable.

At all steps beyond step 1 in the procedure, the grievant shall be permitted to be accompanied or represented by an individual of their own choice. Representation of the grievant shall be at their own expense; however, if the hearing is held during regular working hours and the grievant's representative is another city employee, the city will authorize representative to attend the hearing without charge to leave balance.

(Ord. No. 97.10, 8-12-97)

Secs. 66-32—66-40. Reserved.

DIVISION 2. LEAVE

Sec. 66-41. Holidays.

(a) *Holidays observed by the city.*

- (1) New Year's Day, January 1.
- (2) Martin Luther King Day, third Monday in January.
- (3) Presidents' Day, third Monday in February.
- (4) Memorial Day, last Monday in May.
- (5) Independence Day, July 4 or a day appointed by the Governor.
- (6) Labor Day, first Monday in September.
- (7) Columbus Day and Yorktown Victory Day, second Monday in October.
- (8) Election Day, first Tuesday after the first Monday in November.
- (9) Veterans Day, November 11 or a day appointed by the Governor.
- (10) Thanksgiving Day, fourth Thursday in November.
- (11) The day following Thanksgiving.
- (12) Christmas Eve Day, December 24.
- (13) Christmas Day, December 25.
- (14) Any other holiday time granted by the Governor of the Commonwealth of Virginia or the President of the United States.
- (15) Any other day so appointed by the city council.

(b) *City holidays for 40-hour per week employees.*

- (1) Forty-hour per week employees shall observe holidays in accordance with the Commonwealth of Virginia; this will include all federally observed holidays. The following employees will not have paid holidays: Part-time employees, temporary employees, an employee who is not in a pay status on the day preceding and the day following a paid holiday, and an employee who is not in a pay status due to extended sick leave when all other leave credits have been exhausted.
- (2) If Christmas Day falls on Saturday, Christmas Eve will be observed on the preceding Thursday. If Christmas Day falls on Sunday or Monday, Christmas Eve will be observed on the preceding Friday, unless some other day is specified by the Governor of the Commonwealth for observation of Christmas Eve by state employees, in which event,

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- such other day as so designated by the Governor shall be observed as the Christmas Eve holiday by the city also.
- (3) All 40-hour employees shall observe paid holidays on the dates and in the manner indicated above or as modified hereinafter.
- (c) *City holidays for employees engaged in law enforcement and fire protection activities (fire and police department employees) assigned to shifts.*
- (1) Shift employees are frequently assigned shift work hours during a holiday and alternatively are off on a holiday. Tying these employees holidays to specific holidays results, from time to time, in their not getting the same number of holidays as 40-hour employees. Therefore, shift employees shall have the same number of days off each year as 40-hour employees, but said days are not tied to specific holidays. Said days shall also be called holiday leave.
- (2) Shift employees shall take their days off during each year of employment. The chief of each department shall schedule each such employee's days off to insure the manpower needs of his department while satisfying the desires of each employee to the extent possible given said department manpower needs.
- (3) With respect to Thanksgiving and Christmas, the chiefs of these two departments shall, to the extent possible considering manpower needs, rotate days off on Christmas and Thanksgiving among all the personnel in their departments from year to year.
- (d) Paid holidays or holiday leave falling during an employee's regular vacation leave are not counted as days of vacation.
- (e) *Definition of day.* The word "day" for purposes of this ordinance shall mean 24 consecutive hours. In the case of 40-hour employees, it shall be the 24 hours between 12 midnight at the beginning of a day and 12 midnight at the end of the same day. In the case of employees working shifts, it shall be the 24 consecutive hours from the beginning of any such employees shift to 24 hours later.
- (Code 1966, § 2-7; Ord. No. 90.01, 2-13-90; Ord. No. 04.06, 3-9-04; Ord. No. 08.03, 2-12-08; Ord. No. 20-7, 12-8-20)

~~Sec. 66-42. Authorized absences.~~

~~As far as possible, employees of the city shall be released from attendance on duty on rest days and holidays and for other leaves as provided for in this article. Employees on a regular salary basis shall receive full pay for these absences. If it is essential for the maintenance of service that an employee be on duty on a rest day or holiday, compensatory leave shall be granted as provided in this article.~~

~~(Code 1966, § 2-8)~~

~~Sec. 66-43. Leaves of absence—How granted.~~

~~Leaves of absence, as provided under this article, may be granted by the department director and approved by the city manager, upon application of the employees concerned on prescribed forms. So far as practicable, leaves shall be requested and approved before they become effective; where the need for, or time of, an absence cannot be anticipated and where conditions warrant, the approving authority may grant leaves after the absence. Leaves of absence shall be granted, as far as practicable, at the times desired by the employees but subject also to the needs of the service.~~
(Code 1966, § 2-10)

~~Sec. 66-44. Same—Types; compensation.~~

~~Leaves of absence shall be of eight kinds: annual leave, sick leave, workers' compensation leave, compensatory leave and civil leave, all of which shall be with pay as herein provided; leave without pay, military leave, and educational leave, each of which may be with or without pay.~~
(Code 1966, § 2-11)

~~Sec. 66-45. Same—Eligibility.~~

- ~~(a) Regular employees, full-time and part-time. The appointment of regular full-time and part-time employees is subject to three months' probationary service before permanent status is acquired. After the termination of such probationary period, annual leave and sick leave credit shall be given for the period of probationary service. The maximum credits for annual and sick leave are for regular full-time employees. Regular employees on a part-time basis hired before January 1, 2014, shall receive sick leave and annual leave credits, and charges for authorized absences shall be made against these credits in proportion to their actual hours of duty. Regular employees on a part-time basis hired on or after January 1, 2014, shall not receive sick leave and annual leave credits.~~
 - ~~(b) Temporary employees. No credits for leave with pay shall be made for an employee holding a temporary appointment. If the status of any employee is changed from temporary to permanent, leave credits shall be given for a period of temporary service not to exceed three months; in addition that period shall also be considered part of the total service in determining the date at which the credit for leaves of absence with pay shall accrue.~~
 - ~~(c) Intermittent or occasional employees. No credits for leaves with pay shall be granted to intermittent or occasional employees.~~
 - ~~(d) Reinstated employees. A person who is reinstated as provided in section 66-54 shall be credited with all unused balances of leave (except annual and compensatory leave) held at the date of previous separation, and shall have all creditable service before that date considered in determining the date of accrual; a person who is reinstated on return from military leave shall receive, also, full benefits of his period of military service in determining the date of accrual.~~
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~~(e) Reemployed employees. A person who is reemployed will accrue leave for continuous service only, beginning with the latest date of reemployment.~~

~~(Code 1966, § 2-12; Ord. No. 14.01, 2-11-14)~~

Sec. 66-46. Reserved.

Editor's note(s)—Ord. No. 19-5, adopted June 13, 2019, repealed § 66-46, which pertained to annual leave and derived from the Code 1966, § 2-13.1; Ord. No. 14.01, adopted Feb. 11, 2014.

Sec. 66-47. Reserved.

Editor's note(s)—Ord. No. 97.06, adopted May 13, 1997, repealed § 66-47 in its entirety. Formerly, § 66-47 pertained to excess accumulation of annual leave and derived from Ord. No. 92.01, adopted Jan. 28, 1992.

Sec. 66-48. Reserved.

Editor's note(s)—Ord. No. 19-5, adopted June 13, 2019, repealed § 66-48, which pertained to sick leave and derived from the Code 1966, § 2-13.2; Ord. No. 08-04, adopted Feb. 12, 2008; Ord. No. 14.01, adopted Feb. 11, 2014.

Sec. 66-49. Reserved.

Editor's note(s)—Ord. No. 95.11, adopted Apr. 11, 1995, repealed § 66-49, which formerly pertained to workers' compensation leave and derived from § 2-13.3 of the 1966 Code. Said ordinance also provided that any employee receiving benefits under § 66-49 at the time its repeal takes effect shall be entitled to such benefits under the same provisions and limitations set forth in such section.

Sec. 66-50. Reserved.

Editor's note(s)—Ord. No. 19-5, adopted June 13, 2019, repealed § 66-50, which pertained to compensatory leave and derived from the Code 1966, § 2-13.4.

~~Sec. 66-51. Civil leave.~~

~~The city manager may grant an employee of the city leave with full pay for any absence necessary for serving on a jury, attending court as a witness under subpoena, or serving in an election. An employee compensated for civil duties shall be paid only the difference between the full salary or wages and the amount of compensation.~~

~~(Code 1966, § 2-14.1)~~

~~Sec. 66-52. Military leave.~~

- (a) ~~All officers and employees of the city who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States, National Guard, or Naval Militia shall be entitled to leaves of absence from their respective duties, without loss of seniority, accrued leave, or efficiency rating, on all days during which they are engaged in federally funded military duty, to include training duty, or when called forth by the governor pursuant to the provisions of section 44-75.1 or section 44-78.1. There shall be no loss of pay during such leaves of absence, except that paid leaves of absence for federally funded military duty, to include training duty, shall not exceed 15 workdays per federal fiscal year, and except that no officers or employees shall receive paid leave for more than 15 workdays per federally funded tour of active military duty. When relieved from such duty, they shall be restored to positions held by them when ordered to duty. For the purposes of this section, with respect to employees of the city who do not normally work approximately equal workdays on five or more days of each calendar week, the term "workday" shall mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any state holidays, annual leave, military leave, or other absences.~~
- (b) ~~Any employee who is ordered to report for a selective service physical examination shall be entitled to leave with full pay for not exceeding one day.~~

~~(Code 1966, § 2-14.2; Ord. No. 02.16, 7-9-02)~~

~~Sec. 66-53. Educational leave.~~

~~Educational leave is absence authorized by the department director and approved by the city manager for specific courses of study related to the work of the department in which an employee is assigned. Such leave may be with or without pay.~~

~~(Code 1966, § 2-14.3)~~

~~Sec. 66-54. Leave without pay.~~

- (a) ~~Leave without pay may be granted to an employee at the discretion of the city manager upon request of the department director for a period not to exceed 12 months.~~
- (b) ~~Any employee returning from leave of absence without pay during, or at the end of, the period for which the leave was granted shall be entitled to reinstatement under the conditions elsewhere provided in these rules; if he fails to return at the end of the period for which the leave was granted, he shall be treated as having resigned from the service.~~

~~(Code 1966, § 2-14.4)~~

~~Sec. 66-55. Disposition of balances of leave credits on change of status.~~

- ~~(a) An employee (or, upon death, the employee's estate) shall be paid in one sum the balance of annual and compensatory leave credits computed as of the last day of active employment and payable on or before 15 business days after termination when he/she is:~~
- ~~(1) Separated from city service by resignation, retirement, layoff or dismissal.~~
 - ~~(2) Placed on military or educational leave without pay for a period exceeding 90 calendar days.~~
- ~~(b) Upon termination of employment, the employee shall be paid 25 percent of the accumulated sick leave, provided that such employee has at least five continuous years of service at the time of such termination. The amount of such payment for accumulated sick leave to such employee may not exceed \$5,000.00.~~

~~(Code 1966, § 2-15; Ord. No. 01-15, 9-11-01; Ord. No. 18-2, 2-27-18)~~

~~Sec. 66-56. Leave records.~~

~~Accurate and complete leave records shall be kept on each employee. The department director shall see that this is done through the actual records kept by the city clerk and comptroller.~~

~~(Code 1966, § 2-17)~~

~~Sec. 66-57. Fiscal year basis for leave.~~

~~Leave shall be based on the time worked within the fiscal year period, July 1 through June 30.~~

~~(Code 1966, § 2-18)~~

Secs. 66-58—66-80. Reserved.

***ARTICLE III. OCCUPATIONAL SAFETY AND HEALTH LAW AND STANDARDS FOR
PUBLIC EMPLOYEES***

Sec. 66-81. Adoption of rules and regulations.

Pursuant to Code of Virginia, § 40.1-2.1, as amended, repealed, reenacted or recodified from time to time, the Rules and Regulations Applying Virginia Occupational Safety and Health Law and Standards to State, Local and Municipal Governments, as adopted by the state safety and health codes board, effective March 1, 1974, is hereby adopted and made a part of this Code as fully as though each section, sentence, clause or phrase were herein set out.

(Code 1966, § 2-44)

State law reference(s)—Definitions pertaining to department of labor and industry, Code of Virginia, § 40.1-2.

~~Sec. 66-82. Enforcement of rules and regulations; establishment of office of safety director and review board; duties of safety director.~~

- ~~(a) The "Rules and Regulations Applying Virginia Occupational Safety and Health Law and Standards to State, Local and Municipal Governments," adopted in section 66-81 shall be enforced by the office of the safety director and by a review board, which office and review board are hereby established. It shall be the responsibility of the safety director to work with the review board to investigate grievances of the public employees or accidents involving public employees when cause for such investigation exists. He will also suggest corrective measures for the prevention of accidents.~~
- ~~(b) The safety director will ensure that department heads over public employees conduct monthly inspections of their respective departments. A record of inspections shall be kept by the department head, which record shall be submitted to the safety director on a monthly basis. The safety director will keep these inspection records in his office and the overall records on accidents and the individual inspections shall be available for review by the state department of labor and industry or by any employee personally concerned.~~
- ~~(c) Upon receipt by the safety director of a complaint or grievance on a safety violation, he shall investigate the matter forthwith, first with the department head, second with the review board, third with the city council and finally with the state department of labor and industry.~~
- ~~(d) The safety director shall be responsible for the establishment and conduct of mandatory safety programs, which programs shall include, but not be limited to, programs on first aid, fire fighting and accident prevention.~~
- ~~(e) Upon inspection by the state department of labor and industry the safety director shall have the responsibility of acting as liaison officer between the department head, the complaining public employee and the state department of labor and industry.~~

~~(Code 1966, § 2-45)~~

~~Sec. 66-83. Composition; terms of members and responsibilities of review board.~~

- ~~(a) The review board established in section 66-82 shall be composed as follows: The safety review board shall be appointed by the city council and shall consist of 14 members. The duly appointed members shall select a chairperson from among their number to serve a term of one year. One member of the review board shall be appointed from each of the following city governmental units:~~
 - ~~(1) Department of social services;~~
 - ~~(2) Highlands Juvenile Detention Center;~~
 - ~~(3) City hall employees;~~

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- ~~(4) Utilities board;~~
 - ~~(5) Public works department;~~
 - ~~(6) Parks and recreation department;~~
 - ~~(7) Fire department;~~
 - ~~(8) Police department;~~
 - ~~(9) City sheriff's department;~~
 - ~~(10) School board;~~
 - ~~(11) Transit department;~~
 - ~~(12) Public library.~~

~~Additionally, the city manager and one city councilmember shall serve as review board members.~~

- ~~(b) Members of the safety review board shall be appointed to serve two year staggered terms, such terms commencing on March 1 of the year of appointment and expiring on February 28 in the second year thereafter. The city manager and city councilmember shall serve a term for and during the tenure of their offices.~~
- ~~(c) Following the safety director's initial investigation of a safety violation as set out in section 66-82 and upon presentation to the chairperson of the review board of the result of such investigation, the review board shall review such investigation, and in connection therewith hear the views of employees who might be affected thereby, and make recommendations to city council. Safety programs established by the safety director must be submitted to the review board for approval. The review board may also from time to time on their own initiative establish improved safety programs which benefit city employees.~~
- ~~(d) The review board shall make recommendations to the city council when the approval of any safety equipment is needed. The chairperson of the review board may in his discretion appoint members of the board as a committee to investigate the findings of the safety director concerning matters involving safety violations.~~

~~(Code 1966, § 2-46)~~

~~Sec. 66-84. Responsibilities of department heads.~~

~~Department heads over city employees have the following responsibilities:~~

- ~~(1) It shall be the responsibility of the department head supervising public employees to maintain a safety and inspection program for the benefit of his employees. The department head shall have the option of appointing one of his employees as a department safety inspector.~~
- ~~(2) Each department head shall ensure the conduct of at least a one-hour safety program a month, with the purpose of such session being to discuss the safety within the~~

immediate department and to bring out the suggestions of the employees that they may have on health or safety problems.

- (3) ~~Each department head shall post any health or safety hazard existent in an employee work area and take other such steps as he deems necessary to protect his employees.~~
- (4) ~~It shall be the responsibility of the department head to report all accidents to the safety director for investigation. If there is an accident in his department with no injury, it is his responsibility to investigate and take those steps necessary to preclude the recurrence of such accident.~~
- (5) ~~Failure by a department head to report the occurrence of an accident within five days will result in his being brought before the review board for explanation.~~

(Code 1966, § 2-47)

Sec. 66-85. Responsibilities of public employees.

Public employees have the following responsibilities:

- (1) ~~Each public employee shall have the responsibility of maintaining himself in a safe manner and to work under the rules established by the state department of labor and industry.~~
- (2) ~~Violation by any employee of any safety rules established by the state or the city through its agents, the city council, the review board, the safety director or the individual department head, will result in such employee being brought before the review board for investigation. The board upon hearing the evidence in the matter will make a recommendation to the city council as to any necessary disciplinary steps.~~
- (3) ~~Each public employee has the obligation to report to his immediate department head any safety or health hazards that may be existent in his work area. If no corrective measures are taken by the immediate department head, the employee should notify the safety director forthwith. The safety director on investigation of the complaint shall endeavor to rectify the problem with the department head. If the situation is not resolved by the department head, then the safety director shall bring the matter before the review board first, the city council second, and final review of the situation can be had with the state department of labor and industry.~~
- (4) ~~If any public employee feels discriminated against as a result of his making a health or safety complaint, he may bring the matter before the safety director and the city manager to present the same before the board of review. If no satisfaction is gained at this level, the employee has the right to present his claim of discrimination to the state department of labor and industry.~~

(Code 1966, § 2-48)

Secs. 66-86–66-105. Reserved.

ARTICLE IV. EMPLOYEE INCENTIVE BONUS PROGRAM

~~Sec. 66-106. Purpose.~~

~~The purpose of this article is to improve the operations of the city government by encouraging employees to contribute practical ideas which result in monetary savings, increased effectiveness or efficiency of service to the public, safer working conditions or better public relations, and to improve employee relations by increasing employee participation in the activities and operations of city government, and by providing monetary awards and other recognition to employees whose suggestions are adopted and implemented.~~

~~(Code 1966, § 2-89)~~

~~Sec. 66-107. Employee eligibility and awards.~~

- ~~(a) Eligibility for submission of suggestions. All full-time regular employees of the city are invited to submit suggestions that will improve operations, services and provide safer working conditions.~~
- ~~(b) Eligibility for monetary awards. Any city employee who submits a suggestion which is officially accepted and implemented is eligible to be considered for a monetary award, with the following exceptions:~~
- ~~(1) Employees of the department of social services and constitutional office employees whose departments are funded in part by the commonwealth shall be eligible for consideration for monetary awards predicated exclusively upon projected cost savings to the city. Any savings to the commonwealth shall be discounted when the idea is considered;~~
 - ~~(2) Employees who are assigned a particular problem to solve that is within the scope of their duties and responsibilities are not eligible for an award for any improvements developed as a result of that assignment, unless the suggestion has wide application, surpassing the scope of the assignment;~~
 - ~~(3) Employees serving on special boards or committees are not eligible for an award for suggestions falling within the scope of the board's or committee's assignment;~~
 - ~~(4) Department heads, assistant department heads, chiefs and officers of uniformed services with the rank of captain or above are encouraged to participate in the program, but will not be eligible for monetary awards.~~
- ~~(c) Eligibility for nonmonetary awards. In addition to receiving a monetary award, an employee whose suggestion has been accepted and implemented shall receive a plaque or certificate of recognition. An employee may be awarded a plaque or certificate if the suggestion does not~~

qualify for a monetary award, but is worthy of recognition. Department heads, assistant department heads, chiefs, and officers of uniformed services with rank of captain or above shall be eligible to receive a plaque or certificate of recognition if their suggestion has multidepartment or city-wide application.

- (d) ~~Waiver of rights and interest.~~ The submission of a suggestion pursuant to this policy shall constitute a waiver of any and all claims of rights or interest in the suggestion by the eligible employee, his heirs or assigns against the city.

(Code 1966, § 2-90)

Sec. ~~66-108.~~ Suggestion eligibility.

- (a) ~~Eligible suggestions.~~ An eligible suggestion may be either new and original, or involve a new application of an old idea. A suggestion may be eligible for an award if it contributes to the efficiency, economy, or other improvement of city operations. To qualify for consideration, a suggestion must outline a problem and recommend a solution. Eligible suggestions may include, but are not limited, to:
- (1) ~~Improving methods and procedures to increase efficiency;~~
 - (2) ~~Saving time, labor, space, material or supplies;~~
 - (3) ~~Improving administrative or operations techniques and practices;~~
 - (4) ~~Improving tools, materials and equipment;~~
 - (5) ~~Eliminating unnecessary procedures, records and forms;~~
 - (6) ~~Eliminating bottlenecks, accidents, delays, duplications, waste, spoilage and fire hazards;~~
 - (7) ~~Improving public relations and service to the public;~~
 - (8) ~~Improving the safety or health of working conditions; and~~
 - (9) ~~New ideas related to the above.~~
- (b) ~~Ineligible suggestions.~~ The following types of suggestions are not eligible for consideration for an award:
- (1) ~~Any idea or suggestion which may have been suggested or implemented, in whole or in part, prior to the adoption of this policy;~~
 - (2) ~~General complaints, grievances or expressions of dissatisfaction;~~
 - (3) ~~Proposals which do not include a constructive and specific means for improving city operations;~~
 - (4) ~~Proposals which call attention to the need for routine and/or regularly scheduled operation or maintenance and repair work;~~
 - (5) ~~Proposals to improve working conditions which are not related to health or safety issue (i.e., air conditioning, decorations, furniture or mirrors, etc.);~~
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- ~~(6) Proposals which call for routine or normal safety practices. A suggestion which sets forth a more effective or safer method of maintaining or of repairing equipment or materials is eligible for consideration for an award;~~
 - ~~(7) Proposals to increase city fees, licenses, taxes, etc. Suggestions should not be of a nature that would be an increased cost to either the taxpayer or city employees;~~
 - ~~(8) Proposals calling for enforcement of existing rules;~~
 - ~~(9) Proposals where the potential benefits from adoption would not offset the cost of processing;~~
 - ~~(10) Suggestions that call attention to a problem, but do not propose a solution;~~
 - ~~(11) Suggestions proposing salary increases, job reclassification, liberalization of leave policies, and similar changes in compensation and benefits;~~
 - ~~(12) Suggestions which are essentially duplicates or suggestions submitted at an earlier date; and~~
 - ~~(13) Proposals to have a "survey," "study" or "review" with a course of action to be taken in accordance with the findings.~~

~~(Code 1966, § 2-91)~~

~~Sec. 66-109. Schedule of awards.~~

- ~~(a) Awards funding shall be made from the city's contingency fund. All monetary awards will be paid through the payroll system and subject to applicable payroll taxes and other required withholding.~~
- ~~(b) There are two schedules of monetary awards, one for tangible suggestions and one for intangible suggestions:
 - ~~(1) A tangible suggestion is one which effects a measurable savings or increases in revenue:
 - ~~a. Maximum and minimum awards for tangible suggestions. The award for an adopted and workable tangible suggestion may be a maximum of \$5,000.00. In determining the amount of an award, five percent of the first year's measurable net savings or net increase in revenue to the above maximum shall be used as a guide. The city manager will be responsible for the determination of any savings and the city clerk and comptroller shall validate any revenue increases.~~
 - ~~b. The minimum tangible award that will be processed is \$25.00 due to the administrative cost of processing; therefore, suggestions generating less than \$500.00 in cost savings will receive no monetary award.~~~~
 - ~~(2) An intangible suggestion is one which produces an improvement which is not subject to concrete measurement, such as an improvement in the employee morale, safety, public relations, etc.~~~~

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- a. ~~Monetary awards for an adopted intangible suggestion having observable results will be determined as follows:~~
 - 1. ~~Local or department-wide application \$ 25.00~~
 - 2. ~~Multidepartment, or city-wide application 100.00~~
 - b. ~~The city manager will recommend to the city council an award amount based on the merit of the suggestion.~~

(Code 1966, § 2-92)

~~Sec. 66-110. Program administration.~~

- (a) ~~Administration of the employee incentive bonus program. The individual department head shall be responsible for the initial administration of the employee incentive bonus program. He shall receive completed forms from suggestors, complete a suggestion evaluation form and forward it to the assistant city manager who shall serve as the suggestion program coordinator in handling the day-to-day activities of the program. The duties of the suggestion program coordinator shall be to provide necessary daily supervision for the employee incentive bonus program within the framework of these guidelines:~~
 - (1) ~~Receive and personally acknowledge receipt of suggestions forwarded from individual department heads;~~
 - (2) ~~Keep suggestors informed, through their respective department heads, of the progress and final disposition of their suggestions;~~
 - (3) ~~Process the necessary paperwork related to suggestions to be forwarded to the city manager for final determination as to which suggestions will be recommended to the city council for award and implementation;~~
 - (4) ~~Assist in the preparation of an annual report on the operation of the program;~~
 - (5) ~~Plan and organize an annual awards ceremony involving the city manager and city council to recognize employees receiving awards during this fiscal year.~~
 - (b) ~~Evaluation and recommendation of suggestions by the office of the city manager. The office of the city manager, in conjunction with the suggestor and the appropriate department head, will evaluate those suggestions deemed eligible by the assistant city manager. Suggestions which are feasible and approved by the city manager will be recommended to the city council for final approval and implementation. A majority vote of city councilmembers present at the meeting at which the suggestion is presented shall be required for adoption.~~
 - (c) ~~Procedure for handling suggestions:~~
 - (1) ~~The employee shall submit a completed suggestion form to his individual department head. If necessary, the suggestor may contact the assistant city manager, his department head or his immediate supervisor for assistance in completing the form.~~
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- ~~(2) The dated suggestion form, when received by the individual department head, shall be evaluated on that level utilizing the suggestion evaluation form provided. The department head then forwards the completed evaluation form along with the suggestion form to the assistant city manager.~~
 - ~~(3) If the assistant city manager believes that the suggestion or the suggestor may not be eligible for consideration under these guidelines he shall so indicate by appropriate notation either on the form or separate memorandum and submit the suggestion for review and final disposition on eligibility to the city manager.~~
 - ~~(4) The employee shall be personally contacted and sent an acknowledgment memorandum or letter signifying receipt of his suggestion by the assistant city manager. If the employee or suggestion is deemed ineligible by the city manager, the employee will be so advised at this time. If the employee and suggestion are deemed eligible, the employee will be eligible for a certificate of participation. This certificate will be presented by the assistant city manager.~~
 - ~~(5) Eligible suggestions are forwarded to the office of the city manager for final review.~~
 - ~~(6) The city manager shall evaluate each eligible suggestor in conjunction with the affected department head and suggestor in terms of both tangible and intangible benefits and, if the suggestion is determined to be feasible, determine jointly with the department head, the suggestor and the city clerk and comptroller, if necessary, the appropriate award if any to be recommended to the city council. When the adoption of a suggestion constitutes a monetary savings or additional cost to the city, the city manager in conjunction with the city clerk and comptroller, if necessary, shall determine the amount of the savings or cost.~~
 - ~~(7) If it is not feasible to adopt the suggestion, the city manager shall return the suggestion to the assistant city manager with an explanation as to why the suggestion could not be implemented. The assistant city manager shall then, through the appropriate department head, notify the suggestor accordingly.~~
 - ~~(8) Upon notification of approval of the city manager, the assistant city manager shall notify the suggestor and the individual department head, if applicable, to participate in the evaluation of each suggestion for the decision on the matter. The city manager shall then recommend the implementation of the suggestion to the city council at its next regularly scheduled meeting subsequent to the city manager's approval of the suggestion.~~
 - ~~(9) If final approval is granted by the city council, the affected department head and suggestor involved, if appropriate, shall then place such approved suggestion into effect within a reasonable period of time, or at such time as may be designated by the city council, and then notify the assistant city manager. The assistant city manager and the city clerk and comptroller, if necessary, will assist the individual department head and suggestor in the implementation phase and verification of actual savings. Should a problem arise concerning the implementation of an approved suggestion, the matter shall be referred to the city manager for determination. The city council reserves the~~
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~~right to refuse or delay implementation of a suggestion for budgetary, management or legislative reasons.~~

~~(10) Upon validation of the implementation of a suggestion, and verification of savings by the city manager and the city clerk and comptroller, if necessary, the assistant city manager will process the necessary paperwork to the city clerk and comptroller for payment of the award.~~

~~(11) The determination of the city council on all suggestions shall be final and not subject to the city's grievance procedure or other appeal process. Additionally, no issue arising from the suggestion program will be grievable at any level of the organization.~~

~~(Code 1966, § 2-93)~~

~~Sec. 66-111. Amendment of program criteria.~~

~~In order to provide for future changes in the program, these criteria may be from time to time amended by the city council.~~

~~(Code 1966, § 2-94)~~

~~Sec. 66-112. Responsibility of operating officials.~~

~~It is the responsibility of each city department head to encourage and promote employee participation in the employee incentive bonus program. City department heads will respond on a timely basis to requests for assistance in evaluating any suggestion concerning activities under their supervision.~~

~~(Code 1966, § 2-95)~~

~~Sec. 66-113. Responsibility of employees.~~

~~No employee shall ignore or delay his normal job duties to prepare or document a suggestion without prior approval from his immediate supervisor.~~

~~(Code 1966, § 2-96)~~

~~Secs. 66-114—66-120. Reserved.~~

~~ARTICLE V. RETIREMENT HEALTH INSURANCE BENEFIT PROGRAM~~

~~Sec. 66-121. Definitions.~~

~~For purposes of this article the following terms shall have the meanings set forth in this section:~~

~~Eligible retiree.~~ Any employee of the city (including employees of the Department of Social Services), the school board and the constitutional offices (including specifically deputies of such officers) of the City of Bristol, Virginia who retires after the effective date of this section and gives the requisite written notice of intent to retire, who is eligible at the time of retirement to participate in the city's or school board's health insurance program (whether participating or not), and who is part of one of the following employment categories:

- ~~(1) Employees who have been employed by the city, the school board or the constitutional offices for at least twenty-five years, which category of retirees will hereafter be referred to collectively as mid term employees.~~
- ~~(2) Employees of the city, the school board or the constitutional offices who have at least thirty years of employment with the city, school board or constitutional offices, which category of retirees will hereafter be collectively referred to as long term employees.~~
- ~~(3) Employees of the city, the school board or the constitutional offices who have at least thirty-five years of employment with the city, school board or constitutional offices, which categories of retirees will be hereafter collectively referred to as career employees.~~

~~Health insurance.~~ Any policy of health insurance that covers a retiree after retirement, whether individually or as part of a group, and whether in the eligible retiree's name or in the name of another.

~~Medicare eligibility.~~ The date an eligible retiree qualifies for Medicare coverage pursuant to the federal statute and regulations governing the same at that time.

~~(Ord. No. 01.14, 9-11-01; Ord. No. 03.03, 3-25-03)~~

~~Sec. 66 122. Benefits.~~

~~Subject to the terms and conditions herein set forth:~~

- ~~(1) Any mid term employees shall receive \$100.00 per month toward the cost of their health insurance, or if their insurance cost is less than \$100.00 per month, the actual cost of their monthly premium, until they shall have attained Medicare eligibility.~~
- ~~(2) All long term employees shall receive \$200.00 per month toward the cost of their health insurance, or if their insurance cost is less than \$200.00 per month, the actual cost of their monthly premium, until they have attained Medicare eligibility.~~
- ~~(3) All career employees shall receive \$300.00 per month toward the cost of their health insurance, or if their insurance cost is less than \$300.00 per month, the actual cost of their monthly premium, until they have attained Medicare eligibility.~~
- ~~(4) There will be no cost of living increase to this benefit.~~
- ~~(5) This benefit shall not be retroactive to employees who have retired prior to the effective date of this section except as follows. As previously adopted, city council intended this benefit to inure to the city's constitutional officers and their deputies and employees. Therefore, this benefit is given retroactive effect to cover any constitutional officers and~~

~~their employees who retired after the passage of that predecessor Ordinance on September 11, 2001 and before the effective date of this section. The notice requirement for this limited number of previously retired constitutional officers or employees is waived.~~

- ~~(6) An eligible retiree must give ninety days written notice of his or her intent to retire prior to the effective date of that retirement in order to claim this retirement benefit except for those eligible employees whose announced retirement date comes less than ninety days after the effective date of this article who shall not have to give any additional notice to qualify for this benefit.~~

~~(Ord. No. 01.14, 9-11-01; Ord. No. 03.03, 3-25-03)~~

66-123. Conditions.

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

~~(Ord. No. 01.14, 9-11-01; Ord. No. 03.03, 3-25-03; Ord. No. 16.01, 4-12-16; Ord. No. 18-3, 4-10-18)~~

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: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance to Amend Section 7.03 of Chapter 7 of the City Charter pertaining to the Human Resource Department

ITEM BACKGROUND:

In 2010, the title of the Personnel Department changed from Personnel Department to Human Resources Department. This ordinance amends Section 7.03 of the City Charter to adequately reflect the title of our Human Resources Department.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[23-8 Human Resource Department Ordinance.pdf](#)

**AN ORDINANCE TO AMEND SECTION 7.03 OF CHAPTER 7 TO
THE CITY CHARTER PERTAINING TO THE HUMAN RESOURCE DEPARTMENT**

CHAPTER AMENDED: 7 - DEPARTMENTS OF THE CITY

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

That Section 7.03 of Chapter 7 of the City Charter is hereby amended and adopted to read as follows:

§ 7.03. ~~Personnel department~~ Human Resource Department

- A. *Generally.* There shall be a ~~personnel~~ human resource department which shall consist of the ~~personnel director~~ Director of Human Resources, and such employees as may be ~~provided for by the council~~ funded within the budget. ~~Until the city council for the City of Bristol, Virginia, shall, by written resolution, direct that the office of personnel director shall be otherwise filled, the city manager shall serve as personnel director.~~ In the absence of a Director of Human Resources, the City Manager or his or her designee shall serve in the capacity of Director of Human Resources.
- B. *Powers and duties of the ~~personnel director~~ Director of Human Resources.* The ~~personnel director~~ Director of Human Resources shall have the following powers and duties:
1. To formulate and propose a comprehensive personnel policy to the city council for adoption, and as the need may arise, to propose to the council amendments, additions and deletions to the comprehensive personnel policy, and to oversee and enforce the uniform application of the personnel policy to all the employees of the city. Nothing in this charter, nor in any policy manual promulgated pursuant to this charter, nor in any ordinance or act of the council of the City of Bristol, Virginia, shall be construed to create any contractual relationship between the City of Bristol, Virginia, and any of its employees or agents. The comprehensive personnel policy adopted pursuant to this provision shall not be a contract with the employees of the city and so may be amended from time to time as the needs of the city may require, no rights being vested in any city employee by virtue of this section or any policy adopted pursuant thereto.
 2. To, with the cooperation of each department head, formulate and promulgate standard operating procedures in addition to a comprehensive personnel policy that may be needed and applicable to the individual departments and the employees thereof as such requirements may exist and submit to the council for adoption and from time to time for amendment.

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3. To oversee and aid each department head in the formulation and promulgation of competitive examinations for all original appointments to department jobs and for promotions within each department to provide for the hiring and promotion of the best-qualified personnel available to the city.
 4. To oversee the maintenance by each department of a list of eligible employees based upon examination and other hiring criteria for each department and to promulgate regulations to assure that such lists are kept current, that all vacancies are well publicized, and that the best possible employees of the City of Bristol, Virginia, be hired for each such vacancy.
 5. To formulate and recommend to the council for adoption such additions, deletions, and amendments of the current city pay plan covering all employees of the city as may from time to time be advisable.
 6. To direct and enforce the maintenance by all departments, boards, commissions, offices and agencies of the city of such personnel records of employees of such departments, boards, etc., as the ~~personnel director~~ Director of Human Resources shall prescribe.
 7. To establish a temporary employment list for filling positions which are temporarily vacant.
 8. To oversee and advise the department heads in the promulgation of a systematic program of in-service training for all employees qualifying them for advancement in the service of the city.
 9. To oversee and enforce the operation of an employee grievance procedure in accordance with the laws of the Commonwealth.
 10. To investigate any and all matters relating to conditions of employment in the service of the city and, if requested, to make ~~at least annually~~ a report of his or her findings to the council.
 11. To oversee and advise department heads in all cases of adverse employment decisions before any disciplinary actions are taken.
 12. Such other powers and duties as may be assigned to the Director of Human Resources from time to time by ~~council~~ the City Manager.

~~(Acts 2019, Ch. 633, § 1)~~

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: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

An Ordinance to Amend Section 2-62 and 2-63 of Chapter 2 to the City Code Pertaining to Conduct of Meetings and Order of Business

ITEM BACKGROUND:

Revisions to Ordinance 2-62 and 2-63 of Chapter 2- Administration, to the City Code pertaining to the Conduct of Meetings and Order of Business.

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Ordinance 2.62 and 2.63 5.9.2023.pdf](#)

[Ordinance 2.62 and 2.63 Edits.pdf](#)

AN ORDINANCE TO AMEND SECTION 2-62 and 2-63 OF CHAPTER 2 TO THE CITY CODE PERTAINING TO CONDUCT OF MEETINGS AND ORDER OF BUSINESS

CHAPTER AMENDED: 2 – ADMINISTRATION

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

That Sections 2-62 and 2-63 of Chapter 2 are hereby amended to the Code of the City of Bristol, Virginia, and ordained to read as follows:

Sec. 2-62. Conduct of meetings.

- (a) *Maintaining order.* Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of council.
- (b) *Sergeant-at-arms.* The city manager shall request a police officer and/or deputy to serve as the sergeant-at-arms of the council. The mayor shall direct that the sergeant-at-arms take action as may be required.
- (c) *City manager.*
 - (1) The city manager shall attend all meetings and shall have the right to take part in discussions, but may not vote. [Charter, Chapter 5, Section 5.03]
 - (2) All questions about items on the agenda or about the internal operation of the municipal offices should be directed to the city manager. The city manager may answer the questions directly or may direct a subordinate administrative officer to assist in responding to the question.
 - (3) Except for the purpose of inquiry, the council and its individual members shall deal with the administrative services solely through the city manager. [Charter, Chapter 5, Section 5.07]
- (d) *Meeting time and place.* All regular council meetings will begin at 6:00 p.m. at City Hall Council Chambers on the second and fourth Tuesday of every month unless the majority of council approves of canceling a meeting or meeting on a different day and time. City council or the city manager may change the meeting location on a temporary basis when circumstances exist that require the same, conditioned upon the provision of adequate public notice of such relocation. Note that council chambers shall be locked promptly at the end of each meeting.
- (e) *Opportunity for citizen comment at council meetings.* Citizens shall be afforded the opportunity to address city council at three distinct times during city council meetings.
 - (1) *Matters to be presented by members of the public non-agenda items.* This section provides an opportunity for the public to address the city council on any item that is **not** on the

agenda for formal consideration. Comments are limited to matters of city business only. A response will not likely be made since in most cases neither the council nor the city manager will be prepared to effectively respond to the concern. The city manager will look into the matter and report back to city council and/or, as appropriate, have staff meet with the citizen in an effort to satisfy the concern. Comments are limited to three minutes per individual, and non-transferable between individuals. Groups are encouraged to choose a spokesperson to represent them. Additional time may be granted to complete comments at the discretion of the mayor. The mayor, at his or her discretion, may limit the amount of time for public comments on non-agenda items. However, a minimum of thirty (30) minutes shall be afforded for citizens to speak on non-agenda items.

- (2) *Adoption of ordinances and resolutions.* During the discussion of individual ordinances and resolutions that do not have an associated public hearing or are not on the consent agenda, the public will be provided an opportunity to comment on each matter prior to the vote being cast.
- (3) *Public hearings.* The mayor will request comments from the public at this time for each agenda item that includes a scheduled public hearing. Comments from the public will be limited to the subject of the public hearing, and additional public comments will not be entertained when the item is formally on the floor and being considered by council. Comments will be limited to three minutes per individual.
- (f) *Signs not allowed in council chambers.* Signs, posters, and placards are not allowed inside the meeting room of council meetings.
- (g) *Visual aids.* PowerPoint presentations, props, and other visual aids may be used by outside individuals or groups only with the advance permission of the city manager.
- (h) *Handouts.* Persons desiring to hand documents or other items to council members during the meeting should pass the same to the city clerk or other person designated by the mayor or city manager, for delivery to council members when appropriate.
- (i) *Use of tobacco prohibited at council meetings.* The use of tobacco in any form, including electronic cigarettes, shall not be allowed during the course of the city council meeting regardless of location. This rule shall apply to all meetings of the city council including regular meetings, special meetings, etc.

(Ord. No. 18-8, § II, 8-28-18)

Sec. 2-63. Order of business.

- (a) *Agenda format for regular meetings.* Each item of the agenda, as appropriate, will list the title or a statement of each item to be considered. The order of business shall be as follows:
 - (1) Call to order.
 - (2) Moment of silence and pledge of allegiance.
 - (3) Agenda modifications.

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- (4) Mayor's minute, council comment, and city manager comment.
 - (5) Proclamations and recognitions.
 - (6) Presentations, Resolutions or other matters, by outside organizations, for council to consider.
 - (7) Public hearings.
 - (8) Ordinances and resolutions:
 - a. First reading of new ordinance;
 - b. Second reading of an ordinance;
 - c. Adoption of ordinances;
 - d. Resolutions.
 - (9) Other items for consideration.
 - (10) Executive session.
 - (11) Matters to be presented by members of the public for non-agenda items.
 - (12) Appointments.
 - (13) Consent agenda:
 - a. Minutes;
 - b. Street closures.
 - (14) Adjournment.
- (b) *Council seating order.* City council seating will consist of the mayor seated in the center position and the vice mayor seated to the immediate left of the mayor.
 - (c) *Order of voting.* The order of city council voting will be alphabetically except for the mayor, who will vote last.
 - (d) *Voting required except for conflict of interest.* Council members shall be required to vote on all matters except when there exists a legal or ethical conflict of interest. The reason for abstaining shall be given at the time of the abstention. The city attorney should be consulted in advance to determine if a legal conflict of interest exists.
 - (e) *Agenda preparation and distribution.*
 - (1) The agenda will be prepared by the city manager. The agenda will be posted to the City agenda website (<https://www.bristolva.org/607/Agenda-Center>) on Fridays prior to the regularly scheduled meetings on Tuesdays. The finished agenda with associated material for council meetings will be emailed to council members at least seventy-two (72) hours before the scheduled meeting time. A copy will be posted inside City Hall at the same time the agenda is made available to the council.
 - (2) In the event of a called meeting, the agenda will be posted to the agenda website at least 12 hours prior to the meeting date and time.
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- (3) Materials concerning emergency items shall be furnished to council members at the earliest time possible.

(Ord. No. 18-8, § III, 8-28-18)

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

Sec. 2-62. Conduct of meetings.

- (a) *Maintaining order.* Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of council.
- (b) *Sergeant-at-arms.* The city manager shall request a police officer and/or deputy to serve as the sergeant-at-arms of the council. ~~and The mayor~~ shall direct that the sergeant-at-arms take action as may be required.
- (c) *City manager.*
 - (1) The city manager shall attend all meetings and shall have the right to take part in discussions, but may not vote. [Charter, Chapter 5, Section 5.03]
 - (2) All questions about items on the agenda or about the internal operation of the municipal offices should be directed to the city manager. The city manager may answer the questions directly or may direct a subordinate administrative officer to assist in responding to the question.
 - (3) Except for the purpose of inquiry, the council and its individual members shall deal with the administrative services solely through the city manager. [Charter, Chapter 5, Section 5.07]
- (d) *Meeting time and place.* All regular council meetings will begin at 6:00 p.m. at City Hall Council Chambers on the second and fourth Tuesday of every month unless the majority of council approves of canceling a meeting or meeting on a different day and time. City council or the city manager may change the meeting location on a temporary basis when circumstances exist that require the same, conditioned upon the provision of adequate public notice of such relocation. Note that council chambers shall be locked promptly at the end of each meeting.
- (e) *Opportunity for citizen comment at council meetings.* Citizens shall be afforded the opportunity to address city council at three distinct times during city council meetings.
 - (1) *Matters to be presented by members of the public* non-agenda items. This section provides an opportunity for the public to address the city council on any item that is **not** on the agenda for formal consideration. Comments are limited to matters of city business only. A response will not likely be made since in most cases neither the council nor the city manager will be prepared to effectively respond to the concern. The city manager will look into the matter and report back to city council and/or, as appropriate, have staff meet with the citizen in an effort to satisfy the concern. Comments are limited to three minutes per individual, and non-transferable between individuals. Groups are encouraged to choose a spokesperson to represent them. Additional time may be granted to complete comments at the discretion of the mayor. The mayor, at his or her discretion, may limit the amount of time for public comments on non-agenda items. However, a minimum of thirty (30) minutes shall be afforded for citizens to speak on non-agenda items.

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- (2) *Adoption of ordinances and resolutions.* During the discussion of individual ordinances and resolutions that do not have an associated public hearing or are not on the consent agenda, the public will be provided an opportunity to comment on each matter prior to the vote being cast. ~~The mayor will ask the audience, for each and every individual agenda item, if any person would like to speak on that matter. Comments will be limited to three minutes per individual.~~
- (3) *Public hearings.* The mayor will request comments from the public at this time for each agenda item that includes a scheduled public hearing. Comments from the public will be limited to the subject of the public hearing, and additional public comments will not be entertained when the item is formally on the floor and being considered by council. Comments will be limited to three minutes per individual.
- (f) *Signs not allowed in council chambers.* Signs, posters, and placards are not allowed ~~insidewith~~ the meeting room of council meetings.
- (g) *Visual aids.* PowerPoint presentations, props, and other visual aids may be used by outside individuals or groups only with the advance permission of the city manager.
- (h) *Handouts.* Persons desiring to hand documents or other items to council members during the meeting should pass the same to the city clerk or other person designated by the mayor or city manager, for delivery to council members when appropriate.
- (i) *Use of tobacco prohibited at council meetings.* The use of tobacco in any form, including electronic cigarettes, shall not be allowed during the course of the city council meeting regardless of location. This rule shall apply to all meetings of the city council including regular meetings, special meetings, etc.

(Ord. No. 18-8, § II, 8-28-18)

Sec. 2-63. Order of business.

- (a) *Agenda format for regular meeting.* Each item of the agenda, as appropriate, will list the title or a statement of each item to be considered. The order of business shall be as follows:
- (1) Call to order.
 - (2) Moment of silence and pledge of allegiance.
 - (3) Agenda ~~modifications.additions.~~
 - (4) Mayor's minute, council comment, and city manager comment.
 - ~~(5) Matters to be presented by members of the public.~~
 - ~~(6)~~ Proclamations and recognitions.
 - ~~(7)~~ Presentations, Resolutions or other matters, by outside organizations, for council to consider.

(87) Public hearings.

(98) Ordinances and resolutions:

- a. First reading of new ordinance;
- b. Second reading of an ordinance;
- c. Adoption of ordinances;
- d. Resolutions.

(109) Other items for consideration.

(110) Executive session.

(11) Matters to be presented by members of the public for non-agenda items.

(12) Appointments.

(13) Consent agenda:

- a. Minutes;
- b. Street closures.

(14) Adjournment.

- (b) *Council seating order.* City council seating will consist of the mayor seated in the center position and the vice mayor seated to the immediate left of the mayor.
- (c) *Order of voting.* The order of city council voting will be alphabetically except for the mayor, who will vote last.
- (d) *Voting required except for conflict of interest.* Council members shall be required to vote on all matters except when there exists a legal, ~~moral~~, or ethical conflict of interest. The reason for abstaining shall be given at the time of the abstention. The city attorney should be consulted in advance to determine if a legal conflict of interest exists.
- (e) *Agenda preparation and distribution.*

(1) The agenda will be prepared by the city manager. The agenda will be posted to the City agenda website (<https://www.bristolva.org/607/Agenda-Center>) on Fridays prior to the regularly scheduled meetings on Tuesdays. The finished agenda with associated material for council meetings will be emailed to council members at least seventy-two (72) hours before two business days of the scheduled meeting timedate. ~~A copy of the agenda shall be made available to the news media and a~~ copy will be posted inside City Hall at the same time the agenda is made available to the council.

(2) In the event of a called meeting, the agenda will be posted to the agenda website at least 12 hours prior to the meeting date and time.

(23) Materials concerning emergency items shall be furnished to council members at the earliest time possible.

(Ord. No. 18-8, § III, 8-28-18)

(Supp. No. 45, Update 1)

Created: 2023-01-12 13:10:52 [EST]

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

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Ordinance 23-9 - First Reading: An ordinance to amend City Code Chapter 78, Article VII, Section 78-202, pertaining to tax on purchased meals; levy and amount

ITEM BACKGROUND:

The purpose of this ordinance is to increase the tax on purchased meals from seven percent (7%) to ten percent (10%), effective July 1, 2023. This additional funding is necessary to provide operational and capital funding for general government services, including, but not limited to, public safety, education, health and welfare, streets and parks and recreation.

PREVIOUS RELEVANT ACTION:

Pursuant to Code of Virginia §58.1-3007, notice was properly given of a public hearing on proposed tax rates and solid waste fees for the 2023-2024 fiscal year. The Notice of Public Hearing was published in the Bristol Herald Courier on Sunday, April 2, 2023, and citizens were given an opportunity to appear before the local governing body at the April 11, 2023 regularly scheduled City Council meeting.

STAFF RECOMMENDATION:

City Staff recommends approval on first reading.

DOCUMENTATION:

Ordinance: 23-9

AN ORDINANCE TO AMEND CITY CODE CHAPTER 78, ARTICLE VII, SECTION 78-202, PERTAINING TO TAX ON PURCHASED MEALS; LEVY AND AMOUNT

CHAPTER AMENDED: 78 - TAXATION

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

That Section 78-202 of Chapter 78 is hereby amended to the Code of the City of Bristol, Virginia, and ordained to read as follows:

Sec. 78-202. Levy and amount.

- (a) There is hereby imposed and levied by the city, in addition to all other taxes, fees and charges of every kind now or hereafter imposed by law, a tax upon each and every meal sold in the city in or from a restaurant, whether or not prepared and/or consumed in such restaurant. The tax is ten percent of the amount charged the purchaser by the seller for the meal. The purchaser shall pay and the seller shall collect the tax for the use of the city at the time that the charge for the meal shall become due and payable.
- (b) For purposes of this tax, the price charged for alcoholic beverages purchased with such meal shall be included in the meal price upon which this tax is imposed.
- (c) The rate change created by this section shall become effective July 1, 2023.

First Reading: May 9, 2023

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 _____.

(SEAL)

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

William J. Lamie, City Clerk

Neal Osborne, Mayor

Sec. 78-202. Levy and amount.

- (a) There is hereby imposed and levied by the city, in addition to all other taxes, fees and charges of every kind now or hereafter imposed by law, a tax upon each and every meal sold in the city in or from a restaurant, whether or not prepared and/or consumed in such restaurant. The tax is ~~seven-ten~~ percent of the amount charged the purchaser by the seller for the meal. The purchaser shall pay and the seller shall collect the tax for the use of the city at the time that the charge for the meal shall become due and payable.
- (b) For purposes of this tax, the price charged for alcoholic beverages purchased with such meal shall be included in the meal price upon which this tax is imposed.
- (c) The rate change created by this section shall become effective July 1, ~~2006~~2023.

(Code 1966, § 24-55; Ord. No. 90.12, § 24-55, 7-10-90; Ord. No. 94.04, 5-24-94; Ord. No. 02.07, 5-28-02; Ord. No. 06.04, 6-27-06)

Sec. 78-202. Levy and amount.

- (a) There is hereby imposed and levied by the city, in addition to all other taxes, fees and charges of every kind now or hereafter imposed by law, a tax upon each and every meal sold in the city in or from a restaurant, whether or not prepared and/or consumed in such restaurant. The tax is seven percent of the amount charged the purchaser by the seller for the meal. The purchaser shall pay and the seller shall collect the tax for the use of the city at the time that the charge for the meal shall become due and payable.
- (b) For purposes of this tax, the price charged for alcoholic beverages purchased with such meal shall be included in the meal price upon which this tax is imposed.
- (c) The rate change created by this section shall become effective July 1, 2006.

(Code 1966, § 24-55; Ord. No. 90.12, § 24-55, 7-10-90; Ord. No. 94.04, 5-24-94; Ord. No. 02.07, 5-28-02; Ord. No. 06.04, 6-27-06)

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

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Ordinance 23-10 - First Reading: An ordinance to amend City Code Chapter 78, Article VI, Section 78-172, pertaining to transient room rental tax; levy and amount

ITEM BACKGROUND:

The purpose of this ordinance is to increase the transient room rental tax from nine percent (9%) to thirteen percent (13%), effective July 1, 2023. This additional funding is necessary to provide operational and capital resources for general government services, including, but not limited to, public safety, education, health and welfare, streets and parks and recreation.

PREVIOUS RELEVANT ACTION:

Pursuant to Code of Virginia §58.1-3007, notice was properly given of a public hearing on proposed tax rates and solid waste fees for the 2023-2024 fiscal year. The Notice of Public Hearing was published in the Bristol Herald Courier on Sunday, April 2, 2023, and citizens were given an opportunity to appear before the local governing body at the April 11, 2023 regularly scheduled City Council meeting.

STAFF RECOMMENDATION:

City Staff recommends approval on first reading.

DOCUMENTATION:

Ordinance: 23-10

AN ORDINANCE TO AMEND CITY CODE CHAPTER 78, ARTICLE VI, SECTION 78-172, PERTAINING TO TRANSIENT ROOM RENTAL TAX; LEVY AND AMOUNT

CHAPTER AMENDED: 78 - TAXATION

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

That Section 78-172 of Chapter 78 is hereby amended to the Code of the City of Bristol, Virginia, and ordained to read as follows:

Sec. 78-172. Levy and amount.

- (a) There is hereby imposed and levied by the city on each transient a tax in the amount of thirteen percent of the charge made for each rental room obtained by such transient. Such tax shall be collected from each transient at the time and in the manner provided in this article.
- (b) Being an ordinance in the best interest of the city, and the preservation of the public property requiring it an emergency is hereby declared and the rate change created by this section shall become effective July 1, 2023.

First Reading: May 9, 2023

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 _____.

(SEAL)

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

William J. Lamie, City Clerk

Neal Osborne, Mayor

Sec. 78-172. Levy and amount.

- (a) There is hereby imposed and levied by the city on each transient a tax in the amount of ~~nine~~ thirteen percent of the charge made for each rental room obtained by such transient. Such tax shall be collected from each transient at the time an in the manner provided in this article.
- (b) Being an ordinance in the best interest of the city, and the preservation of the public property requiring it an emergency is hereby declared and the rate change created by this section shall become effective July 1, ~~2008~~ 2023.

(Code 1966, § 24-44; Ord. No. 94.03, 5-24-94; Ord. No. 02.06, 5-28-02; Ord. No. 06.07, 7-11-06; Ord. No. 08.07, 6-2-08)

Sec. 78-172. Levy and amount.

- (a) There is hereby imposed and levied by the city on each transient a tax in the amount of nine percent of the charge made for each rental room obtained by such transient. Such tax shall be collected from each transient at the time an in the manner provided in this article.
- (b) Being an ordinance in the best interest of the city, and the preservation of the public property requiring it an emergency is hereby declared and the rate change created by this section shall become effective July 1, 2008.

(Code 1966, § 24-44; Ord. No. 94.03, 5-24-94; Ord. No. 02.06, 5-28-02; Ord. No. 06.07, 7-11-06; Ord. No. 08.07, 6-2-08)

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

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Ordinance 23-11 - First Reading: An ordinance to amend City Code Appendix to Chapter 70, Paragraph (1)(a), pertaining to solid waste fees.

ITEM BACKGROUND:

The purpose of this ordinance is to increase the monthly residential collection fee from \$33 to \$60, effective July 1, 2023. This additional funding is necessary to provide operational and capital resources for the Solid Waste Fund.

PREVIOUS RELEVANT ACTION:

Pursuant to Code of Virginia §58.1-3007, notice was properly given of a public hearing on proposed tax rates and solid waste fees for the 2023-2024 fiscal year. The Notice of Public Hearing was published in the Bristol Herald Courier on Sunday, April 2, 2023, and citizens were given an opportunity to appear before the local governing body at the April 11, 2023 regularly scheduled City Council meeting.

STAFF RECOMMENDATION:

City Staff recommends approval on first reading.

DOCUMENTATION:

Ordinance: 23-11

**AN ORDINANCE TO AMEND CITY CODE APPENDIX TO CHAPTER 70,
PARAGRAPH (1)(a), PERTAINING TO SOLID WASTE FEES**

CHAPTER AMENDED: APPENDIX TO CHAPTER 70

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

That Paragraph (1)(a) of the Appendix to Chapter 70 is hereby amended to the Code of the City of Bristol, Virginia, and ordained to read as follows:

APPENDIX TO CHAPTER 70 SOLID WASTE FEES

(1) Collection Fees for City Services:

(a) Residential Collection:

Single and two-family attached and detached residences, condominiums, townhouses, and any other residential unit where electric service is individually metered. Each residence and residential unit will be assessed a collection fee. The city will provide a refuse receptacle for each residence. Waste will be collected once a week. Fees will remain in place and waste shall be collected while utilities are turned on, regardless if the residence or residential unit is occupied or vacant.

Monthly Fees Payable with Utility Bill

\$60.00 first container, \$30.00 each additional container

First Reading: May 9, 2023

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 _____.

(SEAL)

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

William J. Lamie, City Clerk

Neal Osborne, Mayor

APPENDIX TO CHAPTER 70 SOLID WASTE FEES¹

(1) **Collection Fees for City Services:**

(a) **Residential Collection:**

Single and two-family attached and detached residences, condominiums, townhouses, and any other residential unit where electric service is individually metered. Each residence and residential unit will be assessed a collection fee. The city will provide a refuse receptacle for each residence. Waste will be collected once a week. Fees will remain in place and waste shall be collected while utilities are turned on, regardless if the residence or residential unit is occupied or vacant.

Monthly Fees Payable with Utility Bill

~~\$33.00~~\$60.00 first container, ~~\$16.50~~\$30.00 each additional container

(b) **Non-Residential Collection:**

Nonresidential establishments and non-individually electric metered multiple residential units where service is provided with not more than four 95-gallon and/or 300-gallon, or any combination thereof, automated collection containers, provided by the City. Only locations which are accessible to automated collection vehicles will be served. Qualifying charitable institutions will be allowed a 20% rate reduction for this service. It shall be the responsibility of the charitable institution to apply for and provide the necessary information to qualify for this reduction.

Charge, Payable Quarterly

1. 95-gallon containers: \$120.00 first container, \$60.00 each additional container.
2. 300-gallon containers: \$240.00 first container, \$120.00 each additional container.

Rates are based on one collection a week. If service is requested for more than one collection a week, additional collections shall be billed at half the rate.

(c) **Special Collection and Disposal:**

The city reserves the right to refuse to collect waste from any single or multi-family residence, business or charitable institution where the volume exceeds the limits established in this chapter for regular service. The city may provide special collection services to any city-served property upon request.

Charge, Payable Per Service

1. Bulk waste, trees, excess brush, demolition and construction waste collection for any city-served property.
\$50.00 collection service fee plus disposal fee at gate rate (one-ton min.)

¹Editor's note(s)—Ord. No. 19-4, adopted Apr. 30, 2019, repealed Ch. 70, Appendix, in its entirety and enacted new provisions to read as herein set out. Prior to this amendment, Ch. 70, Appendix, pertained to similar subject matter and derived from Ord. No. 16.10, 8-23-16; Ord. No. 18-7, 6-26-18.

PART II - CODE
Chapter 70 - SOLID WASTE
APPENDIX TO CHAPTER 70 SOLID WASTE FEES

A deposit in the amount of a single service load plus a one-ton disposal fee is required prior to any collection. Each load shall be considered as a separate service and charged accordingly.

(2) **Disposal Fees:**

- (a) Municipal solid waste\$36.00* per ton (half-ton minimum)
- (b) Inert (rock, brick, concrete, asphalt) waste\$36.00 per ton (half-ton minimum)
- (c) Construction and demolition waste\$36.00* per ton (half-ton minimum)
- (d) Trees and Brush\$55.00* per ton (half-ton minimum)
- (e) Leaves, grass, and yard waste\$45.00* per ton
- (f) Bulk waste tires; tires not to exceed 24.5-inch wheel size (rimless only)\$140.00* per ton (half-ton minimum)
- (g) Tires not to exceed 24.5-inch wheel size (rimless only) brought in by other than Bristol, Virginia private residents\$8.00 each
- (h) Surcharge for each tire on rim, or encrusted with mud (e.g., waste stream tires)\$8.00
- (i) Bristol, Virginia private residents; all types of permitted waste:
 - 1. Up to 500 lbs.\$8.00
 - 2. 500 to 1,000 lbs.\$15.00
 - 3. Over 1,000 lbs.\$36.00 per ton

Tires not to exceed 20-inch wheel size (rimless only) delivered by private residents in lots of less than five\$4.00* each

* Some waste streams are subject to additional fees.

(3) **Commercial Refuse Container Permit Fees:**

- (a) Permanent Container Permits
 - 1. Less than 6\$150.00 annually
 - 2. 6 to less than 8 cubic yards\$225.00 annually
 - 3. 8 cubic yards or larger\$300.00 annually
- (b) Temporary Use Container Permits
 - 1. Less than 11 cubic yards\$60.00 quarterly
 - 2. 11 to less than 21 cubic yards\$90.00 quarterly
 - 3. 21 cubic yards or larger\$120.00 quarterly
- (c) Weekly Container Permits
 - 1. All sizes\$25.00 weekly

(Ord. No. 19-4, 4-30-19)

APPENDIX TO CHAPTER 70

SOLID WASTE FEES¹

(1) **Collection Fees for City Services:**

(a) **Residential Collection:**

Single and two-family attached and detached residences, condominiums, townhouses, and any other residential unit where electric service is individually metered. Each residence and residential unit will be assessed a collection fee. The city will provide a refuse receptacle for each residence. Waste will be collected once a week. Fees will remain in place and waste shall be collected while utilities are turned on, regardless if the residence or residential unit is occupied or vacant.

Monthly Fees Payable with Utility Bill

\$33.00 first container, \$16.50 each additional container

(b) **Non-Residential Collection:**

Nonresidential establishments and non-individually electric metered multiple residential units where service is provided with not more than four 95-gallon and/or 300-gallon, or any combination thereof, automated collection containers, provided by the City. Only locations which are accessible to automated collection vehicles will be served. Qualifying charitable institutions will be allowed a 20% rate reduction for this service. It shall be the responsibility of the charitable institution to apply for and provide the necessary information to qualify for this reduction.

Charge, Payable Quarterly

1. 95-gallon containers: \$120.00 first container, \$60.00 each additional container.
2. 300-gallon containers: \$240.00 first container, \$120.00 each additional container.

Rates are based on one collection a week. If service is requested for more than one collection a week, additional collections shall be billed at half the rate.

(c) **Special Collection and Disposal:**

The city reserves the right to refuse to collect waste from any single or multi-family residence, business or charitable institution where the volume exceeds the limits established in this chapter for regular service. The city may provide special collection services to any city-served property upon request.

Charge, Payable Per Service

1. Bulk waste, trees, excess brush, demolition and construction waste collection for any city-served property.
\$50.00 collection service fee plus disposal fee at gate rate (one-ton min.)

¹Editor's note(s)—Ord. No. 19-4, adopted Apr. 30, 2019, repealed Ch. 70, Appendix, in its entirety and enacted new provisions to read as herein set out. Prior to this amendment, Ch. 70, Appendix, pertained to similar subject matter and derived from Ord. No. 16.10, 8-23-16; Ord. No. 18-7, 6-26-18.

PART II - CODE
Chapter 70 - SOLID WASTE
APPENDIX TO CHAPTER 70 SOLID WASTE FEES

A deposit in the amount of a single service load plus a one-ton disposal fee is required prior to any collection. Each load shall be considered as a separate service and charged accordingly.

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- (a) Municipal solid waste\$36.00* per ton (half-ton minimum)
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- (c) Construction and demolition waste\$36.00* per ton (half-ton minimum)
- (d) Trees and Brush\$55.00* per ton (half-ton minimum)
- (e) Leaves, grass, and yard waste\$45.00* per ton
- (f) Bulk waste tires; tires not to exceed 24.5-inch wheel size (rimless only)\$140.00* per ton (half-ton minimum)
- (g) Tires not to exceed 24.5-inch wheel size (rimless only) brought in by other than Bristol, Virginia private residents\$8.00 each
- (h) Surcharge for each tire on rim, or encrusted with mud (e.g., waste stream tires)\$8.00
- (i) Bristol, Virginia private residents; all types of permitted waste:
 - 1. Up to 500 lbs.\$8.00
 - 2. 500 to 1,000 lbs.\$15.00
 - 3. Over 1,000 lbs.\$36.00 per ton

Tires not to exceed 20-inch wheel size (rimless only) delivered by private residents in lots of less than five\$4.00* each

* Some waste streams are subject to additional fees.

(3) **Commercial Refuse Container Permit Fees:**

- (a) Permanent Container Permits
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 - 1. Less than 11 cubic yards\$60.00 quarterly
 - 2. 11 to less than 21 cubic yards\$90.00 quarterly
 - 3. 21 cubic yards or larger\$120.00 quarterly
- (c) Weekly Container Permits
 - 1. All sizes\$25.00 weekly

(Ord. No. 19-4, 4-30-19)

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

Meeting Date: May 9, 2023

Department: City Manager

Staff Contact: Randall Eads, City Manager

AGENDA ITEM WORDING:

Ordinance 23-12 - First Reading: Budget Ordinance for Fiscal Year 2023-2024

ITEM BACKGROUND:

Pursuant to Section 10.03 of the City Code of Bristol, Virginia, on March 28, 2023, the City Manager submitted his annual budget estimate for Fiscal Year 2023-2024, including a bound document detailing the proposed Budget Ordinance and other required information. The Budget Ordinance requires two (2) readings. Second reading (final adoption) is planned for May 23, 2023.

PREVIOUS RELEVANT ACTION:

Pursuant to Section 10.04 of the City Code of Bristol, Virginia, City Council held a public hearing on the Budget Appropriation Ordinance on April 25, 2023. The Notice of Public Hearing for the FY 2023-2024 Budget Appropriation Ordinance was published in the Bristol Herald Courier on Sunday, April 16, 2023.

STAFF RECOMMENDATION:

City Staff recommends approval on first reading.

DOCUMENTATION:



City of Bristol, Virginia Appropriation Ordinance

ORDINANCE 23-12

BUDGET ORDINANCE FOR FY 2023-2024

MAKING GENERAL FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND, SOLID WASTE DISPOSAL ENTERPRISE FUND, LOCAL FUNDED CAPITAL PROJECTS FUND, STATE AND FEDERAL FUNDED CAPITAL PROJECTS FUND, COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND, TRANSIT ENTERPRISE FUND, FLEXIBLE SPENDING FUND, ASSET FORFEITURE FUND, COVID19 FEDERAL FUNDS FUND, SCHOOL OPERATING FUND, SCHOOL TEXTBOOK FUND, SCHOOL FOOD SERVICE FUND, SCHOOL LOCAL CAPITAL PROJECTS FUND AND SCHOOL CONSTRUCTION FUND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, IN THE FOLLOWING AMOUNTS:

GENERAL FUND	\$65,460,466
COMMUNITY DEVELOPMENT BLOCK GRANT FUND	420,000
SOLID WASTE DISPOSAL ENTERPRISE FUND	37,236,915
LOCAL FUNDED CAPITAL PROJECTS FUND	960,600
STATE AND FEDERAL FUNDED CAPITAL PROJECTS FUND	16,197,792
COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND	35,300
TRANSIT ENTERPRISE FUND	1,064,549
FLEXIBLE SPENDING FUND	28,500
ASSET FORFEITURE FUND	150,600
COVID19 FEDERAL FUNDS FUND	2,195,560
SCHOOL OPERATING FUND	41,205,198
SCHOOL TEXTBOOK FUND	1,428,780
SCHOOL FOOD SERVICE FUND	2,494,952
SCHOOL LOCAL CAPITAL PROJECTS FUND	797,904
SCHOOL CONSTRUCTION FUND	2,102,214

AND REGULATING PAYMENTS OUT OF THE CITY TREASURY; AND ALSO FIXING THE TAX RATE ON REAL AND PERSONAL PROPERTY FOR FISCAL YEAR 2024.

SECTION 1: That the amounts named herein, aggregating **\$65,460,466** are hereby appropriated from the General Fund for the use of the several departments of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as the same is set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$420,000** are hereby appropriated from the Community Development Block Grant Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$37,236,915** are hereby appropriated from the Solid Waste Disposal Enterprise Fund for the use of solid waste disposal and collection operations for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$960,600** are hereby appropriated from the Local Funded Capital Projects Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$16,197,792** are hereby appropriated from the State and

Federal Funded Capital Projects Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$35,300** are hereby appropriated from the Commonwealth Attorney Federal Revenue Sharing Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$1,064,549** are hereby appropriated from the Transit Enterprise Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$28,500** are hereby appropriated from the Flexible Spending Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$150,600** are hereby appropriated from the Asset Forfeiture Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$2,195,560** are hereby appropriated from the COVID19 Federal Funds Fund for the use of the City Government for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating **\$48,029,048** are hereby appropriated from School Funds for the use of general operations, textbook, food service, capital projects and school construction for the 2024 fiscal year.

SECTION 2: That the rate of taxation on Real Estate Property be fixed at \$1.17 (One Dollar and Seventeen Cents) on the hundred dollars assessed valuation for the Tax Year 2023 of Fiscal Year 2023-2024. That the rate of taxation on Mobile Homes and Public Utilities be fixed at \$1.12 (One Dollar and Twelve Cents) on the hundred dollars assessed valuation for the Tax Year 2023 of Fiscal Year 2023-2024. That the rate of taxation on Personal Property for Automobiles, Trucks, and Horse Trailers be fixed at \$2.60 (Two Dollars and Sixty Cents) on the hundred dollars assessed valuation for the Tax Year 2023 of Fiscal Year 2023-2024 and an assessment ratio of 100%. The rate of taxation for Machinery and Tools be fixed at \$2.60 (Two Dollars and Sixty Cents) on the hundred dollars assessed valuation for the Tax Year 2023 of Fiscal Year 2023-2024 and an assessment ratio of 30%, and all other personal property, be fixed at \$7.00 (Seven Dollars and No Cents) on the hundred dollars assessed valuation for the Tax Year 2023 of Fiscal Year 2023-2024, and an assessment ratio of 12%. This is in order to secure the amount necessary to carry out the provisions of this budget.

SECTION 3: That the annual budget heretofore presented to City Council by the City Manager as the same has been amended in the various workshops of the City Council and as the same, is in its final form attached hereto, is hereby adopted by City Council and incorporated in this budget ordinance by reference pursuant to Section 10.04 of the City Charter.

SECTION 4: Upon the recommendation of the City Manager and approval of the City Council, the Chief Financial Officer may thereafter transfer a balance appropriated but unused for one purpose for the current fiscal year to another purpose or object for which the appropriations for said purpose or object for the current year have proven insufficient, even though that requires transferring said funds from one department of the City to another. The City Manager may transfer funds appropriated for Contingency purposes to other departments as the City Manager deems necessary.

The Chief Financial Officer may, upon authorization of the City Manager, transfer funds between line items appropriated within the same department or office to meet unexpected obligations within the same department or office.

SECTION 5: This ordinance to take effect July 1, 2023, the best interests of the City requiring it.

First Reading: May 9, 2023

Second Reading:

Adopted:

Effective date: July 1, 2023

Votes:

Farnum:

Holmes:

Nave:

Pollard:

Osborne:

**

*

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 _____.

(SEAL)

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

William J. Lamie, City Clerk

Neal Osborne, Mayor



City of Bristol, Virginia Appropriation Ordinance

NOTICE
CITY OF BRISTOL, VIRGINIA
NOTICE OF PUBLIC HEARING
FY 2023-2024 BUDGET APPROPRIATION ORDINANCE

A Public Hearing will be held on April 25, 2023, at 6:00 pm in Bristol, Virginia City Council Chambers, 300 Lee Street. The hearing will be open to the public and anyone desiring to be heard will be allowed to present testimony within such reasonable time limits as shall be determined by City Council.

BUDGET ORDINANCE FOR FY 2023-2024

MAKING GENERAL FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND, SOLID WASTE DISPOSAL ENTERPRISE FUND, LOCAL FUNDED CAPITAL PROJECTS FUND, STATE AND FEDERAL FUNDED CAPITAL PROJECTS FUND, COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND, TRANSIT ENTERPRISE FUND, FLEXIBLE SPENDING FUND, ASSET FORFEITURE FUND, COVID19 FEDERAL FUNDS FUND, SCHOOL OPERATING FUND, SCHOOL TEXTBOOK FUND, SCHOOL FOOD SERVICE FUND, SCHOOL LOCAL CAPITAL PROJECTS FUND AND SCHOOL CONSTRUCTION FUND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, IN THE FOLLOWING AMOUNTS:

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STATE AND FEDERAL FUNDED CAPITAL PROJECTS FUND	16,197,792
COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND	35,300
TRANSIT ENTERPRISE FUND	1,064,549
FLEXIBLE SPENDING FUND	28,500
ASSET FORFEITURE FUND	150,600
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SCHOOL TEXTBOOK FUND	1,428,780
SCHOOL FOOD SERVICE FUND	2,494,952
SCHOOL LOCAL CAPITAL PROJECTS FUND	797,904
SCHOOL CONSTRUCTION FUND	2,102,214

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NOTICE
CITY OF BRISTOL, VIRGINIA
NOTICE OF PUBLIC HEARING
PROPOSED FY 2023-2024 BUDGET

A Public Hearing will be held on April 25, 2023 at 6:00pm in Bristol, Virginia City Council Chambers, 300 Lee Street. The hearing will be open to the public and anyone desiring to be heard will be allowed to present testimony within such reasonable time limits as shall be determined by City Council.

Randall C. Eads
City Manager

SYNOPSIS OF BUDGET ESTIMATE 2023-2024
REVENUE

CITY GENERAL FUND	
Total Revenue From Local Sources	47,535,553
Total Revenue From Commonwealth	14,378,810
Total Revenue From Federal Government	3,546,103
Total Revenue	65,460,466
CITY COMMUNITY DEVELOPMENT BLOCK GRANT FUND	420,000
CITY SOLID WASTE DISPOSAL FUND	37,236,915
CITY LOCAL FUNDED CAPITAL PROJECTS FUND	960,600
CITY STATE AND FEDERAL FUNDED CAPITAL PROJECTS FUND	
Total Revenue From Commonwealth	1,248,459
Total Revenue From Federal Government	14,883,558
Total Other Financing Sources	65,775
Total Revenue	16,197,792
CITY COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND	35,300
CITY TRANSIT FUND	
Total Revenue From Local Sources	37,000
Total Revenue From Commonwealth	189,200
Total Revenue From Federal Government	768,000
Total Other Financing Sources	70,349
Total Revenue	1,064,549
CITY COMMONWEALTH ATTORNEY FEDERAL REVENUE SHARING FUND	35,300
CITY TRANSIT FUND	
Total Revenue From Local Sources	150,600
Total Revenue From Commonwealth	-
Total Revenue From Federal Government	-
Total Revenue	150,600
CITY ASSET FORFEITURE FUND	
Total Revenue From Local Sources	150,600
Total Revenue From Commonwealth	-
Total Revenue From Federal Government	-
Total Revenue	150,600
COVID19 FEDERAL FUNDS FUND	2,195,560
SCHOOL OPERATING FUND	41,205,198
SCHOOL TEXTBOOK FUND	1,428,780
SCHOOL FOOD SERVICE FUND	2,494,952
SCHOOL LOCAL CAPITAL PROJECTS FUND	797,904
SCHOOL CONSTRUCTION FUND	2,102,214
TOTAL REVENUE ALL CITY AND SCHOOL FUNDS	171,779,330

EXPENDITURES

CITY GENERAL FUND	65,460,466
CITY COMMUNITY DEVELOPMENT BLOCK GRANT FUND	420,000
CITY SOLID WASTE DISPOSAL FUND	37,236,915
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TOTAL EXPENDITURES ALL CITY AND SCHOOL FUNDS	171,779,330

LEGAL ADS

Legal Notices

LEGAL ADS

Legal Notices

LEGAL ADS

Proposals, Requests For

LEGAL ADS

Proposals, Requests For

Special Education Advisory Committee Meeting
NOTICE OF MEETING

The Washington County Special Education Advisory Committee will meet on Tuesday, April 18, 2023, at 11:30 a.m. The Annual Plan will be presented for the review of the Advisory Committee. The meeting will be held at the Washington County Career and Technical Education Center at 255 Stanley Street, Abingdon, VA. The meeting is open to the public. Questions regarding the meeting may be directed to Connie Phillips, Supervisor of Special Education, at 739-3041.

Proposals, Requests For

Proposals, Requests For

SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY
REQUEST FOR PROPOSAL

THE SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY IS CURRENTLY ACCEPTING PROPOSALS FOR BANKING SERVICES. PROPOSALS WILL BE ACCEPTED UNTIL 2:00 P.M., WEDNESDAY, MAY 17, 2023. A COPY OF THE RFP MAY BE OBTAINED FROM THE SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY ADMINISTRATIVE OFFICES, 15205 JOE DERTING DRIVE, ABINGDON, VIRGINIA 24210 OR VIA E-MAIL REQUEST TO acampbell@swvrja.com.

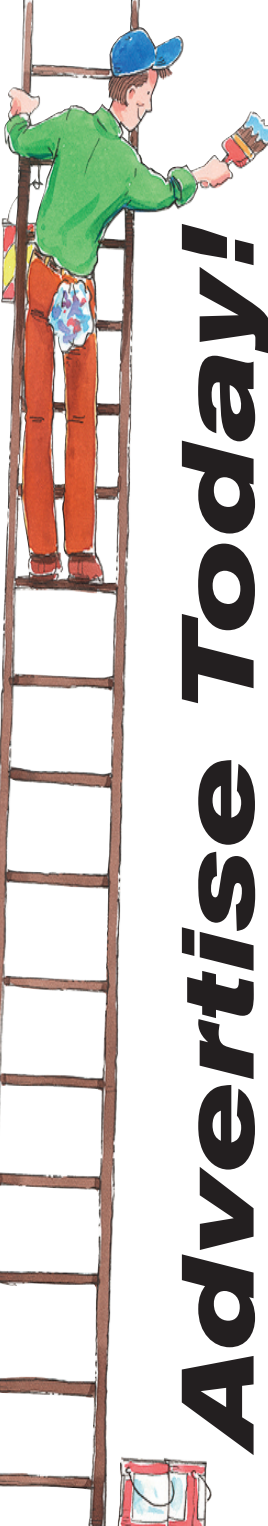
FOR ADDITIONAL INFORMATION CONTACT
ANGELA CAMPBELL
SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY
276-739-3520 EXT. 5004



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123

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the January 24, 2023, City Council Meeting.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 1.24.23.pdf](#)



MINUTES
Regular Meeting of the City Council

Tuesday, January 24, 2023
6:00 PM

Present: Jake Holmes, Michael Pollard, Neal Osborne, Anthony Farnum

Absent: Becky Nave

Present by Electronic Means: Jake Holmes

Staff Present: Randy Eads, City Manager/City Attorney; Janet Jennings, Chief Financial Officer; Melanie Fleenor, Transportation Director; Rick Belcher, IT Director; Candace Toler, Executive Assistant; Jake Chandler, Public Works Director; John Austin, Chief of Police; Gene Christian, A/V Specialist; William Lamie, City Clerk.

Call to Order

Mayor Osborne called the meeting to order at 6:02 p.m.

Moment of Silence

Pledge of Allegiance

A. Mayor's Minute and Council Comments

Mayor Osborne noted that Councilmember Holmes is out of town for work and joining this meeting by Zoom and Councilmember Nave is unable to participate in tonight's meeting. Mayor Osborne remembered the lives of Randy Smith and Mickie Harlow, both of whom recently passed away several days ago.

B. City Manager's Comments

City Manager Eads recognized Pat Malone, a Parks and Recreation employee of the City, who is retiring.

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

Chris Knupp, a resident of Bristol, Virginia, addressed Council. Mr. Knupp congratulated City Council on doing a great job on many things in the City. Mr. Knupp said the landfill is hurting the children in the area.

The following individuals spoke in favor of a Pro-Life zoning ordinance: Ginger Fleenor, Debra Brown, Chris Hess, Sandy Herrmann, Mary Peters, Penny Farris, Erika Schanzenbach, Joe Carr, Kevin McCroskey, Jeanne Kreutzer, Angie Bush, Eileen Panasewicz, Patricia Maness, Dayton Owens, Joe Kerns, Rachel Mehl, Charles Humphrey, Sophia Humphrey, Jacquelyn Early, Danielle Bullen, and Rose Marie Burriss.

The following individuals spoke in opposition to the Pro-Life zoning ordinance: Cheryl Hanzlik.

Becky Evenden, a resident of Bristol, Tennessee, stated there is methane near the homes surrounding the landfill and these residents need to be notified.

Sam Weddington, a resident of Bristol, Tennessee, said the methane exceedance mentioned in a recent Notice of Violation from the Virginia Department of Environmental Quality is serious and residents near these exceedances should be notified immediately.

D. Adoption of agenda.

Councilman Pollard moved to adopt the agenda with the addition of postponing items #1 and #4, and postponing the Consent Agenda; seconded by Farnum.

Motion Passed: 4-0

Voting For: Farnum, Holmes, Pollard, Osborne.

Voting Against: None

REGULAR AGENDA

~~1. Presentation from Emory & Henry College.~~

2. Presentation from District Three Governmental Cooperative on Aging Services.

Rhiannon Powers, Executive Director of District Three Government Cooperative, presented on District Three's aging services available in Bristol, Virginia. Mrs. Powers said the mission of District Three is to help meet the critical needs and enhance the quality of life for the elderly, disabled, and transportation-dependent residents in the service area.

Council recessed at 7:33 p.m.

Council returned from recess at 7:45 p.m.

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.

Melanie Fleenor, Transportation Planner, gave the staff report. Mrs. Fleenor stated that 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 an 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.

Councilman Farnum moved to adopt the funding split as presented; seconded by Holmes.

Motion Passed: 4-0

Voting For: Farnum, Holmes, Pollard, Osborne.

Voting Against: None

~~4. Naming of the Department of Social Services Building.~~

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

Mayor Osborne opened the public hearing.

Chief Financial Officer Janet Jennings gave the staff report. Mrs. Jennings stated that the issues at the landfill require high levels of funding. This appropriation also includes one million dollars for legal expenses. We must also budget the transfer from the general fund, so 14.7 million dollars of this amount is doubled.

Mayor Osborne closed the public hearing.

6. Adoption of Budget Amendment for the Fiscal Year 2022/2023.

Janet Jennings, Chief Financial Officer, gave the staff report. Mrs. Jennings reiterated the comments she made in the public hearing.

Councilman Farnum moved to approve the budget amendment as presented; seconded by Pollard.

Motion Passed: 4-0

Voting For: Farnum, Holmes, Pollard, Osborne.

Voting Against: None

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

City Manager Eads gave the staff report. Mr. Eads stated that 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. Only one offer was received and no additional offers have been received. The initial offer was \$25,000 for the two lots.

Councilman Farnum moved for first reading of the ordinance by caption only; seconded by Pollard.

Motion Passed: 4-0

Voting For: Farnum, Holmes, Pollard, Osborne.

Voting Against: None

City Manager Eads read, "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]."

E2. An Ordinance Pertaining to Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones.

City Manager Eads said this is an ordinance following the discussion had at the last meeting. This would 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.

Councilman Farnum moved for first reading of the ordinance by caption only; seconded by Holmes.

Councilmember Farnum said he is happy we are discussing this ordinance again.

Councilmember Pollard reminded everyone that the City will not incur a cost for purchasing, installing, or maintaining these cameras. Mayor Osborne said this is not about making money, but about making the school zones safe.

Motion Passed: 4-0

Voting For: Farnum, Holmes, Pollard, Osborne.

Voting Against: None

City Manager Eads reads the following: "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."

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

There being no further business, the meeting adjourned at 8:17 p.m.

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the January 31, 2023, Called Meeting of City Council.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 1.31.2023.pdf](#)



MINUTES
Called Meeting of the City Council
Tuesday, January 31, 2023
8:15 AM

Present: Neal Osborne, Anthony Farnum, Michael Pollard

Absent: None

Present by Electronic Means: Jake Holmes and Becky Nave.

Staff Present: Randy Eads, City Manager/City Attorney; Janet Jennings, Chief Financial Officer; Jake Chandler, Public Works Director; Gene Christian, A/V Specialist; William Lamie, City Clerk.

Call to Order

Mayor Osborne called the meeting to order at 8:19 a.m.

A. Adoption of Agenda

Councilman Farnum moved to adopt the agenda as presented; seconded by Pollard.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

CALLED MEETING AGENDA

1. Approval of Award to SCS Field Services for Landfill Gas Collection System Expansion: Stage 1 (IFB: SW-23-012)

City Manager Eads stated this recommendation is part of the Expert Panel Report to alleviate the odors at the landfill. The base price is 4.1 million dollars, but there are items that may have to change that could increase the cost an additional 6 million dollars.

Councilman Pollard moved to approve the bid as presented; seconded by Farnum.

Councilmember Pollard said he was contacted by people requesting air monitoring during the drilling process and asked if the City plans to monitor the air. City Manager Eads said he is not aware of air monitoring occurring during the drilling process. Mayor Osborne said the cost range is high and questioned if the cost of the steel pipe is the reason. William Lamie stated that the steel pipe is the main reason for the possible increased cost. Councilmember Pollard asked if the Virginia Department of Health was contacted for any air monitoring recommendations. City Manager Eads said they were contacted in 2020 or 2021 and chose not to get involved. Councilmember Farnum said this bid is a necessary expense and it should be approved.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

B. Adjournment

There being no further business, the meeting adjourned at 8:30 a.m.

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023

Department: City Clerk

Staff Contact: William Lamie,

AGENDA ITEM WORDING:

Approval of Minutes of the February 14, 2023, City Council Meeting.

ITEM BACKGROUND:

N/A

PREVIOUS RELEVANT ACTION:

STAFF RECOMMENDATION:

DOCUMENTATION:

[Minutes 2.14.2023.pdf](#)



MINUTES
Regular Meeting of the City Council
Tuesday, February 14, 2023
6:00 PM

Present: Neal Osborne, Anthony Farnum, Becky Nave, Michael Pollard

Absent: None

Present by Electronic Means: Jake Holmes

Staff Present: Randy Eads, City Manager/City Attorney; Janet Jennings, Chief Financial Officer; Josh Slagle, Code Enforcement; Jay Detrick, Director of Community Development; Mack Chapman, Economic Development Specialist; Mike Armstrong, Fire Chief; Gene Christian, A/V Specialist; William Lamie, City Clerk.

Call to Order

Mayor Osborne called the meeting to order at 6:00 p.m.

Moment of Silence

Pledge of Allegiance

A. Mayor's Minute and Council Comments

Councilmember Pollard said the public comments were moved to the end of the meeting to make sure everyone has a chance to be heard, but also so we can get through with all the council business. Councilmember Farnum congratulated Brody Jones on signing to play football at Virginia Tech.

B. City Manager's Comments

The City Manager had no comments.

C. Adoption of agenda.

Councilman Farnum moved to adopt the agenda as presented; seconded by Nave.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

REGULAR AGENDA

1. Presentation from Emory & Henry College.

Allison Mays, Director of Government Relations at Emory & Henry College, and President of Emory & Henry, John Wells, presented to Council on the benefits of Emory & Henry in our community and the future of the college.

2 Approval of Virginia Brownfields Assistance Fund Grant Project for 172 Piedmont Avenue.

Mack Chapman, Economic Development Specialist, gave the staff report. Mr. Chapman stated that the Virginia Brownfields Restoration and Economic Redevelopment Assistant Fund (VDAF) was established to provide either grants or loans to local governments to promote the restoration and redevelopment of brownfield sites and to address environmental problems or obstacles to reuse to that these sites can be effectively marketed to new economic development prospects. The site in question is 172 Piedmont Avenue. There is no money requested from the City, just support for the application from the property owner. The intention is for the owner to renovate 172 Piedmont and bring in a new business.

Councilman Pollard moved to approve the application as presented; seconded by Farnum.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

3. A Resolution Endorsing Participation in the Virginia Juvenile Community Crime Act.

City Manager Eads gave the staff report. Mr. Eads stated that a legislative study on the lack of alternatives to detention and substantial revisions to the juvenile code led the 1995 Virginia General Assembly to pass the Virginia Juvenile Community Crime Control Act (VJCCCA) to "establish a community-based system of progressive intensive sanctions and services that correspond to the severity of offense and treatment needs." (Code of Virginia, Section 16.1-309.2) The purpose of the VJCCCA is "to deter crime by providing immediate, effective punishment that emphasizes accountability of the juvenile offender for his actions as well as reduce the pattern of repeat offending." (Code of Virginia, Section 16.1-309.2).

A resolution from the governing body of each participating locality endorsing participation in the Virginia Juvenile Community Crime Control Act is required. This resolution allows the Appalachian Juvenile Commission to adjust the local plan throughout the life of VJCCA without having to bring the revised plan before each local board. Bristol usually budgets \$125,000 for the Appalachian Juvenile Commission.

Mr. Eads read the following resolution:

**Resolution Endorsing Participation in
Virginia Juvenile Community Crime Control Act (VJCCCA)**

WHEREAS, in 1995 the Virginia General Assembly passed the Virginia Juvenile Community Crime Control Act (VJCCCA) to establish a community-based system of progressive intensive sanctions and services that correspond to the severity of an offense and treatment needs; and,

WHEREAS, the Purpose of VJCCCA is to deter crime by providing immediate, effective punishment that emphasizes accountability of the juvenile offender for his or her actions, as well as to reduce the pattern of repeat offending; and,

WHEREAS, VJCCCA funding is allocated to each local governing body through a formula-based system; and,

WHEREAS, Bristol, Virginia participates in a combined program jointly administered by the Appalachian Juvenile Commission, which includes the counties of Smyth, Lee, Scott, Wise, Buchanan, Dickenson, Tazewell, and Russell as well as the city of Norton; and,

WHEREAS, Washington County, Virginia acts as the fiscal agent for the combined program.

NOW THEREFORE BE IT RESOLVED that:

- 1. The City of Bristol, Virginia, will participate in the Virginia Juvenile Community Crime Control act and accept funds appropriate for the purpose set for in this Act until written notice to the contrary is provided to the Department of Juvenile Justice; and,*
- 2. The County Administrator of Washington County, Virginia, is hereby authorized to execute a local combined plan on behalf of said localities.*

Adopted this 14th day of February 2023.

Councilman Farnum moved to approve the resolution as presented; seconded by Nave.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

- 4. Triannual Approval of the City Emergency Operations Plan.*

Chris Knupp, a resident of Bristol, Virginia, and Joel Kellogg, a resident of Bristol, Tennessee, addressed council. Mr. Kellogg requested a community safety plan for residents impacted by the Bristol, Virginia landfill. Chris Knupp said there are many sick people surrounding the landfill and it is sad to see what has happened as a result of the landfill.

City Manager Eads gave the staff report. Mr. Eads read the following resolution:

RESOLUTION
Emergency Operations Plan

WHEREAS the City Council of the City of Bristol, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS the City of Bristol, Virginia has a responsibility to provide for the safety and wellbeing of its citizens and visitors; and

WHEREAS the City of Bristol, Virginia has established and appointed a Director and Coordinator of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bristol, Virginia, this Emergency Operations Plan as revised is officially adopted, and

IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this council. Approved at the regular meeting of the City Council for the City of Bristol, Virginia on February 14, 2023.

Mayor Osborne read the following resolution:

RESOLUTION
Declaration of Adoption National Incident Management System

WHEREAS, at the request of the President, the Department of Homeland Security has developed the National Incident Management System (NIMS) for the purpose of unifying and coordinating all emergency responders' efforts during disasters; and

WHEREAS, the Department of Homeland Security has directed all Federal, State, Territorial, Tribal, and local entities involved in emergency response to adopt NIMS; and

WHEREAS, the Governor of the Commonwealth of Virginia has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Virginia; and

WHEREAS, the NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and natural disaster; and

WHEREAS, the City of Bristol currently uses the Incident Command System (ICS) as referred to in NIMS; and

WHEREAS, the City of Bristol recognizes the need for a single Incident Management System to be used by all local agencies and disciplines;

BE IT THEREFORE RESOLVED, that the City of Bristol, Virginia adopts the National Incident Management System. That this system will be used at all incidents and drills, taught in all Emergency Management training courses, and reflected in all emergency mitigation, preparedness, response and recovery plans and programs.

Approved at the regular meeting of the City Council for the City of Bristol, Virginia on February 14, 2023

Councilman Farnum moved to approve the resolutions as presented; seconded by Holmes.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

5. Discussion of a Rental Inspection Ordinance.

Jay Detrick gave the staff report. Mr. Detrick said this is a draft for discussion only that would create an ordinance that would produce a rental certificate of compliance. This will allow the

inspectors to inspect rental units in these designated areas for code compliance. Josh Slagle, Property Maintenance Inspector, stated the proposed ordinance would create districts in which rental units exist that subject such units to periodic inspection for the purpose of ensuring that rental dwelling units in established districts are compliant with the Virginia Maintenance Code. The intention is to ensure that rental dwelling units inside established districts protect the public health, safety, and welfare of the occupants of such units and their neighbors. This would affect approximately 1,806 rental units in the area.

Councilmember Farnum said he owns rental units inside of those districts and this is a positive thing that can help with safety in the city. Councilmember Pollard would like to know if the state code would allow this to apply to businesses. Mr. Detrick said this proposed ordinance only applies to residential properties. Councilmember Pollard asked if any other localities have similar ordinances; Mr. Slagle said he is not certain, but these ordinances are more prevalent in northern Virginia. Pollard then asked how these districts were determined. Mr. Slagle stated the districts were determined based upon a concentration of higher than 50% of rental units.

6. Presentation of Fiscal Year 2023-24 Budget Calendar.

City Manager Eads presented the 2023-2024 Budget Calendar.

*Budget Workpapers to Departments November 2022
Department Workpapers Due to Finance January 73, 2023
Outside Agency Applications Due January 73, 2023
internal Department Budget Reviews February 2023
Budget Development February - March 2023
Budget Workshop March 74,2023,5:00 pm
Schools/Outside Agency Presentations March 1.4,2023
Budget Workshop March 76,2023,6:00 pm
Budget Presentation March 28,2023,6:00 pm
Tax Rate Resolution April 11, 2023
Advertisement of FY23 Budget April 16, 2023
Public Hearing Appropriation Ordinance April 25, 2023
First Reading of Budget Ordinance May 9, 2423
Second Reading of Budget Ordinance
Adoption of Budget May 23, 2023*

7. Approval of Release and Settlement Agreement relating to Bristol, Virginia v. BVU.

City Manager Eads gave the staff report. Bristol, Virginia sued BVU regarding purported net proceeds pursuant to the BVU Authority Transition Agreement, alleging breach of contract, unjust enrichment and reformation of contract. This Release and Settlement Agreement resolves the matters alleged in the legal action and dismisses the case based upon the terms of the Agreement. Mr. Eads stated that the main points of the agreement are that Bristol, Virginia will receive a payment of \$2.1 million from BVU and certain property will be titled in the name of Bristol, Virginia. BVU will also continue to bill for our trash collection for a period of ten years.

Councilmember Nave moved to approve the Release and Settlement Agreement as presented and to give the City Manager the authority to endorse the Agreement; seconded by Pollard.

Councilmember Pollard said he is glad to see this behind us.

Motion Passed: 4-0

Voting For: Holmes, Nave, Pollard, Osborne.

Voting Against: None

Abstain: Farnum. Mr. Farnum abstained based upon his position as a board member of BVU.

D. Ordinances Second Reading

D1. An Ordinance to Approve the Sale of Two Parcels of City-Owned Land Located on Spyglass Court. [Ordinance 23-1]

Mr. Eads stated this ordinance is for the sale of two lots located on Spyglass Court. There was only one offer made for the lots.

Councilmember Pollard moved for a second reading of the ordinance by caption only; seconded by Farnum.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

Mr. Eads read the following:

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]

Councilmember Pollard moved for adoption of the ordinance; seconded by Nave.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

D2. An Ordinance Pertaining to Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones. [Ordinance 23-4]

Mr. Eads stated that 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. The first reading of this ordinance occurred at the regularly scheduled City Council meeting on January 24, 2023.

Councilmember Farnum moved for the second reading of the ordinance by caption only; seconded by Holmes.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

City Manager Eads read the following:

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

Councilmember Farnum moved for adoption of the ordinance; seconded by Nave.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

CONSENT AGENDA

1. Approval of Minutes of the November 15, 2022, Called Meeting of the 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 the City Council.
4. Approval of Minutes of the December 13, 2022, City Council Meeting.
5. Approval of Minutes of the Called Meeting (Financial Workshop) of December 20, 2022.
6. Approval of Minutes of the Called Meeting of December 20, 2022.
7. Consideration of Street Closures for 2023 Quaker Steak and Lube Bike Nights on April 13th, May 4th, June 1st, July 6th, August 17th, September 21st, and October 5th.
8. Consideration of Lane Closure Request for the Inaugural Ken-Ya Run It? 5k and 1 Mile Fun Walk on April 15, 2023.
9. Consideration of Street Closure Request for Rebel Rock Street Show on April 29, 2023.

Councilmember Farnum moved approval of Consent Agenda items 1-6; seconded by Nave.

Motion Passed: 3-0

Voting For: Farnum, Nave, Osborne.

Voting Against: None

Abstain: Holmes and Pollard. Holmes and Pollard abstained as they were not council members during the dates of the meeting minutes.

Councilmember Farnum moved for approval of Consent Agenda items 7, 8, and 9; seconded by Nave.

Motion Passed: 5-0

Voting For: Farnum, Holmes, Nave, Pollard, Osborne.

Voting Against: None

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

Becky Evenden, a resident of Bristol, Tennessee, addressed council. Mrs. Evenden said the understated language that Bristol, Virginia uses to describe the landfill could be working against its intent to receive outside help.

F. Adjournment

There being no further business, the meeting adjourned at 7:31 p.m.

**CITY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: May 9, 2023 Department: Community Development and Planning

Staff Contact: Jay Detrick, Director of Community Development and Planning

AGENDA ITEM WORDING:

Street Closure Request for the 2023 Sounds of Summer Concert Series

ITEM BACKGROUND:

The City of Bristol Tennessee is requesting permission to close a portion of the 800 block of State Street from Carter Family Way to Ralph Peer Street (TN) for their annual Sounds of Summer Concert Series. The closure diagram is attached. The request is to close this section on June 15 and July 27 from 6 PM to midnight. This is a Bristol Tennessee event and all closures will be performed by Bristol Tennessee forces, no Bristol Virginia Public Works personnel will be required.

PREVIOUS RELEVANT ACTION:

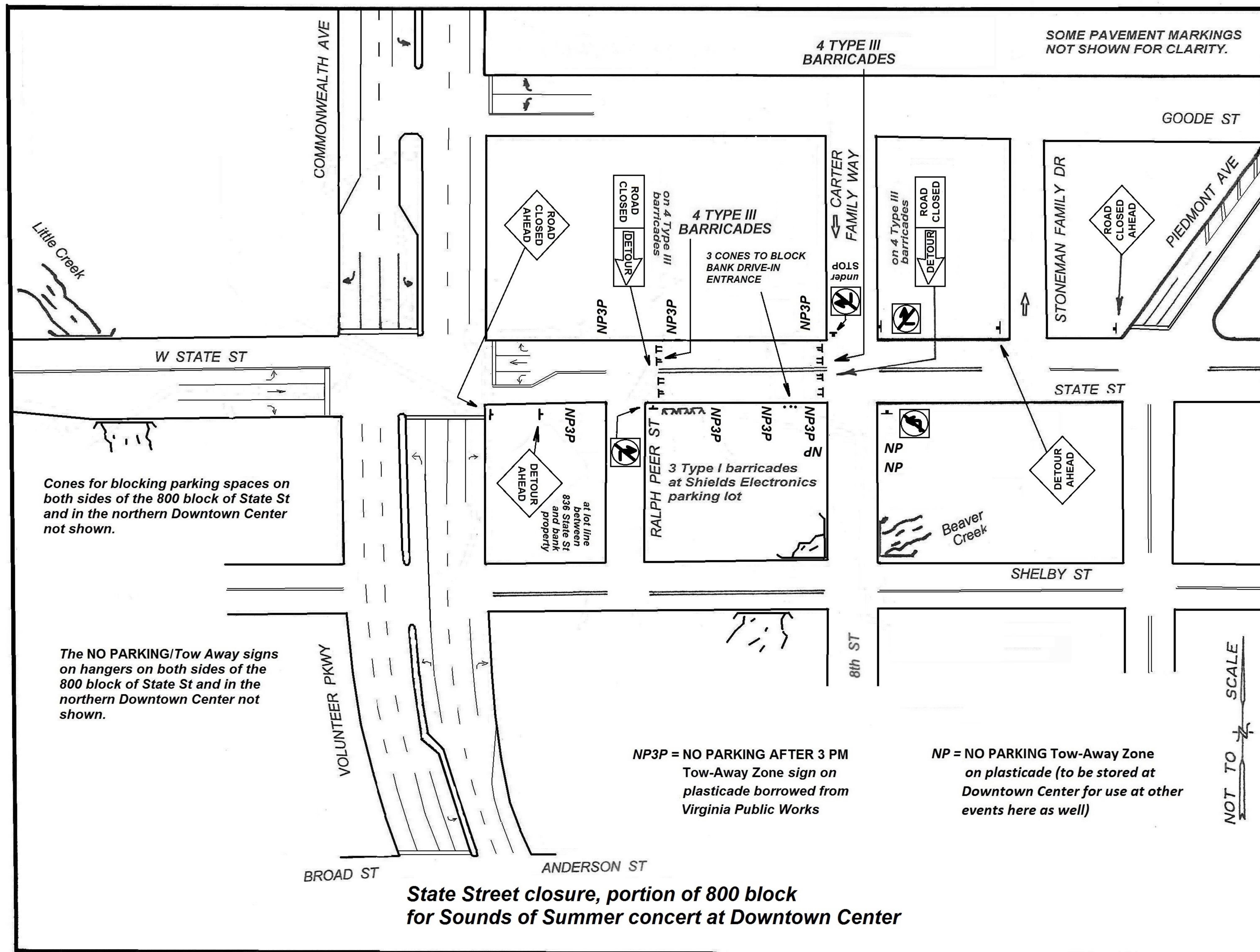
This is an annual event last approved by the City Council in 2022.

STAFF RECOMMENDATION:

Staff recommends the street closure be approved as requested.

DOCUMENTATION:

[800 Block State St Closure Diagram Sounds of Summer.pdf](#)



CITY COUNCIL AGENDA ITEM SUMMARY

Meeting Date: May 9, 2023 Department: Community Development and Planning

Staff Contact: Jay Detrick, Director of Community Development and Planning

AGENDA ITEM WORDING:

Street Closure request for Quaker Steak and Lube June 3, 2023

ITEM BACKGROUND:

Quaker Steak and Lube is requesting a street closure of a portion of Piedmont Avenue for Saturday June 3 from 9:00 am to 7 pm. The reason for the request is so that they can hold an event to celebrate their 9th year in Bristol. There will be live music, inflatables and games for the kids. Quaker Steak has agreed to cancel the approved street closure (bike night) for June 1 so that they can hold this event in its place. Staff has consulted with all participating City departments and sees no issue in granting this request.

PREVIOUS RELEVANT ACTION:

This is a new event. The street closure is identical to the Bike Night Closure.

STAFF RECOMMENDATION:

Staff recommends that the street closure for June 3 be approved and the street closure for June 1 be cancelled as requested.

DOCUMENTATION:

[Bike Night Street Closure for Council Agenda.pdf](#)



GOODE STREET

PIEDMONT AVE

WATERS ALLEY

Quaker Steak & Lube
Bike Night
Street Closure Diagram
2023

WINSTON ALLEY

STATE STREET