



City Council
Neal Osborne, Mayor
Bill Hartley, Vice Mayor
Anthony Farnum, Council Member
Kevin Mumpower, Council Member
Kevin Wingard, Council Member



BRISTOL, VIRGINIA CITY COUNCIL
300 Lee Street, Bristol, Virginia 24201
August 13, 2019

6:00pm

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.

REGULAR AGENDA

1. Consider public hearing of an Ordinance to Repeal Section 1 of the Appendix to Chapter 34 of the City Code of Ordinances, relating to ambulance fees.
 - a. Open Hearing
 - b. Staff Comment
 - c. Public Comment
 - d. Close Hearing
2. Consider second reading and adoption of an Ordinance to Add Section 14-11 to the City Code, pertaining to unlawful feeding of waterfowl in the City of Bristol, Virginia.
 - a. Staff Report
 - b. Public Comments
 - c. Council Motion and Second for Second Reading of Ordinance
 - d. Council Discussion
 - e. Roll Call
 - f. Reading of Ordinance
 - g. Council Motion and Second for Adoption of Ordinance
 - h. Council Discussion
 - i. Roll Call
3. Consider second reading and adoption of an Ordinance to Amend Chapter 70 of the City Code, relating to collections.

- a. Staff Report
- b. Public Comments
- c. Council Motion and Second for Second Reading of Ordinance (by caption only)
- d. Council Discussion
- e. Roll Call
- f. Reading of Ordinance (by caption only)
- g. Council Motion and Second for Adoption of Ordinance
- h. Council Discussion
- i. Roll Call

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

- a. Staff Report
- b. Public Comments
- c. Council Motion and Second
- d. Council Discussion
- e. Roll Call

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

- a. Staff Report
- b. Public Comments
- c. Council Motion and Second
- d. Council Discussion
- e. Roll Call

6. Consider closed session pursuant to §2.2-3711.A1, Code of Virginia 1950, as amended. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (appointments).

- a. Council Motion and Second
- b. Roll Call

6.1 Certify Closed Session.

- a. Roll Call

7. Consider appointments to boards and commissions.

- a. Council Motion and Second
- b. Roll Call

8. Discussion of financing options for property acquisition.

CONSENT AGENDA

- 9.1 Consider approval of meeting minutes.
June 25, 2019 Regular Meeting
July 1, 2019 Organizational Meeting
July 1, 2019 Called Meeting with BVPS
July 9, 2019 Called Meeting with IDA
July 9, 2019 Regular Meeting

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

Commonwealth's Attorney

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

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

Police Department

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

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

Fire Department

Appropriate donations received.

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

Emergency Preparedness

Appropriate donations received.

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

Economic Development

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

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

Capital Projects Fund

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

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

9.3 Consider budget transfers for specific items listed below:

From Municipal Council to Commonwealth's Attorney

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

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

9.4 Consider purchase requisitions totaling \$259,461.12.

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

9.5 Review of 2019 property demolitions.

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

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

D. Adjournment

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

Meeting Date: **August 13, 2019**
Department: **Fire**
Staff Contact: **Fire Chief Mike Armstrong**

AGENDA ITEM WORDING:

Public hearing of an ordinance to repeal Section 1 of Appendix to Chapter 34 of the City Code of Ordinances.

ITEM BACKGROUND:

The outdated appendix does not reflect actual cost of emergency response, transport, or the level of care provided during transport. The Fire Department will adopt an annual fee schedule that reflects these actual costs, with final approval given by the City Manager.

PREVIOUS RELEVANT ACTION:

Fire Department began emergency transport services in August 2018.

STAFF RECOMMENDATIONS:

Staff recommends the repeal of Section 1 of Appendix to Chapter 34 from City Code.

DOCUMENTATION: Included X Not Required_____

MOTION:

Order Confirmation

Order# 0000981278

Client

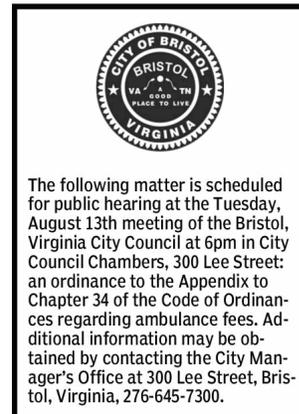
CITY OF BRISTOL VA
Phone: 2766457329
Account: 2158563
Address: 300 LEE ST CITY HALL
BRISTOL VA 24201

Payor

CITY OF BRISTOL VA
Phone: 2766457329
Account: 2158563
Address: 300 LEE ST CITY HALL
BRISTOL VA 24201

Ad Content Proof

Note: Ad size does not reflect actual ad



Sales Rep **Accnt Rep** **Ordered By**
aperrone_tri Imorrell Nicole Storm

Fax:
EMail: donq@bristolva.org

Total Amount **\$224.60**
Payment Amount **\$0.00**

Status **Materials**
Tear Sheets **Proofs** **Affidavits** **Blind Box**

Amount Due **\$224.60**

Tax Amount: 0.00 0

Payment Meth: Invoice - Statement **PO Number:**

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000981278-01	CLS Legal Liner	1 X 22 li	\$0.00

Production Method
AdBooker (liner)

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
TRI Bristol Herald Courier	C-Legal Ads	Legal Notices	2

Run Schedule Invoice Text: The following matter is scheduled for public hearing at the

Run Dates 8/ 6/2019, 8/13/2019

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
TRI heraldcourier.com	C-Legal Ads	Legal Notices	17

Run Schedule Invoice Text: The following matter is scheduled for public hearing at the

Run Dates 8/ 6/2019, 8/ 7/2019, 8/ 8/2019, 8/ 9/2019, 8/10/2019, 8/11/2019, 8/12/2019, 8/13/2019, 8/14/2019, 8/15/2019, 8/16/2019, 8/17/2019, 8/18/2019, 8/19/2019, 8/20/2019, 8/21/2019, 8/22/2019

TagLine: THEFOLLOWINGMATTERISSCHEDULEDFORPUBLICHEARINGATTHETUESDAYAUGUST13THMEETINGOFTHEBRISTOLVIRGINIACITYCOUNCILAT6PMIN CITYCOUNCILCHAMBERS

Ordinance 19-9

BE IT ORDAINED by the City Council for the City of Bristol, Virginia has repealed Section 1 of the Appendix to Chapter 34 of the City Code of Ordinances, related to ambulance fees.

~~Sec. 1. Rates for transporting patients.~~

~~The rate to be charged for the transportation of a patient from one point within the city to another within the city shall be as follows:~~

~~(1) Day (6:00 a.m. to 6:00 p.m.): a. Nonemergency trips \$15.00 b. Emergency trips 20.00
An additional charge of \$3.00 may be made when it is necessary to administer oxygen.~~

~~(2) Night (6:00 p.m. to 6:00 a.m.): a. Nonemergency trips \$15.00 b. Emergency trips 20.00
An additional charge of \$3.00 may be made when it is necessary to administer oxygen.~~

~~(3) When trips are made beyond the city limits, an additional mileage charge of \$0.60 per mile will be made for the distance the patient is transported beyond the city limits.
(Code 1966, § 2A-7)~~

First Reading: August 13, 2019

Second Reading: _____

Adopted: _____

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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 _____, 2019.

(SEAL)

Attest: Nicole Storm
Clerk of the City of Bristol, Virginia

City Clerk

Mayor

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

Meeting Date: 8/13/19
Department: Animal Control
Staff Contact: _____

AGENDA ITEM WORDING:

Consider second reading and adoption of an ordinance to prohibit the feeding of waterfowl.

ITEM BACKGROUND:

The purpose of the ordinance is to reduce the population of waterfowl on public property by prohibiting feeding.

PREVIOUS RELEVANT ACTION:

Public hearing was advertised on 6/17 and 6/24 in the Bristol Herald-Courier and held on 6/25. First reading of the ordinance was on 7/9/19.

STAFF RECOMMENDATIONS:

Recommend approval.

DOCUMENTATION: Included Not Required

MOTION: Move for second reading of the ordinance.
Move for adoption of the ordinance.

Ordinance 19-8

AN ORDINANCE TO ADD SECTION 14-11 TO THE CITY CODE PERTAINING TO UNLAWFUL FEEDING OF WATERFOWL IN THE CITY OF BRISTOL, VIRGINIA

SECTION AMENDED: § 14-11

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

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

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

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

First Reading: July 9, 2019

Second Reading: August 13, 2019

Adopted: August 13, 2019

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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 _____, 2019.

(SEAL)

Attest: Nicole Storm
Clerk of the City of Bristol, Virginia

City Clerk

Mayor

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

Meeting Date: 8/13/19
Department: Solid Waste
Staff Contact: Wallace McCulloch

AGENDA ITEM WORDING:

Consider second reading and adoption of an Ordinance to Amend Chapter 70 of the City Code of Ordinances, Solid Waste.

ITEM BACKGROUND:

Council has indicated that they would like to see changes to Chapter 70 regarding solid waste collections. Staff has developed amendments to make the ordinance simpler to understand by the general public and to address collection issues that have been identified.

PREVIOUS RELEVANT ACTION:

Public hearing was advertised on 5/6 and 5/13 and held on 5/14.
First reading of the ordinance was held on 6/25/19.

STAFF RECOMMENDATIONS:

Approval.

DOCUMENTATION: Included Not Required

MOTION: Move for second reading of the ordinance.
Move to adopt the ordinance.

Chapter 70 – SOLID WASTE

ARTICLE I. - IN GENERAL

Sec. 70-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Central business district means the section of the city bounded by State Street on the south, the tracks of the Norfolk and Western Railway on the east, Goode Street from Commonwealth Avenue to Piedmont Avenue and Scott Street from Piedmont Avenue to Martin Luther King Jr. Blvd. on the north, Piedmont Avenue from Scott Street to Goode Street and Commonwealth Avenue from Goode Street to State Street on the west.

City means the City of Bristol or the city's authorized agent.

City-served nonresidential establishment means any retail, manufacturing, wholesale, institutional, religious, governmental, or other nonresidential establishment from which the city or its authorized agent collects municipal or other solid wastes.

Commercial refuse containers mean any dumpster or roll-off container used at retail, restaurant, service oriented, or other business; church or multi-unit residential complex; construction, demolition, industrial, or industrial waste generator.

Commercial waste means all solid waste generated by establishments engaged in business operations other than manufacturing and construction. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants and shopping centers.

Construction waste means solid waste, which is produced or generated during construction, remodeling or repair of pavements, houses, commercial buildings and other structures. Construction wastes include, but are not limited to, lumber, wire, sheet rock, broken brick, shingles, glass, pipes, concrete, paving materials and metals and plastics if the metal or plastics are part of the materials of construction or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids and garbage are not construction wastes.

Debris waste means wastes resulting from land clearing operations. Debris wastes include, but are not limited to; stumps, wood, brush, leaves, soil and road spoils.

Demolition waste means that solid waste, which is produced by the destruction of structures and their foundations and includes the same materials as construction wastes.

Detachable container (also called *roll-off container*) means a unit varying in capacity between 5 cubic yards and 40 cubic yards which is used for collecting, storing and transporting solid waste. The unit may or may not use an auxiliary stationary packing mechanism for compaction of materials into the container and may be of the open or enclosed variety. The distinguishing feature of the detachable container is that it is picked up by a specially equipped truck and becomes an integral part of the truck for transporting the waste materials to the disposal site.

Discarded material means a material, which is:

- (a) Abandoned by being:
 - (1) Disposed of;
 - (2) Burned or incinerated; or
 - (3) Accumulated, stored or treated (but not used, reused or reclaimed) before or in lieu of being abandoned by being disposed of, burned or incinerated;

- (b) Used, reused or reclaimed material as defined in the current edition of the "Virginia Solid Waste Management Regulations;"
- (c) Considered inherently waste-like as defined in the "Identification of Solid Wastes" section of the current edition of the "Virginia Solid Waste Management Regulations."

Dumpster: means a metal container usually sized from 2 to 8 yards used as a commercial refuse container.

Fill material means inert materials such as soils, rock, crushed aggregate, sand or discarded building materials as specified in subsection 50-566(d) of the City Code, that are used to raise the existing grade of a lot or tract of land.

Garbage means readily putrescible-discarded materials composed of animal, vegetable or other organic matter.

Hazardous waste means a "hazardous waste" as described by the current edition of the state hazardous waste regulations and shall include, but not be limited to, materials such as paint, poison, acids, caustics, chemicals, infected materials, oral, fecal matter and explosives.

Household waste means any waste material, including garbage, trash and refuse, derived from households. Households include single and multiple residences, hotels and motels, bunkhouses, campgrounds, picnic grounds and day-use recreation areas. Household wastes do not include sanitary waste in septic tanks (septage) which are regulated by state agencies other than the department of environmental quality.

Industrial waste means any solid waste generated by manufacturing or industrial process that is not a regulated hazardous waste. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: Electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries, organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products, stone, glass, clay and concrete products; textile manufacturing; transportation equipment, and water treatment. This term does not include mining waste or oil and gas waste.

Infectious waste means solid wastes defined to be infectious by the current edition of the "Infectious Waste Management Regulations" as promulgated by the state waste management board.

Institutional waste means all solid waste emanating from institutions such as, but not limited to, hospitals, nursing homes, orphanages and public or private schools. It can include infectious waste from health care facilities and research facilities that must be managed as an infectious waste.

Lead acid battery means, for the purposes of the "Virginia Solid Waste Management Regulations," any wet cell battery.

Multiple residential units mean any duplex, apartment, group of apartments, or condominium regime used for dwelling places of more than one family.

Municipal solid waste means that waste which is normally composed of residential, commercial and institutional solid waste.

Non-city-served establishment means any non-residential or multi-family residential project not served by city collection service.

Person means any natural person, owner, agent, corporation, partnership, association, firm, receiver, guardian, trustee, executor, administrator, fiduciary, occupant, lessee, tenant, or representative or group of individuals or entities of any kind and who occupies a dwelling, building or premises for seven or more consecutive days.

Portable packing unit means a metal container that contains a packing mechanism and an internal or external power unit.

Putrescible waste means solid waste which contains organic materials capable of being decomposed by microorganisms, causing objectionably odors and capable of attracting or providing food for birds or animals.

Refuse means all solid waste products having the character of solids rather than liquids and which are composed wholly or partly of materials such as garbage, trash, rubbish, litter, residues from cleanup of spills or contamination or other discarded materials.

Refuse receptacle (trash can) (also waste receptacle or container) means a container of either 65- or 95-gallons nominal capacity, meeting the standards of the city, equipped with wheels for use in conjunction with automated lifting mechanisms, or, a container of 300 gallons nominal capacity similarly equipped, but without wheels.

Regulated medical waste means a solid waste described or listed in the current edition of the Virginia "Regulated Medical Waste Management Regulations." (9VAC20-120)

Excluded regulated medical wastes:

- (a) Used products for personal hygiene, such as diapers, facial tissues and sanitary napkins.
- (b) Material, not including sharps, containing small amounts of blood or body fluids, but containing no free flowing or unabsorbed liquid.

Residential waste means household waste.

Roll-off container: see definition for detachable container.

Rubbish means combustible or slowly putrescible discarded materials which include but are not limited to trees, wood, leaves, trimmings from shrubs or trees, printed matter, plastic and paper products, grass, rags and other combustible or slowly putrescible materials not included under the term "garbage."

Sharps means needles, scalpels, knives, glass, syringes, pasteur pipettes and similar items having a point or sharp edge or that are likely to break during transportation and result in a point or sharp edge.

Single residential unit means any dwelling place designed to be occupied by one family.

Small animal carcass means cats, dogs, small household pets, and other animals of similar size.

Solid waste means any of those materials defined as "solid waste" in the current "Identification of Solid Wastes" section of the "Virginia Solid Waste Management Regulations."

Trash means combustible and noncombustible discarded materials and is used interchangeably with the term rubbish.

Yard waste means that fraction of municipal solid waste that consists of grass clippings, leaves and hedge trimmings arising from general landscape maintenance. For purposes of this chapter, brush and tree pruning's are excluded.

Sec. 70-2. - Violations of article generally.

- (a) Unless otherwise specifically provided, any person or entity violating any of the provisions of this article or any lawful rules or regulations promulgated pursuant thereto shall be guilty of a Class 4 misdemeanor.
- (b) If any person fails to comply with the provisions of this article relating to removal of solid waste by the city, the city shall refuse to collect or remove any solid waste from the premises occupied by such person.

Sec. 70-3. – General Responsibilities.

All residential or commercial property owners or tenants shall be responsible for the removal and disposal of litter, refuse, garbage, junk, etc., from their property, including vacant land up to the edge of roadway pavement of a public right-of-way including any grass strips or sidewalks or to the center of an alleyway.

Sec. 70-4. - Illegal dumping.

- (a) *General.* It shall be unlawful to dispose of or discard any litter, refuse, garbage or other waste, as defined by the state department of environmental quality, at any location other than a properly permitted waste disposal facility except as provided herein. Disposal of litter, refuse, garbage or any other type of waste, or the placement of fill materials on a vacant lot or tract except as provided herein, is a class 2 misdemeanor.

Any article of litter bearing a person's name or address found on the private property of another, or on any public property, shall be presumed to be the property of such person whose name or address appears thereon, and that such person placed or caused to be placed such article of litter; provided, however, that such presumption shall be rebuttable by competent evidence.

- (b) *Unsupervised filling of vacant lots or tracts.*

- (1) As provided in subsection 50-566(d), said materials, along with waste asphalt concrete paving materials, stone, sand, crushed aggregate, and soils may be buried or used for fill purposes on lots or tracts that are not permitted waste disposal facilities.
- (2) When such activity is proposed on an individual lot or tract where no site plan for construction is required pursuant to chapter 50, article VII, division 3, construction site plan requirements, and whether or not an erosion and sediment control plan and permit for land disturbing activity is required pursuant to chapter 50, article IV, a permit shall for such filling activity shall be obtained from the city engineer. The permit shall set forth the proposed use of the lot or tract after the filling activity is concluded and the reason for conducting an unsupervised fill operation.
- (3) A permit shall be valid for a period of 180 days and shall not be renewable. At the conclusion of the permit period, the owner of the lot or tract shall be required to commence the development project for which the filling activity was conducted, or the lot or tract shall be graded to facilitate adequate drainage and permanent vegetative cover shall be applied to prevent erosion.
- (4) Owners of lots or tracts that are being filled on the effective date of this section shall be required to obtain a permit pursuant to subsection (2) of this section and to comply with subsection (3) within 180 days of their notification of the requirement for a permit by the city engineer.

Sec. 70-5. - Containerization of waste required.

- (1) It shall be unlawful for anyone to fail to place and maintain waste in containers as specified in this article. All containers shall always be kept covered with tight-fitting covers.
- (2) It shall be unlawful for any person to remove any items from a waste container that is not under their care or responsibility.

Sec. 70-6. - Blockage of storm drains prohibited.

It shall be unlawful for any person to place any refuse, trash, waste receptacles or containers on, upon, or over any storm drain inlet or close enough to be drawn into the storm drain.

Sec. 70-7. - Uncovered vehicles.

It shall be unlawful to operate a vehicle transporting waste materials within the city unless the waste is completely containerized to prevent the escape of litter, liquids or odor.

- (a) All vehicles transporting waste will be subject to inspection anywhere in the city by police and by city staff at the landfill scale prior to entering the landfill.
- (b) All vehicles transporting waste shall have a cloth cover at a minimum.
- (c) All vehicles transporting brush may use ropes to contain brush, however debris falling from vehicle will be considered a violation of this article.
- (d) All vehicles transporting waste roofing material must insure that roofing nails are not allowed to escape from vehicle through cracks, holes or bouncing out of vehicle. The first offense for violation of this subsection shall be a Class 3 misdemeanor. Subsequent violations may be increased to Class 2 or Class 1 misdemeanor.

Sec. 70-8. - Certain solid waste not to be collected by the city.

- (a) *Industrial waste.* Industrial waste may be collected by the city as defined in this chapter except semisolids, sludges, hazardous waste and liquids.
- (b) *Hazardous, liquid, regulated medical, combustible wastes.* Hazardous, liquid, regulated medical or highly combustible waste shall not be collected by the city. Violation subject to Class 1 Misdemeanor.
- (c) *Infectious disease waste.* It shall be unlawful to remove clothing, bedding or other waste from homes or other places where highly infectious diseases have prevailed unless performed under the supervision and direction of the health department. Such waste shall not be placed in containers for city collection. Violation subject to Class 1 Misdemeanor.
- (d) *Bulk soils, rock, paving materials and concrete.* No bulk soils, loose rock, debris waste from paving, repaving, placement or demolition of concrete or masonry work shall be collected by city collection.

Sec. 70-9. - Special handling waste.

- (a) *Ashes.* It shall be unlawful to place ashes or live coals in containers unless such ashes or coals have been wetted and are cold.
- (b) *Cardboard boxes and cartons.* It shall be unlawful for any person disposing of cardboard boxes, cartons, or crates to fail to collapse same prior to depositing in waste containers for collection.
- (c) *Sharps.* It shall be unlawful for any person to dispose of or discard any hypodermic syringe, hypodermic needle or any instrument or device for making hypodermic injections or any other type of medical sharp before first safeguarding the disposal thereof by wrapping or securing same in a secure, opaque, puncture resistant container to avoid the possibility of causing injury to collection personnel. Medical sharps that are not excluded from the definition of regulated medical waste as set forth in this chapter and the "Regulated Medical Waste Regulations" of the department of environmental quality shall not be placed for collection but shall be disposed of in accordance with the regulations for disposal of regulated medical waste. Violations subject to Class 2 Misdemeanor.

Sec. 70-10. - Hazardous and regulated medical waste prohibited.

It shall be unlawful to place hazardous or regulated medical waste in any receptacle used for solid waste collection.

Sec. 70-11. - Liquid Waste

It shall be unlawful to place liquid waste of any kind, in any receptacle used for solid waste collection.

Sec. 70-12. - Dead animals.

Small dead animals as defined in this chapter located on city property or within a public right-of-way will be collected by the city during operating hours of the city landfill.

Sec. 70-13. - Identification of commercial waste transport vehicles required.

Any vehicle used for the commercial transport of waste materials within the city shall be properly identified by lettering on both sides of the vehicle indicating the name of the person or company operating the vehicle.

Sec. 70-14. - Report of recycling activities.

Pursuant to *Code of Virginia, § 15.2-1102*, as amended, repealed, reenacted, or recodified from time to time, all persons engaged in the collection, transportation, disposal, or any other recycling activities for materials generated in and collected from the city and all persons who generate recyclable materials within the city shall at least annually within 45 days after the end of each calendar year report to the city, in a format approved by the city, the following information:

- (a) The name, address, and telephone number of the company collecting, transporting, preparing, disposing, or otherwise dealing in recyclable materials.
- (b) The end use of all recyclable materials handled by said recycler, if said end use is known, each type and the total weight of each type of material so handled during the calendar year.

Sec. 70-15 to Sec. 70-20 are reserved.

ARTICLE II. – RESIDENTIAL WASTE COLLECTION

Sec. 70-21 - Residential Waste Collection Service.

All single and multiple family residences individually metered for electricity will be charged the solid waste residential collection fee for service described in the *Appendix to Chapter 70 Solid Waste Fees*.

- (a) All city served residential units shall use city provided trash containers for collection by automated city trucks. The city will provide one standard 95-gallon container for each residence.
- (b) If the 95-gallon container is too large to safely handle, a smaller container may be provided as a replacement if requested.
- (c) If the 95-gallon container is not large enough for the waste generated, additional 95-gallon containers may be provided at an additional monthly charge as described in the *Appendix to Chapter 70 Solid Waste Fees*.
- (d) Residents may request temporary additional cans for up to two weeks twice a year at no charge.
- (e) Damaged containers will be replaced by the city at no charge if determined to be of no fault of the residence.
- (f) For individually metered multi-family units where access by automated city trucks is restricted, the city may provide for collection by a franchised agent.

- (g) Additional cans purchased by residents prior to July 1, 2019 will be temporarily grandfathered and continue to be serviced at no charge with any replacement cans to be charged to the resident.

Sec. 70-22. - Use of waste receptacles.

- (a) Garbage and other solid waste, except as otherwise provided in this chapter, intended for collection and disposal by the city shall be placed in city provided waste receptacles. Household garbage must be placed in paper or plastic bags prior to placement in city container. No loose garbage may be placed in city container. The resident shall be responsible for cleanup of spilled material. Container lids must always be kept fully closed.
- (b) Containers must be placed for pickup in a manner accessible by automated city trucks. The location for safe pickup is usually next to the public roadway but outside the travel lane. The trash container will not be emptied if access for automated trucks is blocked by vehicles or other obstructions. It is the homeowner's responsibility to insure proper access. The container should be placed with the container's lid hinge oriented toward the house. Except as provided herein, waste containers may be placed at curbside no earlier than noon on the day preceding the regularly scheduled weekly collection day and must be removed by 12:00 midnight on the day of collection. The homeowner may contact the Solid Waste Collection Department if there are questions about container placement.
- (c) Multiple containers placed adjacent to each other must maintain a minimum of twelve (12) inches between containers.
- (d) Waste containers must be stored at the side or rear of the principal building or in a similar location removed from the street right-of-way. In no case may waste containers be left within a street right-of-way or within a yard, driveway or other area adjacent to a street right-of-way except as provided in (b) or (d).
- (e) When the director of public works determines that because of topographic difficulties, age or infirmity of the resident or other mitigating conditions rendering the removal and storage of the waste container from the right-of-way impractical, said container may be permanently situated at the location designated by the public works department for collection.
- (f) Additional waste generated that will not fit in city provided container shall require the resident to call the Public Works - Solid Waste Collection Department to schedule waste pickup at least 72 hours prior to placement at curbside.
- (g) It shall be unlawful for anyone to place garbage that has not been drained of all free liquid, wrapped, bagged and enclosed in paper or plastic material in containers for collection.
- (h) Household waste may be combined with garbage.
- (i) Any non-approved waste containers placed at road side will be considered waste and removed as such.

Sec. 70-23. - Collection from private streets.

- (a) In the case of private streets, the department shall review the street and determine whether the city refuse collection vehicles can reasonably obtain access to approved refuse containers and that the infrastructure in place can accommodate city collection vehicle traffic. The department shall designate where and when the approved refuse containers are to be placed for collection.
- (b) In the event it is determined by the department that reasonable access is not possible, the department shall designate a central location where all the approved refuse containers shall be placed for collection purposes. It shall be the responsibility of the residents, in such case, to place the approved refuse or recycling containers in the central location selected by the department.

- (c) In the event the city collects refuse material along a private street or road, the city shall not be responsible for damage by collection vehicles or maintenance of such street or road.

Sec. 70-24. - Exemption for elderly and disabled persons.

Solid waste user fee relief shall be provided to property owners at least 65 years of age or anyone found to be permanently and totally disabled as defined in *Code of Virginia, § 58.1-3217*, provided the applicant's income is at or below the current federal poverty guidelines. Administration and application for relief from the solid waste user fee shall be the responsibility of the commissioner of revenue. The commissioner of revenue shall annually certify that a person is qualified for relief to the department providing the percentage of tax liability for each qualified person. The department shall freeze the monthly residential collection fee at one third (1/3) of the fee described in the *Appendix to Chapter 70 Solid Waste Fees*.

Sec. 70-25 – Waste disposal by resident.

City residents may dispose of approved waste not eligible for collection to the landfill at the rates described in the *Appendix to Chapter 70 Solid Waste Fees (2)(i)*.

Sec. 70-26. - Dangerous waste items.

- (a) It shall be unlawful to place dangerous trash items and all waste materials of injurious nature such as broken glass, light bulbs, sharp pieces of metal and the like in containers unless they are securely wrapped and marked to prevent injury to the collection crews.
- (b) Fluorescent tubes, televisions, radios, dry cell batteries and all other electronic waste shall be placed beside the waste container for separate collection for recycling. Fluorescent tubes shall be bundled or taped together and placed in a bag or box to prevent breakage.

Sec. 70-27 – Bulk waste collection for residential customers.

Residential customers paying a monthly collection fee will be eligible for bulk waste collection limited to one pickup per month. Residents shall call the Public Works - Solid Waste Collection Department to schedule any bulk waste pickup at least 72 hours prior to placement at curbside.

- (a) Bulk waste items that will be collected are household furniture and/or appliances such as sofas, chairs, beds, refrigerators, washers, dryers, hot water heaters, and similar items and no more than four rimless tires, not larger than 20-inch wheel size.
- (b) No bulk waste shall be collected from houses or other structures under construction, reconstruction, recently completed or being demolished where work has been performed by a licensed contractor.
- (c) No bulk waste shall be collected where the resulting waste is from tenant move cleanout or evictions.
- (d) Additional waste not meeting the above conditions will not be removed by city collection crews unless a special collection request is paid for in accordance with the *Appendix to Chapter 70 Solid Waste Fees (1)(c)1*.

Sec. 70-28 to Sec. 70-35 are reserved.

ARTICLE III. - NON-RESIDENTIAL/MULTI-FAMILY WASTE COLLECTION

Sec. 70-36. - Non-city-served establishments.

The owner and or occupant of any establishments defined in *Sec. 70-1. Definitions*, as non-city-served establishments shall be responsible for collecting, removing and properly disposing of all solid waste generated at such an establishment.

Sec. 70-37. - Adequate waste receptacles required.

It shall be the duty of any person or entity owning or operating any establishment or public place to provide waste receptacles adequate to contain the solid waste generated at such establishment. All waste must be placed in receptacles that are fully enclosed with tight fitting covers. Waste in plastic bags placed outside a receptacle is not allowed.

Sec. 70-38 – City Provided Waste Collection Service.

Any non-residential or multi-family residential project may choose city-provided waste collection service. The city will provide proprietary plastic containers with a nominal capacity of 95 or 300 gallons for collection by automated city trucks. The fee for service is billed quarterly and are listed in the Appendix to Chapter 70 Solid Waste Fees.

- (a) The public works solid waste collection manager shall meet with the owner or agent of the facility to determine the number and capacity of containers required to provide city collection service to the location. If it is determined that city collection service cannot reasonably be provided due to the number of containers required, access to or placement of the container(s) for service by city collection equipment, the facility shall be required to obtain collection service from private providers or make other provision for the removal of the facility's solid waste
- (b) Containers shall be initially provided by the city at no cost. Damaged containers will be replaced by the city at no charge if determined to be of no fault of the client. Containers not provided by the city shall not be serviced.
- (c) Containers shall be placed at locations determined by the owner and the public works department to be optimum for collection service by city's equipment. Containers placed differently from the designated location will not be serviced.
- (d) Any obstructions, including vehicles, preventing container collection by city trucks will not be serviced until the next regular collection day.

Sec. 70-39 – City bulk waste collection service.

Bulk waste collection service may be available as a special collection request. Contact the Public Works - Solid Waste Collection Department to verify that the service is available for the specific waste requested. The bulk waste pickup must be scheduled at least 72 hours prior to placement at curbside. The service shall be paid in accordance with the *Appendix to Chapter 70 Solid Waste Fees (1)(c)1*.

Sec. 70-40 – Commercial Waste Collection Service.

Any non-residential or multi-family residential project may choose a commercial waste collection service. The entity providing the collection service will be required to obtain a refuse container permit subject to the fees described in *Appendix to Chapter 70 Solid Waste Fees*.

Sec. 70-41. – Commercial Refuse Container Minimum Standards.

- (a) All commercial refuse containers placed within the city shall comply with the rules and regulations set forth below:
- (b) All containers shall have a current refuse permit.
- (c) All containers shall be kept in good condition to insure health and human safety. This includes no holes to prevent leakage and vermin from entering.
- (d) All containers shall have working doors and lids.
- (e) All refuse placed in containers shall be bagged to prevent windblown litter. The property owner shall be responsible for cleanup of spilled or windblown material.
- (f) All containers shall be clearly marked with the company name and contact information; all container shall have appropriate safety signage in place.
- (g) All collection vehicles shall be clearly marked with the company name on both sides and contact information.

Sec. 70-42. - Bulk containers, non-city-served.

All containers and detachable units shall be always kept in a place easily accessible to private collection contractors. Containers may not be placed within a public right-of-way. Containers shall always be kept clean, neat, painted and in a good state of repair. Commercial establishments leasing such containers or units shall be responsible for notifying the company from whom they are leasing said containers or units that they need repair. Owners or lessees of bulk containers or portable packing units shall be responsible for notifying their service contractor of any damaged conditions. Such containers and units shall be always kept in a place safely accessible to collection personnel and shall always be kept clean, neat, painted and in a good state of repair. All doors and lid springs must be in working condition. Container lids must always be kept closed. Cleaning up spilled materials shall be the responsibility of the property owner or occupant.

Sec. 70-43. - Commercial refuse container permit.

- (a) All waste haulers shall track and record container locations in the city and remit a permit fee annually to the department of public works for all permanent commercial refuse containers. Three-month permits shall be purchased for short term container placement, such as open top roll-offs placed for construction or remodeling were placement is not expected to become permanent. Containers intended and used exclusively for recyclable materials shall be excluded from the permit requirement.
- (b) Any person desiring to place a commercial dumpster in the city shall make application to the director. Each application shall contain the name, address, and telephone number of the applicant along with the proposed location of the dumpster. Applicant shall also supply information on the names or markings on the containers if they are different from the owner's company name. The applicant shall be the owner of the dumpster.
 - (1) Prior to issuance of a permit the city shall inspect the waste container and the proposed container location to verify compliance with this article. Upon satisfactory completion of the inspection and payment of the required fees a permit will be issued.

- (2) All commercial containers inspected and approved pursuant to this section shall have affixed a seal of approval to be furnished by the director. This approval may be revoked at any time should said container deteriorate to an unsatisfactory condition.
- (3) Every permit issued pursuant to this article shall terminate at the end of the fiscal year (June 30) for which it is issued, unless sooner suspended. The permittee's premises and container shall be inspected each year and the permit shall be renewed if the premises and containers are in conformity with this article. A permit shall not be transferable to any other person or location.
- (4) Any person desiring to place a commercial dumpster or refuse container on short notice in an emergency shall email the director with the refuse container owner name, type, size and location prior to placement of the refuse container. If this option is chosen, the owner shall contact the city within three (3) business days to formalize the container permit and arrange for payment.

Sec. 70-44. - Right of entry; inspection of premises.

The Public Works Director or designee is hereby authorized to enter any property for the express purpose of inspecting a commercial refuse container, its pad, and surrounding area. Any inspection shall be made during business hours and only with the consent of said applicant or permittee to enforce the provisions of this article and for no other purpose. Waste permits will be revoked with no fee refund if right of entry is refused.

Sec. 70-45. - Suspension of permit.

- (a) Following the issuance of a permit, if the Public Works Director or designee finds that a container, its pad, or surrounding area do not conform to the provisions of this article or that a permittee has refused the director the right to enter the property in order to inspect such container, pad, or surrounding area pursuant to section 70-43 for purpose of enforcing the provisions of this article, or that a permittee or an employee of a permittee has failed or neglected to comply with any of the minimum standards set forth in this chapter, the director may enter an order for the suspension of the permit until such time as he finds that the reason for the suspension no longer exists. A copy of the order shall be sent to the permittee at his place of business by certified mail, which order shall set forth the reasons for the suspension. The suspension shall be effective ten days after the date it is executed by the director, and the order shall state this effective date; provided, however, that if the director finds that an immediate suspension is necessary to protect the health or safety of city residents, the suspension shall be effective immediately and the order shall so state. Except in cases of an immediate suspension, the order shall inform the permittee that he may dispute the suspension by submitting to the director, in writing or in person, reasons why the permit should not be suspended. The order shall also inform the permittee of the date and time by which such written submission must be submitted and of the date, time and place at which the permittee may make a submission in person. If the permittee does not make a timely written or personal submission to the director, the suspension shall become effective and the order shall become final on the date set forth in the order. If the permittee does make a submission, the suspension shall be stayed pending the director's consideration of the submission and the issuance of a final order affirming, amending or rescinding the earlier order. This final order shall be effective on the date it is executed by the director and shall be sent to the permittee at his place of business by certified mail. The failure of a permittee to make a written or personal submission to the director shall not affect the director's authority to reinstate a suspended permit, pursuant to section 70-46.

- (b) Any person violating this provision, after the order is final and permit suspended, shall be guilty of a Class 4 misdemeanor. Each day a violation continues shall be deemed a new and separate violation. In addition to any penalties imposed for each violation, a judge hearing the case shall order the person responsible for such condition to remove, restore, remediate, or correct the violation or condition, and each day's default in such removal, restoration, remediation, or correction after being so ordered shall constitute a violation of and a separate offense under this article.

Sec. 70-46. - Reinstatement of permit.

The director may reinstate a suspended permit when no fact or condition exists which would otherwise warrant the director to refuse to grant a permit under the terms of this article.

Sec. 70-47 to Sec. 70-55 are reserved.

ARTICLE IV. – ORGANIC YARD WASTE & BULK WASTE COLLECTION

Sec. 70-56. – City Served Residential.

Collection for brush, leaves, grass and bulk waste as described in *Sec. 70-27* – *Bulk waste collection for residential customers* is available at no charge to city-served residential customers paying the monthly collection fee for residential collection.

Trees, brush or bulk waste places at curbside by a commercial contractor requires a special collection request that must be paid in accordance with the *Appendix to Chapter 70 Solid Waste Fees (1)(c)1*.

Sec. 70-57. – Non-Residential and Multi-Family.

Non-residential and multi-family establishments desiring organic yard waste or bulk waste collection may request a special collection service from the solid waste collections manager. A special collection request must be paid in accordance with the *Appendix to Chapter 70 Solid Waste Fees (1)(c)1*. The Public Works - Solid Waste Collection Department will require payment and at least a 72-hour notice prior to waste placement at curbside.

Sec. 70-58. - Leaves, Grass, and Clippings Collection Procedures.

- (a) Grass trimmings, hedge trimmings and leaves shall be placed at curbside in piles to facilitate collection by city vacuum equipment.
- (b) Hedge and shrubbery trimmings with a twig size larger than a quarter (1/4) inch and longer than 6 inches will not be collected by the vacuum truck and shall be stacked adjacent to but not mixed with leaves or grass trimmings.
- (c) Yard waste shall not be placed over or near any storm sewer inlet.
- (d) It shall be unlawful to allow the placement or accumulation of leaves **within a vehicle travel lane** or on a sidewalk or an area that pedestrians would be expected to walk upon parallel to a public street, or a median strip within a public right-of-way.

- (e) Normal city collection will be limited to one service per week during the months of April through December and one service per month during the second week of January, February and March.

Sec. 70-59. - Tree Trimmings, Brush and Other Debris Waste Collection Procedures.

- (a) Tree and shrubbery trimmings shall be placed near curbside for collection.
- (b) If tree or shrubbery trimmings cannot be safely collected by mechanized equipment, the trimmings will be left at curbside. **The property owner will be notified of changes required to safely collect trimmings.** Consideration should be given to location of overhead utility services.
- (c) It shall be unlawful to allow the placement or accumulation of any tree or shrubbery trimmings within a vehicle travel lane or on a sidewalk or an area that pedestrians would be expected to walk upon parallel to a public street, or a median strip within a public right-of-way.**
- (d) No tree trunks, branches, limbs or shrubbery larger than 12 inches in diameter and 8 foot in length shall be collected by the city except as provided herein.
- (e) Tree and shrubbery limbs shall have protruding branches trimmed and must be neatly stacked and placed in an orderly manner at curbside. The public works solid waste collection supervisor shall advise owners or occupants of any action necessary to reduce the waste to a manageable size.
- (f) Stumps and other debris waste up to 24 inches in diameter may be collected by city mechanized equipment if the public works department solid waste collection manager determines that the material can be cut into manageable segments. Stumps placed for collection shall be completely free of dirt, rock or other deleterious materials.
- (g) Thorny vegetation shall be placed near the curb in small neat piles.
- (h) Tree trimmings, limbs and other brush may not be combined with yard waste or with bulk wood waste.
- (i) Such collection by the city will be limited to one regular service per week.

Sec. 70-60. - Bulk Waste Collection Procedures.

- (a) Furniture and/or appliances such as sofas, chairs, beds, refrigerators, washers, dryers, hot water heaters may be placed at curbside for collection subject to the conditions of this article.
- (b) Any single item with a weight greater than 300 lbs. cannot be picked up by city collection crews.

Sec. 70-61 to Sec. 70-65 are reserved.

ARTICLE V. – DISPOSAL PRACTICES

Sec. 70-66. - Landfill disposal practices.

- (a) All waste accepted at the solid waste management facility shall be deposited in accordance with the policies and procedures set forth in the facility operations manual(s) and those policies and procedures promulgated by the director of public works pursuant to the provisions of this chapter. Failure to comply with the conditions set forth therein or to pay the fees approved by the city council shall be sufficient cause for the rejection of the waste by the director of public works or his designated agent.
- (b) The director of public works is authorized to establish and promulgate such procedures and policies for the operation and maintenance of the solid waste management facility as may be needed to prosecute the safe and efficient operation of the facility. Such procedures and policies

shall be consistent with current promulgated rules and regulations of the state department of environmental quality.

- (c) The scales situated at the municipal solid waste management facility shall be deemed to be the official scales for determining the weight of solid waste disposed of in the facility. If the scales are out of service for any reason, the city shall designate an alternate site within the corporate limits of the city as a temporary official scale site for determining the weight of solid waste disposed of in the facility or shall employ a volume to weight conversion using established criteria.
- (d) The city may enter into negotiated agreements, submit sealed bids, or offer responses to requests for proposals for solid waste contracts with other corporate, private or governmental entities for the acceptance of any type of waste for which the city holds valid permit(s). The city manager is authorized to prepare and submit such bids and proposals and to negotiate agreements for solid waste contracts.

Sec. 70-67. - Disposal fees.

Any person operating a business in the city at which trash or waste is produced or accumulates may dispose of such trash or waste in the city solid waste management facility subject to the fees and conditions which may from time to time be approved by the city council. Any person, partnership, corporation or other private or governmental entity with which the city has a waste disposal contract or agreement pursuant to the provisions of this chapter may dispose of such trash or waste in the city solid waste management facility pursuant to the terms and conditions of their individual contracts.

Sec. 70-68 to Sec. 70-75 are reserved.

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

Meeting Date: 8/13/19
Department: Public Works/City Attorney
Staff Contact: Wallace McCulloch/Randall Eads

AGENDA ITEM WORDING:

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

ITEM BACKGROUND:

The proposed amendments will release the City from certain liabilities relating to the landfill gas project. It alters the revenue percentage that will be received by the City to the below:

Year	Percentage
2020	3% of revenue
2021	4% of revenue
2022 through end of contract	5% of revenue

To date, the City has received no revenue from the landfill gas project.

PREVIOUS RELEVANT ACTION:

July 2011- City issued RFP for landfill gas project.
June 2012- Landfill Gas Purchase Agreement between City and Ingenco signed.
December 2015- Ingenco facility at landfill completed.
April 2016- Landfill Gas Purchase Agreement amended.

STAFF RECOMMENDATIONS:

DOCUMENTATION: Included X Not Required _____

MOTION: Motion to approve assignment agreement with Tennessee Valley Authority and amendments to Landfill Gas Contract with Ingenco.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU") dated June 7, 2019 is by and between the City of Bristol ("Bristol") and INGENCO Renewable Development ("INGENCO") and is intended to set forth the understanding between Bristol and INGENCO with respect to the Maintenance Service Agreement and the Maintenance Cost Sharing Agreement as referenced in that proposed Second Amendment to the Landfill Gas Purchase Agreement between Bristol and INGENCO (the "Second Amendment"). This MOU is indicative and non-binding and does not create a binding obligation between the parties and may be amended from time to time. A binding obligation may only be created by the negotiation and execution of definitive documentation with respect to the obligations set forth in such documentation including that proposed Second Amendment referenced above.

I. MAINTENANCE SERVICE AGREEMENT ("MSA")

As set forth in the draft Second Amendment, Bristol and INGENCO wish to have Bristol enter into an MSA with a qualified third-party to provide operation, maintenance and project management related to the Landfill and the Gas System (as those terms are defined in the LGPA). Included below is an in-exhaustive list of the scope of services to be included in that MSA.

1. Basic Level of Monthly Maintenance
 - a. The City of Bristol owns the landfill in Bristol. The City will therefore be responsible for contracting the monthly maintenance to a reliable, experienced contractor. (CEC, etc.).
 - i. It includes tuning wells, pulling and cleaning well pumps, raising wells, etc.
 - ii. All of these services would need to be performed whether or not the gas was being flared by the city or sold to Ingenco.
2. Process
 - a. Since the City owns the landfill, and the gas collection system, it is the City that must be the party-in-interest to the MSA and ultimately approve and initiate all routine and extraordinary maintenance on the gas collection system. Ingenco must not direct any work to be done.
 - b. Ingenco may make recommendations to the City for maintenance. However, the City must approve and contract any agreed upon maintenance.
 - c. The City and Ingenco agree to meet once a month, and as needed, to discuss ongoing maintenance and any issues with the gas collection system. Ingenco can make any recommendations at this monthly meeting.
3. Operational Metrics
 - a. Gas collection system vacuum shall be maintained at less than -50 inches of water but under no circumstances shall exceed -65 inches of water. Landfill fire prevention is a concern if operations occur outside these bounds.
 - i. This needs to be automated. Can we automate? **Yes**
 - ii. Ingenco will provide a data feed to monitor hill vacuum
 - b. Oxygen level must be maintained below 5% at each well.
 - i. City must make this a requirement for the monthly maintenance contractor.
 - c. Flare must be activated if generators are shut down for longer than 8 hours.
 - i. Can we automate this?
 - ii. Bristol needs to fix flare if it doesn't start
 - d. At all times, Gas wells, gas collection lines, and flare are property of the City.

4. Gas Collection System Enhancements
 - a. If any system enhancements are desired, such as new gas wells, new gas collection lines, new air lines, etc., the following litmus test must be applied: Would the system enhancements be required for the City to meet its permit if Ingenco was not there and the city was flaring all the gas?
 - i. If the answer is yes, then the city must pay for the required system improvements.
 - ii. If the answer is no, then Ingenco must pay for the system improvements.
 - b. All construction activities will be performed in accordance with the QA/QC procedures outline in the facility permit.

II. MAINTENANCE COST-SHARING AGREEMENT (“MCSA”)

As set forth in the draft Second Amendment, Bristol and INGENCO wish to share certain costs related to the MSA by negotiating and entering into a Maintenance Cost-Sharing Agreement (“MCSA”). Included below is a description of the understanding between Bristol and INGENCO of that allocation of costs between them as related to the MSA.

1. Costs for Ordinary Maintenance Services
 - a. Any maintenance that is required will have this litmus test applied to it: Would it be required for the city to meet its permit if Ingenco was not there and the city was flaring all the gas.
 - i. If the answer is yes, then the city must pay for the required maintenance.
 - ii. If the answer is no, then Ingenco must pay for this.
 - b. The city will cover the maintenance cost for eleven (11) gas wells and the collection system required to get the gas to the flare to satisfy permitting requirements. Any additional wells or enhancement to the collection system will be the financial responsibility of Ingenco.
 - i. If Ingenco requires 20 wells then the city’s share of maintenance costs will be 55% (11/20=0.55).
 - ii. If Ingenco requires the collection/transmission pipe to be larger than that required to flare 11 wells then Ingenco will pay the additional cost.
 - iii. If Ingenco requires improvements to a well to enhance gas production above that required to meet the permit requirements then Ingenco will pay the additional cost.
2. Maintenance required due to Negligence or Carelessness.
 - a. If either Ingenco or the City damages any part of the gas collection system, for any reason, and it needs to be repaired, the negligent party must pay for the repairs. All repairs must be done in a timely manner, or as soon as possible.

This MOU contains a list of concepts related to the MSA and the MCSA that the parties hereto agree are to be reflected in the MSA and MCSA but is not intended to be final, complete or exhaustive and may be amended from time to time. The parties agree that the concepts set forth in this MOU are non-binding and a binding commercial relationship is contingent upon the execution of: (i) that Second Amendment to the LGPA, (ii) an MSA between Bristol and a third-party service provider, and (iii) an MCSA between Bristol and INGENCO.

City of Bristol, Virginia

INGENCO Renewable Development

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

SECOND AMENDMENT TO THE LANDFILL GAS PURCHASE AGREEMENT

This Second Amendment, made and entered into this [____]th day of May, 2019, is by and between the City of Bristol, VA (“Bristol”) and INGENCO Renewable Development, LLC (“INGENCO”), and is intended to amend that certain Landfill Gas Purchase Agreement by and between Bristol and INGENCO, dated June 18, 2012 (the “Landfill Gas Agreement”), as amended by that Amendment to the Agreement, dated April 5, 2016 (the “First Amendment”) and further amended as set forth herein (the Landfill Gas Agreement as amended by the First Amendment and this Second Amendment is herein referred to as the “Second Amended Landfill Gas Agreement”). Capitalized terms used in this Second Amendment and not otherwise defined shall have the meanings set forth for such terms in the Landfill Gas Agreement, as amended by the First Amendment.

RECITALS

WHEREAS, the Landfill Gas Agreement was entered into by Bristol and INGENCO on June 18, 2012;

WHEREAS, the Landfill Gas Agreement was amended by the First Amendment entered into on April 5, 2016;

WHEREAS, with respect to the INGENCO Facility, Commercial Operations Date was declared on December 18, 2015;

WHEREAS, the GSI Project Balance as of the execution date of this Second Amendment is seven hundred six thousand three hundred sixty-two and forty-two one-hundredth US dollars (\$706,362.42);

WHEREAS, with respect to the Landfill and the Gas System, Bristol desires to enter into a Maintenance Services Agreement (as defined below) to receive operations, maintenance and project management services which shall also be a Condition Precedent for certain purposes hereunder;

WHEREAS, with respect to the Maintenance Service Agreement, Bristol and INGENCO desire to enter into a Maintenance Cost Sharing Agreement (as defined below) to allocate costs incurred under the Maintenance Service Agreement between Bristol and INGENCO;

WHEREAS, as consideration for entering into this Second Amendment and subject to the Conditions Precedent hereunder, INGENCO desires to fully and forever release Bristol, and Bristol desires to be fully and forever released, from all obligations related to the GSI Project Balance;

WHEREAS, as consideration for entering into this Second Amendment, Bristol desires to amend the Royalty Payment percentage table as set forth in the Landfill Gas Agreement, as amended from time to time; and

WHEREAS, Bristol and INGENCO agree to cooperate in good-faith to effectuate certain amendments to that Renewable Standard Offer Contract (as defined below) entered into between INGENCO and the Tennessee Valley Authority.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Bristol and INGENCO agree to further amend the Landfill Gas Agreement as amended by the First Amendment, as follows:

1. **Condition Precedents**. For purposes of Section 5 of this Second Amendment, it shall be Conditions Precedent thereto that: (i) Bristol shall have entered into the Maintenance Service Agreement, as defined in Section 2 below; and (ii) INGENCO and TVA have amended that Renewable Standard Offer Contract, as defined in and subject to the cooperation duty as set forth in Section 6 below, with acceptance of the terms of such amendment to be within the sole discretion of INGENCO.
2. **Amendment to Section 2.2**. Section 2.2 of the Landfill Gas Agreement as amended by the First Amendment is deleted in its entirety and replaced with the following:

“2.2 Maintenance Service Agreement. At all times during the Term of this Agreement, Bristol shall be a party to an effective Maintenance Service Agreement related to its ownership and control of the Landfill and the Gas System. For purposes of this Agreement, “Maintenance Service Agreement” shall mean an agreement for the provision of operation, maintenance and project management services related to the Landfill and the Gas System and entered into between Bristol and a third-party service provider, on terms reasonably acceptable to Bristol and INGENCO.”

3. **Section 2.2.A**. A new Section 2.2.A shall be added to the Landfill Gas Agreement as amended by the First Amendment as follows:

“2.2.A Maintenance Cost Sharing Agreement. At all times during the Term of an effective Maintenance Service Agreement, Bristol and INGENCO shall each be a party to a Maintenance Cost Sharing Agreement. For purposes of this Agreement, “Maintenance Cost Sharing Agreement” shall mean an agreement between Bristol and INGENCO pursuant to which costs incurred under the Maintenance Service Agreement defined above shall be allocated between Bristol and INGENCO according to the following principles: All costs incurred under the Maintenance Service Agreement for the operation, maintenance and related projects at the Landfill and to the Gas System in the ordinary course, i.e., costs related to the ownership and operation of a landfill and gas collection system without regard to the existence of a third-party landfill purchase agreement, shall be for the account of Bristol. All costs incurred under the Maintenance Service Agreement for operation, maintenance and related projects at the Landfill and to the Gas System incremental to those incurred in the ordinary course, i.e., incremental costs related to ownership and operation of a landfill and gas collection system directly related to the existence of a third-party landfill purchase agreement, shall be for the account of INGENCO. All costs incurred under the Maintenance Service Agreement

and otherwise as the result of the negligence of a party shall be for the account of the negligent party.”

4. **Amendment to Section 2.3.** Section 2.3 of the Landfill Gas Agreement as amended by the First Amendment is amended by deleting the existing Royalty Payment percentage table set forth therein and replacing it with the following table for the purpose of calculating royalty payments:

Year	Percentage
2020	3% of revenue
2021	4% of revenue
2022 through end of contract	5% of revenue

5. **GSI Project Balance Release.** Upon execution of this Second Amendment and satisfaction of the Conditions Precedent set forth in Section 1 above, INGENCO agrees to forgive, release and forever discharge Bristol from any and all repayment obligations related to the GSI Project Balance. INGENCO and Bristol agree to cooperate in the drafting, execution and filing, if necessary, of any documents or other evidence of this release of Bristol from the GSI Project Balance as may be requested by one party to the other party.
6. **Covenant to Cooperate.** Bristol agrees to cooperate with any reasonable request made by INGENCO to amend, revise and restate, as necessary, the terms and conditions of that Renewable Standard Offer Service Agreement between INGENCO and Tennessee Valley Authority dated September 26, 2012 (the “Renewable Standard Offer Contract”). Such cooperation may include, but in no way be limited to, the preparation and delivery of data evidencing the quantity of landfill gas produced and sold by Bristol to INGENCO under the Landfill Gas Agreement as amended by the First Amendment and this Second Amendment.

7. **Multiple Counterparts.** This Second Amendment may be executed in multiple counterparts (including by facsimile transmission), each of which when executed and delivered shall be deemed to be an original for all purposes and all of which taken together shall constitute but one and the same instrument.

8. **Entire Agreement.** This Second Amendment constitutes the entire agreement and understanding of the parties with respect to its subject matter and supersedes all oral communication and prior writings with respect thereto.

9. **Warranties and Representations.** The Warranties and Representations contained in Article XIII of the Landfill Gas Agreement as amended by the First Amendment, shall be deemed to be made concurrent with the execution of and the entering into effect of this Second Amendment.

10. **Choice of Law.** This Second Amendment will be governed by and construed in accordance with laws of the Commonwealth of Virginia, without reference to choice of law doctrine. Each of the parties irrevocably waives all rights to trial by jury in any action or proceeding arising out of or relating to this Second Amendment.

[Signature page follows]

In Witness Whereof, the parties have executed this Amendment on the date first set forth above.

City of Bristol, VA

INGENCO Renewable Development, LLC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

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

Meeting Date: August 13, 2019
Department: Finance
Staff Contact: Tamrya Spradlin

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

Revenue for General Fund Items

Revenue for all items 3-001-10110-0001	Beginning Balance	\$199,413
--	-------------------	-----------

Police Department

Appropriate K9 donation received but unexpended.

Expenditure 4-001-31010-6014	Operating Supplies & Materials	\$500
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Fire Department Grants

Appropriate Virginia Department of Fire Programs Fund grant funds unexpended.

Expenditure 4-001-32030-5850	Fire Programs Fund	\$2,564
------------------------------	--------------------	---------

Animal Control

Appropriate Animal Shelter donations received but unexpended.

Expenditure- 4-001-35010-6014	Operating Supplies & Materials	\$100
-------------------------------	--------------------------------	-------

Sheriff Department

Appropriate Inmate Holiday Revenue received but unexpended.

Expenditure 4-001-33010-6014	Operating Supplies & Materials	\$15,721
------------------------------	--------------------------------	----------

Sheriff Department Grants

Appropriate Dare Program proceeds unexpended.

Expenditure 4-001-33030-5860	Dare Program	\$2,793
------------------------------	--------------	---------

Street & Engineering Division

Appropriate Stormwater Fees carried over from FY18 and FY19 revenues that were unexpended.

Expenditure 4-001-41010-7002	Stormwater Management	\$21,965
------------------------------	-----------------------	----------

Clear Creek Golf Course

Appropriate unexpended Capital Funds derived from specific fee for capital items.

Expenditure 4-001-71040-8110	Capital Expenditures	\$46,076
------------------------------	----------------------	----------

Appropriate carryover of Membership Drive funds received in FY19 to pay off current cart lease and lease new golf carts.

Expenditure 4-001-71040-5410	Lease/Rent of Equipment	\$59,713
------------------------------	-------------------------	----------

Contingency Fund

Appropriate unexpended Contingency Fund amount to FY20 Legal Fees.

Expenditure 4-001-12030-3140	Professional Services	\$49,981
------------------------------	-----------------------	----------

ITEM BACKGROUND:

On May 28, 2019, the Bristol Virginia City Council adopted the FY20 Budget. The above items are an additional appropriation to the original budget.

PREVIOUS RELEVANT ACTION:

May 28, 2019, the adoption of the FY20 Budget

STAFF RECOMMENDATIONS:

Staff recommends that Council approve the supplemental appropriation as listed.

DOCUMENTATION: Included X Not Required_____

MOTION: I move to approve the supplemental appropriation of \$199,413 for the General Fund.

LD0001
PHYLLIS DARNELL HILL
42 GREENTREE CIRCLE RD.
BRISTOL, VA 24201-1558

4 June 2019
DATE

87-804/642
5633

CHECK ARMOR
TRADE PROTECTION

PAY TO THE ORDER OF
City of Bristol
Five Hundred & 00/100

\$ 500 ⁰⁰/₁₀₀

DOLLARS

Photo Safe Deposit Details on back

FIRST TENNESSEE
www.firsttennessee.com

Donation to the
FOR Canine Dept.

[Signature]

010 19/20



CITY OF BRISTOL VIRGINIA POLICE DEPARTMENT



John S. Austin
Chief of Police

501 Scott Street, Bristol, Virginia 24201 (276) 645-7400
E-Mail: bvacop@bristolva.org Fax: (276) 645-7405

June 05, 2019

TO: Randall Eads
City Manager

RE: Contribution from Phyllis Darnell Hill

We have received a K-9 contribution from Phyllis Darnell Hill in the amount of \$500.00.

I would like to request that this money be added to our Police Clothing/Supplies Line Item 31010-6011. These funds will be used for purchasing ballistic vest carriers for K-9 Officers Tolbert and Moore

All consideration for this request by City Council will be greatly appreciated.

J. S. Austin
Chief of Police

JSA:bt

Attachment

3-001-18040-
0001
LD0001



John S. Austin
Chief of Police

CITY OF BRISTOL VIRGINIA POLICE DEPARTMENT



501 Scott Street, Bristol, Virginia 24201 (276) 645-7400
E-Mail: bvacop@bristolva.org Fax: (276) 645-7405

June 05. 2019

Phyllis Darnell Hill
42 Greentree Circle Road
Bristol, VA 24201-1558

Dear Ms. Hill:

On behalf of the Bristol Virginia Police Department, I would like to thank you for the donation of \$500.00 to our K-9 Unit. The department has recently acquired a new K-9, named "Goro", who is near completion of his training. We are looking forward to acquiring another K-9 to join our force sometime in the near future. Your generous donation will enable us to purchase new equipment needed for our K-9 Officers.

Again, thank you for your support of our department.

Sincerely,

J. S. Austin
Chief of Police

JSA:bt

Cc: Randall Eads



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

\$74,234.75 (includes prior year carryover)

AMOUNT UNEXPENDED IN 2018-2019

\$2563.96

AMOUNT AVAILABLE FOR 2019-2020

\$2563.93

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

Virginia Department of Fire Programs Fund

2019-2020 EXPENDITURE LINE ITEM

32030-5850

PURPOSE OF PROPOSED EXPENDITURE

Turnout gear for new firefighters

SIGNATURE

James M. Cloutier

DATE

7/16/19

Code of Virginia § 38.2-401:B(6) "In order to remain eligible for such funds, each receiving locality shall report annually to the Department (of Fire Programs) on the use of the funds allocated to it for the previous year and shall provide a completed Fire Programs Fund Disbursement Agreement form" for the upcoming fiscal period.

A1	Enter the exact legal title of the locality being reported upon – check <input checked="" type="checkbox"/> one and complete entry		County of	
		<input checked="" type="checkbox"/>	City of	Bristol, VA
			Incorporated Town of	
A2	Enter Employer Identification Number (EIN) for [A1] above			
A3	If an incorporated town, enter County in which Located – otherwise – check <input checked="" type="checkbox"/> n/a		Not Applicable	
B1	Enter fiscal period being reported upon			FY - 2019
Commonwealth fiscal periods commence on July 1 st of the prior calendar year and end on June 30 th of that same numbered calendar year.				
B2	Enter the total balance remaining, if any, from Aid to Localities from the Fire Programs Fund received in fiscal periods PRIOR to that Identified in [B1] above	<input type="checkbox"/> None		
	Enter any interest earned on prior FY balance (not required)		\$ 74,234.75	
B3	Enter total amount received FOR the fiscal Period identified in [B1]		\$ 61,732.00	
B4	Add lines [B2] and [B3] and enter total Amount to be accounted for in this report			\$ 135,966.75

Code of Virginia § 38.2-401:B(2) "Funds allocated to the counties, cities and towns ... shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities and towns for fire service operations."

Code of Virginia § 38.2-401:B(3) "Such funds shall be used solely for the purposes of training volunteer or career firefighting personnel in each of the receiving localities; funding fire prevention and public safety education programs; constructing, improving and expanding regional or local fire service training facilities; purchasing emergency medical care and equipment for fire personnel; payment of personnel costs related to fire and medical training for fire personnel; or for purchasing personal protective equipment, vehicles, equipment and supplies for use in the receiving locality specifically for fire service purposes."

NOTE →

Enter by category the total amount disbursed during the fiscal period identified above in [B1]. Enter **ONLY** those amounts paid from that received as Aid to Localities from the Fire Programs Fund. Report ONLY disbursements for fire service purposes which did NOT otherwise supplant or replace locally appropriated funds. (Enter "None" wherever appropriate.)

C1	Expenditures for ... the training of firefighting personnel NOT reported in [C6]	\$	14,355.75	
C2	... public (Fire) safety education programs	\$	2,063.50	
C3	... LOCAL Fire Service training facilities as such principally or solely serves the locality identified in [A1] above			
C4	... Any/ ALL other Fire Service training facilities including those that are Regional/multi-jurisdictional	\$	4,621.56	
C5	... emergency medical care & equipment for Fire Personnel	\$	-	
C6	... personnel costs related to fire and medical training for Fire Personnel NOT reported in [C1]	\$	366.84	
C7	... Personal (Fire) Protective Equipment	\$	62,450.09	
C8	... (Fire) Vehicles including Apparatus	\$	-	
C9	... Fire Fighting Equipment and Supplies	\$	49,545.05	
C10	ADD items [C1] through [C9] Enter TOTAL			\$ 133,402.79

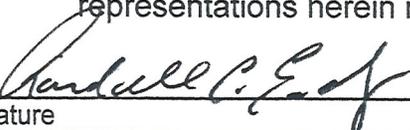
D1	SUBTRACT [C10] from [B4] and Enter the difference			\$ 2,563.96
Should either be ZERO or a POSITIVE figure representing the amount being carried forward into the succeeding fiscal period and thereafter to be accounted for.				
D2	Future Spending Plan for remaining balance: Below provide a detail explanation of how the carry forward balance shown in this section will be spent. Explanation should include timelines, amounts and category in which funds will be spent. Spending plan can be updated annually to reflect agency needs.			\$ 2,563.96
The carry forward balance will be put toward purchasing turnout gear for new firefighters.				

E1	Has ANY part of the amounts listed above in [C1] through [C9] inclusive been used to "supplant or replace" local funding; the foregoing including that for either or both Operations & Capital Improvements?	<input checked="" type="checkbox"/>	Yes No
E2	Has ANY part of the amounts listed above in [C1] through [C9] inclusive been used for OTHER than solely "fire service purposes"?	<input checked="" type="checkbox"/>	Yes No

F1	Identify a Principal Point of Contact as the party who should be contacted about: <ul style="list-style-type: none"> • Questions concerning this report • To make arrangements to audit records, - or - • Other similar needs 	Last Name, First, MI, Title Armstrong, James M. Fire Chief	
		Street Address including Zip Code 211 Lee St. Bristol, VA 24201	
		Telephone Number 276-645-7304	FAX Number 276-645-7302
		E-Mail Address mike.armstrong@bristolva.org	

G1	Certification – to be completed by: <ul style="list-style-type: none"> • County Administrator /OR/ Deputy, City Manager /OR/ Deputy, Town Mayor / Town Manager; or ... • Other duly authorized official whereby the report is accompanied by a copy of an 'Ordinance' or other such instrument clearly granting that party such authority.
----	--

This report is entered on behalf of the jurisdiction identified above [A1] with the knowledge and belief that all representations herein made are true and correct.

	Randall Eads	City Manager	7/11/19
Signature	Typed / Printed Name	Title	Date

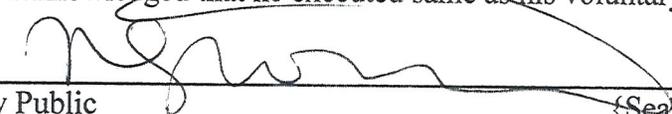
(All applications must be notarized to be considered – incomplete forms shall be returned.)

State of Virginia

City / County of Bristol

On this 11th day of July (month) in 2019 (year), before me, the undersigned a Notary Public for the Commonwealth of Virginia, personally appeared _____ to me known (or to me proved) to be the identical person named herein and having in my presence executed the above, and acknowledged that he executed same as his voluntary act and deed.

My Commission expires: 6/30/22
Date


Notary Public {Seal}





CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

\$100.00

AMOUNT UNEXPENDED IN 2018-2019

\$100.00

AMOUNT AVAILABLE FOR 2019-2020

\$100.00

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

Donation/Thomas Griffin 3-1-18040-0003

2019-2020 EXPENDITURE LINE ITEM

35010-6014

PURPOSE OF PROPOSED EXPENDITURE

Animal Shelter Food/Supplies

SIGNATURE

John Austin

DATE

08/06/2019



John S. Austin
Chief of Police

CITY OF BRISTOL VIRGINIA POLICE DEPARTMENT

501 Scott Street, Bristol, Virginia 24201 (276) 645-7400
E-Mail: bvacop@bristolva.org Fax: (276) 645-7405



c/o 19/20

May 31, 2019

TO: Randall Eads
City Manager

RE: Contribution to Animal Shelter

The animal shelter has received a contribution from Thomas D. Griffin in the amount of \$100.00.

I would like to request that this money be added to the Animal Shelter Line Item 35010-6014.

All consideration for this request by City Council will be greatly appreciated.

J. S. Austin
Chief of Police

JSA:bt

Attachment

3-001-18040-0001

LD0001

LD0001

Thomas D. Griffin
PO Box 295
Bristol, VA 24203

MAY 13 2019

68-54/514

FRAUDARMOR

PAY TO THE ORDER OF

Bristol VA Animal Shelter \$ 100.00

One Hundred and 00/100

DOLLARS



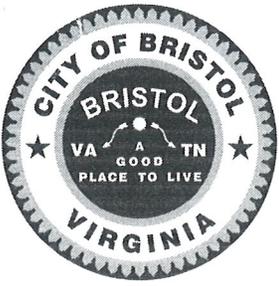
Security features are included. Details on back.

WELLS FARGO BANK

FOR

Donation - Foster Dogs

MP



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

AMOUNT UNEXPENDED IN 2018-2019

AMOUNT AVAILABLE FOR 2019-2020

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

2019-2020 EXPENDITURE LINE ITEM

PURPOSE OF PROPOSED EXPENDITURE

SIGNATURE

DATE

Company No: 001 Account Number: 3001 16090 4 Period:
 Date: 7/19/19 Inmate Holiday Revenue Time: 1046
 Budget Amount Year To Date Encumbrances Balance
 \$14,823.00- \$15,720.36- \$.00 \$897.36

```

=====
Date    Source Reference Number    PO#            Amount Period Description
12192018 CS    1        20181219            $721.85-201812 -TREASURER CASH REPORT-
01232019 CS    1        20190123            $1,178.22-201901 -TREASURER CASH REPORT-
02082019 CS    1        20190208            $12,212.17-201902 -TREASURER CASH REPORT-
02202019 CS    1        20190220            $545.77-201902 -TREASURER CASH REPORT-
05212019 CS    1        20190521            $885.32-201905 -TREASURER CASH REPORT-
06282019 CS    1        20190628            $177.03-201906 -TREASURER CASH REPORT-
*****      G/L Year-To-Date-            $15,720.36-
*****      Encumbrance-
*****      A/P Holding File-
*****      P/R Holding File-
*****      U/T Holding File-
*****      A/R Holding File-
*****      G/L Holding File-
*****      S/S Holding File-
*****      INV Holding File-
11302018 BS    1        0000007            $10,804.00-201811 NOVEMBER SUPPLEMENTAL APPR
02282019 BS    1        0000010            $2,588.00-201902 BUDGET SUPPLEMENTAL
04232019 BS    1        0000011            $545.00-201904 BUDGET SUPPLEMENTAL
06302019 BS    1        0000015            $886.00-201906 BUDGET SUPPLEMENTAL SHERIFF
*****      Budget Amount-            $14,823.00-
  
```



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

DARE Program \$8,400

AMOUNT UNEXPENDED IN 2018-2019

\$2,793

AMOUNT AVAILABLE FOR 2019-2020

\$2,793

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

3-001-18020-12 DARE Program

2019-2020 EXPENDITURE LINE ITEM

4-001-33030-5860 DARE Program

PURPOSE OF PROPOSED EXPENDITURE

2019-2020 DARE Program

SIGNATURE

A handwritten signature in blue ink, appearing to be "S. A. [unclear]", is written over a rectangular box.

DATE

8/6/19

Company No: 219 Account Number: 3001 18020 12 Period:
 Date: 8/06/19 DARE Program Time: 1710
 Budget Amount Year To Date Encumbrances Balance
 \$8,550.00- \$7,800.00- \$.00 \$750.00-

```

=====
Date    Source Reference Number    PO#    Amount Period Description
-----
07252018 CS    1            20180725    $1,000.00-201807 -TREASURER CASH REPORT-
07312018 CS    1            20180731    $3,000.00-201807 -TREASURER CASH REPORT-
01282019 CS    1            20190128    $3,800.00-201901 -TREASURER CASH REPORT-
*****            G/L Year-To-Date-            $7,800.00-
*****            Encumbrance-
*****            A/P Holding File-
*****            P/R Holding File-
*****            U/T Holding File-
*****            A/R Holding File-
*****            G/L Holding File-
*****            S/S Holding File-
*****            INV Holding File-
07012018 BA    1    0000074            $8,550.00-201807 -APPROPRIATION ENTRY-
*****            Budget Amount-            $8,550.00-
  
```

FY 19 \$7,800
 FY 18010 600
 8,400



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

\$ 33,574.00

AMOUNT UNEXPENDED IN 2018-2019

\$ 21,965.00

AMOUNT AVAILABLE FOR 2019-2020

\$ 21,965.00

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

Permit Fees - Stormwater and E&S

2019-2020 EXPENDITURE LINE ITEM

4001-041010-7002

PURPOSE OF PROPOSED EXPENDITURE

Stormwater Related Issues

SIGNATURE

DATE

8/6/2019

Company No: 219 Account Number: 4001 410107002 Period:
 Date: 8/06/19 Stormwater Management Time: 1642
 Budget Amount Year To Date Encumbrances Balance
 \$36,124.00 \$10,108.25 \$.00 \$26,015.75

Date	Source	Reference Number	PO#	Amount	Period	Description	
07052018	AP	1 VAR10L004	28727	\$756.00	201807	DEPT OF ENVIRONMENTALBH-	08504
07232018	AP	1 VAR10L272		\$756.00	201807	TREASURER OF VIRGINIABH-	08514
08202018	AP	1 VAR10L454	28902	\$952.00	201808	TREASURER OF VIRGINIABH-	08545
08202018	AP	1 VAR10L478	28902	\$756.00	201808	TREASURER OF VIRGINIABH-	08545
08202018	AP	1 98053	28901	\$3,000.00	201808	TREASURER OF VIRGINIABH-	08545
02282019	AP	1 DEPT OF ENVIRON		\$160.00	201902	BB&T FINANCIAL FSB	PC- 08715
03182019	AP	1 330384	29604	\$756.00	201903	DEPT OF ENVIRONMENTALBH-	08720
03282019	AP	1 SQ *MILL MOUNTA		\$10.68	201903	BB&T FINANCIAL FSB	PC- 08744
03282019	AP	1 BALLAST POINT V		\$14.62	201903	BB&T FINANCIAL FSB	PC- 08744
03282019	AP	1 TIZZONE WOOD FI		\$17.40	201903	BB&T FINANCIAL FSB	PC- 08744
03282019	AP	1 LAND OF A THOUS		\$7.46	201903	BB&T FINANCIAL FSB	PC- 08744
03282019	AP	1 HOLIDAY INN EXP		\$116.79	201903	BB&T FINANCIAL FSB	PC- 08744
04032019	AP	1 93609110	29593	\$2,250.00	201904	ESRI	BH- 08731
04182019	AP	1 31943513		\$298.26	201904	VULCAN MATERIALS CO.	BH- 08750
04182019	AP	1 31938449		\$144.04	201904	VULCAN MATERIALS CO.	BH- 08750
06282019	AP	1 VUE*TESTING/TRA		\$78.00	201906	BB&T FINANCIAL FSB	PC- 08832
06282019	AP	1 DEPARTMENT OF E		\$35.00	201906	BB&T FINANCIAL FSB	PC- 08832
*****		G/L Year-To-Date-		\$10,108.25			
*****		Encumbrance-					
*****		A/P Holding File-					
*****		P/R Holding File-					
*****		U/T Holding File-					
*****		A/R Holding File-					
*****		G/L Holding File-					
*****		S/S Holding File-					
*****		INV Holding File-					
07012018	BA	1 0000074		\$21,400.00	201807	-APPROPRIATION ENTRY-	
08312018	BS	1 0000002		\$14,724.00	201808	STREETS	
*****		Budget Amount-		\$36,124.00			

P4C10 \$14,724

Company No: 219 Account Number: 3001 13010 7 Period:
 Date: 8/06/19 Stormwater Management Fees Time: 1628
 Budget Amount Year To Date Encumbrances Balance
 \$21,400.00- \$18,850.00- \$.00 \$2,550.00-

```

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Date    Source Reference Number    PO#    Amount Period Description
-----
08022018 CS    1            20180802            $2,700.00-201808 -TREASURER CASH REPORT-
08212018 CS    1            20180821            $7,000.00-201808 -TREASURER CASH REPORT-
08242018 CS    1            20180824            $800.00-201808 -TREASURER CASH REPORT-
12032018 CS    1            20181203            $2,850.00-201812 -TREASURER CASH REPORT-
01172019 CS    1            20190117            $450.00-201901 -TREASURER CASH REPORT-
02282019 CS    1            20190228            $800.00-201902 -TREASURER CASH REPORT-
03082019 CS    1            20190308            $2,700.00-201903 -TREASURER CASH REPORT-
03142019 CS    1            20190314            $200.00-201903 -TREASURER CASH REPORT-
03222019 CS    1            20190322            $300.00-201903 -TREASURER CASH REPORT-
04052019 CS    1            20190405            $350.00-201904 -TREASURER CASH REPORT-
04262019 CS    1            20190426            $700.00-201904 -TREASURER CASH REPORT-
*****            G/L Year-To-Date-            $18,850.00-

*****            Encumbrance-

*****            A/P Holding File-

*****            P/R Holding File-

*****            U/T Holding File-

*****            A/R Holding File-

*****            G/L Holding File-

*****            S/S Holding File-

*****            INV Holding File-

07012018 BA    1            0000074            $21,400.00-201807 -APPROPRIATION ENTRY-
*****            Budget Amount-            $21,400.00-
  
```

FY19 Expended \$11,609
 FY19 Remaining \$7,241



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

Capital Revenue - Clear Creek

AMOUNT UNEXPENDED IN 2018-2019

\$46,076

AMOUNT AVAILABLE FOR 2019-2020

\$46,076

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

3-001-16065-7 Capital Revenue Fees

2019-2020 EXPENDITURE LINE ITEM

4-001-71040-8110 Capital Expenditures

PURPOSE OF PROPOSED EXPENDITURE

Clear Creek Golf Club Capital Maintenance

SIGNATURE

DATE

8/2/19



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

Membership Fees

AMOUNT UNEXPENDED IN 2018-2019

\$59,713

AMOUNT AVAILABLE FOR 2019-2020

\$59,713

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

3-001-16065-1 Memberships

2019-2020 EXPENDITURE LINE ITEM

4-001-71040-5410 Lease/Rent of Equipment

PURPOSE OF PROPOSED EXPENDITURE

Payoff current cart lease & begin new cart lease

SIGNATURE

Cary Brainer

DATE

8/2/19

City of Bristol Virginia
 Clear Creek Golf Course
 Monthly Report 2018-2019

			7/31/2018	8/31/2018	9/30/2018	10/31/2018	11/30/2018	12/31/2018	1/31/2019	2/28/2019	3/31/2019	4/30/2019	5/31/2019	6/30/2019	TOTAL
			CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	CURRENT	FISCAL YEAR
			AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
GMMAJ	GMACCT	Description													
REVENUES															
16065	0	CLEAR CREEK GOLF													
16065	1	Membership & Green Fees	38,904.00	34,567.50	25,208.20	12,798.50	7,329.70	14,367.50	11,238.60	8,150.00	20,595.70	113,260.00	90,502.00	66,628.00	443,549.70
16065	2	Cart Rental Fees	29,833.14	28,887.77	21,016.51	15,402.48	6,650.53	5,246.86	4,679.70	6,737.42	14,069.65	26,678.11	39,866.85	41,839.72	240,908.74
16065	3	Pro Shop	9,794.17	8,531.64	6,664.16	5,953.88	4,280.19	4,571.74	290.63	2,187.27	6,126.66	7,729.35	8,695.04	7,304.97	72,129.70
16065	4	Food & Beverage Sales	4,802.85	5,379.73	3,863.60	2,399.32	862.38	392.20	429.57	481.13	1,204.28	3,278.96	5,328.51	6,290.81	34,713.34
16065	5	Sales/Meals Taxes	2,394.08	2,377.09	1,765.47	1,263.64	639.56	540.78	285.79	497.75	1,132.30	2,048.90	2,966.97	3,106.30	19,018.63
16065	6	Advertising Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16065	7	Capital Revenue Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,344.00	15,262.00	10,470.00	46,076.00
16065	10	Other	(938.12)	(225.66)	(432.16)	614.73	(423.43)	2,229.47	(51.96)	(586.23)	(1,063.00)	195.16	(128.33)	356.93	(452.60)
		Total Revenues	84,790.12	79,518.07	58,085.78	38,432.55	19,338.93	27,348.55	16,872.33	17,467.34	42,065.59	173,534.48	162,493.04	135,996.73	855,943.51
EXPENDITURES															
71040	0	CLEAR CREEK GOLF COURSE													
71040	1180	Salaries & Wages - Regular	15,853.82	15,853.82	15,853.82	15,853.82	15,853.82	17,756.28	15,853.82	15,853.82	15,853.82	15,853.82	15,853.82	15,853.82	192,148.30
71040	1280	Salaries & Wages - Overtime	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	1281	Salaries & Wages - Overtime-Special	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	2100	FICA	1,127.00	1,127.00	1,127.00	1,127.00	1,127.00	1,272.53	1,127.00	1,127.00	1,127.00	1,127.00	1,127.00	1,127.00	13,669.53
71040	2210	VRS Retirement	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	2,646.00	31,752.00
71040	2310	Hospitalization Insurance	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	2,807.00	33,684.00
71040	2320	Dental Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	2400	VRS Life Insurance	207.68	207.68	207.68	207.68	207.68	207.68	207.68	207.68	207.68	207.68	207.68	207.68	2,492.16
71040	2450	VRS Disability Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	2600	Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.60	0.00	44.05	108.65
71040	2710	Worker's Compensation	233.06	233.06	233.06	233.06	233.06	261.03	233.06	233.06	233.06	233.06	233.06	(54.94)	2,536.69
71040	3135	Contract Labor	7,670.71	15,331.17	22,271.37	6,481.13	10,237.86	11,654.37	3,919.63	3,672.61	4,197.65	2,111.97	12,037.23	26,889.79	126,475.49
71040	3140	Professional Services	0.00	172.50	82.50	491.59	0.00	82.50	0.00	145.80	82.50	0.00	360.00	82.50	1,499.89
71040	3145	Professional Services; Marketing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,898.00	33,772.15	54,670.15	
71040	3310	Maint of Building & Property	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	805.50	805.50
71040	3320	Maint of Machinery & Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	805.45	805.45
71040	3330	Homowner's Association Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	3600	Advertising	825.00	100.00	310.00	0.00	0.00	0.00	0.00	0.00	2,000.00	0.00	0.00	1,508.95	4,743.95
71040	5100	Utilities	2,499.14	3,120.95	3,818.39	2,664.90	1,967.58	3,546.60	2,929.15	3,447.72	3,182.97	1,916.79	2,191.15	2,231.06	33,516.40
71040	5210	Postage	0.00	0.00	0.00	0.00	17.30	0.00	5.24	0.00	0.00	11.95	8.30	0.00	42.79
71040	5230	Communications	385.38	384.73	384.31	382.85	383.50	383.27	382.73	382.45	383.35	387.20	390.14	391.96	4,621.87
71040	5410	Lease/Rent of Equipment	91.00	4,699.22	9,275.02	91.00	4,716.64	4,643.64	4,771.77	4,684.10	4,684.10	4,643.64	5,784.10	9,236.74	57,320.97
71040	5530	Travel Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	5540	Education & Training	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	5810	Dues, Memberships, Subscriptions	471.00	0.00	0.00	72.00	0.00	150.00	0.00	540.00	0.00	520.00	642.00	0.00	2,395.00
71040	5841	Sales Tax	2,385.51	2,309.65	2,146.75	1,641.42	1,180.27	617.95	535.88	283.20	493.24	1,118.85	1,975.61	2,813.93	17,502.26
71040	5843	Meal Tax	135.88	63.33	210.72	109.05	69.59	15.96	0.00	0.00	0.00	0.00	57.24	126.62	788.39
71040	5845	Credit Card Fees	1,283.72	1,209.61	1,072.08	768.50	593.89	906.95	473.64	356.62	333.00	576.36	3,418.32	2,578.81	13,571.50
71040	6001	Printing & Office Supplies	24.52	0.00	0.00	32.97	180.36	0.00	0.00	0.00	0.00	165.82	371.14	374.35	1,149.16
71040	6002	Food & Beverage	3,657.84	1,823.97	2,440.12	655.13	1,186.21	238.96	142.14	320.82	287.43	1,594.35	2,065.20	4,103.64	18,515.81
71040	6005	Housekeeping Supplies	199.32	209.51	130.24	172.49	79.34	46.20	87.50	52.44	0.00	79.34	153.92	80.68	1,290.98
71040	6007	Materials - Building and Property	1,544.21	4,967.66	1,544.04	9,329.19	772.66	2,381.13	1,108.07	183.08	54.71	7,315.03	3,498.00	13,167.84	45,865.62
71040	6008	Motor Fuel & Lubricants	0.00	1,328.31	2,891.73	78.00	1,591.16	0.00	35.00	35.00	0.00	0.00	1,691.28	2,381.49	10,031.97
71040	6009	Repair Parts	1,288.79	2,948.43	2,106.60	2,276.74	138.40	205.00	1,166.91	985.54	2,385.30	1,042.32	1,977.35	3,931.76	20,453.14
71040	6014	Operating Supplies and Materials	1,164.22	845.00	2,112.00	384.68	17.89	372.00	33.52	523.00	(907.05)	173.55	1,193.35	862.00	6,774.16
71040	6015	Merchandise for Resale	4,215.30	6,402.61	5,175.26	5,266.42	3,241.31	648.22	168.39	1,094.91	1,126.05	5,553.30	9,198.58	8,831.73	50,922.08
71040	8101	Other Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	8102	Operating Office Furniture	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
71040	9130	Other Debt Service Costs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		Total Expenses	50,716.10	68,791.21	78,845.69	53,772.62	49,248.52	50,843.27	38,634.13	39,581.85	41,177.81	50,149.63	90,785.47	137,607.56	750,153.86
REVENUE OVER EXPENSES			34,074.02	10,726.86	(20,759.91)	(15,340.07)	(29,909.59)	(23,494.72)	(21,761.80)	(22,114.51)	887.78	123,384.85	71,707.57	(1,610.83)	105,789.65

(46,076)
 59,713



CITY OF BRISTOL, VA
2019-2020
SUPPLEMENTAL APPROPRIATION REQUEST
CARRYOVER OF PRIOR YEAR FUNDS FOR REVENUE RECEIVED

AMOUNT RECEIVED IN 2018-2019
(ATTACH DETAIL)

N/A

AMOUNT UNEXPENDED IN 2018-2019

\$49,981

AMOUNT AVAILABLE FOR 2019-2020

\$49,981

ORIGINAL REVENUE SOURCE
ACCOUNT & DESCRIPTION

N/A

2019-2020 EXPENDITURE LINE ITEM

City Attorney-Professional Services

PURPOSE OF PROPOSED EXPENDITURE

Potential legal service fees

SIGNATURE

Brandon C. Eddy

DATE

8/7/19

8/06/2019

GL060AA

CITY OF BRISTOL, VIRGINIA
 EXPENDITURE SUMMARY
 7/01/2018 - 6/30/2019

TIME 17:22

PAGE 1

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% SPENT
-----	-----	-----	-----	-----	-----	-----	-----	-----
FUND #-001								
91020	CONTINGENCY FUND	173,404.00	50,683.00	.00	702.93	.00	49,980.07	1.38
	--FUND TOTAL--	<u>173,404.00</u>	<u>50,683.00</u>	<u>.00</u>	<u>702.93</u>	<u>.00</u>	<u>49,980.07</u>	<u>1.38</u>
	--FINAL TOTAL--	<u>173,404.00</u>	<u>50,683.00</u>	<u>.00</u>	<u>702.93</u>	<u>.00</u>	<u>49,980.07</u>	<u>1.38</u>

Vacancies as of 7/1/19	# of openings	Term	Applications/Eligible Reappointments
Planning Commission	1	9/1/2019	Langley Shazor Michael Braswell Ric Watts
	1	7/1/2019 6/30/2023	Breanne Forbes Hubbard (reappointment)
	1	7/1/2019 6/30/2023	Jordan Pennington (reappointment)
IDA	1	7/1/2019 6/30/2023	Michael Pollard
	1	7/1/2019 6/30/2020	Mike Cleland Archie Hubbard Shaun Michael Chase Taylor Griffin Jan Huffman
Highlands Community Services Board	1	7/1/2019 6/30/2022	James Bellamy Ric Watts Melissa Harrison
Ninth District Development Financing	1	7/1/2019 6/30/2021	Shaun Michael Chase Julie Kelley
Bristol Public Library	1	7/1/2019 6/30/2022	Danny Peterson Ric Watts
Board of Zoning Appeals	1	7/1/2019 6/30/2023	

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

Meeting Date: 8/13/19
Department: City Clerk
Staff Contact: Nicole Storm

AGENDA ITEM WORDING:

Consider Approval of Minutes.

ITEM BACKGROUND:

PREVIOUS RELEVANT ACTION:

Approval of meeting minutes:

June 25, 2019 Regular Meeting
July 1, 2019 Organizational Meeting
July 1, 2019 Called Meeting
July 9, 2019 Called Meeting with IDA
July 9, 2019 Regular Meeting

STAFF RECOMMENDATIONS:

DOCUMENTATION: Included X Not Required

MOTION: I move to approve the consent agenda.

June 25, 2019

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JUNE 25, 2019 AT 6:00PM, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, ANTHONY FARNUM, WILLIAM HARTLEY, AND NEAL OSBORNE. CITY MANAGER/INTERIM CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT.

Mayor Mumpower asked for a moment of silence, followed by the pledge of allegiance. He thanked those in attendance.

City Manager Randall Eads said the bleachers at the Bristol Pirates baseball field would be closed until an engineering study was completed.

Anthony Farnum asked about the possibility of giving July 5th a holiday for employees. City Manager Randall Eads said that state employees had been given the extra day off. Council agreed to extend the holiday weekend for city staff as well.

Larry Gardner spoke about the condition of homes on Portsmouth Avenue.

Mr. Hartley made a motion that the word “taxable” be removed from Item #4 and that a closed session pursuant to §2.2-3711.A5, Code of Virginia, 1950, as amended. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community (Unannounced business prospect) be added to the closed session on the agenda. Vice-Mayor Wingard asked if that motion could include adding “by caption only” to Item 4 on the agenda, and Mr. Hartley agreed to amend his motion. Vice-Mayor Wingard seconded the motion, which carried by the following votes:

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

REGULAR AGENDA

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

Mayor Mumpower opened the public hearing. City Manager Randall Eads said that waterfowl waste was becoming a problem at city parks and recreation fields. The ordinance proposed would make it a \$50 fine for feeding waterfowl in city parks. Mayor Mumpower closed the public hearing.

Michael Pollard asked if there was research on the relationship between feeding and waterfowl presence.

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

City Planner Sally Morgan said the ordinance had been revised based on feedback from Council at the June 12 meeting, which was reviewed and approved by the Planning Commission. A map was shared that showed the potential areas for recreational development. Mr. Farnum made a motion for first reading of the ordinance by caption only. Mr. Hartley seconded the motion. Council discussed maximum length of stay and need for a special exception. Mr. Farnum amended his motion to strike the language regarding the special exception process. After discussion, Mr. Farnum asked to further amend his motion to make the length of stay limitations match those set out at Sugar Hollow Park of 30 days.

AYES: Farnum, Hartley, Osborne, Mumpower.

ABSTAIN: Wingard.

City Manager Randall Eads read the ordinance by caption only:

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

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

City Manager Randall Eads reviewed changes to the ordinance proposed, which included the cost for additional cans and limits on construction/contractor waste.

Jack Johnson spoke about scheduling concerns for collections staff and wait times for pickup. Michael Pollard listed a number of concerns with the ordinance. Renee Hunt spoke about issues with trash collection. Sandy Oliver spoke about issues with grass collection.

Mr. Hartley made a motion for first reading of the ordinance by caption only with the following changes: 70.-7 remove item E; 70-21- add language about purchase of second can and temporary can; 70-22- remove section E; 70-24- change last sentence to say amount of the relief shall be 33% of the current rate; 70-28 remove section B and add bulk waste by licensed contractor to section C; 70-58 add language about the street or alleyway. Vice-Mayor Wingard seconded the motion. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower

City Manager Randall Eads read the ordinance by caption only:

Ordinance 19-7 . AN ORDINANCE TO AMEND CHAPTER 70 OF THE CITY CODE OF ORDINANCES.

4. Consider a resolution regarding the issuance and sale of taxable General Obligation Refunding Bonds.

Chief Financial Officer Tamrya Spradlin said that the agenda item was to refinance general obligation fund debt that pays off in 2027 in the amount of \$390,000. The proposed refinance will not extend the payoff date.

David Rose of Davenport and Company presented the responses received to the City's RFP. City Manager Randall Eads read the resolution by caption only:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF BRISTOL, VIRGINIA, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the City of Bristol, Virginia (the "City") is a political subdivision of the Commonwealth of Virginia, and pursuant to the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), the Council of the City (the "Council") is authorized to contract debts on behalf of the City and to issue, as evidence thereof, bonds, notes or other obligations payable from pledges of the full faith and credit of the City; WHEREAS, on December 14, 2006, the City issued its \$3,675,000 General Obligation Public Improvement Bonds, Series 2006B (the "Series 2006B Bonds") and on October 30, 2007, the City issued its \$4,055,000 General Obligation Public Improvement Bonds, Series 2007B (the "Series 2007B Bonds");

WHEREAS, the City can effect debt service savings by issuing one or more general obligation refunding bonds (a) to refund (i) all or a portion of the outstanding 2006B Bonds and (ii) all or a portion of the outstanding 2007B Bonds (collectively, such refunded portions, the "Refunded

Bonds”), and (b) to pay the related issuance and refunding costs; WHEREAS, the City’s administration and a representative of Davenport & Company LLC, acting in the role as the City’s financial advisor (the “Financial Advisor”), have recommended to the City Council of the City (the “Council”) that the City issue one or more general obligation refunding bonds (as further described herein, the “Series 2019 Bond”) through a direct bank loan with a commercial banking or other financial institution to refund the Refunded Bonds; and WHEREAS, at the request of the City, the Financial Advisor has solicited proposals for a direct bank loan, evidenced by the Series 2019 Bond, and five proposals from financial institutions have been received in connection with the issuance of the Series 2019 Bond.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRISTOL, VIRGINIA:

Section 1. Authorization and Issuance of Series 2019 Bond. There is hereby authorized to be issued, pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Act, general obligation refunding bonds of the City in the maximum aggregate principal amount of \$3,210,000 to (i) refund the Refunded Bonds and (ii) pay the costs of issuing the Series 2019 Bond.

Section 2. Selection and Acceptance of Winning Proposal. After consideration of the proposals received with respect to the Series 2019 Bond, it is hereby determined that it is in the best interest of the City to accept, and the City does hereby accept, the proposal (the “Winning Proposal”) of JPMorgan Chase Bank, N.A. (the “Bank”) for a direct bank loan, as evidenced by the Series 2019 Bond. The Mayor, the Vice Mayor and the City Manager of the City, any of whom may act, are each hereby authorized and directed to accept the Winning Proposal and to evidence such acceptance by executing and delivering the same to the Bank or by other any means.

Section 3. Details of Series 2019 Bond. The Council hereby authorizes the issuance of the Series 2019 Bond in the form and upon the terms set forth herein. The Series 2019 Bond shall be issued in the form of a single fully-registered bond without coupons, which shall be designated the “General Obligation Refunding Bond, Series 2019,” shall be dated the date of its issuance, shall be registered as to both principal and interest in the name of the Bank, shall be issued in an aggregate principal amount not to exceed \$3,210,000, and shall be numbered RA-1. Interest shall accrue on the Series 2019 Bond at an interest rate per year not to exceed 4.0% until maturity, and the maturity date shall be July 15, 2026. Principal on the Series 2019 Bond shall be payable annually on each July 15, commencing July 15, 2020, as will be more particularly set forth in the Series 2019 Bond. The Series 2019 Bond shall be substantially in the forms attached hereto as Exhibit A, with such changes, omissions and insertions as may be approved by Bond Counsel and by the Mayor and Vice Mayor, either of whom may act, such approval to be evidenced conclusively by the execution and delivery of the Series 2019 Bond. Interest on the Series 2019 Bond shall be calculated on the basis a year of 360 days consisting of twelve 30-day months. All payments made on the Series 2019 Bond shall be applied first to accrued interest and then to principal. If the payment date of any payment due under the Series 2019 Bond does not fall on a Business Day (as hereinafter defined), then payment need not be made on such date, but may be made on the next succeeding Business Day, and if made on such next succeeding Business Day, no additional interest shall accrue. “Business Day” shall mean any day other than a Saturday, Sunday or day on which banking institutions within the Commonwealth of Virginia are authorized or required by law to remain closed.

The Mayor and Vice Mayor, either of whom may act, are each hereby authorized to approve (i) the final principal amounts of the Series 2019 Bond, so long as the final principal amount of the Series 2019 Bond does not exceed \$3,210,000, and (ii) the final principal amortization schedule for the Series 2019 Bond, such approvals to be evidenced conclusively by the execution and delivery of the Series 2019 Bond.

Section 4. Redemption Provisions. The Series 2019 Bond will not be subject to redemption prior to maturity.

Section 5. Pledge of Full Faith and Credit. The Series 2019 Bond will be secured by the full faith and credit of the City. For the prompt payment of the principal of and interest on the Series 2019 Bond as the same shall become due, the full faith and credit of the City are hereby irrevocably pledged. Pursuant to Section 15.2-2624 of the Code of Virginia of 1950, as amended, there shall be levied and collected an annual tax upon all taxable property in the City subject to local taxation sufficient to provide for the payment of the principal of and interest on the Series 2019 Bond as the same shall become due, which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the City to the extent other funds of the City are not lawfully available and appropriated for such purpose.

Section 6. Execution and Delivery of Series 2019 Bond. The Mayor and the Vice

Mayor, either of whom may act, are each authorized and directed to execute the Series 2019 Bond. The City Clerk and any Deputy City Clerk, either of whom may act, are authorized and directed to execute the Series 2019 Bond, to affix the seal of the City to the Series 2019 Bond, to attest the seal and then to deliver the Series 2019 Bond to the Bank upon payment of the purchase price of 100% of the principal amount thereof.

Section 7. Registration and Transfer of Series 2019 Bond. The City Treasurer is appointed paying agent and registrar for the Series 2019 Bond (the "Registrar"). The Registrar shall maintain registration books for the registration and registration of transfers of the Series 2019 Bond. Upon presentation and surrender of the Series 2019 Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute and deliver in exchange, a new Bond having an equal aggregate principal amount, of the same form, series and maturity, bearing interest at the same rate and registered in the name as requested by the then registered owner thereof or its duly authorized attorney or legal representative. Any such transfer or exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such transfer or exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

Section 8. Bond Purchase Agreement. To the extent deemed necessary by the Bank, the terms of the Winning Proposal may be set forth in a Bond Purchase Agreement, dated as of the date of its execution and delivery, between the City and the Bank (the "Bond Purchase Agreement"). The Series 2019 Bond, as evidence of the direct bank loan, will be sold to the Bank in accordance with the terms of the Bond Purchase Agreement, subject to the parameters and other provisions set forth in this Resolution. The Mayor, the Vice Mayor and the City Manager, any of whom may act, are each authorized to execute and deliver the Bond Purchase Agreement on behalf of the City.

Section 9. Further Actions. The Mayor, the Vice Mayor, the City Manager, the City Treasurer, the City's Chief Financial Officer and such officers, employees and agents of the City as may be designated by any of them are authorized and directed to take such further actions as they deem necessary regarding the issuance of the Series 2019 Bond, including, without limitation, the execution and delivery of closing documents and certificates including IRS Forms and a Non Arbitrage and Tax Matters Certificate (the "Tax Certificate"). All such actions previously taken by the Mayor, Vice Mayor, the City Manager, the City Treasurer, the City's Chief Financial Officer or such officers, employees and agents are hereby approved, ratified and confirmed.

The Council covenants on behalf of the City that (i) the proceeds from the issuance of the Series 2019 Bond will be invested and expended as set forth in the Tax Certificate, (ii) the City shall comply with the other covenants and representations contained in the Tax Certificate, and (iii) the City shall comply with the provisions of the Code, so that interest on the Series 2019 Bond will remain excludable from gross income for federal income tax purposes and that the Series 2019 Bond will maintain its status as a "qualified tax-exempt obligation."

Section 10. Selection of Bond Counsel. The Council hereby consents to Kaufman & Canoles, P.C., serving as Bond Counsel to the City in connection with the issuance of the Series 2019 Bond.

Section 11. Election Under the Act. The Council elects to issue the Series 2019 Bond under the provisions of the Act and without regard to the City Charter.

Section 12. Discharge upon Payment of Series 2019 Bond. If the Series 2019 Bond shall have become due and payable in accordance with their terms, shall have been fully refunded from the proceeds of refunding bonds issued by the City and the full amount of the principal and interest so due and payable upon the Series 2019 Bond then outstanding shall have been paid, or sufficient cash or direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America shall be held by the City Treasurer or by an escrow agent selected by the City for such purpose, at the time and in the manner provided in this Resolution, then all covenants, agreements and other obligations of the City to the holder of the Series 2019 Bond under this Resolution shall cease, terminate and be void and the City shall be discharged from its obligations hereunder. Upon the deposit of such cash or obligations with the City Treasurer or escrow agent, the City Treasurer or escrow agent may request a report from certified public accountants, actuaries or other similar professionals, addressed to the City Treasurer or escrow agent, to the effect that the cash and the proceeds to be received from such obligations will be sufficient, without reinvestment, to provide for the payment of the principal of and interest on the Series 2019 Bond when due.

In the event that all of such cash and obligations are not required for the payment of the principal of and interest on the Series 2019 Bond, such excess may be used by the City for any

lawful purpose.

Notwithstanding anything to the contrary contained herein, any defeasance and discharge hereunder shall not be deemed to release the City from its obligations to pay the principal of and interest on the Series 2019 Bond as contemplated herein until the date the Series 2019 Bond are paid in full. In addition, such defeasance and discharge shall not terminate the obligations of the City to comply with the tax laws pertaining to the Series 2019 Bond until the date the Series 2019 Bond are paid in full.

Section 13. Refunding; Escrow Agreement. The Council hereby irrevocably calls for the optional redemption of the Refunded Bonds on a date not less than thirty (30) nor more than sixty (60) days after the date of the issuance of the Series 2019 Bond (all of the foregoing dates being referred to herein as the "Redemption Dates") at a redemption price equal to 100% of the principal amount of the Refunded Bonds plus accrued interest to the Redemption Dates.

To the extent deemed necessary to facilitate the defeasance of the Refunded Bonds and the payment of the principal of and interest on the Refunded Bonds from the issuance date of the Series 2019 Bond through the Redemption Dates, the Council hereby authorizes the use of an Escrow Agreement, dated as of the date of its execution and delivery (the "Escrow Agreement"), between the City and U.S. Bank National Association, as escrow agent (the "Escrow Agent"). The Council hereby authorizes the Mayor, the City Manager and the Chief Financial Officer, any of whom may act, and the Escrow Agent to (i) with the advice of the Underwriters, obtain competitively a portfolio of securities and/or (ii) invest the proceeds as otherwise permitted by law until the Redemption Dates. The Council hereby authorizes the Mayor, the City Manager and the Chief Financial Officer, any of whom may act, to execute and deliver the Escrow Agreement on behalf of the City.

Section 14. Covenants. The City agrees to provide its audited financial statements to the Bank, or any subsequent owner of the Series 2019 Bond, each year within 270 days of the City's fiscal year end. The City also agrees to not violate the debt limit imposed upon the City by the Virginia Constitution and the Act.

Section 15. Arbitrage Covenants.

(a) No Composite Issue. The City represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Series 2019 Bond, within the meaning of the Code.

(b) Not an Arbitrage Bond. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Series 2019 Bond to be "arbitrage bonds" within the meaning of Section 148 of the Code, or otherwise cause interest on the Series 2019 Bond to be includable in the gross income for federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law which may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Series 2019 Bond, unless the City receives an opinion of nationally recognized Bond Counsel that such compliance is not required to prevent interest on the Series 2019 Bond from being includable in the gross income for federal income tax purposes of the registered owner thereof under existing law. The City shall pay any such required rebate from its legally available funds.

Section 16. Limitation of Liability of Officials of the City. No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of a Council member, any officer, employee or agent of the City in his or her individual capacity, and no officer of the City executing the Series 2019 Bond shall be liable personally on the Series 2019 Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No Council member, officer, employee or agent of the City shall incur any personal liability with respect to any other action taken by him or her pursuant to this Resolution, provided he or she acts in good faith.

Section 17. Contract with Bank. The provisions of this Resolution shall constitute a contract between the City and the Bank (or any subsequent owner of the Series 2019 Bond), for so long as the Series 2019 Bond are outstanding. This Resolution may not be amended by the City in any manner without the prior written consent of the Bank (or any subsequent owner of the Series 2019 Bond), except to cure any defect, error, omission or ambiguity herein.

Section 18. Other Actions. All other actions of the Council members, officers, employees, and agents of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Series 2019 Bond are approved and confirmed. The officers and staff of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Series 2019 Bond. Any reference to an officeholder herein shall include a person acting in such capacity or serving in

June 25, 2019

such capacity on an interim basis pursuant to due authority. The Vice Mayor may take any action hereunder with respect to which the Mayor has been authorized to act.

Section 19. Designation for Purchase by Financial Institutions. The City hereby designates the Series 2019 Bond as a “qualified tax-exempt obligation” eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). The City and its “subordinate entities” have not issued, nor do they reasonably anticipate issuing, more than \$10,000,000 in qualified tax-exempt obligations during calendar year 2019, and the City and its subordinate entities will not designate more than \$10,000,000 of qualified tax-exempt obligations in calendar year 2019.

Section 20. Filing of Resolution. The City Clerk is hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the City of Bristol, Virginia.

Section 21. Effective Date. This Resolution shall take effect immediately.
Exhibit A – Form of the Series 2019 Bond

Mayor Mumpower asked for a motion on the resolution. Mr. Osborne made a motion to adopt the Resolution regarding the issuance and sale of taxable general obligation refunding bonds. Mr. Hartley seconded the motion which carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower

5. Consider approval of personnel policies.

City Manager Randall Eads said that the policies presented would replace what was previously in the Code of Ordinances for annual leave, sick leave, and comp leave. There was no public comment.

Vice-Mayor Wingard made a motion to approve the leave policies with the accrual for fire department employees at 19 hours. Mr. Osborne seconded the motion. Council discussed the issues in making an equitable leave policy that applies to all employees, including those working different shifts.

AYES: Hartley, Osborne, Wingard.

NO: Farnum, Mumpower.

6. Discussion of funding for school building needs.

City Manager Randall Eads said the purpose of the item was to discuss school safety and accessibility funding. Mayor Mumpower asked about fund balance available from the current fiscal year. Chief Financial Officer Tamrya Spradlin said it was early to project year-end financial numbers but that there would likely be funds available. Vice-Mayor Wingard said he was not comfortable committing to additional money for the next physical year and asked about the source of teacher bonuses. Superintendent Keith Perrigan discussed funding sources and maintenance issues in school buildings.

7. Consider closed session pursuant to §2.2-3711.A1, Code of Virginia 1950, as amended. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (personnel).

Mr. Osborne made a motion to enter closed session. Mr. Farnum seconded the motion, which carried by the following votes.

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower

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

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower

June 25, 2019

CONSENT AGENDA

8.1 Consider approval of minutes

June 4, 2019

June 7, 2019

June 12, 2019

8.2 Consider purchase requisition totaling \$97,136.17 per the items below:

Sheriff's Office; Inmate Housing \$71,000.00

Police Department; Vehicle computers \$26,136.17

Mr. Wingard made a motion to approve the consent agenda which was seconded by Mr. Osborne. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower

There being no other business, the meeting was adjourned.

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City Clerk

Mayor

July 1, 2019

AN ORGANIZATIONAL MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JULY 1st, 2019 AT 300 LEE STREET, BRISTOL, VIRGINIA WITH MEMBERS KEVIN MUMPOWER, KEVIN WINGARD, ANTHONY FARNUM, WILLIAM HARTLEY, AND NEAL OSBORNE PRESENT. CITY MANAGER/CITY ATTORNEY, RANDALL EADS AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT.

Mr. Mumpower called for a moment of silence followed by the pledge of allegiance to the flag.

1. Appointment of City Clerk.

Mr. Wingard nominated Nicole Storm as City Clerk. The nomination was carried by the following votes:

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

2. Election of Mayor.

Mr. Hartley nominated Neal Osborne as Mayor which was seconded by Mr. Farnum. The nomination was carried by the following votes:

AYES: Farnum, Hartley, Osborne.

NO: Mumpower, Wingard.

3. Election of Vice-Mayor.

Mr. Farnum nominated Mr. Hartley as Vice-Mayor which was seconded by Mr. Wingard. The nomination was carried by the following votes:

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

4. Appointment of City Manager.

Vice-Mayor Hartley nominated Mr. Randy Eads as City Manager. Mr. Wingard seconded. The nomination was carried by the following votes:

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

5. Appointment of City Attorney.

Mr. Mumpower nominated Mr. Eads also serve as City Attorney. Mr. Farnum seconded. The nomination was carried by the following votes:

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

6. Closed Session.

Mayor Osborne asked for a motion to go into closed session pursuant to §2.2-3711.A.1, Code of Virginia 1950, as amended. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; (Appointments). Vice-Mayor Hartley made the motion which was seconded by Mr. Farnum, and carried by the following votes:

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

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

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

7. Council Appointments for FY19-20.

July 1, 2019

Mayor Osborne said that the councilmanic appointments of Mr. Wingard and Mr. Hartley's would remain the same. Mayor Osborne would now serve on the Chamber of Commerce and finance committee. Mr. Farnum would take over the People Incorporated board, while Mr. Mumpower would serve on the Mt. Rogers PDC Rural Technical Committee and the Mt. Rogers Workforce Area Investment Consortium. Vice-Mayor Hartley made a motion to approve the appointments as listed, which was seconded by Mr. Wingard. The motion carried by the following votes:

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

8. Adjournment.

There being no further business, the meeting was adjourned.

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City Clerk

Mayor

July 1, 2019- Joint meeting with School Board

A CALLED MEETING WITH THE BRISTOL, VIRGINIA PUBLIC SCHOOL BOARD AND BRISTOL, VIRGINIA CITY COUNCIL WAS HELD ON JULY 1ST, 2019 AT 220 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR NEAL OSBORNE PRESIDING. VICE-MAYOR BILL HARTLEY AND MEMBERS ANTHONY FARNUM AND KEVIN WINGARD WERE PRESENT. CITY MANAGER/CITY ATTORNEY, RANDALL EADS AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE PRESENT.

Mayor Osborne called the meeting to order, followed by the pledge of allegiance.

BVPS Superintendent Dr. Perrigan presented a transition plan developed to address short-term, mid-term, and long-term ADA needs for school facilities.

Council members shared their views on school facility needs and the plan presented by BVPS. An option of three elementary schools, with a new school that would replace Washington-Lee and Highland View, was identified to study further. The acquisition of land was discussed as a major barrier to this option.

There being no other business, the meeting was adjourned.

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City Clerk

Mayor

July 9, 2019

A CALLED MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON JULY 9, 2019 AT 5:00PM, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR NEAL OSBORNE PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR BILL HARTLEY, ANTHONY FARNUM, AND KEVIN WINGARD. CITY MANAGER/CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT. MEMBERS OF THE INDUSTRIAL DEVELOPMENT AUTH

Mayor Osborne called the meeting to order.

1. Consider closed session pursuant to §2.2-3711.A6, Code of Virginia, 1950, as amended. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected (proprietary).

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

AYES: Farnum, Hartley, Wingard, Osborne.

Mr. Eads asked that the record show that Mr. Mumpower was not present at the beginning of the meeting. He did join the closed session at 5:45pm.

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

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

There being no other business, the meeting was adjourned.

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City Clerk

Mayor

July 9, 2019

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

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

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

REGULAR AGENDA

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

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

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

City Manager Randall Eads read the ordinance.

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

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

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

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

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

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

July 9, 2019

AYES: Farnum, Mumpower, Hartley, Osborne.

ABSTAIN: Wingard.

City Manager Randall Eads read the ordinance by caption only.

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

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

AYES: Farnum, Mumpower, Hartley, Osborne.

ABSTAIN: Wingard.

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

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

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

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

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

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

5. Consider closed session pursuant to §2.2-3711.A1, Code of Virginia 1950, as amended. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body (appointments).

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

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

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

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

6. Consider appointments to boards and commissions.

July 9, 2019

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

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

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

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

CONSENT AGENDA

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

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

Fire Department

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

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

Capital Projects Fund

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

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

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

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

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

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

There being no other business, the meeting was adjourned.

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City Clerk

Mayor

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

Meeting Date: August 13, 2019
Department: Finance
Staff Contact: Tamrya Spradlin

AGENDA ITEM WORDING: Consider a supplemental appropriation of **\$779,801** to the FY20 Budget per the Items Listed Below.

Commonwealth's Attorney

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

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

Police Department

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

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

Fire Department

Appropriate donations received.

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

Emergency Preparedness

Appropriate donations received.

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

Economic Development

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

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

Capital Projects Fund

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

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

ITEM BACKGROUND:

On May 28, 2019, the Bristol Virginia City Council adopted the FY20 Budget. The above items are an additional appropriation to the original budget.

PREVIOUS RELEVANT ACTION:

May 28, 2019, the adoption of the FY20 Budget

STAFF RECOMMENDATIONS:

Staff recommends that Council approve the supplemental appropriation as listed.

DOCUMENTATION: Included X Not Required _____

MOTION:



Commonwealth's Attorney
City of Bristol, Virginia



JERRY ALLEN WOLFE
COMMONWEALTH'S ATTORNEY

210 PIEDMONT AVENUE
P.O. BOX 1058
BRISTOL, VIRGINIA 24203-1058

JOHN P. BRADWELL
ASSISTANT COMMONWEALTH'S ATTORNEY

MOLLY A. HARLEY
VICTIM/WITNESS DIRECTOR

TELEPHONE (276) 645-7200
FAX (276) 645-7210

AMANDA C. CAVE
ASSISTANT COMMONWEALTH'S ATTORNEY

JENNIFER A. STUART
ASSISTANT COMMONWEALTH'S ATTORNEY

July 18, 2019

Ms. Tamrya Spradlin, City Comptroller
City of Bristol Virginia
300 Lee Street
Bristol, Virginia 24201

RE: New Position of Assistant Commonwealth's Attorney
as established by Virginia Compensation Board

Dear Tamrya:

Enclosed please find a copy of the approved FY2020 Budget for the City of Bristol Commonwealth's Attorney's Office as established by the Virginia Compensation Board [hereinafter Comp Board]. As you will note, it includes eight (8) Comp Board employees for the coming year. This is one additional employee above the number authorized in FY19. The additional position is listed on the budget as position number "00008" and lists the position as an "ATTI." That position is an entry-level attorney/prosecutor position, paying \$56,697, plus fringe benefits.

If you could please present this matter to the City Council as a request to adjust the previously approved budget for my department to include the additional position and additional moneys to be received from the Comp Board for this position. As previously discussed with the City Manager, I am also respectfully requesting that the City consider appropriating \$40,000 in additional funds to increase this new salary and the salary of the new City-funded position to a salary of between \$75,000 and \$80,000 to allow us to draw a higher-quality applicant for these positions. I have had two extremely experienced applicants who would make wonderful additions to this department, but who are unobtainable at the current entry-level salary. Thank you for any consideration that Council could give to these matters.

Sincerely,

Jerry Allen Wolfe, Commonwealth's Attorney
for the City of Bristol, Virginia

JAW:tk



CITY OF BRISTOL VIRGINIA

300 Lee Street, Bristol, Virginia 24201

TO: Tamrya Spradlin, CFO

FROM: *(name, department, title):* John Austin, Chief of Police, Bristol Police Department

RE: Supplemental Budget Appropriation Request FY 2019-2020

DATE: July 18, 2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request: Grant received the Virginia Information Technology Agency (VITA) to allow the 911 Communications Center to implement all equipment, products, and services necessary or appropriate to enable us to receive and process calls for emergency assistance sent via Short Message Service (SMS) text messages in a manner consistent with FCC Order 14-118 and Virginia Code, which requires implementation by July 1, 2020.

Amount: \$50,000.00 with zero (0) match.

Revenue: 3-00 1-24020-0080

Expenditure: 4-00 1-31020-5881

Signature: John Austin



COMMONWEALTH of VIRGINIA

Virginia 9-1-1 Services Board

Dorothy Spears-Dean
PSC Coordinator
(804) 416-6201

Terry D. Mayo
Board Administrative
Assistant
(804) 416-6197

Jeffrey D. Stern
Chairman
VDEM

Hon Kevin W. Hall
Sheriff
Vice Chairman
City of Covington

July 11, 2019

David A. Von Moll
Treasurer
Comptroller

Mary M. Blowe
Chief Financial Officer
City of Winchester

Dear Bristol PSAP:

Gary Critzer
Emergency Mgmt/ EMS Dir
City of Waynesboro

Thank you for submitting a PSAP funding request for Text-to-911 in FY20. I am pleased to advise you that the Virginia 9-1-1 Services Board has approved your FY20 Text-to-911 funding request. You have been awarded \$50,000, Grant ID NG911-045T. Funding for this grant award will be available beginning July 1, 2019.

Bruce Edwards
City of Franklin

The Grant Payment Reimbursement Process is described in the [PSAP Grant Guidelines](#). Payment will be made on a reimbursement basis only for allowable costs. All funding requests must be submitted on the [NG9-1-1 and Text-to-911 Funding Reimbursement Form](#). In order for the form to be processed, the grant ID must be included on the form as well as invoice(s) that support the amount requested should be attached to the form when it is submitted. All invoices must be submitted between July 11, 2019 and July 11, 2022. Finally, grant payment requests will be held until all required reports are received. This includes annual True-ups, or any other documents required by the Board.

Terry Ellis
Comcast

R. Scott Garber
Fire Chief
City of Staunton

If you have any questions, please do not hesitate to contact your Regional Coordinator or me via email.

Danny Garrison
Richmond Ambulance
Authority

Congratulations on your grant award!

Pete Hatcher
AT&T

Sincerely,

Jeffrey T. Merriman
Verizon Communications

Lisa Nicholson
Public Safety Program Specialist

Lee W. Miller III
Major
Virginia State Police

Nelson P. Moe
CIO - VITA

Seth Weise
Sprint

Kelvin Wright
Chief of Police
City of Chesapeake

Jolena Young
Twin County

Shawn Talmadge
Office of the Governor
Advisor





Bristol Virginia Fire Department
211 Lee St.
Bristol, VA 24201

July 1, 2019

Tamrya Spradlin, CFO
300 Lee St.
Bristol, VA 24201

Ms. Spradlin,

If possible, please apply the attached check in the amount of \$200.00 to line item 32010-6014.
This was received from a donation.

Thank you,

James M. Armstrong, Ed. D.
Fire Chief
Bristol Virginia Fire Department

Enclosure

BRISTOL VA
JUL - 1 2019
LD0000
3-001-18040-0000

LD00002

276-645-1620
1017 E. VALLEY DRIVE
BRISTOL, VA 24201

68-54/51A-9882

July 1, 2019

Date

Pay to the
Order of

Bristol Virginia Fire Department

\$ 200.00

Two hundred & 00/100

Dollars



Photo
Safe
Deposit
Please Write

WELLS
FARGO

Wells Fargo Bank, N.A.
Virginia
wellsfargo.com

For

Donation

David L. Wheeler



Bristol Virginia Fire Department
211 Lee St.
Bristol, VA 24201

July 30, 2019

Tamrya Spradlin, CFO
300 Lee St.
Bristol, VA 24201

Ms. Spradlin,

If possible, please apply the attached check in the amount of \$3,000.00 to line item 35030-6014. These funds were donated by We Run Events and are to be used for expenses related to the pet sheltering trailer and emergency preparedness.

Thank you,

James M. Armstrong, Ed. D.
Fire Chief
Bristol Virginia Fire Department

Enclosure

3-001-18040-0002
LD0002

LD0002

WE RUN EVENTS, LLC
622 GEORGIA AVENUE
BRISTOL, TN 37620
423-963-1045

EASTMAN CREDIT UNION
KINGSPORT, TN
87-7935-2642

7/24/19

PAY TO THE
ORDER OF

Bristol Virginia Fire Dept.

\$ 3000.00

Three thousand & 00/100

DOLLARS

MEMO

Donation 😊

Natalie Whitlock

AUTHORIZED SIGNATURE

WE RUN EVENTS, LLC

4468

Run for Phil Donation
😊

Security features. Details on back.

881671/05-08



CITY OF BRISTOL VIRGINIA

300 Lee Street, Bristol, Virginia 24201

TO: Tamrya Spradlin, CFO

FROM: *(name, department, title)* Bart Poe, Director of Community Development

RE: Supplemental Budget Appropriation Request FY 2019-2020

DATE: August 2, 2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request Drawdown for ARC Grant to be paid to American Merchant for Water Treatment Facility

Amount: \$ 158,700.00

Revenue: 3-001-033020-0031

Expenditure: 4-001-081025-5702

Signature: 



CITY OF BRISTOL VIRGINIA

300 Lee Street, Bristol, Virginia 24201

TO: Tamrya Spradlin, CFO

FROM: G. Wallace McCulloch, Public Works Director

RE: Supplemental Budget Appropriation Request FY 2019-2020
Falls Development Infrastructure

DATE: August 2, 2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request: Budget needs to be increased because project carried over into FY 20.
For sidewalk construction and I-81 fence replacement. GO Bond Funded.

Amount: \$ 80,000.00

Revenue: 3-009-041010-0001 \$80,000.00

Expenditure: 4-009-095720-8112 \$80,000.00

Signature:

A handwritten signature in blue ink, appearing to read "G. Wallace McCulloch", is written over a horizontal line.



CITY OF BRISTOL VIRGINIA

300 Lee Street, Bristol, Virginia 24201

TO: Tamrya Spradlin, CFO

FROM: G. Wallace McCulloch, Public Works Director

RE: Supplemental Budget Appropriation Request FY 2019-2020
Lee Hwy Phase 2 Construction –100% VDOT Funded

DATE: August 2, 2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request: Budget needs to be increased because project carried over into FY 20.
100% VDOT Funded.

Amount: \$ 350,000.00

Revenue: ~~3-009-041010-0001~~ ²⁴⁰³⁰⁻⁰¹⁰¹ \$350,000.00

Expenditure: 4-009-095755-8112 \$350,000.00

Signature: 



CITY OF BRISTOL VIRGINIA

300 Lee Street, Bristol, Virginia 24201

TO: Tamrya Spradlin, CFO

FROM: G. Wallace McCulloch, Public Works Director

RE: Supplemental Budget Appropriation Request FY 2019-2020
Piedmont Ave & State St Pedestrian Signals –100% VDOT Funded

DATE: August 2, 2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request: Budget needs to be increased because project carried over into FY 20.
100% VDOT Funded.

Amount: \$ 75,500.00

Revenue: 3-009-041010-0001 \$75,500.00
24030-0104
X X

Expenditure: 4-009-095810-8112 \$75,500.00

Signature: _____

A handwritten signature in blue ink, appearing to be "G. Wallace McCulloch", is written over a horizontal line.

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

Meeting Date: August 13, 2019
Department: Finance
Staff Contact: Tamrya Spradlin

AGENDA ITEM WORDING: Consider budget transfers for specific items listed below:

From Municipal Council to Commonwealth's Attorney

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

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

ITEM BACKGROUND:

On May 29, 2019, the Bristol Virginia City Council adopted the FY20 Budget. The above items are transfers within the General Fund, between departments, that require Council approval.

PREVIOUS RELEVANT ACTION:

May 29, 2019, the adoption of the FY20 Budget

STAFF RECOMMENDATIONS:

Staff recommends that Council approve the budget transfers as listed.

DOCUMENTATION: Included X Not Required_____

MOTION:



Commonwealth's Attorney
City of Bristol, Virginia



JERRY ALLEN WOLFE
COMMONWEALTH'S ATTORNEY

MOLLY A. HARLEY
VICTIM/WITNESS DIRECTOR

210 PIEDMONT AVENUE
P.O. BOX 1058
BRISTOL, VIRGINIA 24203-1058

TELEPHONE (276) 645-7200
FAX (276) 645-7210

JOHN P. BRADWELL
ASSISTANT COMMONWEALTH'S ATTORNEY

AMANDA C. CAVE
ASSISTANT COMMONWEALTH'S ATTORNEY

JENNIFER A. STUART
ASSISTANT COMMONWEALTH'S ATTORNEY

July 18, 2019

Ms. Tamrya Spradlin, City Comptroller
City of Bristol Virginia
300 Lee Street
Bristol, Virginia 24201

RE: New Position of Assistant Commonwealth's Attorney
as established by Virginia Compensation Board

Dear Tamrya:

Enclosed please find a copy of the approved FY2020 Budget for the City of Bristol Commonwealth's Attorney's Office as established by the Virginia Compensation Board [hereinafter Comp Board]. As you will note, it includes eight (8) Comp Board employees for the coming year. This is one additional employee above the number authorized in FY19. The additional position is listed on the budget as position number "00008" and lists the position as an "ATTI." That position is an entry-level attorney/prosecutor position, paying \$56,697, plus fringe benefits.

If you could please present this matter to the City Council as a request to adjust the previously approved budget for my department to include the additional position and additional moneys to be received from the Comp Board for this position. As previously discussed with the City Manager, I am also respectfully requesting that the City consider appropriating \$40,000 in additional funds to increase this new salary and the salary of the new City-funded position to a salary of between \$75,000 and \$80,000 to allow us to draw a higher-quality applicant for these positions. I have had two extremely experienced applicants who would make wonderful additions to this department, but who are unobtainable at the current entry-level salary. Thank you for any consideration that Council could give to these matters.

Sincerely,

Jerry Allen Wolfe, Commonwealth's Attorney
for the City of Bristol, Virginia

JAW:tk

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

Meeting Date: August 13, 2019

Department: Finance

Staff Contact: Tamrya Spradlin

AGENDA ITEM WORDING:

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

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

ITEM BACKGROUND:

The items are presented to City Council for payment approval.

PREVIOUS RELEVANT ACTION:

N/A

STAFF RECOMMENDATIONS:

Approval.

DOCUMENTATION: Included X Not Required_____

MOTION: I move to approve all items on the consent agenda as presented.



City of Bristol Virginia Department Purchase Requisition Form

Date of Requisition	Thursday, June 27, 2019
Department Name:	Bristol VA Sheriff's Office
Purpose/Description	Inmate Housing June 2019

Vendor Ordered/Purchased From	Southwest VA Regional Jail Authority	
Payment to: please check one	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> paid by City Credit Card

Purchase Order #	A purchase order is required if the amount purchase is over \$500. A purchase order is to be obtained before making purchase	
Invoice Number:		
Invoice Date:		
Received By:	<i>Capt. D. Collins</i> Capt Collins	

Material & Description	Charge to		Unit Price	QTY (#)	AMOUNT
	Dept #	Account #			
INMATE HOUSING June 2019	33010	3142	80,000.00	1	80,000.00
Medical Expense	33010	3143	1,000.00	1	1,000.00
					0.00
					0.00
					0.00
				Total	81,000.00

Fiscal Year Budget 2019-2020 *700,000*

Budget Remaining After Purchase *619,000*

Department Approval:	<i>Capt. D. Collins</i>	Approval Level Up to \$5,000
CFO Signature:	<i>James Spradlin</i>	Up to \$10,000
City Manager Signature:	_____	Up to \$15,000
Council Approved Date	_____	Over \$15,000
Quotes Attached	_____	rev 12/06/2017
Packing Slip/Bill of Lading Attached	_____	<i>Dave</i> <i>7-2-19</i>



City of Bristol Virginia Department Purchase Requisition Form

Date of Requisition	
Department Name:	Police
Purpose/Description	911 Annual Maintenance

Vendor Ordered/Purchased From	Mobile Communications America, Inc. Dept #125 PO Box 37904 Charlotte, NC 28237-7904	
Payment to: please check one	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> paid by City Credit Card

Purchase Order #	30045	A purchase order is required if the amount purchase is over \$500. A purchase order is to be obtained before making purchase
Invoice Number:		
Invoice Date:		
Received By:	D. Milligan	

Material & Descripton	Charge to		Unit Price	QTY (#)	AMOUNT
	Dept #	Account #			
911 Call Handling Equipment Maintenance/Service Contract Renewal for 2019-2020 Budget Year (Start Date 07/15/2019)	31010	5231	27,655.92	1	27,655.92
Total					27,655.92

Fiscal Year Budget FY20 80,000
 Budget Remaining After Purchase 52,344

Department Approval:	<u><i>John Cant</i></u>	Approval Level Up to \$5,000
CFO Signature:	<u><i>Jamyrus Spradlin</i></u>	Up to \$10,000
City Manager Signature:	_____	Up to \$15,000
Council Approved Date	_____	Over \$15,000
Quotes Attached	_____	rev 12/06/2017

Packing Slip/Bill of Lading Attached _____



City of Bristol, Virginia Documentation of Quotes

The procurement of goods and services shall require the following:
 greater than \$2500.01 & less than \$15,000=3 written quotes
 greater than \$15,000.01 & less than \$50,000=4 written quotes

Department Purchased For: Police **Purchase Order #:** 30045
Quotes to be obtained before a purchase order is issued.

Description of Item/Service: 911 Call Handling Equipment annual recurring renewal on the maintenance and service contract for the 2019-2020 budget year, effective date 07/15/2019.

Summary of Quotation Information		
<u>Date</u>	<u>Vendor & Name of Salesperson/Individual Quoting Price</u>	<u>Cost</u>
1 <u>06/10/19</u>	<u>Mobile Communications (formerly Wireless Communications)</u>	<u>\$27,655.92</u>
2 _____	<u>Bruce Williams</u>	_____
3 _____	_____	_____
4 _____	_____	_____

Quote documentation from the vendor should be attached to this paperwork.

Explanatory Remarks:

911 Call Handling Equipment (CHE) annual recurring renewal on the maintenance and service contract for the 2019-2020 budget year, effective date of contract 07/15/2019. No other vendors to obtain quotes from.
Mobile Communications is the original vendor and installer of the the 911 CHE.

Capt. Danyel E. Milligan
Department Signature

06/24/19
Date

This form along with quote documentation should be forwarded to the purchasing department to be attached to the purchase order.



City of Bristol Virginia Department Purchase Requisition Form

Date of Requisition	6/28/19
Department Name:	Solid Waste Collections
Purpose/Description	Purchase Carts 95 gal.

Vendor Ordered/Purchased From	Cascade Engineering	
Payment to: please check one	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> paid by City Credit Card

Purchase Order #		A purchase order is required if the amount purchase is over \$500. A purchase order is to be obtained before making purchase
Invoice Number:		
Invoice Date:		
Received By:		

Material & Description	Charge to		Unit Price	QTY (#)	AMOUNT
	Dept #	Account #			
95 gal. Carts	4201	4-12020-6019	\$ 43.00	800	\$ 37055.00
Total					\$ 37,055.00

Fiscal Year Budget

\$55,000

Budget Remaining After Purchase

17,945

Department Approval:

Mill AB

Approval Level
Up to \$5,000

CFO Signature:

Jay Spradlin

Up to \$10,000

City Manager Signature:

Dee C. Boy 7/1/19

Up to \$15,000

Council Approved Date

Over \$15,000

Quotes Attached

rev 12/06/2017

Packing Slip/Bill of Lading Attached

Dow
6-28-19



City of Bristol, Virginia Documentation of Quotes

The procurement of goods and services shall require the following:
 greater than \$2500.01 & less than \$15,000=3 written quotes
 greater than \$15,000.01 & less than \$50,000=4 written quotes

Department Purchased For: Solid Waste Collection Dept. Purchase Order #: _____
Quotes to be obtained before a purchase order is issued.

Description of Item/Service: The purchase of 800 carts for our inventory and to replace damaged carts

Summary of Quotation Information

<u>Date</u>	<u>Vendor & Name of Salesperson/Individual</u>	<u>Quoting Price</u>	<u>Cost</u>
1 <u>6/25/19</u>	<u>Cascade Engineering Gloria Reidt</u>	<u>\$43.⁰⁰ each</u>	<u>total \$37,055.⁰⁰</u>
2 <u>6/26/19</u>	<u>Rehig Pacific Company Angela Kirchwehn</u>	<u>\$48.⁰⁰ each</u>	<u>\$42,235.²⁰</u>
3 <u>6/27/19</u>	<u>Schafer Systems International Inc.</u>	<u>\$46.⁰⁰ each</u>	<u>\$39,850.⁴⁰</u>
4 <u>6/27/19</u>	<u>Otto Environmental Systems Franklin Shelton</u>	<u>\$49.⁰⁰ each</u>	<u>\$36,550.⁰⁰</u>

Quote documentation from the vendor should be attached to this paperwork.

Explanatory Remarks:

The quote from Cascade Engineering was not the low bid. I would like to purchase the carts from Cascade because they have a better product and their warranty/customer service is much better. Otto Environmental was the low bid. The warranty at Otto has not honored their agreement in the past when we thought they should. Cascade Engineering has went above their agreement (warranty). They have sent us (wheels, lids) at no cost. Much better service all together.

Department Signature

6/28/19
 Date

This form along with quote documentation should be forwarded to the purchasing department to be attached to the purchase order.

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

Meeting Date: Tuesday, August 13, 2019

Department: Community Development

Bulk Item: Yes No

Staff Contact: Ellen Tolton

AGENDA ITEM WORDING:

City Council and City Attorney Review of Demolitions in 2019

ITEM BACKGROUND:

The Department of Community Development has been diligently seeking to identify and demolish homes that have been neglected by their owners, are in disrepair and have become hazardous to residents. All property owners have been contacted by mail and given sufficient response time to either correct property issues or initiate demolition themselves. A list is attached that shows which houses are subject to demolition by the City and which have either already been razed or will be by owner. There are three properties that are scheduled to be demolished with Community Development Block Grant funds: 804 Madison, 808 Buckner, and 105 East Mary Street. Liens will be placed upon these properties for the incurred demolition costs.

PREVIOUS RELEVANT ACTION:

None.

Staff Recommendations:

Staff recommends that the City Council approve the properties be demolished as recommended.

DOCUMENTATION: Included Not Required

MOTION: Move to approve the properties be demolished as recommended _____

AGENDA ITEM # _____

VOTING RECORD:

Mayor Neal Osborne	_____
Vice-Mayor Bill Hartley	_____
Member Kevin Wingard	_____
Member Kevin Mumpower	_____
Member Anthony Farnum	_____



To: Mr. Mayor and Members of City Council
From: Ellen Tolton, CDBG Coordinator
Date: Tuesday, August 6, 2019
RE: 2019 Proposed Property Demolitions

The intention of this memorandum is to provide information on the proposed demolition of identified private properties with City limits. Properties are vacant, abandoned/neglected by owners, and have been determined to be beyond repair. The City's Building Inspector concurred with this assessment.

Proposed Demolition Activities:

Through diligent code compliance activities, many vacant properties were identified within Bristol City limits that are in poor condition, and provide safety concerns to the public. They also contribute to blight within the City's neighborhoods and gateways, and may lead to decreased surrounding property values. Additionally, these structures can be hazardous to area children and provide havens for vagrants and drug use.

Through rigorous efforts by the code compliance officer, many of the identified properties have been, or will be, demolished by the property owners. There are a handful of other properties however, of which responsible property owners cannot be located. Due diligence has been performed and recorded in order to identify and contact all property owners. CDBG funding is being used to perform demolitions. Please keep in mind that demos completed with CDBG funds must be located in targeted low income areas. At this time, it is proposed that we demo three (3) properties within the City: 804 Madison, 808 Buckner, and 105 East Mary.

Please see attached a list (and pictures) of all affected properties. The first three are the ones that the City will be demolishing at this time. These properties will have asbestos evaluations prior to any work. The rest have been, or will be, demolished by the property owners. Those demolished by the City will have liens filed for the cost of the demo activities.

The demolition of these properties will be advertised in the Bristol Herald Courier and licensed and insured contractors will be solicited through a competitive bid process to perform the demolitions.

Demolition to be completed with CDBG funds:



804 Madison



808 Buckner



105 East Mary

Demolition through HOME program:



Demolished; new home constructed through HOME program

Properties demolished or to be demolished by owners:



1603 Island Road



513 Moore Street



728 Norfolk



501 Pearl



716 Norfolk



600 Highland



600 Fairmount



614 Buckner



716 Russell



720 Russell



1720 Dunlap

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

Meeting Date: August 13, 2019
Department: Transit/Special Events
Staff Contact: Jay Detrick

AGENDA ITEM WORDING:

Consider a Street Closure Request for the annual Summer's End 5K Race

ITEM BACKGROUND:

The Bristol Morning Rotary has requested street closures so that they can hold their annual 5K in the downtown area of Bristol on Saturday August 31, 2019. The streets being requested are State Street, Piedmont Avenue, Euclid Avenue, Chester Street, Oakview Avenue and Martin Luther King Jr., Blvd. A map of the 5K route is attached.

The event route is the same as last year and they wish to begin the race at 9:00 AM this year. The above streets would be required to be partially or fully closed from 6:30 AM to approximately 11:00 AM.

PREVIOUS RELEVANT ACTION:

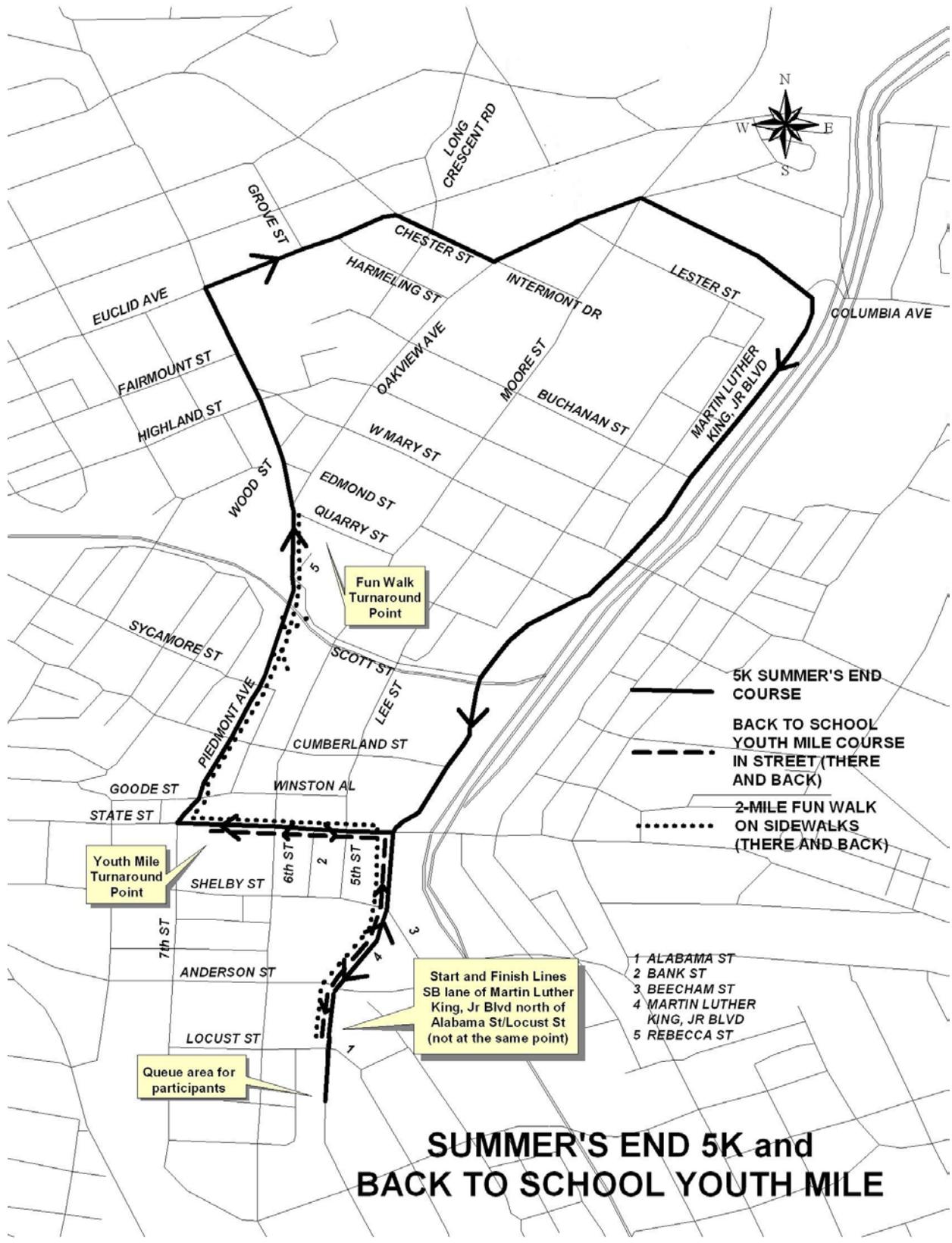
This event has been approved in previous years.

Staff Recommendations:

Staff recommends the street closure be approved as requested.

DOCUMENTATION: Included X Not Required

MOTION: I move to approve all items on the consent agenda as presented.



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

Meeting Date: August 13, 2019
Department: Transit/Special Events
Staff Contact: Jay Detrick

AGENDA ITEM WORDING:

Consider a Street Closure Request for the King University Welcome to Bristol Party.

ITEM BACKGROUND:

King University is requesting to close the 500 block of State Street so that they can hold a welcome to Bristol party for their students. The traffic control plan showing the limits of the closure and detour information is attached. The street closures will be performed by Bristol Tennessee Public Works.

The street closure will take place on Saturday August 24. The closure will begin at 7:00 PM and end at approximately 10:00 PM.

PREVIOUS RELEVANT ACTION:

None

Staff Recommendations:

Staff recommends the street closure be approved as requested.

DOCUMENTATION: Included X Not Required

MOTION: I move to approve all items on the consent agenda as presented.

