

**MINUTES OF THE CITY OF BRISTOL, TENNESSEE  
CITY COUNCIL MEETING**

**February 5, 2019**

**CALL TO ORDER:**

The City of Bristol, Tennessee City Council meeting was called to order by Mayor Margaret Feierabend on Tuesday, February 5, 2019, at 7:00 p.m. in the Slater Center Auditorium.

**ROLL CALL:**

Present: Mayor Margaret Feierabend, Vice Mayor Michelle Denise, Councilman Chad Keen, Councilwoman Lea Powers, and Councilman Jack Young.

Others Present: City Manager William Sorah, City Attorney Danielle Kiser, City Recorder Tara Musick, and members of City staff.

In addition, Councilman Chad Keen welcomed Andrew Cross's government class from Tennessee High School. There were several students of the class in attendance and Councilman Keen read the list of their names.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Brian Plank from the Haven of Rest gave the invocation and Danielle Kiser, City Attorney, led the pledge of allegiance.

**AGENDA ADDITIONS AND/OR CHANGES:** None.

**PROCLAMATIONS AND RECOGNITIONS:**

Utility Construction Superintendent Don Venable and Utility Construction Maintenance Worker Rick Conner, from the Department of Development Services were nominated for the Bristol First Award by Ms. Sherry Phillippi. They provided assistance to Ms. Phillippi after her car was involved in an accident by checking on the status of her and her vehicle, directing traffic, and staying with her until emergency personnel arrived. Terrie Talbert, Director of Community Relations, presented the award to Mr. Venable and Mr. Conner.

**PRESENTATIONS:** None.

**PUBLIC HEARINGS:** None.

**APPEARANCE OF CITIZENS:** None.

**APPOINTMENTS:** None.

**ORDINANCES AND RESOLUTIONS:**

- A. **First Reading of New Ordinances:** None.
- B. **Adoption of Ordinances (Second Reading):** None.
- C. **Resolutions:**

**Resolution 19-10 – A Resolution Authorizing the Use of Eminent Domain to Obtain Property for Use in Construction of New Middle School**

City Manager Sorah stated this resolution authorizes the use of eminent domain for the purpose of acquiring real property for the construction of the new middle school. Over the past several months, the Board of Education has sought unsuccessfully to negotiate a reasonable cost for the acquisition of property located at 908 Oakland Drive. The owner of record is Ms. Mia Sensabaugh and the property has an appraised value of \$76,000. In order to acquire the property within a reasonable timeframe as demolition is imminent in that block to prepare for construction, it is necessary to proceed at this time and the Board of Education has made that request of the City. This is the last property in that block to be aggregated into the future middle school. Documents concerning this issue were previously distributed to Council (and placed on BoardDocs) and include a map of all the properties involved in the middle school construction, an appraisal of the property located at 908 Oakland Drive, and a chronology of events / communications beginning in April 2018 documenting the efforts to seek a solution concerning the acquisition of this property.

Councilman Jack Young asked if the property appraisal was based on a market appraisal or the property assessor's rate. City Manager Sorah confirmed it was based on the market appraisal. Vice Mayor Michelle Denise asked if the home is currently occupied and City Manager Sorah replied to his understanding it is not.

There being no further questions, Mayor Feierabend asked for a motion. Councilwoman Lea Powers made a motion to approve the resolution. Councilman Young seconded the motion and continued by saying efforts for acquisition of this property have been ongoing for ten months and this is essentially a last resort to resolve the issue. Even though Resolution 19-10 authorizes the use of eminent domain, it is not taken lightly and efforts are and will continue to resolve the issue without its use. The motion passed by a unanimous roll call vote without further discussion.

**Resolution 19-11 – A Resolution Approving Tax Equivalent Payments**

City Manager Sorah explained that annually, Bristol Tennessee Essential Services (BTES) delivers a resolution to the City authorizing tax equivalent payments. The resolution authorizes the tax equivalent payments from BTES in the grand total amount of \$2,629,386.34. This breaks down into \$2,538,235.01 for electric facilities, \$24,745.50 for telecommunication facilities, and \$66,405.83 for cable / internet facilities. These payments are made by the tax-exempt utility and are compensation for what the City provides, such as the use of the right-of-way for the placement of the services throughout the year.

Each of the payments is based on a statutory formula and is the maximum amount allowed by law. This year, the City of Bristol will receive a total of \$2,024,814.68 and will be received no later than the end of June 2019.

There being no questions, Mayor Feierabend asked for a motion. Councilman Young made a motion to approve the resolution and Councilman Keen seconded. The motion passed by a unanimous roll call vote.

**Resolution 19-12 – A Resolution Authorizing Entry into a Cost Sharing Agreement and Awarding a Bid Related to State Street Sign**

City Manager Sorah mentioned that one of the goals for Fiscal 2019 is the renovation of the historic Bristol Sign. The sign is in need of structural repairs, as well as repainting, and the replacement of the existing bulbs with new LED lighting. Bids to perform the renovations were opened on January 22<sup>nd</sup> with two bids being received. The lowest responsive bidder was Reed Painting of Russellville, Tennessee in the amount of \$23,985 and a recommendation is made accordingly. Funding for the project will be equally split with the City of Bristol, Virginia.

There being no questions, Mayor Feierabend asked for a motion. Councilman Keen made a motion to approve the resolution and Councilwoman Powers seconded the motion. Councilman Young stated since the sign is an icon in the community it is good for the community to help take care of it. The renovations including the upgrade to LED lights will improve the efficiency and lower the cost of operation. Councilwoman Powers clarified the total cost was \$23,985 to be split 50/50, which City Manager Sorah confirmed. The motion passed by a unanimous roll call vote.

**Resolution 19-19 – A Resolution Urging the Tennessee Legislature and Governor Bill Lee to Adopt a State Historic Tax Incentive, Titled the Main Street Historic Rehabilitation and Tourism Revitalization Act**

City Manager Sorah stated the request for state historic tax credits has long been an initiative of the Tri-Cities legislative agenda and has been discussed with our legislative delegation. As a border community, the lack of having state historic tax credits has sometimes placed our City at a competitive disadvantage when recruiting certain businesses to locate in our downtown. Last week, the National Trust for Historic Preservation made a stop in a number of Tennessee communities and are seeking to engage communities across Tennessee in a unified effort to encourage the general assembly to create a vehicle for the utilization of historic tax credits. This incentive is vital for the renovation of historic structures that are often too costly to repurpose without financial assistance, making new construction a more viable option. However, the loss of these historic structures diminishes the culture and character of a downtown community. These tax incentives are valuable for a developer seeking to renovate these properties and preserve the character of our downtown. If Resolution 19-19 is approved, it will be forwarded to our legislative delegation for their consideration. Legislation supporting this has been entered in both the House and Senate.

There being no questions, Mayor Feierabend asked for a motion. Councilwoman Powers made a motion to approve the resolution and Vice Mayor Denise seconded the motion.

Councilwoman Powers expressed her appreciation for the opportunity to visit with the state legislators in Nashville the last two days. She went on to say historic renovation has to be according to the building code, which can be very expensive depending on the age of the structure. Historic tax credits apply to qualifying structures at least fifty years old. This will be good for the downtown community and she was pleased with the receptiveness by the legislators in Nashville.

Councilman Young continued the discussion by emphasizing the definition of 'historic' applies to structures that are fifty years or older and therefore, many of the properties in the downtown area would qualify for the credit. Councilman Keen pointed out that this is how the Sessions Hotel and Bristol Hotel were renovated in Bristol, Virginia and the Historic Tax Credit could bring about a similar project to Bristol, Tennessee. Vice Mayor Denise stated that she has changed her mind on this topic over time. In visiting other areas of the country, she has learned to appreciate the atmosphere that is created by the architecture of historical buildings and realizes it helps increase the value of the community.

Mayor Feierabend said that Tennessee is at a disadvantage being a border state / city with other states that have the Historic Tax Credit such as Bristol, Virginia which allows them to do other things that we cannot. This tax credit would be another 'tool' in our 'toolbox' allowing us to be more competitive with the surrounding entities. Councilwoman Powers added that all of our surrounding states offer tax credits and it would be nice to join the list and be able to compete.

The motion passed by a unanimous roll call vote.

#### **CONSENT AGENDA:**

City Manager Sorah presented the Consent Agenda to Council. Councilman Young made a motion for approval and Vice Mayor Denise seconded the motion. The following items were approved by unanimous Council vote:

- Minutes January 8, 2019 City Council Meeting
- Minutes January 22, 2019 City Council Work Session
- Resolution 19-13 A Resolution Authorizing the Emergency Repair to Fire Department Quint 3
- Resolution 19-14 A Resolution Authorizing the Purchase of In-Car Video Systems with Body Cameras
- Resolution 19-15 A Resolution Awarding a Bid for the Purchase of Patrol-Rated Sport Utility Vehicles
- Resolution 19-16 A Resolution Awarding a Bid for the Removal of Trees on Cypress Street
- Resolution 19-17 A Resolution Awarding Bid for the Purchase of a Trailer Mounted Dewatering Pump
- Resolution 19-18 A Resolution Authorizing Entry into Revised Agreement with Norfolk Southern Railway Company

#### **BOARD OF EDUCATION LIASON REPORT:**

M. Jim Butcher, School Board Member, commended Mr. Cross for encouraging the students to be involved in the local government. He also commended the Council for extending to the public many opportunities to speak during these meetings. Mr. Butcher thanked Council for approving their request for the use of eminent domain. They are looking forward to the groundbreaking for the new middle school construction on February 19, 2019. The school board is stressing the importance of good

attendance for all students and trying to make it fun by sending out a prize patrol on different dates between now and the end of school to check attendance at various schools. The board is looking forward to the joint meeting with City Council next month to discuss the CTE program. The Tennessee Pathways Initiative just unveiled a certification process which the Bristol Tennessee Public Schools will seek. The system already offers classes that meet the criterion and the certification will further their workforce and economic development efforts.

Mayor Feierabend followed up by introducing various board members in the audience, acknowledging their time and input in directing the future of our communities, and encouraged the students of Mr. Cross' government class to speak with them.

#### **CITY MANAGER'S REPORT:**

City Manager Sorah began by acknowledging the Bristol First recipients of earlier this evening, as well as those of 2018, and that April Norris, Parks and Recreation Department, was nominated as the 2018 employee of the year and was honored at the annual Bristol First Program lunch last week. She was selected by her peers and will receive an extra vacation day this year. He reminded Council of the upcoming work session on Tuesday, February 26<sup>th</sup> at 5:30 p.m., which is part of the continuing budget preparation. The Capital Improvement Plan (CIP) for the next five years will be presented at that time, along with a number of other items, and staff will seek additional input from Council.

On Friday, March 1<sup>st</sup> at Noon, there will be a joint meeting with the Power Board at the Nature Center. There will be a presentation about municipal power providers and how they relate to the State of Tennessee and TVA. This meeting will be followed by a joint meeting with the Board of Education at 1:30 p.m., which will include a presentation on CTE and an update on the new middle school.

A prototype of the destination signage is on the Volunteer Parkway near the intersection with Vance Drive. City Manager Sorah requested Council members drive by and view the prototype several times at various times / lighting conditions as this will also be a topic of discussion at the February work session.

#### **CITY COUNCIL COMMENTS:**

Councilwoman Powers said it is the season for tax and budget deliberation. After meeting with legislators in Nashville the last two days, she realized how well Bristol is positioned and the efforts being made to get everything in place to bring in various types of new jobs. Workforce development is important and education is vital to this as one's education is never complete. Infrastructure is important and the City is also striving to be a 10 GB community whereas most communities are striving to be a 1 GB community. These are all important issues and are already in play, but we need to take it to the next level. People also want quality of life opportunities, not just working opportunities. The next step is having things available like walking and biking trails, and a new baseball facility for club teams like the Bristol Pirates, as well as for games of both high schools. New sidewalks, continued refurbishment of downtown, and working together are all necessary for future growth and making Bristol an exciting place to be.

Councilman Keen mentioned capital projects, with education being the number one focus for this Council. The construction of a new middle school is a main part of that focus along with the renovations

needed for Tennessee High School and the elementary schools. He is looking forward to working with the Board of Education, school administrators and staff, and City staff on those capital projects in the upcoming years. He expressed his appreciation for the City employees who provide extra ordinary customer service to help citizens in need, employees such as April Norris, Don Venable, and Rick Conner all who were honored earlier in the evening through the Bristol First Award Program. Councilman Keen also expressed his thanks for the state leaders and the good meetings with them earlier in the week and he is looking forward to working with federal leaders, leaders from other cities, and the Sullivan County Commissioners.

Councilman Young mentioned he was also thankful for the meetings and mutual dialogue Council had with the legislators in Nashville and encouraged others to meet with the legislators in Nashville as well. The Tennessee Senators in Washington, D.C. also have 'Tennessee Tuesday' where they sit down with Tennessee residents visiting in the area that morning. He encouraged anyone visiting the Washington, D.C. area while the senate is in session to coordinate getting a pass for 'Tennessee Tuesday' to meet their legislators and see them in their work environment.

Vice Mayor Denise expressed her appreciation for anyone who comes to the Council meeting and is interested in city government, specifically mentioning the students in attendance. She emphasized that Council represents the citizens, encouraged them to register to vote as soon as they become eligible, and become involved in government. She is financially conservative and does not like to raise property taxes. Her preference is to keep property taxes flat and bring in more people and jobs to the area.

Mayor Feierabend stated she had attended the meeting concerning the Pathway Certification Workshop and was pleased to see the Bristol Tennessee City Schools are very close to meeting most of the requirements for certification. She continued with the emphasis the school board is placing on attendance and reading to grade level. The schools will be participating in 'Read Across America' on March 1<sup>st</sup>. The ground breaking for the new middle school is February 19<sup>th</sup>.

There is a Ballard Health COPA Committee meeting 5 p.m. Thursday night at Northeast State. At 6 p.m. the same evening there is 'Jobs for Life' community informational meeting about this faith-based mentoring program supported by United Way along with several local congregations which assists people searching for jobs, seeking to improve their job status, and increase their skills. Mayor Feierabend encouraged people in the community to become mentors in the program which is new to the area, but has been successful thus far. The participants attend classes with their mentors for six-weeks to improve job skills, learn about resources, and help them communicate with appropriate business contacts.

The Mayor concluded her comments by stating how proud she was to be able to participate in the legislative meetings earlier this week and how proud she is of the region, community, and its citizens, and what is being accomplished through everyone working together.

There being no further business, the meeting was adjourned at 7:55 p.m.

  
Tara E. Musick, City Recorder

  
Margaret Feierabend, Mayor 