CALL TO ORDER:
The City of Bristol, Tennessee City Council meeting was called to order by Mayor Mahlon Luttrell on Tuesday, April 6, 2021 at 7:00 P.M. The meeting was held electronically via Zoom.

ROLL CALL:
Present: Mayor Mahlon Luttrell, Vice Mayor Vince Turner, Councilwoman Margaret Feierabend, Councilman Chad Keen, and Councilwoman Lea Powers.

Others Present: City Manager William Sorah, City Attorney Danielle Smith, City Recorder Tara Musick, Director of Development Services Tim Beavers, Director of Parks and Recreation Terry Napier, Police Chief Blaine Wade, Director of Community Relations Jon Luttrell, and other members of City staff.

INVOCATION AND PLEDGE OF ALLEGIANCE:
Crystal Key, 911 Communications Manager, gave the invocation. Terry Napier, Director of Parks and Recreation led the pledge of allegiance.

DISCUSSION OF NECESSITY FOR CONDUCTING ELECTRONIC MEETING:
City Attorney Danielle Smith explained the requirements for holding an electronic meeting. The electronic meeting is necessary to protect public safety, health, and welfare due to the Coronavirus pandemic. Councilman Chad Keen motioned to continue the meeting electronically and Vice Mayor Vince Turner seconded. The motion passed unanimously by roll call vote.

AGENDA ADDITIONS AND / OR CHANGES: None.

PROCLAMATIONS AND RECOGNITIONS:
Arbor Day / Earth Day – Mayor Luttrell read a proclamation designating April 30, 2021 as Arbor Day / Earth Day. Mr. Jeremy Stout, Nature Center Manager, was present to receive the proclamation. He thanked Council for their support and the City for valuing natural resources such as trees to which the Tree City U.S.A. designation attests. The City of Bristol, Tennessee has been designated as a Tree City for almost 34 years which is almost longer than any other city in the State of Tennessee. To meet the requirements for that designation the City must have a tree ordinance, spend at least $2 per capita managing our urban forests, officially proclaim Arbor Day and Earth Day, and have a Tree City U.S.A. Board. Mr. Stout read a list of the Tree Board members and acknowledged their efforts.

Library Week – Councilwoman Margaret Feierabend read a proclamation designating April 4-10, 2021 as Library Week. Ms. Tonia Kestner, Bristol Public Library Executive Director, and Ms. Erin Downs, President of the Library Foundation, were present to receive the proclamation. Ms. Kestner thanked Council for the recognition and the City and staff for their support of the Library. She also mentioned today is National Library Workers Day and showed a video that gave a brief overview of the services
and resources available to the public as well as the additional safety and cleaning precautions they have established for the health of patrons and staff.

**Public Safety Telecommunicators Week** – Vice Mayor Turner read a proclamation designating April 11-17, 2021 as National Public Safety Telecommunicators Week. Ms. Crystal Key, 911 Communications Manager, was present to receive the proclamation. She thanked City Council and staff for their support and the recognition of the efforts of the 911 Communications staff to help keep everyone safe.

**Start by Believing Day** – Councilwoman Lea Powers read a proclamation designating April 7, 2021 as Start By Believing Day. Ms. Brittany Fleenor, Coordinated Community Response Specialist of the Branch House / Sullivan County Family Justice Center, was in attendance to accept the proclamation. She shared information on the purpose of the Start By Believing Campaign, the Branch House, and statistics on sexual violence. She thanked Council and the City for helping to raise awareness of this crime and for their support of victims in our community.

**Buckle Up for Life-Distracted Driving Month** – Councilman Keen read a proclamation designating April 2021 as Distracted Driving Awareness Month. Heatherly Sifford, BSPH, Trauma Injury Prevention Program Coordinator of Ballad Health, was in attendance to accept the proclamation. She thanked Council for recognition of the issue of distracted driving and the opportunity to share some information and statistics on the potential dangers.

**Autism Awareness & Acceptance Month** – Vice Mayor Turner read a proclamation designating April 2021 as Autism Awareness & Acceptance Month. John and Sarah Phillips were in attendance to accept the proclamation. They have a young son who was diagnosed with Autism and they expressed their appreciation to the City for helping to bring awareness to this issue. Ms. Phillips said awareness helps to bring education and education brings hope.

**PRESENTATIONS:** None.

**PUBLIC HEARINGS:**

**Resolution 21-32 – A Resolution to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Bristol Tennessee**

City Manager Bill Sorah stated an annexation request has been received from Mr. and Ms. Joshua Roberts, owners of residential property located at 2467 Weaver Pike. The owners desire municipal services including police and fire protection, solid waste services, sanitary sewer service, and access to the municipal school system for their children. The property encompasses 1.49 acres and is located adjacent to the existing corporate limits. If annexed, the majority of City services would be available on the effective date of the annexation. The annexation will require the extension of sanitary sewer system approximately 150 feet with an estimated material cost of $1,500.00. The extension of the sewer service will be performed by City crews and would be completed within one year of the effective date of the annexation. The annexation request was considered by the Bristol Regional Planning Commission during their February 15th meeting and received a unanimous vote to forward a favorable recommendation to Council. Tim Beavers, Director of Development Services, detailed the request.

Mr. Beavers presented a map showing the subject parcel and the surrounding properties and detailed the current city limits and zoning. He will review the Plan of Services during that hearing this evening.
There was no public comment and the public hearing was closed.

Resolution 21-33 – A Resolution to Approve the Plan of Services for the Annexation of Certain Territory (2467 Weaver Pike)

City Manager Sorah mentioned as indicated for the previous public hearing, the majority of the City services would be available on the effective date of the annexation. There are two resolutions later on the agenda pertaining to this matter. If they are both approved the effective date of the annexation will be Wednesday, April 7th. Police, fire, and solid waste services would be available as of that date. Sanitary sewer services will not be available, but will be extended using in-house forces within the one-year timeframe set forth in the Plan of Services. The Bristol Regional Planning Commission voted unanimously at their February 15th meeting to forward a favorable recommendation to Council. Tim Beavers, Director of Development Services, was requested to give additional information.

Mr. Beavers reviewed the Plan of Services. Police, fire, solid waste, schools, and other City services including street maintenance would be effective immediately. Water service is currently through the South Fork Utility District and will not change. The extension of sanitary sewer service will take place within one year of the date of annexation with a material cost of $1,500 and installation to be performed by City crews. If annexed, the property will be in the South District for both schools and Council. The proposed zoning is R-1A.

There was no public comment and the public hearing was closed.

Ordinance 21-3 – An Ordinance to Amend Section 217 (Special Use Permit) of the Zoning Ordinance

The City Manager commented that over the past several months, the Planning Commission has reviewed Section 217 of the Zoning Ordinance as it relates to the topic of Special Use Permits. The primary focus of their discussion surrounded the lack of a sunset provision for the permits following their approval. The proposed amendment would provide for an expiration of the approved permit if no activity is taken to advance the project within twenty-four months of its approval. In addition, language to provide clarity to the requirement for project concept plans was added to the proposed text amendment. The Planning Commission gave final unanimous approval of the proposed amendments during their February 15th meeting. City Council approved this ordinance on first reading at the March 2nd meeting and it will be considered on second reading later on this agenda.

Ms. Cherith Young, Planning Services Manager, detailed the new language concerning the required site plan to be submitted with a special use permit application. This is to help guide the applicant in submitting all the information the Planning Commission needs to be able to approve their application. She explained the addition of a regulation which provides an expiration clause or a sunset provision, and the addition of the definition of ‘implement’ specific to this regulation. Ms. Young reviewed the other proposed items related to Special Use Permits.

There was no public comment and the public hearing was closed.

Ordinance 21-4 – An Ordinance to Amend the Bristol Tennessee Zoning Map by Designating Certain Property as B-3 (General Business District) – 121 Bluff City Highway

The City Manager summarized that staff received a request from Mr. Garrett Addington, owner of commercial property located at 121 Bluff City Highway, for the property to be rezoned from B-1B
(Neighborhood Shopping / Office Zone) to B-3 (General Business). The request was made to allow the owner to expand the permitted uses and to install an electronic message board. City Council approved the ordinance on first reading during the March 2nd meeting.

Ms. Cherith Young, Planning Services Manager, presented slides including maps and pictures of the subject property and the surrounding area, and of the current zoning and land use for all those parcels. She listed the allowed uses of B-1B along with those of B-3. She presented and discussed the Future Land Use Map and Plan of 121 Bluff City Highway and the surrounding parcels. City staff and the Planning Commission reviewed the Future Land Use Map and Plan and determined the subject property rezoning request is in agreement with those policies.

Notification signs were placed on the property announcing the request, meeting information, and contact number. Adjacent property owners were notified by letter which included a return envelope and comment sheet. One phone call was received, which was a call of inquiry and expressed neither support of nor opposition to the request. Due to commercial zoning on part of the subject parcel and on surrounding parcels, combined with the commercial corridor of parcel location, and agreement with policies of the Bristol Future Land Use Plan, staff recommends City Council approval of rezoning. At their February 15th meeting, the Planning Commission voted unanimously to forward a favorable recommendation to City Council.

There were no comments and the public hearing was closed.

APPEARANCE OF CITIZENS: None

APPOINTMENTS:

Bristol Housing Board – City Council addressed the vacancy of one seat on the Bristol Housing Board for a term of office ending March 31, 2026. Councilwoman Feierabend, Councilman Keen, and Mayor Luttrell each spoke on behalf both candidates. Vice Mayor Turner was out of town and could not talk with either candidate prior to this meeting so he will not be voting. The vote was as follows:

- Mayor Luttrell: Abstained
- Vice Mayor Turner: Abstained
- Councilwoman Feierabend: Mary Moffitt
- Councilman Keen: Mary Moffitt
- Councilwoman Powers: Mary Moffitt

Ms. Mary Moffitt was appointed to the Bristol Housing Board to serve a term of office ending March 31, 2026.

Health and Educational Facilities Board – City Council addressed the vacancy of one seat on the Health and Educational Facilities Board for a term of office ending June 30, 2026. Mr. David Rudd was unanimously appointed by roll call vote to the Health and Educational Facilities Board to serve a term of office ending June 30, 2026.
ORDINANCES AND RESOLUTIONS:

A. Resolutions:

Resolution 21-32 – A Resolution to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Bristol Tennessee

This item was summarized during the Public Hearing portion earlier on this Agenda. Councilwoman Powers motioned to approve the ordinance and Vice Mayor Turner seconded. Councilwoman Feierabend said she is glad to see annexation requests these days. There were no further comments and Resolution 21-32 passed unanimously by roll call vote.

Resolution 21-33 – A Resolution to Approve the Plan of Services for the Annexation of Certain Territory (2467 Weaver Pike)

This item was summarized during the Public Hearing portion earlier on this Agenda. Councilwoman Feierabend motioned to approve and Councilman Keen seconded. There was no discussion and Resolution 21-33 passed unanimously by roll call vote.

Resolution 21-34 – A Resolution Authorizing the Issuance of General Obligation Refunding Bonds of the City of Bristol, Tennessee in the Aggregate Principal Amount of Not to Exceed $21,900,000, in One or More Series; Making Provision for the Issuance, Sale, and Payment of Said Bonds, Establishing the Terms Thereof and the Disposition of Proceeds Therefrom; and Providing for the Levy of Taxes for the Payment of Principal of, Premium, if Any, and Interest on the Bonds

City Manager Sorah stated that as discussed during the March 23rd work session, the City has an opportunity to realize substantial interest savings by refunding three outstanding General Obligation Bonds. Resolution 21-34 authorizes the issuance of up to $21,900,000 in General Obligation Refunding Bonds to refund Series 2012, Series 2014, and Series 2015 outstanding General Obligation Bonds.

Cumberland Securities, serving as the City’s financial advisor, has recommended the City consider this in two different issues. There would be a maximum of $5.2 million General Obligation Refunding Bonds to refund Series 2012 and Series 2015 Bonds. The anticipated net present value savings is estimated to be $390,138 over the remaining life of the bonds.

A second Refunding Bond would be issued subsequent to that in the amount of $16.6 million to refund the Series 2014 Bonds to take advantage of lower interest rates. The refunding of this debt has an anticipated net present value savings of $1.56 million over the remaining life of the bonds. Mr. Scott Gibson reviewed the refunding opportunity and discussed the City’s outstanding general obligation debt at the March 23, 2021 work session and was also present at this meeting to provide information and answer any questions.

Mr. Gibson gave a brief overview and said the bond savings should be $120,000 per year on average through 2038. Vice Mayor Turner motioned to approve the resolution and Councilwoman Feierabend seconded. Councilwoman Feierabend thanked Mr. Gibson and City staff involved in tracking bonds for alerting Council to the refinancing options and looking for ways to save the City money. There was no further discussion and Resolution 21-34 passed unanimously by roll call vote.
B. First Reading of New Ordinances:

Ordinance 21-6 – An Ordinance to Amend the Bristol Tennessee Zoning Map by Designating Certain Property as R-1A (Low Density Single Family) – 2467 Weaver Pike

The City Manager pointed out the change in order of this agenda. The proposed annexation required approval of associated resolutions prior to consideration of the ordinance for rezoning of the annexed property. Ordinance 21-6 addresses the zoning of the property at 2467 Weaver Pike which was annexed a few moments ago. It currently has zoning of R-1 in Sullivan County (Low Density Single-Family Residential) District which is similar to the City’s R-1A (Low Density Single-Family) District. The properties adjacent to the subject property also have a Sullivan County zoning classification of R-1. For these reasons, staff recommends an R-1A (Low Density Single Family) zoning for the property.

The Plan of Services for this annexation, which included the recommendation for designating the property as R-1A, was reviewed by the Bristol Regional Planning Commission during their February 15th meeting and they voted unanimously to forward a favorable recommendation to Council. If approved on first reading, a public hearing and second reading will be scheduled for the May 4th meeting.

Ms. Cherith Young, Planning Services Manager, presented a map of the subject property and the surrounding parcels depicting the current zoning.

Councilwoman Powers motioned to approve the ordinance and Councilwoman Feierabend seconded. There was no discussion, a roll call vote was taken, and Ordinance 21-6 passed unanimously on first reading.

Ordinance 21-7 – An Ordinance to Amend Chapter 50 (Offenses and Miscellaneous Provisions) of the Code of Ordinances to Prohibit Smoking in Municipal Playgrounds

The City Manager summarized the Tennessee General Assembly adopted Public Chapter 529 in 2020 which provided local governments with the statutory authority to prohibit smoking in public playgrounds provided the prohibition is approved by a two-thirds majority of the governing body. Public Chapter 529 defines “playground” as an indoor or outdoor facility that is intended for recreational use by children and owned by the local government. The Act further defines “smoking” as the burning of a tobacco product, hemp product, or any other drug or substance. The definition of “smoking” does not include vapor products. As drafted, the City ordinance prohibiting smoking would apply to facilities such as playgrounds, basketball courts, tennis courts, splash pad, swimming pool, youth league facilities, etc. In addition, the prohibition would extend to similar facilities located within our school system. This matter was presented to Council at the March 23rd work session. If approved, it will be considered on second reading during the May business meeting.

Councilwoman Feierabend motioned to approve and Councilwoman Lea Powers seconded. Councilwoman Powers asked when the playgrounds and basketball courts would be open. City Manager Sorah replied the playgrounds have been open since last summer. The basketball goals have not been on the backboards, but if they are not already up they are being put up now. The tennis courts and pickleball courts were never impacted. Councilman Keen asked about opening the pool and the City Manager responded the plan is to open the pool this season. There was no additional discussion and the ordinance passed unanimously by roll call vote.
C. Adoption of New Ordinances (Second Reading):

**Ordinance 21-3 – An Ordinance to Amend Section 217 (Special Use Permit) of the Zoning Ordinance**

This item was summarized during the Public Hearing portion earlier on this Agenda. Councilman Keen motioned to approve the ordinance and Councilwoman Feierabend seconded. Councilwoman Feierabend commented she felt this is a good move. Special use permits are just that—special—and should have a sunset provision. There was no additional discussion and Ordinance 21-3 passed unanimously by roll call vote.

**Ordinance 21-4 – An Ordinance to Amend the Bristol Tennessee Zoning Map by Designating Certain Property as B-3 (General Business District) – 121 Bluff City Highway**

This item was summarized during the Public Hearing portion earlier on this Agenda. Councilman Keen motioned to approve the ordinance and Councilwoman Powers seconded. Councilwoman Powers complimented Mr. Addington on the great job he did on the redevelopment of his property. There was no additional discussion and Ordinance 21-3 passed unanimously by roll call vote.

**Ordinance 21-5 – An Ordinance to Abandon a Portion of Willow Street as Public Right-of-Way**

The City Manager reviewed that earlier this year, staff received a request from the Living Water Baptist Church, located at 1806 Kentucky Avenue, requesting the abandonment of a portion of the Willow Street right-of-way (R-O-W) west of Kentucky Avenue. The request is made for the purpose of combining the church properties and allowing for the construction of a fellowship hall. This dead-end block of Willow Street has a R-O-W of 50 feet in width and approximately 150 feet in length and is surrounded in its entirety by property owned by the Living Water Baptist Church. The abandonment of the R-O-W was considered by the Planning Commission during their February 15th meeting and received a unanimous vote for favorable recommendation to Council.

Mr. David Metzger, Traffic Engineer, gave further details about the request. He showed a map of the area detailing the properties owned by the church. If approved, the abandonment would allow the church to proceed with plans to build a fellowship hall north of Willow Street and to continue to develop their properties for additional church facilities. One of the reasons for the request was to get some setback relief to allow them to build a larger structure once all the properties were combined. As per the usual process of abandonment, utility easements are retained. Staff reviewed the existing utilities and found they are all clustered together along the southern boundary of Willow Street. Therefore, staff proposes to abandon the R-O-W of Willow Street with the City retaining only the southern half of the R-O-W instead of the entire R-O-W which is the normal practice. There are two additional areas currently on church property that would require some utility easements. One is overhead power lines and the other is a water line that crosses church property to serve an adjacent house. Neither of these are covered in this ordinance, but they are covered in the subdivision plat. Mr. Metzger detailed the requirements for this type of situation and explained the requestor has assembled a plat that meets all the conditions to resolve the issue with the City retaining the required R-O-W. This plat is ready to be recorded pending the effective date of this ordinance, should it be approved.

This section of Willow Street contains one publicly maintained street light at the western end and the church has agreed to take over the operation of that street light as a private security light. Since the church owns all the other adjacent property, this dead-end portion of Willow Street no longer serves a public purpose and no public input was required or sought as no one else is affected by the request. The
request was considered by the Planning Commission at their February 15th meeting and they voted to forward a favorable recommendation to City Council. Ordinance 21-5 was approved on first reading at the March 2nd Council meeting.

Councilman Keen motioned to approve and Councilwoman Powers seconded. There was no discussion and Ordinance 21-5 passed unanimously by roll call vote.

CONSENT AGENDA:

City Manager Sorah presented the Consent Agenda to Council. Councilwoman Feierabend motioned to approve and Vice Mayor Turner seconded. The following items were approved by unanimous Council roll call vote:

- Minutes March 2, 2021 City Council Meeting
- Minutes March 23, 2021 City Council Work Session
- Resolution 21-35 A Resolution Approving the Title VI Program for Bristol Tennessee Transit
- Resolution 21-36 A Resolution Authorizing Entry into an Engineering Services Agreement for Design of Grit Removal System Improvements at the Wastewater Treatment Plant
- Resolution 21-37 A Resolution Approving a Grant Contract Amendment with the Tennessee Department of Transportation for the Utilization of Federal Highway Administration Funds for the Bristol Metropolitan Planning Organization
- Resolution 21-38 A Resolution Approving the Purchase of Portable 800 Megahertz Radios and Related Equipment
- Resolution 21-39 A Resolution Authorizing the Purchase of Microsoft 365 Software
- Resolution 21-40 A Resolution Extending a Water and Sanitary Sewer Tap Fee Holiday
- Resolution 21-41 A Resolution Awarding a Bid for Replacing HVAC Control System at City Hall
- Resolution 21-42 A Resolution Awarding a Bid for Purchase of Rooftop HVAC Units for City Hall Facility

BOARD OF EDUCATION LIAISON REPORT:

Dr. Annette Tudor, Director of Schools, said this school year ends in 7 weeks. Kindergarten registration is opening and she mentioned the summer programs and grant funding. They are hoping school will return to in-person learning next school year and are making preparations toward that end. However, there are some students who seem to thrive in the remote environment and some families wish to continue
in that manner. As result, a remote learning option will be offered for middle school to high school. The state has approved that option and have expanded it. Therefore, BTCS will offer the remote option for students in grades 6 – 12 and will also have some type of option for elementary students as well.

In support and to honor the diligence of staff in working on behalf of the students through the unusual challenges presented this year, the last 7 weeks of the school year they are going to do weekly drawings for gifts that are donated by community members, businesses, or individuals which in turn will be recognized by the school system. Blue Circle and The Loft have already made donations. Teacher Appreciation Week is in May.

Councilwoman Powers talked about lunches and food boxes being provided for students in need over spring break. She commended staff and the resource center for consistently reaching out to care for those students and families in need. Dr. Tudor also commended them for helping to fill the needs of the students and their families with not only nutritional support, but emotional support as well.

Vice Mayor Turner said he will donate a $100 gift card for the drawings and Dr. Tudor thanked him and said they will reach out to him concerning the details. Several of the Council members requested Dr. Tudor to contact them as well as they would also like to make donations.

CITY MANAGER’S REPORT:

City Manager Sorah reminded Council there is a virtual meeting at noon on April 8th. It is a called work session for presentations by non-profit organizations seeking funding from the budget for next fiscal year. The annual budget work session and presentation will be at 10 a.m. on April 27th. As Council previously determined, this will be an in-person meeting conducted in the gymnasium at the Slater Center. At this point in time, the Governor’s Order allowing Council to meet electronically expires the end of April so unless it is extended the May 4th business meeting will be conducted in Council Chambers at Slater Center. Councilwoman Powers asked if the date has been set to meet with the school board and school administration to discuss finances. The City Manager replied that he and Dr. Tudor recommend meeting after both entities receive clarification as to how the grant funds can be used. Councilwoman Powers and Councilman Keen would like to meet with the school board to be able to review goals and objectives for funding both what is ‘one and done’ and long-term prior to finalizing the budget for next fiscal year. Councilwoman Feierabend agrees that is important, but efficient use of everyone’s time is important also. The question was asked as to what is the last day of school and Dr. Tudor replied May 21st. Councilman Keen would like to review the status of all the school facilities. A tour of the schools was to take place prior to COVID, but that had to be postponed. Dr. Tudor said they appreciated the desire of Council to see the facilities and will be glad to schedule a meeting or tour whenever Council requests.

CITY COUNCIL COMMENTS:

Councilman Keen talked about business grants offered by Kingsport and the ones previously offered by Bristol. He would like an update from Believe In Bristol about the second round of grants and any remaining monies. He mentioned the potential of meeting with someone from the Hard Rock Casino.

Vice Mayor Turner would like an update from Believe In Bristol on the restaurant grants as well. He also expressed appreciation for being able to make the last minute addition of the proclamation for Autism Awareness.
Councilwoman Feierabend is thankful we have active Rotary Clubs as they are very involved with education through the school system and acknowledge students and teachers through various recognitions. With a focus on education and children we can learn more about early brain development and its far reaching effects. She is excited about passenger rail service and the plans that are being considered.

Councilwoman Powers is looking forward to the work session, seeing where we are with projects, and then shared a list of some of the projects in the CIP. This is a good time of year to look forward to the future and how we are going to get there.

Mayor Luttrell said our children are our future and we cannot miss these opportunities. We need to work hard to get it right for children in our community and all over the country. He commended Councilwoman Feierabend for all the work she does to benefit the children.

There being no further business, the meeting was adjourned at 8:59 P.M.

Tara E. Musick, City Recorder

Mahlon Luttrell, Mayor